Public Papers of the Presidents of the United States

Annual volumes containing the public messages and statements, news conferences, and other selected papers released by the White House.

Volumes for the following years are now available:

**HARRY S. TRUMAN**

- 1945: $5.50
- 1946: $6.00
- 1947: $5.25
- 1948: $9.75
- 1949: $6.75
- 1950: $7.75
- 1951: $6.25
- 1952-53: $9.00

**DWIGHT D. EISENHOWER**

- 1953: $6.75
- 1954: $7.25
- 1955: $6.75
- 1956: $7.25
- 1957: $6.75
- 1958: $8.25
- 1959: $7.00
- 1960-61: $7.75

**JOHN F. KENNEDY**

- 1961: $9.00
- 1962: $9.00
- 1963: $9.00

**LYNDON B. JOHNSON**

- 1963-64 (Book I): $6.75
- 1963-64 (Book II): $7.00
- 1965 (Book I): $6.25
- 1965 (Book II): $6.25
- 1966 (Book I): $6.50
- 1966 (Book II): $7.00
- 1967 (Book I): $8.00
- 1967 (Book II): $8.00
- 1968-69 (Book I): $10.50
- 1968-69 (Book II): $9.50

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

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

The Federal Register will be furnished by mail to subscribers, free of postage, for $2.50 per month or $25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first Federal Register issue of each month.

There are no restrictions on the republication of material appearing in the Federal Register or the Code of Federal Regulations.*
Contents

THE PRESIDENT

PROCLAMATIONS
Quantitative limitations on importation of certain meats into the U.S. 10731
White Cane Safety Day, 1970 10729

EXECUTIVE ORDERS
Amending EO 11246, placing certain positions in levels IV and V of the Federal Executive Salary Schedule 10735
Delegations of authority to negotiate agreements and issue regulations limiting imports of certain meats 10733
Prescribing the duties of the Office of Management and Budget and the Domestic Council in the Executive Office of the President 10737

EXECUTIVE AGENCIES
AGENCY FOR INTERNATIONAL DEVELOPMENT
Notices
List of ineligible suppliers 10778

AGRICULTURAL RESEARCH SERVICE
Rules and Regulations
Hog cholera and other communicable swine diseases; areas quarantined 10751

AGRICULTURE DEPARTMENT
See Agricultural Research Service; Consumer and Marketing Service; Food and Nutrition Service.

ATOMIC ENERGY COMMISSION
Rules and Regulations
Administrative claims under Federal Tort Claims Act; miscellaneous amendments 10750

Notices
Long Island Lighting Co.; third prehearing conference 10803

BUSINESS AND DEFENSE SERVICES ADMINISTRATION
Notices
Applications and decisions on applications for duty-free entry of scientific articles: Argonne National Laboratory et al. 10788
Clarkson College of Technology 10788
New York University 10789
Purdue University 10789
Rutgers State University 10790

CIVIL AERONAUTICS BOARD
Notices
Hearings, etc.
Additional service to Columbia and Augusta case 10803
St. Louis - Charlotte / Greensboro / Raleigh / Augusta / Richmond proceeding 10803

CIVIL SERVICE COMMISSION
Notices
Secretary and related clerical positions, Cook County, Ill.; establishment of minimum rates and rate ranges 10798

COAST GUARD
Rules and Regulations
Drawbridge operation:
Cheesequake Creek, N.J. 10758
North Channel, Jamaica Bay, N.Y. 10758
Sacramento River, Calif. 10758

Proposed Rule Making
Drawbridge operation:
Elizabeth River, Elizabeth, N.J. 10774
Nasseau Sound, Fla. 10775
Salem River, Salem, N.J. 10775

COMMERCIAL DEPARTMENT
See also Business and Defense Services Administration; Maritime Administration.

Rules and Regulations
National Industrial Pollution Control Council Staff; organization and functions 10792

COMMODITY CREDIT CORPORATION
Rules and Regulations
Grain sorghum loan and purchase programs (2 documents) 10745, 10747

CONSUMER AND MARKETING SERVICE
Rules and Regulations
Cotton; issuance of classification memorandums 10739
Hops, domestic; exemption of hops grown or used for research purposes 10743
Limes; importation 10740
Milk handling in certain marketing areas; suspension of certain provisions:
Central Illinois 10744
Southern Illinois 10744
Oranges, Valencia, grown in Arizona and California; handling limitation 10739
Potatoes, Irish, grown in California and Oregon; order amending order 10740

FEDERAL COMMUNICATIONS COMMISSION
Rules and Regulations
Radio frequency devices; all-channel television broadcast receivers 10766

FEDERAL HOME LOAN BANK BOARD
Rules and Regulations
Federal Home Loan Bank System; interest rates on advances 10751
Federal Savings and Loan System; service corporations 10751

FEDERAL MARITIME COMMISSION
Notices
Compania Peruana de Vapores and Prudential-Grace Lines, Inc.; agreement filed 10803

FEDERAL POWER COMMISSION
Notices
Crownwell Oil Co., Inc., et al.; findings and order 10804

FEDERAL RESERVE SYSTEM
Notices
Citizens Bancshares of Florida, Inc.; application for approval of acquisition of shares of bank 10810

(Continued on next page)
CONTENTS
FEDERAL TRADE COMMISSION
Rules and Regulations
Prohibited trade practices; Occiden­tal Petroleum Corp. and Hooker Chemical Corp. 10755

FEDERAL WATER QUALITY ADMINISTRATION
Rules and Regulations
Water pollution control; grants for construction of treatment works 10756

FISH AND WILDLIFE SERVICE
Rules and Regulations
Piedmont National Wildlife Refuge, Ga.; sport fishing; correc­tion 10773

FOOD AND DRUG ADMINISTRATION
Notices
Ronald Divers Watson; loan application 10787

FOOD AND NUTRITION SERVICE
Rules and Regulations
Nonfood assistance program; ap­portionment of funds, fiscal year 1970 10739

FOREIGN ASSETS CONTROL OFFICE
Rules and Regulations
General license for offshore trans­actions from certain countries 10759

GENERAL SERVICES ADMINISTRATION
Rules and Regulations
Government-wide automated data management services; procure­ment of automatic data process­ing equipment 10773

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration; Public Health Service.

INTERIOR DEPARTMENT
See Federal Water Quality Admin­istration; Fish and Wildlife Service; Land Management Bureau.

INTERNAL REVENUE SERVICE
Notices
Grants of relief regarding firearms acquisition, shipment, etc.: Barcome, Clarence A 10779
Boyd, Edgar F 10780
Cotton, Sumner 10780
Crawley, Willie D 10780
Harthcock, Earl Thomas 10781
Joa, Edwin J 10781
Manke, Ronald Gayhardt 10781

INTERSTATE COMMERCE COMMISSION
Notices
Motor carrier, broker, water car­rier, and freight forwarder applications 10811

LABOR DEPARTMENT
See Wage and Hour Division.

LAND MANAGEMENT BUREAU
Notices
California; classification of public lands for transfer out of Fed­eral ownership (2 documents) 10782, 10783
Idaho; classifications for multiple-use management and opening order (2 documents) 10784
Montana; classification of lands for multiple-use management (2 documents) 10784, 10785
Nevada; filing of plat of survey and opening of lands 10786
New Mexico; proposed classifica­tion of public lands for multiple-use management (2 docu­ments) 10787
Wyoming; proposed classification of public lands for multiple-use management 10787

MARITIME ADMINISTRATION
Notices
Free world and Polish flag ves­sels arriving in Cuba since January 1, 1963; list 10790

PUBLIC HEALTH SERVICE
Proposed Rule Making
Metropolitan Las Vegas Interstate air quality control region; design­nation and consultation with authorities 10774

Notices
Health Services and Mental Health Administration; statement of organization, functions, and deleg­ations of authority 10797

SMALL BUSINESS ADMINISTRATION
Rules and Regulations
Administration; alteration of seal 10753
Small business size standards; use of standard industrial classifica­tion manual 10753

Notices
Imperial Mesbic, Inc.; application for license as minority enter­prise small business investment company 10811
Small Business Investment Com­pany of Georgia; application for transfer of control of licensed small business investment com­pany 10811

STATE DEPARTMENT
See Agency for International De­velopment.

TRANSPORTATION DEPARTMENT
See Coast Guard; Federal Aviation Administration.

TREASURY DEPARTMENT
See Foreign Assets Control Office; Internal Revenue Service.

VETERANS ADMINISTRATION
Rules and Regulations
Delegations of authority; Chief Benefits Director et al 10759
Title VI, Civil Rights Act of 1964: Delegation of responsibility 10759
Practice and procedure 10760
Vocational rehabilitation and edu­cation; miscellaneous amend­ments 10765

WAGE AND HOUR DIVISION
Rules and Regulations
Wage payments made to persons other than employees 10757
# List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today’s issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

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

<table>
<thead>
<tr>
<th>CFR Title</th>
<th>Parts Affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 CFR</td>
<td>3062, 3063, 10729, 10731</td>
</tr>
<tr>
<td></td>
<td>11248, (amended by EO 11540), 10735</td>
</tr>
<tr>
<td></td>
<td>11452 (see EO 11541), 10737</td>
</tr>
<tr>
<td></td>
<td>11472 (see EO 11541), 10737</td>
</tr>
<tr>
<td></td>
<td>11493 (see EO 11541), 10737</td>
</tr>
<tr>
<td></td>
<td>11514 (see EO 11541), 10737</td>
</tr>
<tr>
<td></td>
<td>11539, 10733</td>
</tr>
<tr>
<td></td>
<td>11540, 10735</td>
</tr>
<tr>
<td></td>
<td>11541, 10737</td>
</tr>
<tr>
<td>7 CFR</td>
<td>28, 10739</td>
</tr>
<tr>
<td></td>
<td>226, 10739</td>
</tr>
<tr>
<td></td>
<td>908, 10739</td>
</tr>
<tr>
<td></td>
<td>944, 10740</td>
</tr>
<tr>
<td></td>
<td>947, 10740</td>
</tr>
<tr>
<td></td>
<td>991, 10743</td>
</tr>
<tr>
<td></td>
<td>1032, 10744</td>
</tr>
<tr>
<td></td>
<td>1050, 10744</td>
</tr>
<tr>
<td></td>
<td>1421 (2 documents), 10745, 10747</td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td>1036, 10774</td>
</tr>
<tr>
<td></td>
<td>1136, 10774</td>
</tr>
<tr>
<td>9 CFR</td>
<td>76, 10751</td>
</tr>
<tr>
<td>10 CFR</td>
<td>14, 10750</td>
</tr>
<tr>
<td>12 CFR</td>
<td>531, 10751</td>
</tr>
<tr>
<td></td>
<td>545, 10751</td>
</tr>
<tr>
<td></td>
<td>558, 10751</td>
</tr>
<tr>
<td>13 CFR</td>
<td>101, 10753</td>
</tr>
<tr>
<td></td>
<td>121, 10753</td>
</tr>
<tr>
<td>14 CFR</td>
<td>39 (2 documents), 10754</td>
</tr>
<tr>
<td></td>
<td>71 (2 documents), 10754, 10755</td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td>71 (3 documents), 10776</td>
</tr>
<tr>
<td>16 CFR</td>
<td>13, 10755</td>
</tr>
<tr>
<td>18 CFR</td>
<td>601, 10756</td>
</tr>
<tr>
<td>29 CFR</td>
<td>531, 10757</td>
</tr>
<tr>
<td>31 CFR</td>
<td>505, 10759</td>
</tr>
<tr>
<td>33 CFR</td>
<td>117 (3 documents), 10758</td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td>117 (3 documents), 10774, 10775</td>
</tr>
<tr>
<td>38 CFR</td>
<td>2, 10759</td>
</tr>
<tr>
<td></td>
<td>18a, 10759</td>
</tr>
<tr>
<td></td>
<td>18b, 10769</td>
</tr>
<tr>
<td></td>
<td>21, 10765</td>
</tr>
<tr>
<td>41 CFR</td>
<td>101-32, 10773</td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td>81, 10774</td>
</tr>
<tr>
<td>42 CFR</td>
<td>21, 10766</td>
</tr>
<tr>
<td>Proposed Rules:</td>
<td>21, 10766</td>
</tr>
<tr>
<td>47 CFR</td>
<td>15, 10766</td>
</tr>
<tr>
<td>50 CFR</td>
<td>33, 10773</td>
</tr>
</tbody>
</table>
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.

[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 988.8 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.

[Signature]

[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.

THE WHITE HOUSE,
June 30, 1970.

[FR 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 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.

THE WHITE HOUSE,
July 1, 1970.

Richard Nixon
Executive Order 11541


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:

- 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.

The White House,
July 1, 1970.

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

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
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 memoranda have been issued or which classification memoranda have been issued under this subpart may request that a new memorandum be issued without the reclassification of the cotton. Classification memoranda 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 memoranda 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 authority 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 classification of each bale of cotton. The revision also sets forth the fees prescribed for the issuance of the new memorandum.

(b) Upon the request of an owner of cotton for which classification memoranda have been issued under this subpart a new memorandum shall be issued for the business convenience of such owner without a 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 $650 when the number of bales covered is 10 or less, or $65 per bale when the number of bales covered by the rewritten memorandum is more than 10.


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.

[FR Doc. 70-8424; Filed, July 1, 1970; 8:45 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. 885-890, nonfood assistance funds available for the fiscal year ending June 30, 1970, are apportioned among the States as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Total apportionment</th>
<th>State agency amount</th>
<th>Withheld for private schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$332,293</td>
<td>$320,005</td>
<td>11,284</td>
</tr>
<tr>
<td>Alaska</td>
<td>11,300</td>
<td>11,300</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>16,521</td>
<td>16,521</td>
<td></td>
</tr>
<tr>
<td>Arkansas</td>
<td>187,629</td>
<td>183,044</td>
<td>4,585</td>
</tr>
<tr>
<td>California</td>
<td>308,206</td>
<td>305,250</td>
<td></td>
</tr>
<tr>
<td>Colorado</td>
<td>197,698</td>
<td>190,750</td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>87,717</td>
<td>85,138</td>
<td></td>
</tr>
<tr>
<td>Delaware</td>
<td>28,552</td>
<td>28,552</td>
<td></td>
</tr>
<tr>
<td>District of Columbia</td>
<td>15,506</td>
<td>15,506</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>402,037</td>
<td>402,037</td>
<td></td>
</tr>
<tr>
<td>Georgia</td>
<td>654,739</td>
<td>654,739</td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td>28,705</td>
<td>25,000</td>
<td>3,705</td>
</tr>
<tr>
<td>Idaho</td>
<td>45,080</td>
<td>44,765</td>
<td>115</td>
</tr>
<tr>
<td>Illinois</td>
<td>256,089</td>
<td>256,089</td>
<td></td>
</tr>
<tr>
<td>Indiana</td>
<td>243,477</td>
<td>243,477</td>
<td></td>
</tr>
<tr>
<td>Iowa</td>
<td>144,411</td>
<td>144,450</td>
<td></td>
</tr>
<tr>
<td>Kansas</td>
<td>120,215</td>
<td>120,215</td>
<td></td>
</tr>
<tr>
<td>Kentucky</td>
<td>219,365</td>
<td>219,365</td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>419,440</td>
<td>419,440</td>
<td></td>
</tr>
<tr>
<td>Maine</td>
<td>52,867</td>
<td>52,867</td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>131,394</td>
<td>126,479</td>
<td>2,915</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>344,584</td>
<td>344,584</td>
<td></td>
</tr>
<tr>
<td>Michigan</td>
<td>257,715</td>
<td>257,715</td>
<td></td>
</tr>
<tr>
<td>Minnesota</td>
<td>227,650</td>
<td>215,508</td>
<td>12,178</td>
</tr>
<tr>
<td>Missouri</td>
<td>209,706</td>
<td>205,050</td>
<td></td>
</tr>
<tr>
<td>Montana</td>
<td>30,165</td>
<td>26,642</td>
<td>3,523</td>
</tr>
<tr>
<td>Nebraska</td>
<td>74,633</td>
<td>68,951</td>
<td>5,682</td>
</tr>
<tr>
<td>Nevada</td>
<td>8,866</td>
<td>8,866</td>
<td></td>
</tr>
<tr>
<td>New Hampshire</td>
<td>33,182</td>
<td>33,182</td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>183,824</td>
<td>177,242</td>
<td>6,582</td>
</tr>
<tr>
<td>New Mexico</td>
<td>76,458</td>
<td>76,458</td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>664,556</td>
<td>664,556</td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>478,558</td>
<td>478,558</td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>49,702</td>
<td>44,005</td>
<td>5,699</td>
</tr>
<tr>
<td>Ohio</td>
<td>526,190</td>
<td>525,965</td>
<td>13,235</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>137,041</td>
<td>137,041</td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td>94,593</td>
<td>94,593</td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>383,427</td>
<td>361,294</td>
<td>22,133</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>246,657</td>
<td>245,787</td>
<td></td>
</tr>
<tr>
<td>Rhode Island</td>
<td>18,527</td>
<td>18,527</td>
<td></td>
</tr>
<tr>
<td>South Carolina</td>
<td>255,855</td>
<td>251,554</td>
<td></td>
</tr>
<tr>
<td>South Dakota</td>
<td>40,904</td>
<td>40,904</td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td>309,345</td>
<td>304,072</td>
<td>5,273</td>
</tr>
<tr>
<td>Texas</td>
<td>327,746</td>
<td>321,827</td>
<td>5,919</td>
</tr>
<tr>
<td>Utah</td>
<td>92,381</td>
<td>92,381</td>
<td></td>
</tr>
<tr>
<td>Vermont</td>
<td>30,634</td>
<td>30,634</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>259,125</td>
<td>261,006</td>
<td></td>
</tr>
<tr>
<td>Virgin Islands</td>
<td>10,434</td>
<td>10,434</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>193,124</td>
<td>188,648</td>
<td></td>
</tr>
<tr>
<td>West Virginia</td>
<td>236,227</td>
<td>231,732</td>
<td></td>
</tr>
<tr>
<td>Wisconsin</td>
<td>177,026</td>
<td>155,129</td>
<td>21,915</td>
</tr>
<tr>
<td>Wyoming</td>
<td>16,972</td>
<td>16,972</td>
<td></td>
</tr>
<tr>
<td>Samoa, American</td>
<td>5,555</td>
<td>5,555</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9,813,701</td>
<td>146,299</td>
<td></td>
</tr>
</tbody>
</table>

(See Secs. 3, 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.

[FR Doc. 70-8446; Filed, July 1, 1970; 8:52 a.m.]

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

[Vol. 35, No. 128—Thursday, July 2, 1970]

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
RULES AND REGULATIONS

[Lime Reg. 3, Amdt. 19]

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 P.R. Doc. 516; 7859, 11965, 12165, 14860, 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 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 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 thereof in the Federal Register (5 U.S.C. 555) because the time intervening between the date when information upon which this section is based became available and the time when this section becomes 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 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 dissemination and public hearing record, handling and marketing of 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 29, 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.

(See § 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. 70-8586; Filed, July 1, 1970; 11:12 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 said 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 a rapid 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, consistent with 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 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 save 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 the adequacy of the amendment were mailed to all known producers; (4) the changes effected by this amendment will not require advance preparation by handlers who 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 transporting 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 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 participated for market potatoes during two-thirds of the volume of such potatoes represented in such referendum.

It is therefore ordered, That, on and after the date hereof, the 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 in California and in all counties in Oregon except Malheur County, and

(3) The said order, as amended, is hereby further 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 definitions of "handler" 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 § 947.9, 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 (§ § 51.2416 to 51.2424 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(d) U.S. Standards for Grades of Peeled Potatoes (§ § 52.2431 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 thereof, 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 necessary to constitute a quorum of the committee, but no member shall be at the same time a member of any other committee, or associations of producers who are not engaged in the production, processing, or handling of potatoes, or variations based thereon.

(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.

This amendment was held during the period June 1-8, 1970, when copies of the amendment were mailed to all known producers, and findings were made that good cause existed for not postponing the effective date of this amendment beyond that hereinafter set forth.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
(b) The Secretary shall select three producer members of the committee, with the 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 for 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 determined 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; Town 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 Commission, with 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 nominations are to be selected, not later than April 1 of each year, to designate nominees for members and alternates to the committee.
(b) A total of 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.
(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.

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 in the performance of 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 Secretary 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 handler’s pro rata share or the amount of assessment per hundredweight fixed by the Secretary times the quantity of potatoes which he handles as the first handler thereof. In addition, any such funds may be increased 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. 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 Secretary with the approval of the Secretary.
(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 such order 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 declared by the committee, with the approval of the Secretary, as 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.


RICHARD E. LYNG, Assistant Secretary.

[F.R. Doc. 70-9421; 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 T.C.S. 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, Oregon. (Secs. 1–19, 48 Stat. 31, as amended, 7 U.S.C. 601–674)


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

[F.R. Doc. 70–8435; Filed, July 1, 1970; 8:48 a.m.]
RULES AND REGULATIONS

10745

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 to 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. See §§ 1421.210 Purpose. 1421.211 Eligible grain sorghum. 1421.212 Determination of quantity. 1421.213 Determination of quality. 1421.214 Warehouse receipts. 1421.215 Fees and charges. 1421.216 Warehouse charges. 1421.217 Maturity of loans. 1421.218 Support rates.


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. See § 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 meet the requirements of this section: (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 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. When the warehouse receipt shows 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, and 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 determined in accordance with the new 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. (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 farm 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 is required 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 state: (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 is required by this paragraph, (8) whether or not such determinations are made on the basis of an official inspection, (9) a complete and true description of the grain sorghum, and (10) 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” and over 14 percent moisture or both, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.214(c). When the warehouse receipt shows the grade, grading factors, and quantity after drying or blending the grain sorghum to a moisture content of not over 14 percent which reflects 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 § 1421.215. (d) Supplemental certificate requirements. 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 a warehouse receipt showing 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 § 1421.215. (e) Freight certificate requirements. Warehouse receipts representing grain sorghum which has been shipped by rail, or by barge utilizing combination barges and rail, and on file with the Interstate Commerce Commission, from a country shipping point to a designated terminal point or to a storage point in excess of 10 miles by rail from 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 federal register, vol. 35, no. 128—thursday, july 2, 1970
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 § 1421.216 Warehouse charges.

§ 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 receive liens by sale of the grain sorghum when CCC is holder of the warehouse receipt.

(b) Deduction of storage Charges. UGSA Rates. 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 acquired 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 receipts and the grain sorghum charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such evidence is not submitted, the latest date to be used for computing the storage deduction on grain sorghum stored in warehouses operating under the UGSA shall be the latest date storage charges, except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such evidence is not submitted, the latest date to be used for computing the storage deduction on grain sorghum stored in warehouses operating under the UGSA shall be the latest date storage charges, except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made.

(c) Basic support rate 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.

(d) Basic support rates for warehouse-stored grain sorghum received by rail or utilizing combination barge-rail rates. 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 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 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.

(e) 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 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 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.

(f) Stored within the switching limits of designated terminal markets. (i) The applicable basic support county support rate for warehouse-storge 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) of this paragraph 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:

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
RULES AND REGULATIONS

(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 otherwise supplemented for the 1970 crop of grain sorghum by adding §§ 1421.235–1421.239 to read as herein stated.

§ 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 1, 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, LaSalle, Maverick, 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 subparagraph (1) of this paragraph; and (3) on or before June 30, 1971, on grain sorghum stored in States other than Texas and Oklahoma.

§ 1421.236 Compliance requirements.

To be eligible for a loan, all grain shall be delivered to CCC, or in the case of grain sorghum in an approved warehouse, on or before the maturity date. The producer must make application for the loan prior to the maturity date and deposit with CCC the necessary collateral and 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 U.S. Grain Standards Act and regulations thereunder.

Effective date: Upon publication in the Federal Register.


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

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

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970

No. 128—4

10747

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

<table>
<thead>
<tr>
<th>Date:</th>
<th>Deduction (cents per hundredweight)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to June 7, 1970</td>
<td>21</td>
</tr>
<tr>
<td>June 7–June 20, 1970</td>
<td>19</td>
</tr>
<tr>
<td>June 22–July 8, 1970</td>
<td>17</td>
</tr>
<tr>
<td>July 9–July 24, 1970</td>
<td>15</td>
</tr>
<tr>
<td>July 25–Aug. 9, 1970</td>
<td>13</td>
</tr>
<tr>
<td>Aug. 10–Aug. 25, 1970</td>
<td>11</td>
</tr>
<tr>
<td>Aug. 26–Sept. 10, 1970</td>
<td>9</td>
</tr>
<tr>
<td>Sept. 11–Sept. 25, 1970</td>
<td>7</td>
</tr>
<tr>
<td>Sept. 26–Oct. 12, 1970</td>
<td>5</td>
</tr>
<tr>
<td>Oct. 29–Nov. 13, 1970</td>
<td>1</td>
</tr>
<tr>
<td>Nov. 14–Nov. 28, 1970</td>
<td>0</td>
</tr>
<tr>
<td>Nov. 30–Dec. 15, 1970</td>
<td>0</td>
</tr>
<tr>
<td>Dec. 16–Dec. 31, 1970</td>
<td>0</td>
</tr>
<tr>
<td>Jan. 1–Jan. 16, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Jan. 17–Feb. 1, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Feb. 2–Feb. 17, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Feb. 18–Mar. 6, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Mar. 6–Mar. 21, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Mar. 22–April 6, 1971</td>
<td>0</td>
</tr>
<tr>
<td>April 7–Apr. 30, 1971</td>
<td>0</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Maturity date of June 30, 1971</th>
<th>Deduction (cents per hundredweight)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to June 7, 1970</td>
<td>27</td>
</tr>
<tr>
<td>June 7–June 20, 1970</td>
<td>25</td>
</tr>
<tr>
<td>June 22–July 8, 1970</td>
<td>23</td>
</tr>
<tr>
<td>July 9–July 24, 1970</td>
<td>21</td>
</tr>
<tr>
<td>July 25–Aug. 9, 1970</td>
<td>19</td>
</tr>
<tr>
<td>Aug. 10–Aug. 25, 1970</td>
<td>17</td>
</tr>
<tr>
<td>Aug. 26–Sept. 10, 1970</td>
<td>15</td>
</tr>
<tr>
<td>Sept. 11–Sept. 25, 1970</td>
<td>13</td>
</tr>
<tr>
<td>Sept. 26–Oct. 12, 1970</td>
<td>11</td>
</tr>
<tr>
<td>Oct. 29–Nov. 13, 1970</td>
<td>7</td>
</tr>
<tr>
<td>Nov. 14–Nov. 28, 1970</td>
<td>5</td>
</tr>
<tr>
<td>Nov. 30–Dec. 15, 1970</td>
<td>3</td>
</tr>
<tr>
<td>Dec. 16–Dec. 31, 1970</td>
<td>1</td>
</tr>
<tr>
<td>Jan. 1–Jan. 16, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Jan. 17–Feb. 1, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Feb. 2–Feb. 17, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Feb. 18–Mar. 6, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Mar. 6–Mar. 21, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Mar. 22–April 6, 1971</td>
<td>0</td>
</tr>
<tr>
<td>April 7–Apr. 30, 1971</td>
<td>0</td>
</tr>
</tbody>
</table>

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, LaSalle, Maverick, Val Verde, and Waller; (b) June 30, 1971, on grain sorghum stored in Oklahoma and in counties in Texas north of those named in subparagraph (1) of this paragraph; and (c) on or before June 30, 1971, on grain sorghum stored in States other than Texas and Oklahoma.

§ 1421.239 Support rates and discounts.

(a) Basic support rates (cents).

<table>
<thead>
<tr>
<th>Maturity date of June 30, 1971</th>
<th>Support rates and discounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to June 7, 1970</td>
<td>27</td>
</tr>
<tr>
<td>June 7–June 20, 1970</td>
<td>25</td>
</tr>
<tr>
<td>June 22–July 8, 1970</td>
<td>23</td>
</tr>
<tr>
<td>July 9–July 24, 1970</td>
<td>21</td>
</tr>
<tr>
<td>July 25–Aug. 9, 1970</td>
<td>19</td>
</tr>
<tr>
<td>Aug. 10–Aug. 25, 1970</td>
<td>17</td>
</tr>
<tr>
<td>Aug. 26–Sept. 10, 1970</td>
<td>15</td>
</tr>
<tr>
<td>Sept. 11–Sept. 25, 1970</td>
<td>13</td>
</tr>
<tr>
<td>Sept. 26–Oct. 12, 1970</td>
<td>11</td>
</tr>
<tr>
<td>Oct. 29–Nov. 13, 1970</td>
<td>7</td>
</tr>
<tr>
<td>Nov. 14–Nov. 28, 1970</td>
<td>5</td>
</tr>
<tr>
<td>Nov. 30–Dec. 15, 1970</td>
<td>3</td>
</tr>
<tr>
<td>Dec. 16–Dec. 31, 1970</td>
<td>1</td>
</tr>
<tr>
<td>Jan. 1–Jan. 16, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Jan. 17–Feb. 1, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Feb. 2–Feb. 17, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Feb. 18–Mar. 6, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Mar. 6–Mar. 21, 1971</td>
<td>0</td>
</tr>
<tr>
<td>Mar. 22–April 6, 1971</td>
<td>0</td>
</tr>
<tr>
<td>April 7–Apr. 30, 1971</td>
<td>0</td>
</tr>
</tbody>
</table>

1 Dates storage charges start, all dates inclusive.
### Colorado

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baca</td>
<td>$1.49</td>
</tr>
<tr>
<td>All counties</td>
<td>$1.46</td>
</tr>
</tbody>
</table>

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.62</td>
</tr>
</tbody>
</table>

### Kansas—Continued

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ford</td>
<td>$1.50</td>
</tr>
<tr>
<td>Franklin</td>
<td>$1.58</td>
</tr>
<tr>
<td>Gage</td>
<td>$1.50</td>
</tr>
<tr>
<td>Cowley</td>
<td>$1.47</td>
</tr>
<tr>
<td>Graham</td>
<td>$1.44</td>
</tr>
<tr>
<td>Grant</td>
<td>$1.50</td>
</tr>
<tr>
<td>Gray</td>
<td>$1.49</td>
</tr>
<tr>
<td>Greeley</td>
<td>$1.44</td>
</tr>
<tr>
<td>Greenwood</td>
<td>$1.54</td>
</tr>
<tr>
<td>Hamilton</td>
<td>$1.45</td>
</tr>
<tr>
<td>Harp</td>
<td>$1.44</td>
</tr>
<tr>
<td>Harvey</td>
<td>$1.53</td>
</tr>
<tr>
<td>Haskell</td>
<td>$1.50</td>
</tr>
<tr>
<td>Hodgeman</td>
<td>$1.48</td>
</tr>
<tr>
<td>Jackson</td>
<td>$1.58</td>
</tr>
<tr>
<td>Jefferson</td>
<td>$1.58</td>
</tr>
<tr>
<td>Jerrell</td>
<td>$1.47</td>
</tr>
<tr>
<td>Johnson</td>
<td>$1.58</td>
</tr>
<tr>
<td>Kearn</td>
<td>$1.45</td>
</tr>
<tr>
<td>Kingman</td>
<td>$1.54</td>
</tr>
<tr>
<td>Klown</td>
<td>$1.52</td>
</tr>
<tr>
<td>Labette</td>
<td>$1.57</td>
</tr>
<tr>
<td>Lane</td>
<td>$1.46</td>
</tr>
<tr>
<td>Leavenworth</td>
<td>$1.56</td>
</tr>
<tr>
<td>Lincoln</td>
<td>$1.49</td>
</tr>
<tr>
<td>Linn</td>
<td>$1.58</td>
</tr>
<tr>
<td>Logan</td>
<td>$1.54</td>
</tr>
<tr>
<td>Lyndon</td>
<td>$1.54</td>
</tr>
<tr>
<td>McPherson</td>
<td>$1.52</td>
</tr>
<tr>
<td>Marion</td>
<td>$1.52</td>
</tr>
<tr>
<td>Marshall</td>
<td>$1.52</td>
</tr>
<tr>
<td>Meade</td>
<td>$1.53</td>
</tr>
<tr>
<td>Miami</td>
<td>$1.58</td>
</tr>
<tr>
<td>Mitchell</td>
<td>$1.44</td>
</tr>
<tr>
<td>Montgomery</td>
<td>$1.57</td>
</tr>
<tr>
<td>Morris</td>
<td>$1.52</td>
</tr>
<tr>
<td>Morton</td>
<td>$1.54</td>
</tr>
<tr>
<td>Nelson</td>
<td>$1.54</td>
</tr>
<tr>
<td>Neosho</td>
<td>$1.55</td>
</tr>
</tbody>
</table>

### Iowa

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adair</td>
<td>$1.40</td>
</tr>
<tr>
<td>Adams</td>
<td>$1.40</td>
</tr>
<tr>
<td>Allamakee</td>
<td>$1.37</td>
</tr>
<tr>
<td>Appanoose</td>
<td>$1.47</td>
</tr>
<tr>
<td>Jackson</td>
<td>$1.39</td>
</tr>
<tr>
<td>Benton</td>
<td>$1.37</td>
</tr>
<tr>
<td>Blawk Hawk</td>
<td>$1.37</td>
</tr>
<tr>
<td>Boone</td>
<td>$1.37</td>
</tr>
<tr>
<td>Bremer</td>
<td>$1.37</td>
</tr>
<tr>
<td>Buchanan</td>
<td>$1.37</td>
</tr>
<tr>
<td>Buena Vista</td>
<td>$1.42</td>
</tr>
<tr>
<td>Butler</td>
<td>$1.46</td>
</tr>
<tr>
<td>Carroll</td>
<td>$1.46</td>
</tr>
<tr>
<td>Carroll</td>
<td>$1.46</td>
</tr>
<tr>
<td>Clark</td>
<td>$1.37</td>
</tr>
<tr>
<td>Clay</td>
<td>$1.37</td>
</tr>
<tr>
<td>Clinton</td>
<td>$1.37</td>
</tr>
<tr>
<td>Dallas</td>
<td>$1.47</td>
</tr>
<tr>
<td>Davis</td>
<td>$1.45</td>
</tr>
<tr>
<td>Decatur</td>
<td>$1.49</td>
</tr>
<tr>
<td>Delaware</td>
<td>$1.37</td>
</tr>
<tr>
<td>Dickinson</td>
<td>$1.41</td>
</tr>
<tr>
<td>Dubuque</td>
<td>$1.37</td>
</tr>
<tr>
<td>Fayette</td>
<td>$1.37</td>
</tr>
<tr>
<td>Floyd</td>
<td>$1.37</td>
</tr>
<tr>
<td>Franklin</td>
<td>$1.37</td>
</tr>
<tr>
<td>Fremont</td>
<td>$1.37</td>
</tr>
<tr>
<td>Greene</td>
<td>$1.44</td>
</tr>
<tr>
<td>Grundy</td>
<td>$1.37</td>
</tr>
<tr>
<td>Hamilton</td>
<td>$1.40</td>
</tr>
<tr>
<td>Hancock</td>
<td>$1.40</td>
</tr>
<tr>
<td>Harrison</td>
<td>$1.49</td>
</tr>
<tr>
<td>Henry</td>
<td>$1.41</td>
</tr>
<tr>
<td>Howard</td>
<td>$1.37</td>
</tr>
<tr>
<td>Howard</td>
<td>$1.37</td>
</tr>
<tr>
<td>Ida</td>
<td>$1.44</td>
</tr>
<tr>
<td>Iowa</td>
<td>$1.47</td>
</tr>
<tr>
<td>Jackson</td>
<td>$1.37</td>
</tr>
<tr>
<td>Clay</td>
<td>$1.37</td>
</tr>
<tr>
<td>Clay</td>
<td>$1.40</td>
</tr>
</tbody>
</table>

### Indiana

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.62</td>
</tr>
</tbody>
</table>

### Alabama

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.62</td>
</tr>
</tbody>
</table>

### Arizona

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.62</td>
</tr>
</tbody>
</table>

### Arkansas

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.62</td>
</tr>
</tbody>
</table>

### California

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.49</td>
</tr>
</tbody>
</table>

### Kentucky

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.50</td>
</tr>
</tbody>
</table>

### Louisiana

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All parishes</td>
<td>$1.42</td>
</tr>
</tbody>
</table>

### Michigan

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.48</td>
</tr>
</tbody>
</table>

### Minnesota

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.42</td>
</tr>
</tbody>
</table>

### Mississippi

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.52</td>
</tr>
</tbody>
</table>

### Missouri

#### Rate per cwt.

<table>
<thead>
<tr>
<th>County</th>
<th>Rate per cwt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All counties</td>
<td>$1.58</td>
</tr>
<tr>
<td>Adair</td>
<td>$1.49</td>
</tr>
<tr>
<td>Andrew</td>
<td>$1.58</td>
</tr>
<tr>
<td>Audrain</td>
<td>$1.52</td>
</tr>
<tr>
<td>Barry</td>
<td>$1.57</td>
</tr>
<tr>
<td>Bates</td>
<td>$1.58</td>
</tr>
<tr>
<td>Benton</td>
<td>$1.56</td>
</tr>
<tr>
<td>Bellinger</td>
<td>$1.65</td>
</tr>
<tr>
<td>Buchanan</td>
<td>$1.59</td>
</tr>
<tr>
<td>Butler</td>
<td>$1.58</td>
</tr>
<tr>
<td>Caldwell</td>
<td>$1.59</td>
</tr>
<tr>
<td>Callaway</td>
<td>$1.52</td>
</tr>
<tr>
<td>Camden</td>
<td>$1.55</td>
</tr>
<tr>
<td>Cape Girardeau</td>
<td>$1.56</td>
</tr>
<tr>
<td>Carroll</td>
<td>$1.58</td>
</tr>
<tr>
<td>Carter</td>
<td>$1.58</td>
</tr>
<tr>
<td>Cass</td>
<td>$1.59</td>
</tr>
<tr>
<td>Cedar</td>
<td>$1.56</td>
</tr>
<tr>
<td>Charlton</td>
<td>$1.56</td>
</tr>
<tr>
<td>Christian</td>
<td>$1.57</td>
</tr>
<tr>
<td>Clark</td>
<td>$1.44</td>
</tr>
<tr>
<td>Clay</td>
<td>$1.59</td>
</tr>
<tr>
<td>Cole</td>
<td>$1.52</td>
</tr>
<tr>
<td>Cooper</td>
<td>$1.54</td>
</tr>
<tr>
<td>Crawford</td>
<td>$1.58</td>
</tr>
<tr>
<td>Date</td>
<td>$1.58</td>
</tr>
</tbody>
</table>

---

**FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970**
<table>
<thead>
<tr>
<th>County</th>
<th>Rate</th>
<th>Rate</th>
<th>County</th>
<th>Rate</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>McDonald</td>
<td>$1.51</td>
<td>Randolph</td>
<td>$1.53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Macon</td>
<td>$1.56</td>
<td>Reynolds</td>
<td>$1.61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maries</td>
<td>$1.56</td>
<td>Ripley</td>
<td>$1.66</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marion</td>
<td>$1.54</td>
<td>St. Charles</td>
<td>$1.56</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mercer</td>
<td>$1.55</td>
<td>St. Clair</td>
<td>$1.58</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mississippi</td>
<td>$1.55</td>
<td>St. Francis</td>
<td>$1.64</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Montgomer</td>
<td>$1.51</td>
<td>St. Louis</td>
<td>$1.66</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monroe</td>
<td>$1.51</td>
<td>Shreveport</td>
<td>$1.65</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mississippi</td>
<td>$1.56</td>
<td>San Juan</td>
<td>$1.58</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natchitoches</td>
<td>$1.58</td>
<td>San Miguel</td>
<td>$1.56</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natchitoches</td>
<td>$1.58</td>
<td>Saratoga</td>
<td>$1.55</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natchitoches</td>
<td>$1.58</td>
<td>Schuyler</td>
<td>$1.61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>$1.59</td>
<td>Taos</td>
<td>$1.60</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Otero</td>
<td>$1.59</td>
<td>Union</td>
<td>$1.56</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quay</td>
<td>$1.60</td>
<td>Valencia</td>
<td>$1.61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All counties</td>
<td>$1.59</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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 § 14.22 “Administrative claim; when presented; appropriate AEC 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 addresses of the U.S. Atomic Energy Commission’s business offices designated therein.

Pursuant to section 2672 of title 28, United States Code, sections 552 and 553 of title 5, and Part 14 of Chapter I of Title 28, Code of Federal Regulations, the following amendments are made in 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 § 14.22 is amended to read as follows:

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

...
Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

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; * * * *


By the Federal Home Loan Bank Board.

JACK CARTER, Secretary.

[FR Doc. 70-8459; 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 §545.1— 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 revising §§ 545.3, a statement of policy relating to service corporations. Accordingly, said Parts 545 and 556 are amended as follows, effective July 2, 1970: § 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 33 1/3 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 association savings and loan associations 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 brokers and servicers for such real estate and mobile home loans;
(ii) Originating, purchasing, selling, and servicing educational loans;
(iii) Making any investment of the types specified in § 548.9—1 and § 548.9—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) The development and administration of personnel benefit programs, including life insurance, health insurance, and pension or retirement plans;
(d) Research, studies, and surveys;
(e) Development and operation of storage facilities for microfilm or other duplicating records;
(f) Advertising and other services to procure and retain both savings accounts and loans.

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

(c) The development and administration of personnel benefit programs, including life insurance, health insurance, and pension or retirement plans.

(d) Research, studies, and surveys.

(e) Development and operation of storage facilities for microfilm or other duplicating records.

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

(2) Credit information, appraising, construction loan inspection, and abstracting.

(3) The development and administration of personnel benefit programs, including life insurance, health insurance, and pension or retirement plans.

(4) Research, studies, and surveys.

(5) Development and operation of storage facilities for microfilm or other duplicating records.

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

(c) The activities described in the foregoing subdivisions of this subparagraph, and (xi) Activities reasonably incidental to the activities described in the foregoing subdivisions of this subparagraph (d) and:

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

2. Other service corporations. In addition to investment in a service corporation, such meeting 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, Commonwealth, territory or possession;

2. The activities of such corporation, performed directly or through one or more wholly owned subsidiaries, consist of one or more of the activities specified in subdivisions (i) through (xi) of paragraph (a) of this section, and (c) The activities described in the foregoing subdivisions of this subparagraph, and (xii) Such other activities, including a joint venture in any other activity or any activity specified in said subparagraph (d) as the Board may approve upon application therefore by such corporation or otherwise;

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, then 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 4 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 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 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

(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 and

(c) Limitations. A Federal association may make any investment under this section if its aggregate outstanding investment in the capital stock, obligations,
Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amndt. 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.

[FR Doc. 70-8439; Filed, July 1, 1970; 8:49 a.m.]

[Rev. 9, Amndt. 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,

or other securities of service corporations and subsidiaries thereof (including all loans secured and guaranteed by such 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 thereafter 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.

(c) 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 Board, that:

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

(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.

(d) Disposal of investment. Whenever a service corporation, including any subsidiary thereof, emerges 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.

(e) 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.".

(f) Applications. Any application which is made to the Board under this section shall be in form prescribed by the Board and filed with the Servicing 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 approved by 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 may 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 extended 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 (h) 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 includes 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.
§ 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.

[FR. Doc. 70-8438; Filed, July 1, 1970; 8:40 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 70-CE-9-AD; Amdt. 90-1017]

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 concerning, within 12 months after the effective date of this AD, work of presently installed Teledyne Continental Motors Part Number 635125 balance tube per Teledyne Continental Motors Service Bulletin M70—5 or installation of a new Teledyne Continental Motors Part Number 635645 balance tube assembly and 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 635125 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 Number 16000) throughout 1967 engines installed in Cessna Model TU206, TP206 and T210 airplanes.

Comment. 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 loss:

Replace the presently installed Teledyne Continental Motors Part Number 635125 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, Kansas City, Kansas. The strength of the oil filter adapter P/N 631645 which is not available is FAA approved strengthened.

This amendment becomes effective July 2, 1970.

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

PART 39—AIRWORTHINESS DIRECTIVES


Amendment 39-905 (35 F.R. 306, 307) of 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, -C and TSIO—520—E, -F, 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 a FAA approved strengthened oil filter adapter P/N 631645 which is not subject to the failure now experienced by the original oil filter adapter. The strengthened adapter is identified by a 3/8 inch tall raised metal "A" on the adapter between the two bottom attach bolts. Therefore AD 69—26—7 is 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 effect 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 3/8 inch tall raised letter "A" cast on the adapter between the two bottom attach bolts is installed.

This amendment becomes effective July 2, 1970.

Dated: March 6, 1970.

EDWARD C. MARSH,
Director, Central Region.

[FR. Doc. 70-8441; 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 an inadvertent error in the 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:

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

The control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective
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., July 1, 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 to an independent producer in the said area the products which the purchaser also buys or uses from any other such product and/or equipment, selling a combined quantity of products at a lower unit price than an equivalent total quantity of the said products and/or equipment unless the difference can be cost justified, distributing its products on an exclusive basis for the next 10 years, acquiring any manufacturer or distributor of 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, for reasonable royalties, to all previously responsible applicants licenses, for reasonable royalties, to all previously developed processes for preparing plastics and metals, to make available each their standard metal finishing products, and machinery. Nothing in this paragraph shall 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 authorize any acquisition not subject to prior Commission approval.

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 industry, it shall shall notify the Federal Trade Commission shall not be required 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 authorize any acquisition not subject to prior Commission approval.

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 the offered their customers a competitive process (unless willing to cross-license
RULES AND REGULATIONS

Occidental, Hooker and/or their subsidiaries, shall make available annually a list of prices charged for preparing plastics for plating. For a period of ten (10) years from the effective date of this order for each of their metal finishing products, 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. Pursuant to the above notice, a number of comments have been received from interested persons, and due consideration has been given to such 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 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

401.32 Basin control.
401.33 Regional and metropolitan plan.
401.34 Industrial waste treatment.
401.35 Inspections.
401.36 Design.

Authority: The provisions of this Subpart B issued under section 8 of the Federal Water Pollution Act, as amended (70 Stat. 609; 33 U.S.C. 466e) and section 22(a) of the Act, as amended (75 Stat. 504; 33 U.S.C. 466).

§ 401.32 Basin control.

(a) No grant shall be made unless the Commissioner determines, based on information furnished to him pursuant to paragraph (b) of this section, that a project is inconsistent with applicable water quality standards.

(b) In reaching such determination, the Commissioner may require information 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 Commissioner's request for such information. The Commissioner may extend this period for good 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. Water and sewage, or mixed 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, allowing but not limited to:

BOD 5 mg/l.
COD mg/l.
Color Platinum cobalt scale.
Turbidity Jackson candle scale.
Solids mg/l.
Total suspended solids mg/l.
Metal Ions mg/l.
Fluorides mg/l.
Dissolved Oxygen ppm.
Temperature °F.
pH.
Radioactivity pCi/l.
Chlorides mg/l.
Nutrients mg/l.

(c) 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, and the anticipated effectiveness of the proposed project in improving the quality of the water.

(6) Detailed abatement program. Identify all wastes 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.

§ 401.33 Regional and metropolitan plan.

An applicant 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 project is needed in the area, the 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 such treatment in connection with drainage 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.

(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 systems, whether or not interconnected, designed so as to achieve efficiency, economy and effectiveness in waste treatment.

(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 charges 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 revenue, in its practical effect, to offset the operation and maintenance of the treatment works for the amortization of the debt assumed by the project 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 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 or the Commissioner determines 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 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 shall establish 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.
Title 33—NAVIGATION AND NAVIGABLE WATERS
Chapter I—Coast Guard, Department of Transportation
SUBCHAPTER J—BRIDGES
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. 5592).

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 Nolan 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.

(See 5, 26 Stat. 363, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 409, 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.

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

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 this 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.

(See 5, 26 Stat. 363, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 409, 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.

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

PART 117—DRAWBRIDGE OPERATION REGULATIONS
Sacramento River, Calif.

1. The California Department of Public Works and the Southern Pacific Railroad Co. requested the Commandant, 12th Coast Guard District to revise the operation regulations for their drawbridges across the Sacramento River at Knights Landing. A public notice dated March 19, 1970, proposed changes to § 117.716(a) (3), concerning the two bridges across the Sacramento River at Knights Landing. Three of these comments supported the proposal and one comment opposed 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, for draft changes to § 117.716(a) (3), concerning the two bridges across the Sacramento River at Knights Landing, Three of these comments supported the proposal and one comment opposed 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.

Dated: June 24, 1970.

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

[FR Doc. 70-8401; Filed, July 1, 1970; 8:47 a.m.]

PART 117—DRAWBRIDGE OPERATION REGULATIONS
Sacramento River, Calif.

1. The California Department of Public Works and the Southern Pacific Railroad Co. requested the Commandant, 12th Coast Guard District to revise the operation regulations for their drawbridges across the Sacramento River at Knights Landing. A public notice dated March 19, 1970, proposed changes to § 117.716(a) (3), concerning the two bridges across the Sacramento River at Knights Landing. Three of these comments supported the proposal and one comment opposed 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, for draft changes to § 117.716(a) (3), concerning the two bridges across the Sacramento River at Knights Landing, Three of these comments supported the proposal and one comment opposed 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.
§ 505.81 General license for offshore transactions involving the shipment of certain merchandise between foreign 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. Shipments are from an authorized country as provided in paragraph (c) of this section.

(b) This section does not authorize any transaction prohibited by Part 10, Part 105, or Part 530 of this chapter.

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. Shipments are from an authorized country as provided in paragraph (c) of this section.

(b) This section does not authorize any transaction prohibited by Part 10, Part 105, or Part 530 of this chapter.
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 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.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 of the matters and 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 § 18a.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

Sec.

18b.1 Scope of rules.

18b.2 Reviewing authority.

18b.3 Definitions.

18b.10 Records to be public.

18b.11 Use of gender and number.

18b.12 Suspension of rules.

APPEARANCE AND PRACTICE

18b.13 Appearance.

18b.14 Authority for representation.

18b.15 Exclusion from hearing for misconduct.

PARTIES

18b.16 Parties.

18b.17 Amici curiae.

18b.18 Complaintants not parties.
§ 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 Commonwealth 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 obey or 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 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 as 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 submit 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 issues 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 information 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. Filing 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 mailed so as to reach the addressee at an address 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, 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 §§ 18a.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 separate statements the 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 the reviewing authority or the presiding officer may fix, any party may file a motion for an amendment of the notice or the answer at any time before the hearing, but may not 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 made in an oral motion.

§ 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 statement made in his response, the presiding officer 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 consolidating 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 if otherwise stated, the particular section, 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 response, 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 or 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 determine 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 the motion of 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 issues on matters pending before him.

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

(g) Examine witnesses and direct their examination.

(h) Review, 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 statements 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 are in controversy. 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 presiding officer 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.56, witnesses shall be available at the hearing for cross-examination.

§ 18b.53 Exhibits.

Proposed exhibits shall be exchanged at the prehearing conference, or otherwise permitted for the examination of 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 and if the presiding officer so requires, 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 or the genuineness 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 material matter 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 pre­ 
siding 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), legis­ lative 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 docu­ ment 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 evi­ dence of a statement of the substance of such document, such document, 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 presid­ ing 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 certi­ fies 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 pre­ siding officer directs. No oral argument will be heard unless the reviewing au­ thority 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.

RULES AND REGULATIONS

THE RECORD

§ 18b.66 Official transcript.

The Veterans Administration will des­ ignate the official reporter for all hear­ ings. The official transcripts of testimony taken, together with any exhibits, briefs, or memoranda of law filed therewith shall be filed with the Veterans Admin­ istration. Transcripts of testimony in hearings may be obtained from the official reporter by the parties and the pub­ lic at rates not to exceed the maximum rates fixed by the contract between the Veterans Administration and the re­ porter. Transcripts sent to all parties, the presiding officer may authorize correc­ tions to the transcript which involve matters of substance.

§ 18b.67 Record for decision.

The transcript of testimony, exhibits, and all papers and papers filed in the proceeding, including correspondence, and any other material offered for official notice, as a public document need not be produced or marked for identification, but may be offered for official notice, as a public document item by specifying the docu­ ment or relevant part thereof.

§ 18b.68 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 posthear­ ning briefs has expired, the presiding officer shall certify the entire record, includ­ ing his recommended findings and conclusions of law, and any briefs filed with the record, to the reviewing au­ thority; or if so authorized he shall make an initial decision. A copy of the recom­ mended 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 recom­ mended 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 review­ ing 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 review­ ing 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, the reviewing authority shall issue the final 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.

(b) Where the hearing is conducted by a hearing examiner who makes a recom­ mended decision or upon the filing of exceptions to a hearing examiner’s ini­ tial 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 no­ tice will set forth the time, place, 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 briefs is not permitted. 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 per­ mit the parties’ interests to be presented more effectively in the time allotted.

(c) Pamphlets, charts, and other writ­ ten material may be presented at oral argument which 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 Administra­ tor finds that he has no interest in reviewing the decision and supporting briefs and memoranda, 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 to file exceptions to the decision and supporting briefs and memoranda, if any. Failure of a party to request review under this sec­ tion shall not be deemed a failure to ex­ haust administrative remedies for the purpose of obtaining judicial review.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
RULES AND REGULATIONS

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 amended and 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.

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.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970

§ 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 the parties 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 other 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.

(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. It is improper for any person to solicit communications to any such officer, 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 are not 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 engaged or assumed to work with them and who perform no investigative or prosecuting function in connection with the proceeding.

§ 18b.93 Expedient 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 memorandum setting forth its substance shall be made and 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 for Veterans Administration purposes. See §18.4(a) of this chapter.

By direction of the Administrator.

RUFUS H. WILSON, Acting Deputy Administrator.

[FR Doc. 70-8464 Filed July 1, 1970 12:52 p.m.]

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
RULES AND REGULATIONS

(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 §§ 21.4396 and 21.4397, respectively.

5 U.S.C. 301, 38 U.S.C. 210(c)(1) and 38 CFR 16.9(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. 70-8466; Filed, July 1, 1970; 8:42 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:

15.08 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:

(1) Basic tuning mechanism—(a) General rule. The basic tuning mechanism for the UHF television channels (14-83) shall be of the same type (e.g., continuously detented, continuously variable) as the basic tuning mechanism for the VHF television channels (2-18), and shall be of comparable capability and quality.

(b) Tying 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 included into the design of a television broadcast receiver, tuning aids of comparable capability and quality shall be provided for 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. This requirement shall not apply to receivers manufactured prior to May 1, 1973, which furnish a picture smaller than 9 inches measured diagonally.

The Consumer Products Division of the Electronic Industries Association (EIA), 2

Electronic Industries Association of Japan (EIA-Japan), 2

Admiral Corp.

Philco-Ford Corp.

Sylvania Electric Products, Inc.

Westinghouse Electric.

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 General rule. If a petition, affidavits submitted with the Sylvania and Zenith petitions, and affidavits submitted by EIA were in balance, the Commission received in confidence pursuant to § 0.459 of the rules and regulations.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
To the contrary, the materials before us support the conclusion that individual manufacturers would not proceed promptly toward comparable tuning on a large scale without the support of re­ceivers, without the support of regulation requiring all manufacturers to follow the same course. The principal questions raised on reconsideration concern the capital cost to 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 1971 models (1-2 per cent) are tuned to the May 1, 1971, 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, constitutes an appreciable capital outlay. Industry economics require that such expenditures be spread over a large number of production units, rather than sold in a shorter time period. Further, it is the general practice 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. 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 (1973-1975) to re-model all industry receivers in 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. The regulations will require design changes in larger receivers as well as smaller receivers. It urges, in addition, that the Commission not impose interim requirements for partial compliance, since initial difficulties (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 impose interim requirements or 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 effectiveness of a comparable tuning requirement which we have summarized above is support in detail in pleadings submitted by EIA and by individual manufacturers. While 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 television receivers manufactured 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, to 25 percent of models prior to July 1, 1972, and to 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 nor demonstrated.
nor otherwise described. The second device, made by Sarks-Tarzian, Inc., is said to utilize a tuner which is identical to current UHF devices. However, this device includes not only a UHF tuner but also a VHF tuner, which, in the opinion of the manufacturer, is better 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 found in 2 weeks which must be paired with the other they believe to be effective is 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 do not show how the manufacturer is expected 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 May 1 date is required.

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Percent of Models</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971</td>
<td>10 percent of models</td>
</tr>
<tr>
<td>1972</td>
<td>35 percent of models</td>
</tr>
<tr>
<td>1973</td>
<td>70 percent of models</td>
</tr>
<tr>
<td>1974</td>
<td>100 percent of models</td>
</tr>
</tbody>
</table>

Absent a waiver of the percentage requirements (see par. 10, infra), a manufacturer who failed to meet the schedule would be barred from shipping a 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. 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 reception of UHF signals previously accommodated 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 broadcast needs for comparable tuning, following years of unnecessary delay, warrants something more than a "business as usual" approach by the receiver manufacturer. We do not appear likely that any manufacturer will be permitted by the regulations to permit the introduction of a new tunable model which could be sold—and which there­fore would not be accommodated with the receiver—prior to the July 1 date in each of the 4 years. Therefore, for the purposes of this proceeding, the requirement that at least 50 percent of models from each manufacturer who failed to meet the 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 achievable on the basis of 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 "adequate receiving" capability 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, ETA contends that such regulation exceeds the authority granted the Commission under the All-Channel Receiver Law, 47 U.S.C. 303(a) 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(a).)

ETA 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 Congress, are (1) receiver noise figure at UHF relative to that at VHF; and (2) receiver sensitivity at UHF relative to that at VHF. (See Report No. 1836, 87th Cong., 2nd Sess., May 24, 1962, at p. 31.)

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

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
The performance capabilities of television sets for receiving UHF signals should be adequate to assure that the performance which these sets will in fact get comparable reception from UHF and VHF stations. (H.R. Rep. No. 1586, 87th Cong., 2d Sess., at p. 5; H.R. No. 1526, 87th Cong., 2d Sess., at p. 8.)

The legislative history speaks in terms of “electrical performance generally”—not “electronic performance”—and the television process is an important factor in determining performance superiority to the purchaser.

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 subject to being considered adequate, and important elements of the receiver and tuning industry, we believe, are planning for use of a 6-channel tuning mechanism.

17. The availability and adequacy of UHF tuning systems required for compliance with the comparable fungibility regulations: On the basis of all of the information available to us, we are satisfied that an ample supply of tuning mechanisms is necessary for compliance with all requirements 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 a position mechanical UHF tuning system. Practicle considerations relate to such matters as size, cost, and availability in ample supply. In the report and order, we emphasized the importance of installing or elucidating adequate and important elements of the receiver and tuning 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 subject to being considered adequate, and important elements of the receiver and tuning industry, we believe, are planning for use of a 6-channel tuning mechanism.
20. It is important in this respect 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 station must choose 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 least and who view such programing least frequently. It seems reasonable to assume, therefore, that the gross loss in total audience for each station will be slight, if not in each instance totally canceled out by the increase in total audience for those who have tuned the station(s) selected out.

21. We plan for the present to stay with now six-channel UHF detent capability. It is reasonable to believe that developmental work on the six-channel mechanism will be at least as competitive as that on the seven-channel mechanism. Moreover, if the development of the latter is not concluded successfully, the six-channel mechanism can be used in a seven-channel environment. It is apparent that an expanded channel capacity is achievable and can be required in the future. However, we are not now in a position to require the development of seven-channel capacity should, or can reasonably, be prescribed for the future. There are, for example, no settled criteria for determining what stations should be included in a seven-channel band. 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, Developmental work on the seven-channel mechanism can reasonably be imposed. This proceeding will be kept open and a further notice of inquiry or of rule making will be issued.

22. 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 television markets indicating that potential service to portions of the cities proper ranges from nine to 10 UHF stations and that potential service to portions of the surrounding areas ranges from seven to 20 UHF stations. These figures depend on the assumption that the service area of each UHF station extends a distance of 85 to 90 miles from the broadcast station.

23. "Select-out" is a convenient term. However, it should not be read to mean that all viewers who are interested in access to six stations must necessarily lose access to six. It is unlikely that it will be necessary to tune over any appreciable portion of the UHF band to reach a seventh channel in the absence of selective tuning.

24. 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, Developmental work on the seven-channel mechanism can reasonably be imposed. This proceeding will be kept open and a further notice of inquiry or of rule making will be issued.

25. 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 acceptance of seven-channel capability. We have no reason to believe that the devices are now being, or will soon be, tested by receiver manufacturers. (It is clearly important that they act quickly.) If a manufacturer has advised the Commission that either device fails to meet its standards or if the device is not in existence, development will be delayed. Other firms will not be able to use or test such devices in the same manner.

26. Detented tuning, moreover, is expected to work to the advantage of educational stations, whose 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.

27. It is remarkable 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 the sophisticated devices which have hitherto been used in some of the more expensive receivers. Their operation is mechanical, and they perform no electrical function. It is clearly impossible that they shall be of the same 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 insufficiently well. We would not require in the future. However, we are not now in a position to require the development of seven-channel capability should, or can reasonably, be prescribed for the future. There are, for example, no settled criteria for determining what stations should be included in a seven-channel band. 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, Developmental work on the seven-channel mechanism can reasonably be imposed. This proceeding will be kept open and a further notice of inquiry or of rule making will be issued.
RULES AND REGULATIONS

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 the extent of tuning 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 system the basic 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 onetime 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 have 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 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 flexibility by manual tuning 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 mechanism. Manual tuning, in the opinion of the Commission, is required, as a minimum and for the limitation inherent in a six-channel tuning mechanism. If such 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 than simply electronic (or generally under UHF) 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 comparative 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 design and arrangement of the tuning knobs 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 any certification if disparities in UHF tuning capability exist. We are further of the opinion that if 12 or fewer discrete UHF tuning positions are provided, finally, that the receiver meets the requirements of § 15.88 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 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 a receiver 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. 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 or channel with the specific requirements that the manufacturer certifying that the receiver meets the requirements of § 15.88 must be provided. If 12 or fewer discrete UHF tuning positions are provided, finally, that the receiver meets the requirements of § 15.88 will be accepted by the Commission.

28. No substantial question has been raised on reconsideration regarding the requirements of § 15.68(b). However, the requirement 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 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 a receiver 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. 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 or channel with the specific requirements that the manufacturer certifying that the receiver meets the requirements of § 15.88 must be provided. If 12 or fewer discrete UHF tuning positions are provided, finally, that the receiver meets the requirements of § 15.88 will be accepted by the Commission.

29. 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 the above-mentioned requirements of, e.g., any difficulty associated with lighting channel number tags 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.

(2) Question. What do the regulations require with respect to size and legibility of channel read-out?

Answer. See paragraph 29, supra.

(3) Question. Would the regulations permit a mixed system—for example, mechanical tuning for VHF and electronic tuning 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 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 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 the 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 systems, 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 notifications 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 fine tuning 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 above be 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:

(47 U.S.C. 454, 303)

Adopted: June 24, 1970.

 Released: June 29, 1970.

SECRETARY.

FEDERAL COMMUNICATIONS COMMISSION

[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; 10 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) by any manufacturer on or after January 1, 1972, and not manufactured prior to that date.

(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 manufactured after August 7, 1970, shall be 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.

Notes: The combination of rotary tuning switches 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 utilizing UHF detent tuning with a separate mechanical tuning knob is considered to provide repeated access to six channels at discrete tuning positions. A UHF tuning knob (VHF-UHF) tuning system providing repeated access to 11 or more discrete tuning positions is also acceptable, provided each of the discrete tuning positions is accessible 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.

(a) 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 channel by which the channel 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.

(b) Progress reports. Television receiver manufacturers shall file periodic
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 procurement of automatic data processing equipment (ADPE).

1. 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 manufactured 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.

[FR Doc. 70-8428 Filed, July 1, 1970; 8:49 a.m.]

Title 45—PUBLIC CONTRACTS
AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

Title 50—WILDLIFE AND FISHERIES

Chapter 1—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.

[FR Doc. 70-8391 Filed, July 1, 1970; 8:46 a.m.]
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. 8888), 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).


JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[7 CFR Part 1136]
[Docket No. AO-309-A10]

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 9, 1970 (35 F.R. 8888), 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).


JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

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 redelegated 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.

[42 CFR Part 81]
[7 CFR Doc. 70-8922; Filed, July 1, 1970; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard
[33 CFR Part 117]

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 drawbridge specifications 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) (1), the present (f) (4) is renumbered (f) (3) (2), and (f) (3) (ii) 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), by renumbering paragraph (f) (3) as they may desire on or before July 31, 1970. All submissions should be made in writing to the Commander, Seventh Coast Guard District.

§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 draw 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. (Commandant 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, 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.

§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 Route 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 may remain open 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:

§117.225 Navigable waters in the State of New Jersey; bridges where constant attendance of drawtenders is not required.

(3) Nassau Sound, Fla.; Fernandina Port Authority (Nassau Sound) Toll Bridge on State Roads A-1-A and 105 across Nassau Sound.

§117.245(h) * * *

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, 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 Commandant, Seventh Coast Guard District.

6. After the time set for the submission of comments by the interested parties, the Commandant, 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. 70-8640; Filed, July 1, 1970; 8:46 a.m.]
PROPOSED RULE MAKING

(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°32'00" N., Long. 98°56'02" W.), and within 3.5 miles each side of the 171° bearing from the Clinton RBN (Lat. 35°32'15" N., Long. 98°56'06" 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.

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 8(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

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

[35 FR 6444; Filed, July 1, 1970; 8:50 a.m.]

FEDERAL AVIATION ADMINISTRATION

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 1669, 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.

[35 FR 4622; Filed, June 24, 1970; 8:46 a.m.]

FEDERAL AVIATION ADMINISTRATION

TRANSITION AREAS

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 Chief, 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 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

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
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 Columbus 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 one mile southwest 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 10.5-mile radius area to 1 mile south of the Columbus LOM; excluding the portion within 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.

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 ILS 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 301(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.
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 206), Subject to the standard of care described in § 208.2 of Regulation 8; an ineligible 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 supplemental 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


Cerceo, Inc., 1124 Ashton Avenue, Sanitcure, Calif., 90007, August 8, 1969, 9/12/69-9/12/72.


Chung Feng Trading Co., Ltd, Chung Shan North Road, 137, Lane 11, Sec. 2, Taipei, Taiwan, June 23, 1966, 10/17/67-10/17/70.

Chung, Mrs. Jeon, Secretary-Treasurer, Osborne Engineering Co., Ltd., 1899 South Seventh Street, Louisville, Ky. 40208, November 16, 1967, 1/14/67-1/14/70.

Chung, Mr. K. K., President, Osborne Engineering Co., 1899 South Seventh Street, Louisville, Ky. 40208, November 16, 1967, 1/14/67-1/14/70.


Knotopany, Mr. Thao, No. 513 Sam Sen Trail Road, Vietiane, Laos, December 20, 1968, February 1, 1969-February 1, 1972.


Ly, Mr. Kounang Sae, No. 513 Sam Sen Trail Road, Vientiane, Laos, December 20, 1968, February 1, 1969-February 1, 1972.


NOTICES

Prijthanaphong, Mr. Boomsak, Proprietor, Rose Gi Registered Ordinary Partnership, 555-387 Suntipaph Road, Bangkok, Thailand, December 30, 1968, January 2, 1969.
Richoux, 22 Cite; Trevise, 22, Paris 9, France, February 1, 1969, November 1, 1971.
Roseman, Mr. Norman, 1024 Central Building, Fpedder Street, Hong Kong, British Crown Colony, September 15, 1967, November 1, 1968-February 1, 1972.
Rogers, Mr. Henry, 2041-47 Pitkin Avenue, Brooklyn, N.Y. 11207, October 30, 1969.
Roy, Mr. Howard, 32 Broadway, New York, N.Y. 10013, April 22, 1969.
Rowe, Mr. G. W., 160 Broadway, New York, N.Y. 10036, March 26, 1969.
Rouge, Mr. Francis, President, 32 Broadway, New York, N.Y. 10013, April 22, 1969.
Routines, Mr. Martin, 22 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Rupius, Mr. Herman, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Ryerson, Mr. William, 430 East 86th Street, New York, N.Y. 10028, April 30, 1970.
Sadhanaphong, Mr. Lavorn, 160 Broadway, New York, N.Y. 10038, March 26, 1969.
Sadur, Mr. Donald, 20 Exchange Place, New York, N.Y. 10005, September 8, 1969.
Sakae, Mr. Hiroshi, 22 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Salmi, Mr. S., 510 Davis Street SW., Gainesville, Ga. 30501, March 5, 1969.
Salmon, Mr. Walter, 30 Exchange Place, New York, N.Y. 10005, March 15, 1968.
Salvato, Mr. William F., 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Sampson, Mr. William, 22 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Sanchez, Mr. Rafael, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Sapura, Mr. N. K., 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Sarao, Mr. John, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schaefer, Mr. James, 22 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schall, Mr. John, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Scheuba, Mr. Fred, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schulke, Mr. Robert, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schulmeister, Mr. Winfred, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schulte, Mr. Paul, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schumacher, Mr. J., 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schweitzer, Mr. Henry, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schwartz, Mr. Harry, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Schweitzer, Mr. Hugo, 7-2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
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 any firearm or ammunition, any 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 incurred by reason of the conviction hereinafore described.

Signed at Washington, D.C., this 24th day of June, 1970.

[SEAL] Randolph W. Thrower, Commissioner of Internal Revenue.

[FR Doc. 70-8410; Filed, July 1, 1970; 8:47 a.m.]
NOTICES

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970

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 178.145: It is ordered, That Earl Thomas

Signed at Washington, D.C., this 24th day of June 1970.

MARVIN THOMAS
Acting Commissioner of Internal Revenue.

[F.R. Doc. 70-8415; 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, 1967, 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 (18 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

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

Signed at Washington, D.C., this 24th day of June 1970.

WILLIAM H. SMITH,
Acting Commissioner

[F.R. Doc. 70-8414; Filed, July 1, 1970; 8:47 a.m.]
NOTICES

SANTA CLARA COUNTY

T. 6 S., R. 4 E., Sec. 19, SE 1/4 NE 1/4.
T. 10 S., R. 2 E., Sec. 6, lot 3;
Sec. 22, lot 6;
Sec. 33, lot 5.
T. 10 S., R. 6 E., Sec. 31, lots 6, 7, 14 and 15.
T. 11 S., R. 3 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, SE 1/4 SW 1/4.
T. 13 S., R. 4 E., Sec. 28, lots 5 and 6.
T. 14 S., R. 1 E., Sec. 24, lot 1;
Sec. 36, lots 1, 2, 3, 4, and NE 1/4 NE 1/4.
T. 17 S., R. 2 E., Sec. 26, SE 1/4 NE 1/4.
T. 14 S., R. 5 E., Sec. 30, lot 4 and SE 1/4 SW 1/4;
Sec. 31, lots 1, 2, 3, 6, 7, and 9.
T. 15 S., R. 5 E., Sec. 9, lots 4, 5, and 6, SE 1/4 NE 1/4 and NE 1/4 SW 1/4.
Sec. 10, lot 4 and 6/4 NW 1/4; 
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, and 14;
Sec. 15, SE 1/4 NE 1/4;
Sec. 23, lots 20, 21, and 23;
Sec. 24, SE 1/4 SW 1/4.
T. 18 S., R. 5 E., Sec. 31, lots 1, 10, 11, and 20, and W 1/2 E 1/2;
Sec. 33, NW 1/4 NE 1/4 and NE 1/4 NW 1/4;
T. 19 S., R. 5 E., Sec. 1, lot 3;
Sec. 6, lot 2.
T. 15 S., R. 8 E., Sec. 16, NW 1/4 NE 1/4 and SE 1/4 NW 1/4;
T. 16 S., R. 6 E., Sec. 29, NW 1/4 SE 1/4.
T. 17 S., R. 7 E., Sec. 34, E 1/4 NW 1/4 and E 1/4 SE 1/4;
Sec. 36, NE 1/4 SE 1/4.
T. 18 S., R. 7 E., Sec. 4, SE 1/4 NE 1/4 and SE 1/4 SE 1/4;
Sec. 7, lot 4;
Sec. 10, SE 1/4 NW 1/4.
T. 20 S., R. 7 E., Sec. 27, NW 1/4 NE 1/4.
T. 21 S., R. 7 E., Sec. 3, SW 1/4 NW 1/4;
Sec. 5, SE 1/4 NW 1/4;
Sec. 11, SE 1/4 SW 1/4;
Sec. 16, lots 5, 6, and 7;
Sec. 24, SE 1/4 SW 1/4 and SW 1/4 SE 1/4;
Sec. 25, NW 1/4 SE 1/4;
T. 18 S., R. 8 E., Sec. 6, lots 2 and SW 1/4 NE 1/4.
T. 22 S., R. 8 E., Sec. 27, NW 1/4 NE 1/4 and NW 1/4 SE 1/4.
T. 24 S., R. 8 E., Sec. 11, SW 1/4 SW 1/4;
Sec. 12, SW 1/4 SW 1/4.
T. 23 S., R. 8 E., Sec. 16, lot 4;
Sec. 22, E 1/4 NE 1/4, NE 1/4 SW 1/4, and SW 1/4 NW 1/4;
Sec. 23, NW 1/4;
T. 23 S., R. 9 E., Sec. 11, NW 1/4 NW 1/4, W 1/4 SW 1/4, and E 1/4 SE 1/4;
Sec. 13, NW 1/4 NW 1/4;
Sec. 14, NE 1/4 NE 1/4 and NW 1/4 NW 1/4;
Sec. 17, NW 1/4 SW 1/4;
T. 24 S., R. 9 E., Sec. 31, SE 1/4 NE 1/4;
T. 21 S., R. 10 E., Sec. 23, NW 1/4 NE 1/4;
T. 22 S., R. 10 E., Sec. 33, lot 5.

SANTA CRUZ COUNTY

T. 10 S., R. 2 E., Sec. 29, lots 1, 2, and 9.

MONTEREY COUNTY

T. 10 S., R. 6 E., Sec. 23, S 1/4 SE 1/4 and NW 1/4 SE 1/4;
Sec. 24, lots 13 and 14.

The public lands described above aggregated approximately 216.07 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

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 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, 6:49 a.m.]
NOTICES

10783

T. 13 S., R. 9 E.
Sec. 30, lot 4, SE¼ NW¼, and E¼ SW¼.
T. 14 S., R. 9 E.
Sec. 30, lot 1.
Sec. 32, SW¼ SW¼.
Sec. 34, SW¼ NW¼.
Sec. 36, NW¼ NW¼.
T. 15 S., R. 9 E.
Sec. 4, lot 22.
Sec. 5, lot 12.
Sec. 6, lot 7.
Sec. 10, lot 3 and SE¼ NE¼.
T. 16 S., R. 9 E.
Sec. 2, SE¼ SW¼ and SW¼ SE¼.
Sec. 12, NE¼ SE¼.
Sec. 13, NW¼ NE¼.
Sec. 17, SE¼ NE¼.
Sec. 20, SW¼ NW¼ and W¼ SE¼.
T. 17 S., R. 9 E.
Sec. 4, 10½ lot 6.
Sec. 34, lots 1 and 2, W¼ NE¼, and E¼ NW¼.
T. 18 S., R. 9 E.
Sec. 2, SE¼ SW¼ and SW¼ SE¼.
Sec. 12, NE¼ SE¼.
Sec. 13, NW¼ NE¼.
T. 19 S., R. 9 E.
Sec. 3, 1½ lot 6 and N¼ NE¼.
T. 19 S., R. 15 E.
Sec. 2, lot 7, NW¼ SW¼ NW¼ SE¼, and SE¼ SE¼.
Sec. 4, lots 2, 3, and SW¼.
Sec. 8, lots 2, 3, 4, 5, 6, 10, and 11.
Sec. 9, lots 1, 2, 3, and 4.
Sec. 20, W¼ NW¼, ¼ NE½ SE¼, N¼ NW¼ SE¼, and S¼ SE¼.
Sec. 22, ¾½ and SE¼.
T. 20 S., R. 15 E.
Sec. 2, lot 2, SW¼, SW¼ NW¼ SE½, and E¼ SE¼ SE¼.
Sec. 12, NW¼ SW¼, and W¼ SE¼.
T. 21 S., R. 15 E.
Sec. 18, lots 4, 5, and 6.
Sec. 22, NE¼, SE¼ SW¼, and NW¼ SE¼.
Sec. 26, E¼.
Sec. 28, NE¼.
Sec. 30, N¼ lot 6, lot 7, and NW¼ SE¼.
Sec. 31, lots 3 and 4.
Sec. 34, NW¼ SE¼ SE¼ and ¾½ SE¼.
T. 22 S., R. 15 E.
Sec. 2, SE¼ SE¼.
Sec. 24, lot 4.
T. 19 S., R. 16 E.
Sec. 15, lot 2.
T. 21 S., R. 16 E.
Sec. 32, W¼ NW¼.
T. 22 S., R. 16 E.
Sec. 32, NW¼ NW¼.

SAN BENITO COUNTY

T. 12 S., R. 4 E.
Sec. 22, lot 1.
T. 14 S., R. 8 E.
Sec. 2, SE¼ SE¼.
Sec. 4, lot 1.
Sec. 9, lot 2.
T. 11 S., R. 7 E.
Sec. 21, ¼ SE¼.
T. 13 S., R. 7 E.
Sec. 18, lots 3 and 8.
Sec. 22, lot 5.
T. 18 S., R. 7 E.
Sec. 12, lot 5.
Sec. 13, lot 5.
T. 14 S., R. 7 E.
Sec. 13, SW¼ NW¼ SE¼ and NW¼ NW¼.
T. 13 S., R. 8 E.
Sec. 18, lot 3.
T. 16 S., R. 8 E.
Sec. 7, lot 2.
Sec. 8, NE¼ NE¼.
Sec. 12, lots 3 and 8.
T. 16 S., R. 9 E.
Sec. 11, NW¼ NE¼ and SE¼ SW¼.
T. 15 S., R. 7 E.
Sec. 3, E¼ SW¼ and SW¼ SE¼.
Sec. 4, SE¼ SW¼ and ¾½ SE¼.
Sec. 7, lot 3.
Sec. 10, N¼ NW¼ and SE¼ NW¼.
Sec. 11, NE¼.
Sec. 36, NW¼.
Sec. 36, NE¼, NE¼ NW¼, and NW¼.
T. 15 S., R. 8 E.
Sec. 29, lots 10 and 15.
Sec. 31, lots 8, 10, and 11.
Sec. 32, lots 3 and 18.
T. 16 S., R. 8 E.
Sec. 5, lot 4.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
NOTICES

IDAHO

Notice of Classification for Multiple-Use Management and Opening Order


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 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. 881 and 882), and amendment of 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 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose. However, publication does not affect the applicability of the public land laws (43 U.S.C., Parts 7 and 8), the mineral leasing laws, except the form 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 Port Street, Boise, Idaho. 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, 250 Collins 43 Road, Boise, Idaho, and in the Land Office, Bureau of Land Management, Boise, Idaho:

BOISE MERRIDIAN, IDAHO

ADA COUNTY

Sec. 5, NW 1/4 Sec. 1 W., Sec. 30, Lots 1-
Totaling 37.60 acres.

The area described aggregates approximately 1,415.39 acres.

3. The land was reconveyed to the United States under provisions of section 8 of the Act of June 28, 1934 (43 Stat. 1272) as amended June 26, 1936 (49 Stat. 1269) 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, LLM, 320, Washington, D.C. 20240. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240.

J. R. PENNY, State Director.

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 sale 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 mineral and mining 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 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
NOTICES

Notice of Classification of Public Lands for Multiple Use Management

JUNE 28, 1970.

1. Pursuant to the Act of September 13, 1964 (43 U.S.C. 1411-19) 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. 1711) 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. 1209), 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. 6156 and 6155) 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, representative for the LeValley Ranch. The acreage to be classified is shown in paragraph 2 of the notice of
showing comments received and other information can be examined 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.

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., Secs. 26, 27, 28.
T. 24 N., R. 42 E., Secs. 5 to 8, inclusive; Sec. 13.

The public lands described above aggregate approximately 1,416 acres.

M'CONE COUNTY

T. 35 N., R. 42 E., Secs. 1 to 4, inclusive; Sec. 26.
T. 36 N., R. 42 E., Secs. 1 to 18, inclusive, portions lying south of the Missouri River; Secs. 7 to 36, inclusive.
T. 37 N., R. 42 E., Secs. 1 to 25, inclusive.
T. 38 N., R. 43 E., Secs. 1 to 20, inclusive.
T. 22 N., R. 44 E., Secs. 2 to 26, inclusive.

The public lands described above aggregate approximately 1,416 acres.

NOTICES

T. 22 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. 23 N., R. 46 E., Secs. 1 to 5, inclusive; Sec. 6, 8 to 24, inclusive; Secs. 25 to 27, inclusive.
T. 23 N., R. 46 E., Secs. 2 to 11, inclusive; Sec. 15, W1/4SW1/4; Secs. 14 to 22, inclusive; Secs. 30 and 31; Secs. 35, 36,1/2SE1/4.
T. 24 N., R. 46 E., Secs. 1 to 5, inclusive; Sec. 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; Sec. 14, W1/4SW1/4; Sec. 12, NW1/4NW1/4; Sec. 14 to 17, inclusive; Secs. 21 to 23, inclusive; Secs. 32 to 36, inclusive.
T. 22 N., R. 47 E., Secs. 21 to 27, inclusive, portions lying south of the Missouri River; Secs. 7, 18, and 19.
T. 24 N., R. 47 E., Secs. 3 to 5, inclusive; Sec. 9, NW1/4NW1/4; Secs. 17 and 18.
T. 25 N., R. 47 E., Secs. 10 to 14, inclusive; Secs. 11, NW1/4NE1/4, NW1/4 and NW1/4SW1/4; Secs. 28 to 33, inclusive.
T. 26 N., R. 47 E., Secs. 22, 26, R. 48 E., Secs. 17 to 20, inclusive; Sec. 39.
T. 27 N., R. 48 E., Secs. 10 to 17, inclusive; Secs. 11, NW1/4NE1/4, NW1/4 and NW1/4SW1/4; Sec. 35, NW1/4SE1/4.

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 ZALICKS,
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.
NOTICES

 nye 25, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the reg­
ulations in 43 CFR Parts 2410 and 2411, the public lands described below were clas­

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 26, 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. 5 S., R. 18 E., Sec. 20, NE 1/4SW 1/4.

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, N. Mex. 88201.

W. J. ANDERSON, State Director.

[F.R. Doc. 70-8336; Filed, July 1, 1970; 8:45 a.m.]
NOTICES

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. 20220, within 20 calendar days after date on which this notice of application is published in the Federal Register.

Amended regulations issued under said Act, 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. 20220.


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, carolines, American and European Hospitals, in control and irradiated animals; the effect of negative growth in the embryos of melanoplus differentialis (grasshopper) following irradiation; the effect of irradiation on the newly forming chick embryo blood vascular system. Application received by Commissioner of Customs: June 9, 1970.


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; the 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.


Intended use of article: The article will be used by 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.


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 compounds will be used for autoradiography and cytochemistry. Materials 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 45221. Article: Ultramicrotome, Model LKB 8800A, and Knifemaker Combination. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used for 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 Administrator for Industry Operations, Business and Defense Services Administration,

[Signature]

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970

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
NOTICES

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 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. 70-8880; 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 (Pub.

ic 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, 191 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 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. 70-8882; 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. 70-00126-07-13200. Applicant: Purdue University, Purchasing Department, Lafayette, Ind. 47907. Article: Photo-electro-apparatus for analyzing properties of meat according to the brightness of its color intensity. Manufacturer: Ernest Schutt Jnr., 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 photometers are somewhat unreliable 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 is intended to be used, which is being manufactured in the United States.

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. 70-8882; Filed, July 1, 1970; 8:45 a.m.]

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970

10789
advised by the National Bureau of Standards (NBS) in its memorandum dated June 11, 1970, that it knows of no domestically manufactured portable spectrophotometer 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 an 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.

[FR Doc. 70-8383; 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 instrument pursuant to section 616 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. 15877 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.


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 an 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.

[FR Doc. 70-8383; Filed, July 1, 1970; 8:45 a.m.]

Maritime Administration

[List of Free World and Poland 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

<table>
<thead>
<tr>
<th>Gross Tonnage</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>518,238</td>
<td>Cypriot (68 ships)</td>
</tr>
<tr>
<td>9,024</td>
<td>Aegis Banner</td>
</tr>
<tr>
<td>9,072</td>
<td>Aegis Fame</td>
</tr>
<tr>
<td>5,673</td>
<td>Aegis Hope (previous trips to Cuba as the Attalos—British)</td>
</tr>
<tr>
<td>2,292</td>
<td>Alfa</td>
</tr>
<tr>
<td>2,388</td>
<td>Alice (previous trips to Cuba—Greek)</td>
</tr>
<tr>
<td>7,242</td>
<td>Alfa</td>
</tr>
<tr>
<td>7,250</td>
<td>Alice (previous trips to Cuba—Greek)</td>
</tr>
<tr>
<td>7,248</td>
<td>Amfithés (previous trips to Cuba as the Antonia—Greek)</td>
</tr>
<tr>
<td>8,482</td>
<td>Angeliki</td>
</tr>
<tr>
<td>7,934</td>
<td>Anka</td>
</tr>
<tr>
<td>8,047</td>
<td>Annunciation Day</td>
</tr>
<tr>
<td>7,246</td>
<td>Aragon (previous trips to Cuba—Somali)</td>
</tr>
<tr>
<td>7,265</td>
<td>Arendal</td>
</tr>
<tr>
<td>7,383</td>
<td>Arni (previous trips to Cuba—Somali)</td>
</tr>
<tr>
<td>5,059</td>
<td>Aron</td>
</tr>
<tr>
<td>5,068</td>
<td>Aron</td>
</tr>
<tr>
<td>7,233</td>
<td>*Arosa</td>
</tr>
<tr>
<td>9,943</td>
<td>Athenian</td>
</tr>
<tr>
<td>8,180</td>
<td>Aurora</td>
</tr>
<tr>
<td>9,506</td>
<td>Azalas</td>
</tr>
<tr>
<td>7,638</td>
<td>Anse Coast II</td>
</tr>
<tr>
<td>8,111</td>
<td>Camellia</td>
</tr>
<tr>
<td>5,411</td>
<td>Charles (previous trips to Cuba—Lebanese)</td>
</tr>
<tr>
<td>9,099</td>
<td>Degoedo</td>
</tr>
</tbody>
</table>

* Ammatsa (trips to Cuba as the Nicolaos Frangistas and the Nikolas F. Greek) —

**Glendalough (trip to Cuba—as the Antonia—Greek) —

† British (43 ships) —

See footnotes at end of document.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>Flag of Registry</th>
<th>Gross Tonnage</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Albatross (trip to Cuba as the Phoenix—British)</td>
<td>British</td>
<td>8,078</td>
</tr>
<tr>
<td>Andromachi (previous trips to Cuba as the Penelope—Greek)</td>
<td>Greek</td>
<td>6,712</td>
</tr>
<tr>
<td>*Anna Maria (Trips to Cuba as the Helka—British)</td>
<td>British</td>
<td>2,111</td>
</tr>
<tr>
<td>*Elythia</td>
<td>Greek</td>
<td>9,844</td>
</tr>
<tr>
<td>*Goudo (Hambros M. Fatsis)</td>
<td>British</td>
<td>2,838</td>
</tr>
<tr>
<td>*Lambros M. Fatih (Trips to Cuba as the La Horteneta—British)</td>
<td>British</td>
<td>9,486</td>
</tr>
<tr>
<td>*Pothite (Trips to Cuba as the Rantaville—British)</td>
<td>British</td>
<td>9,486</td>
</tr>
</tbody>
</table>

Scc. 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 with the Government and which entered into such contracts 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.

**Pothite (trips to Cuba as the Rantaville—British)**

See footnotes at end of document.
Office of the Secretary

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.

SECTION 2. General. (a) The National Industrial Pollution Control Council Staff (the "NIPCC Staff") is designated as a constituent operating unit of the Department of Commerce.

(b) 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.

(c) 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.

SECTION 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. JOSE
Assistant Secretary for Administration.

[FR Doc. 70-8430; Filed, July 1, 1970; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration [DESI 6639]

CERTAIN ANTIBIOTIC-CONTAINING ANTIARRHEAL 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. Polygrama Oral Suspension; each 3 cc. containing dihydrostreptomycin base (as sulfate) 300 milligrams, poly-myxin B sulfate 120,000 units, attapulgite 3.0 grams, and pectin 270 milligrams; Wyeth Laboratories, Inc. (NDA 60-120).

3. Polygrama 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, polymyxin B sulfate 29.2 milligrams, and pectin 259 milligrams; Wyeth Laboratories, Inc. (NDA 60-122).

5. Kestil 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 5 milligrams, pectin 5 milligrams, and kaolin 0.1 milligram; Bristol Laboratories, Division of Bristol Myers Co., Thompson Road, Post Office Box 667, Syracuse, N.Y., 13201 (NDA 60-667).

6. Strycin Syrup; each 5 cc. containing streptomycin 250 milligrams (as the sulfate); E. R. Squibb & Sons, Inc., George's 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), polyethylene glycol 0.4 gram, and tribromophenol 0.1 gram; Richardson-Merrell Inc., Bradford Road, Mount Vernon, N.Y. 10551 (NDA 60-054).

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
NOTICES

11. Neomycin 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 8–333).

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 0.130 gram; E. W. Heun Co., 22923 Schuetz Road, St. Louis, Mo. 63141 (NDA 60–318).

13. Quintess-N Solution; each 30 cc containing neomycin sulfate 320 milligrams (equivalent to 221.4 mg neo­ mycin base), activated attapulgite 3 grams, and activated colloidal attapulgite 0.9 gram; Eli Lilly and Company, Post Office Box 516, Indianapolis, Ind. 46206 (NDA 50–230).

14. Neomycin Sulfate, Kaolin, Pectin Suspension; each 5 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., 2800 North 17th Street, Philadelphia, Pa. 19131 (NDA 11212).

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 the combination drugs.

The ratio of benefit-to-risk with such drugs is regarded as unfavorable in that, for example, even the so-called non-absorbable drugs such as neomycin and the sulfonamides 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 for 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 11212, and should be addressed to the Pood 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 NYS­ TATIN FOR ORAL USE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a new modulation, 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 Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 19, 1970.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.
CYCLIZINE HYDROCHLORIDE AND MECLIZINE HYDROCHLORIDE PREPARATIONS FOR ORAL ADMINISTRATION

Drugs for Human Use; Drug Efficacy Study Group 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).


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 must 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 reports, 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.


B. Form of drug. Meclizine hydrochloride preparations are in tablet form suitable for oral administration and contain no more than 25 milligrams 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 must 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.

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 assure the drug is being marketed in accordance with the labeling conditions described herein.

B. Such supplements should be submitted within the following periods after the date of publication of this notice in the Federal Register:

- 90 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.

- 180 days for biological availability data.

- 30 days for updating information.

C. Marketing of the drug may continue until the supplemental applications submitted in accord with the preceding subparagraphs have been acted upon.

D. Submission of data as 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 deemed 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. 5674).

Such applications should include pro posed 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 may be continued without approval under the conditions described in paragraph III for the period stated.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
NOTICES

No. 128—THURSDAY, JULY 2, 1970

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 an order 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. In those cases no evidence was submitted substantial evidence to show that the drugs are effective for that use. As yet, such evidence has not been presented.

B. Under section 305(e) of the Federal Food, Drug, and Cosmetic Act withdrawing approval of all new drug applications is required, except where there are fundamental changes in the regulations promulgated thereunder which cause the drug to be ineffective. If such applications are supplemented, and if such applications are supplemented, the Food and Drug Administration will give the holders of any such application notice in the Federal Register prepared to prove that the drug is not in effect. Any such drug then on the market will cause any such drugs on the market.

C. 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 cyclomethyline hydrochloride is possibly effective as a local anesthetic agent to provide relief of pain and discomfort by topical application.

B. Marketing status. 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 such drug is marketed 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 in the Federal Register of May 8, 1970 (35 F.R. 7250).

C. Requests for Hearing (identify with docket number): Office of Marketing Drugs (BD-200), Bureau of Drugs.

D. All other communications regarding this announcement should be addressed (unless otherwise specified) to the Commissioner of Food and Drugs (21 CFR 2.120).

E. A hearing will commence.

F. Communications forwarded 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.

G. 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.

H. Communications forwarded in response to this notice should be addressed to the Office of General Counsel (GC-1).

I. Any other communications regarding this announcement: Special Assistant for Drug Efficacy Studies (BD-201), Bureau of Drugs.

J. This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sees. 502, 505, 52 Stat. 1050–53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Food and Drug Administration (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]

CYCLOMETHYLINE 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 cyclomethyline hydrochloride, marketed by E. R. Squibb & Sons, 900 East 49th Street, 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 cyclomethyline hydrochloride is possibly effective as a local anesthetic agent to provide relief of pain and discomfort by topical application.

B. Marketing status. 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 such drug is marketed 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 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 fundamental changes 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 application. Such drug will be considered the Academy report and conclusions thereon. communications forwarded in response to this announcement should be addressed to the Office of General Counsel (GC-1).
Supplements (Identify with NDA number): Office of Marked Drugs (BD-300), 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 (31 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.]

NOTICES

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970

MYODYRIATIC 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 induction: Inflammatory ocular diseases, such as iritis and iridocyclitis, keratitis, chorioiditis, and posterior synechiae. The drug is regarded as lacking substantial evidence of the effectiveness for this indication.

B. Form of drug. This mydriatic preparation is in 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 should be revised as needed to conform to the labeling conditions described herein for the drug and complete current container labeling, unless recently submitted.

D. Marketing status. Marketing of the drug may continue under the conditions described in paragraphs E and F of this announcement.

E. Preparations or approved applications. 1. Each holder of a "deemed approved" new-drug application (i.e., an application which became effective upon the basis of safety prior to Oct. 10, 1962), for such drug's revised labeling, is required to submit all of the claims of effectiveness and bring the application into conformance by submitting supplements containing:

a. Revised labeling adequate to conform to the labeling conditions described herein for the drug and complete current container labeling, unless recently submitted.

b. Updated 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 P.L. 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.

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必须 be filed within 30 days after the date of publication of this notice in the Federal Register. A request for a hearing must 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
NOTICES

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 published in 34 F.R. 17210, October 25, 1969, the following information is added:

**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 published in 34 F.R. 17210, October 25, 1969, the following information is added:

<table>
<thead>
<tr>
<th>Department</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of the Director</td>
<td>Dated: June 18, 1970.</td>
</tr>
<tr>
<td>Acting Associate Commissioner for Compliance</td>
<td>R. E. DUGGAN,</td>
</tr>
<tr>
<td>FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970</td>
<td></td>
</tr>
</tbody>
</table>

**NOTICES**

**Office of International Services (3G11)**

(1) Plans, organizes, and administers programs of specialized training for foreign government representatives to foreign countries; (2) provides for the reception and orientation of foreign visitors to the Center; (3) designs, develops, and implements seminars and resource reference on current international health affairs for all organizations concerned with international health.

**Office of Information (3G17)**

Plans, organizes, and administers the Center's public information program, publications 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 technical support to nonprofit research organizations; (3) maintains an active liaison with the National Institutes of Health, and with other organizations concerned with international health.

**Office of Management Services—Administration Management (3G19)**

Under the direction of the Executive Officer:

(1) Assists 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) renders advisory service on Public Law 480 projects; and (5) maintains liaison with HSMHA officials on management matters including ADP systems, management information systems, and communication networks; (4) plans and develops 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 with the Center's programs activities; (4) develops systematic approaches to reporting on the operations of the Center.
NOTICES

Ecological Investigations Program (3G41). (1) Plans, coordinates, and conducts field station activities which include investigations of: (a) Viral meningitis and encephalitis, (b) hepatitis and enteric infections, (c) infections caused by viruses, bacteria, and fungi, (d) plague and other zoonoses, (e) schistosomiasis and other tropical diseases, and (f) the epidemiology of cognate agents; (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 immunization procedures; (4) provides epidemic 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) publishes technical reports, 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 national 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) plans and supervises 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 supervises 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 national programs 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 and curative measures are available; (2) administers intramural and extramural programs for the control or eventual eradication of preventable diseases; and (3) conducts and oversees demonstration programs in cooperation with State and local health departments and other agencies to serve as models in teaching disease control and prevention.

ELIOT L. RICHARDSON, Secretary.

JUNE 24, 1970.

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. 5903 and Executive Order 11073, the Civil Service Commission has established special minimum salary rates and rate ranges as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>GS-312 Clerk-Stenographer</th>
<th>GS-316 Clerk-Dictating Machine Transcriber</th>
<th>GS-318 Secretary</th>
<th>GS-322 Clerk-Typist</th>
</tr>
</thead>
<tbody>
<tr>
<td>GS-2</td>
<td>$5,963 $5,237 $5,301 $5,545 $5,690 $5,835 $6,009 $6,151 $6,316 $6,480</td>
<td>$6,490</td>
<td>$6,528</td>
<td>$6,590</td>
</tr>
<tr>
<td>GS-3</td>
<td>$6,074 $6,045 $6,098 $6,134 $6,168 $6,202 $6,236 $6,260 $6,284 $6,308</td>
<td>$6,760</td>
<td>$6,810</td>
<td>$6,860</td>
</tr>
<tr>
<td>GS-4</td>
<td>$6,185 $6,156 $6,199 $6,234 $6,268 $6,302 $6,336 $6,360 $6,384 $6,408</td>
<td>$7,040</td>
<td>$7,100</td>
<td>$7,160</td>
</tr>
<tr>
<td>GS-5</td>
<td>$6,296 $6,267 $6,310 $6,345 $6,379 $6,413 $6,447 $6,481 $6,515 $6,539</td>
<td>$7,800</td>
<td>$7,860</td>
<td>$7,920</td>
</tr>
<tr>
<td>GS-6</td>
<td>$6,407 $6,378 $6,421 $6,455 $6,489 $6,523 $6,557 $6,591 $6,625 $6,649</td>
<td>$8,460</td>
<td>$8,520</td>
<td>$8,580</td>
</tr>
</tbody>
</table>

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 the increase on the same date as other employees.
domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission’s rules for provisions


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 P. MAPLE
Secretary

NOTICES

DOMESTIC PUBLIC AND LOCAL TELEVISION SERVICE:

File No., applicant, call sign, and nature of application

8597-C2-P-70—Mobile Dispatch Service (KIF938), C.P. to add a second base station to operate on 152.63 MHz. Station location: 424 Sheldon Beach Road Extension, Mobile, Ala.

8588-C2-P-70—Michigan Bell Telephone Co. (KCD604), 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.

8593-C2-P-70—Zip-Call (KCB609), C.P. for additional facilities to operate on frequency 43.58 MHz at a new site described as location No. 3: Aneburnisk Hill, 2.6 miles east of Paxton, Mass.

8592-C2-P-70—General Telephone Co. of the Southwest (KLC758), 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 106 North Maple Avenue, Trinidad, Colo., to operate on frequency 454.675 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 1235 South Seventh Street, Grand Junction, Colo., to operate on frequency 454.600 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, Newnham 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 Folk Street, Amarillo, Tex., to operate on frequency 454.700 MHz base and 454.765 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, 152.00, and 152.35 MHz at location No. 1: Goom Peak, Oquirrh Range, 5.2 miles south-southwest of Garfield, Utah.

8746-C2-P-70—Radio Telephone Service (KJU819), C.P. to add frequency 152.18 MHz base.

Station location: 0.2 miles west of Cattieley, Ky., also change the antenna system at same location.

8750-C2-P-70—Capprock Radio Dispatch (KKJ449), C.P. to relocate the control facilities operating on frequency 454.10 MHz to 126 West First Street, Rockwell, N. Mex.

8751-C2-P-5-70—Buckeye Communications Co. (KLF600), C.P. to relocate the base facilities operating on frequency 454.20 MHz to 1 Levin 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—Mobilefone (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. 8, South Fort Smith, Ark.

Correction

7222-C2-P-(2)70—Georgia Mobile Telephone Co. (New), Correct location description to read: Folsom Road and State Road 405, Tifton, Ga. All other particulars same as reported in public notice dated May 11, 1970, report No. 491.

7252-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.

7290-C2-P-70—Tel-Car, Inc. (KLF500), Correct frequency to read: 152.08 MHz. All other particulars same as reported in public notice dated May 25, 1970, report No. 483.

6867-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-(2)70 and correct frequencies to read: 152.84 and 152.78 MHz. All other particulars same as reported in public notice dated June 8, 1970, report No. 495.

Major Amendment

7664-C2-P-70—Seattle Radiotelephone (KON783), Change frequency from 454.975 MHz to 454.350 MHz. All other particulars same as reported in public notice dated June 1, 1970, report No. 494.

POINT-TO-POINT MICROWAVE RADIO SERVICE: TELEPHONE CARRIERS

Telephone Utilities Services Corp.—The following 30 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.

8996-C1-P-70—Telephone Utilities Services (New), Site 1: South Oakliff Bank Building, Dallas, Texas, latitude 32°46′02″ N., longitude 96°49′04″ W., frequency 11145.0 MHz at azimuth 238°30″.
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, north 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 10045.0 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" W., frequencies 6229.9 MHz at azimuth 54°18', 6915.8 MHz at azimuth 319°48', and 6891.0 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°18'56" W., frequency 6197.2 MHz at azimuth 199°48'.

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 5897.9 MHz at azimuth 199°42', and 6303.4 MHz at azimuth 172°30'.

8401—C1—P—70—Telephone Utilities Services Corp. (New), Site 5: Walnut Springs (Morgan), Tex., latitude 32°25'05" N., longitude 97°13'46" 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, Molesh, Tex., latitude 31°41'01" N., longitude 97°36'51" W., frequencies 6268.2 MHz at azimuth 382°60', 6078.8 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°32'.

8404—C1—P—70—Telephone Utilities Services 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 6300.0 MHz at azimuth 99°00'.

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 6089.7 MHz at azimuth 279°12', and 6078.5 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 6268.2 MHz at azimuth 1°12', and 6241.7 MHz at azimuth 185°42'.

8408—C1—P—70—Telephone Utilities Services Corp. (New), Site 12: 2 miles north 353° east, Elgin, Tex., latitude 30°33'13" N., longitude 97°22'50" W., frequencies 5960.0 MHz at azimuth 345°48', 6078.6 MHz at azimuth 249°18', and 6074.8 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 136°51'.

8410—C1—P—70—Telephone Utilities Services Corp. (New), Site 14: Lytton Springs (Cedar Creek) Tex., latitude 30°04'49" N., longitude 97°38'46" W., frequencies 6107.2 MHz at azimuth 1°12', and 6078.1 MHz at azimuth 185°42'.

8411—C1—P—70—Telephone Utilities Services Corp. (New), Site 15: 9.6 miles north 239° east, Lockhart, Tex., latitude 30°48'10" N., longitude 97°29'25" W., frequencies 6128.2 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 30°34'45" N., longitude 97°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°26'49" N., longitude 98°28'14.5" 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°18'45" N., longitude 97°52'05" W., frequencies 6266.5 MHz at azimuth 361°24' and 6054.6 MHz at azimuth 119°06'.

8415—C1—P—70—Telephone Utilities Services Corp. (New), Site 19: 1 mile north 254° east, Westhoff, Tex., latitude 31°11'20" N., longitude 97°29'20.5" W., frequencies 6330.7 MHz at azimuth 293°12' and 6241.7 MHz at azimuth 130°0'.
8714- C1-P-70—MCI Mid-South, Inc. (New), Site 24: C.P. for a new fixed station 3 miles west-northwest of Shivers, Miss., latitude 31°46'33" N., longitude 90°01'16" W., frequencies 6004.5 and 6123.1 MHz on azimuth 05° 17'.

8715- C1-P-70—MCI Mid-South Inc. (New), Site 25: C.P. for a new fixed station at 1900 Beach Street, Gulfport, Miss., latitude 30°22'03" N., longitude 89°05'36" W., frequencies 6256.5 and 6375.2 MHz on azimuth 94°37'.

8718- C1-P-70—MCI Mid-South, Inc. (New), Site 28: C.P. for a new fixed station 3 miles south-southeast of Sheridan, Ala., latitude 33°30'30" N., longitude 86°33'55" W., frequencies 6286.2 and 6404.8 MHz on azimuth 282°50'.

8719- C1-P-70—MCI Mid-South, Inc. (New), Site 29: C.P. for a new fixed station 8.5 miles west-northwest of Shivers, Miss., latitude 31°46'33" N., longitude 90°01'16" W., frequencies 6226.9 and 6345.5 MHz on azimuth 05° 17'.

8722- C1-P-70—MCI Mid-South, Inc. (New), Site 32: C.P. for a new fixed station 3.1 miles east-southeast of Ladonia, Ala., latitude 32°28'00" N., longitude 85°03'22" W., frequencies 6034.2 MHz and 6152.8 MHz on azimuth 38°38'.

8723- C1-P-70—MCI Mid-South, Inc. (New), Site 33: C.P. for a new fixed station 2.5 miles south-southwest of Thompson, Ala., latitude 30°36'47" N., longitude 89°23'02" W., frequencies 6212.0 MHz and 6330.7 MHz on azimuth 03°47'.

8726- Cl-P-70—MCI Mid-South, Inc. (New), Site 36: C.P. for a new fixed station at 127 Peachtree Street, Atlanta, Ga., latitude 33°45'21" N., longitude 84°23'19" W., frequencies 5960.0 MHz and 6078.6 MHz on azimuth 222°53'.

8728- C1-P-70—MCI Mid-South, Inc. (New), Site 38: C.P. for a new fixed station 2 miles north of Hurley, Miss., latitude 30°43'29" N., longitude 88°31'16" W., frequencies 6256.5 and 6375.2 MHz on azimuth 94°37'.

8733—Continued

8737- Cl— P— 70—American Telephone & Telegraph Co. (KEM63), C.P. to add frequencies 3870 MHz toward Paterson West, N.J.

8738- C1-P-70—American Telephone & Telegraph Co. (KEM64), Add frequencies 3870 MHz toward Cherryville, N.C., and 3950 MHz toward Paterson West, N.J.
NOTICES

Major Amendment

6898-C1-P-70—Northwestern Bell Telephone Co. (KBI62), Change frequency 6286.3 MHz to 6241.7 MHz at station located at Grand Island, Neb.
6891-C1-P-70—Northwestern Bell Telephone Co. (KBI63), Change frequency from 6059.5 to 6019.3 MHz, and frequency 6064.3 MHz to 6049.0 MHz at station near Wood River, Nebr.
6892-C1-P-70—Northwestern Bell Telephone Co. (KDB29), Change frequency 6315.9 to 6271.4 MHz at station near Kearney, Nebr.
6893-C1-P-70—Northwestern Bell Telephone Co. (KBI65), Change frequency from 6009.0 to 6019.3 MHz at station near Holdrege, Nebr. All other particulars same as reported in public notice dated May 4, 1970.

POI NT-TO-POINT MICROWAVE RADIO SERVICE: (NONTELEPHONE)

6586-C1-P-70—Teleprompter Transmission of Kansas, Inc. (KLP93), C.P. to power split frequencies 5686.0 and 6765.6 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

6460-C1-P-68—Tower Communications Systems Corp. (KQ041), Application amended to delete frequencies 11,175 MHz, 11,015 MHz, and 10,655 MHz toward Zanesville, Ohio, and add, in lieu thereof, frequency 6019.4 MHz, via power-splits.

(Informative: Applicant amends application to provide for transmission of WRKP-TV, Cleveland, Ohio, in compliance with Commission Order FCC 70-575. See also public notice dated July 8, 1968.)

[FR. 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 Washington, D.C., at 11 a.m., local time.

This conference will be for such purpose 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.

[FR. Doc. 70-8505; Filed, July 1, 1970; 10:04 a.m.]

CIVIL AERONAUTICS BOARD

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, 1235 Connecticut Avenue NW., Washington, D.C., before the Board.

[FR. Doc. 70-8608; Filed, July 1, 1970; 9:52 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, 76 Stat. 762, 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., San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20572, within 10 days after publication of this notice in the Federal Register. Any person desiring a hearing must file, 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 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 6680.

The subject agreement has been revised to incorporate clarifying language. The substantive change therein concerns Article 7(e) 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 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.

[FR. Doc. 70-8603; Filed, July 1, 1970; 9:52 a.m.]

No. 128—11

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
NOTICES

CROWNWELL OIL CO., INC., 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 Shell's FPC Gas Rate Schedule Nos. 3 and 4 are in effect subject to refund in Dockets Nos. R166-375 and R166-336, respectively. Therefore, applicant will be made a corespondent in each proceeding to undertake to refund said amounts collected in excess of the amount determined to be just and reasonable in said proceeding under section 4(e) of the Natural Gas Act.

Occidental Petroleum Corp., applicant in Docket No. C170-541, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. C168-1583 to be made pursuant to Shell Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 398. The contract comprising said rate schedules has been 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. R167-18; 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 itself in excess of the amount determined to be just and reasonable in said proceeding.

White Shield Oil and Gas Corp., applicant in Docket Nos. CI64-1441 and CI64-1443, proposes to continue in part the sale of natural gas heretofore authorized in Docket Nos. CI63-1583 to be made pursuant to Shell Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 398. The contract comprising said rate schedules has been 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. R167-18; 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 itself in excess of the amount determined to be just and reasonable in said proceeding.

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. R165-475. 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; and the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

White Shield Oil and Gas Corp., applicant in Docket Nos. CI64-1441 and CI64-1443, proposes to continue the sale of natural gas heretofore authorized in said docket 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 Shell’s FPC Gas Rate Schedule Nos. 3 and 4 are in effect subject to refund in Dockets Nos. R166-375 and R166-336, respectively. Therefore, applicant will be made a corespondent in each proceeding to undertake to refund said amounts collected in excess of the amount determined to be just and reasonable in said proceeding under section 4(e) of the Natural Gas Act.

Occidental Petroleum Corp., applicant in Docket No. C170-541, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. C168-1583 to be made pursuant to Shell Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 398. The contract comprising said rate schedules has been 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. R167-18; 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 itself in excess of the amount determined to be just and reasonable in said proceeding.

White Shield Oil and Gas Corp., applicant in Docket Nos. CI64-1441 and CI64-1443, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Shell Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 398. The contract comprising said rate schedules has been 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. R167-18; 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 itself in excess of the amount determined to be just and reasonable in said proceeding.
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 perform, to carry out 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 be renumbered 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 application in Docket No. CI70-789 and 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 herein be redesignated. Applicants should be advised to file applications to have said certificates redesignated.

(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 Austrail 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 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 co-respondent 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 proceeding pending in Docket No. RI69-36 that said proceeding should be redesignated accordingly; that the change in rate suspended in Docket No. RI69-36 should be made effective subject to refund; and that Prenalta should be required to file agreements and undertakings in Dockets Nos. RI68-403 and RI69-499 and a surety bond in Docket No. RI68-26.

(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 that 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 herein involved 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, all as hereinafter 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 not and all actions taken by 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 the applicable rules, regulations and orders of the Commission.

(D) The certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the construction 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 modifications or conditions on the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(E) 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, CI70-789, CI70-882, CI70-883, CI70-884, CI70-885, CI70-886, CI70-887, CI70-888, CI70-889, CI70-890, CI70-891, and CI70-923 shall be the applicable area base rates prescribed in opinion No. 468, as modified by opinion No. 468-A, as modified by opinion No. 468-A, as modified by order 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 applicants in Dockets Nos. CI70-881 and CI70-923 shall file rate schedule quality standards set forth 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. 468, as modified by opinion No. 468-A, 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 standard set forth in the form prescribed in opinion No. 546-A.

(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, CI70-882, 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-A, 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. In addition, however, that adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charges, 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 that exceeds 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 rates and details of the contemplated actions.

(f) Applicant in Docket No. CI70-923 shall advise the Commission of any con-
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. CI70-879 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. CI70-728, and CI70-730 shall be 17 cents per Mcf at 14.65 p.s.i.a., subject to B.t.u. adjustment.

(i) Applicants in Dockets Nos. CI62-489 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 is the lesser amount. 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 contract.

(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 the said orders.

(l) The authorization granted in Docket No. G-11171, G162-199, G164-1441 and CI64-1443 is amended to reflect the change in name from Crown Properties, Inc., to Crownwell Oil Company, Inc.

(m) 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.

(n) 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.

(o) Prenalta Corp. (Operator) et al., is made a correspondent in the proceedings pending in Docket Nos. R168-405, R168-26, and R170-469 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. and undertakes to file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. R167-19 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.

(q) Occidental Petroleum Corp. is made a correspondent in the proceeding pending in Docket No. R167-19 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. R167-19 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.

(s) Prenalta Corp. (Operator) et al., is made a correspondent in the proceedings pending in Docket Nos. R168-405, R168-26, and R170-469 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. and undertakes to file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. R167-19 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.

(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 agreement and undertaking in Docket No. R167-19 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.

(u) 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 agreement and undertaking in Docket No. R167-19 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.

(v) White Shield Oil and Gas Corp. is made a correspondent in the proceedings pending in Dockets Nos. R168-375 and
sales made pursuant to Prenalta Corp. (Operator) et al., 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. 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.

(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. 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 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 co-respondent in the proceeding pending in Docket No. R170-469 to assure the refund of any amounts collected pursuant to its FPC Gas Rate Schedule to be accepted.

(X) The rate schedules and rate schedule supplements related to the authorizations granted herein are redesignated as noted.

By the Commission.

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

**FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970**

<table>
<thead>
<tr>
<th>Docket No. and Applicant</th>
<th>Description and date of FPC rate schedule to be accepted</th>
<th>FPC rate schedule to be accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>CI70-780</td>
<td>Phillips Petroleum Co.</td>
<td>Phillips Petroleum Co.</td>
</tr>
<tr>
<td>CI70-785</td>
<td>Reading &amp; Bates, Inc.</td>
<td>Reading &amp; Bates, Inc.</td>
</tr>
<tr>
<td>CI70-762</td>
<td>Texas International</td>
<td>Texas International</td>
</tr>
<tr>
<td>CI70-728</td>
<td>Aikman Bros. Corp.</td>
<td>Aikman Bros. Corp.</td>
</tr>
<tr>
<td>CI70-709</td>
<td>Texstar Exploration, E 3-2-70 ton Petroleum Corp.</td>
<td>Texstar Exploration, E 3-2-70 ton Petroleum Corp.</td>
</tr>
<tr>
<td>CI70-710</td>
<td>(CS66-52) (successor to Thorn-Docket No. and Applicant</td>
<td>(CS66-52) (successor to Thorn-Docket No. and Applicant</td>
</tr>
<tr>
<td>CI70-711</td>
<td>A 2-2-70 Inc.</td>
<td>A 2-2-70 Inc.</td>
</tr>
<tr>
<td>CI70-712</td>
<td>(operator), et al.</td>
<td>(operator), et al.</td>
</tr>
<tr>
<td>CI70-713</td>
<td>A 1-26-70 to Humble Oil &amp; Re-</td>
<td>A 1-26-70 to Humble Oil &amp; Re-</td>
</tr>
<tr>
<td>CI70-714</td>
<td>(CI67-1237) tor) et al. (successor to Humble Oil &amp; Re-</td>
<td>(CI67-1237) tor) et al. (successor to Humble Oil &amp; Re-</td>
</tr>
<tr>
<td>CI70-715</td>
<td>Pleum Corp).</td>
<td>Pleum Corp).</td>
</tr>
<tr>
<td>CI70-716</td>
<td>Aikman Bros. Corp.</td>
<td>Aikman Bros. Corp.</td>
</tr>
<tr>
<td>CI70-717</td>
<td>(operator), et al.</td>
<td>(operator), et al.</td>
</tr>
<tr>
<td>CI70-718</td>
<td>A 1-26-70 to Stauffer Chemical</td>
<td>A 1-26-70 to Stauffer Chemical</td>
</tr>
<tr>
<td>CI70-719</td>
<td>Line Corp.).</td>
<td>Line Corp.).</td>
</tr>
<tr>
<td>CI70-720</td>
<td>Aikman Bros. Corp.</td>
<td>Aikman Bros. Corp.</td>
</tr>
<tr>
<td>CI70-721</td>
<td>(operator), et al.</td>
<td>(operator), et al.</td>
</tr>
<tr>
<td>CI70-723</td>
<td>Aikman Bros. Corp.</td>
<td>Aikman Bros. Corp.</td>
</tr>
<tr>
<td>CI70-724</td>
<td>(operator), et al.</td>
<td>(operator), et al.</td>
</tr>
<tr>
<td>CI70-726</td>
<td>Aikman Bros. Corp.</td>
<td>Aikman Bros. Corp.</td>
</tr>
<tr>
<td>CI70-727</td>
<td>(operator), et al.</td>
<td>(operator), et al.</td>
</tr>
<tr>
<td>CI70-729</td>
<td>Aikman Bros. Corp.</td>
<td>Aikman Bros. Corp.</td>
</tr>
<tr>
<td>CI70-730</td>
<td>(operator), et al.</td>
<td>(operator), et al.</td>
</tr>
</tbody>
</table>

See footnotes at end of table.
<table>
<thead>
<tr>
<th>Docket No. and date filed</th>
<th>Applicant</th>
<th>Purchase, price, and location</th>
<th>Description and date of document</th>
<th>FPC rate schedule to be accepted</th>
<th>No.</th>
<th>Supp.</th>
</tr>
</thead>
<tbody>
<tr>
<td>CI70-883 (C589-60) E 3-23-70</td>
<td>Reading &amp; Bates, Inc. (successor to Thornton Petroleum Corp.)</td>
<td>Transwestern Pipeline Co., Czar Field, Ward County, Tex.</td>
<td>Contract 10-25-69 4</td>
<td>17</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>CI70-901 (G386-62) B 4-2-70</td>
<td>Phillips Petroleum Co.</td>
<td>Continental Gas Co., Noakie Field, Crockett County, Tex.</td>
<td>Notice of cancellation 3-30-70</td>
<td>358</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>CI70-906 (G386-62) A 4-6-70</td>
<td>Union Drilling, Inc.</td>
<td>Continental Gas Co., Field, Live Oak County, Tex.</td>
<td>Contract 11-6-67 4</td>
<td>61</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>CI70-910 (G386-62) A 4-7-70</td>
<td>Humble Oil &amp; Refining Co. (Operator) et al.</td>
<td>Michigan Wisconsin Pipe Line Co., South Greenough Field, Beaver County, Okla.</td>
<td>Notice of cancellation 3-30-70 4</td>
<td>189</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>CI70-915 (G386-62) A 4-9-70</td>
<td>Eason Oil Co.</td>
<td>Arkansas Louisiana Gas Co., Co., Kinta Field, Magazine, Tex.</td>
<td>Contract 3-3-70 4</td>
<td>26</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>CI70-925 (C167-72) A 4-9-70</td>
<td>Mobile Oil Corp.</td>
<td>Northern Natural Gas Co., Vacuum Field, Lea County, N. Mex.</td>
<td>Supplemental agreement 4-9-70 4</td>
<td>463</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

1 Amendment to the certificate to reflect the changes in name.
2 Partial release of nonproducing lease involve as the lease covers gas rights below 3,0201 feet under Sec 28-31, S. 35 W., Stevens County, Kan.
3 Effective date: Date of this order.
4 Includes stipulation providing a 5-year makeup period for gas taken, but not paid for, from the subject acreage.
5 Effective date: Date of initial delivery (Applicant should advise the Commission as to such date).
6 J.A. Phillips previously covered under Pan American's FPC GRS No. 318.
7 Source of gas deposit.
8 By letter dated Apr. 9, 1970, Applicant stated willingness to accept permanent authorization conditioned to the buyer's take-or-pay obligation.
9 Conveys acreage from Sinclair Oil & Gas Co. (now Atlantic Richfield Co.) FPC GRS No. 289 to Marathon Oil Co.
10 Currently on file as Atlantic Richfield Co. FPC GRS No. 289.
11 By letter filed Apr. 30, 1970, Applicant agreed to accept a permanent certificate limiting buyer's take-or-pay obligations to a 1 to 2,500 ratio of takes to reserves during the first 2 years and a 1 to 5,300 ratio thereafter.
12 By letter filed Apr. 23, 1970, Applicant agreed to accept a permanent certificate conditioned to 17 cents per Mcf plus tax reimbursement and subject to B.U. adjustment; however, Applicant expressed willingness to accept a permanent certificate at 17 cents per Mcf plus B.U. adjustment.
13 By letter filed Apr. 24, 1970, Applicant agreed to accept a permanent certificate containing Opinion No. 468 conditions. By letter dated Apr. 25, 1970, Applicant agreed to accept a permanent certificate conditioned to a filing of a summary of the terms of the related sales agreement, effective Apr. 25, 1970. Applicant indicates willingness to accept a permanent certificate conditioned to 17 cents per Mcf plus tax reimbursement and subject to B.U. adjustment.
14 Recently on file as Northern Natural Gas Co. FPC GRS No. 3.
15 By letter filed Apr. 24, 1970, Applicant agreed to accept a permanent certificate limiting buyer's take-or-pay obligations to a 1 to 7,900 reserves ratio.
16 By letter filed Apr. 24, 1970, Applicant agreed to accept a permanent certificate limiting buyer's take-or-pay obligations to a 1 to 7,900 reserves ratio.

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970
NOTICES

In witness whereof, the parties hereto have placed their hands and seals on this day of 19___.

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 164 - 102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Names of Respondent) hereby agree and undertake to comply with the refunding and reporting provisions of Section 164 - 102 of the Commission's Regulations under the Natural Gas Act, unless as hereinafter provided.

By order of the Federal Power Commission, the refunding and reporting provisions of Section 164 - 102 of the Commission's Regulations under the Natural Gas Act are suspended in the manner prescribed by the Natural Gas Act.

FEDERAL RESERVE SYSTEM

CITIZENS BANC SHARES OF FLORIDA, INC.

Notice of Application for Approval of Acquisition of Shares of Bank


Section 3(c) of the Act permits the Board to set conditions, which may include approval of an upper limit on the rate of return, upon the acquisition of control of a bank or bank holding company. If such conditions are imposed by the Board, it does not prejudice the rights of the parties to the proposed transaction.

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.

[FR Doc. 70-8285; Filed, July 1, 1970; 8:45 a.m.]

SECRETARY OF DEFENSE

Delegation of Authority

1. Purpose. This regulation delegates authority to the Secretary of Defense to represent the interests 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) (4) 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.

The 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 officials, employees thereof.

Dated: June 24, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[FR Doc. 70-8438; Filed, July 1, 1970; 8:45 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 (MESSBIC) under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.).

The proposed officers and directors are as follows:

President and Director, George L. Graziadio, Jr., 11232 South Western Avenue, Los Angeles, Calif. 90047.
Chairman of the Board and Director, George Ettinger, 887 North Bundy Drive, Los Angeles, Calif. 90047.
Treasurer and Director, Franklin Haynor, 224 North Hillcrest Boulevard, Inglewood, Calif. 90301.
Secretary and Director, Warren M. Gordon, 631 St. John's Place, Inglewood, Calif. 90301.
Director, Robert Goldberg, 8543 Olympic Place, Los Angeles, Calif. 90035.
Director, Edgar Morris, 16537 Adlon Road, Encino, Calif. 91316.

The principal owners of the MESSBIC will be Warren M. Gordon (26.5 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 is to be $150,500.

As a MESSBIC, 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.

JAMES THOMAS PHELAN, Acting Associate Administrator for Investment.


[F.R. Doc. 70-8347; 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 License 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 of $500,000 and an authorized capital stock of $155,000. It has 8,770 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, 535 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 the 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. 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.


[F.R. Doc. 70-8388; Filed, July 1, 1970; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 59]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS


The following applications are governed by Special Rule 247 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 portion 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 the applicant, and upon protestant, or upon protestant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) in 30 days after the special rule, 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 the 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 either event 30 days from 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, December 22, 1969. Further processing steps (whether modified procedure, oral hearing, or other procedures) 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, Portland, Maine 04107. Applicant's representative: Robert J. Gallagher, Suite 2050, 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.

Authority sought to operate as a common carrier, by motor vehicle, over regular 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.

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 MotorCarrier Licensing Procedures, published in the Federal Register, December 22, 1969. Further processing steps (whether modified procedure, oral hearing, or other procedures) 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 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. 79601. Applicant's representative: Lawrence 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 corrosive in handling). (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., and return over the same route, serving all intermediate points; (2) between Dallas, and Beaumont, Tex., from Dallas, Tex., over U.S. Highway 69 to Beaumont, Tex., thence over U.S. Highway 69 to Lufkin, 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 tojunction with U.S. Highway 69, 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 69 to Lufkin, Tex., and return over the same route, serving all intermediate points; (5) between Silsbee, Tex., and Junction with U.S. Highway 69, to Beaumont, Tex., and return over the same route, serving all intermediate points; (6) between Jasper, Tex., and Woodville, Tex., and return over the same route, serving all intermediate points; (7) between Jasper and Livingston, Tex., and return over the same route, serving all intermediate points; (8) between Woodville, and Corrigan, Tex., from Woodville, over U.S. Highway 287 to Corrigan, Tex., and return over the same route serving all intermediate points;

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, December 22, 1969. Further processing steps (whether modified procedure, oral hearing, or other procedures) 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.


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, Wisconsin, and Vermont. Note: Common control may be involved.

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat products, from 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 gateway requirements. Authority further states that the requested authority cannot 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 file a timely protest as to the tacking possibilities may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Minneapolis, Minn.
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, Vol. 35, No. 128—Thursday, July 2, 1970, and republished as corrected this issue. Applicant: SCHNEIDER TRANSPORT
& STORAGE, INC., 617 McDonald Street, Greencastle, Ind. 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 an earlier republication of this issue. The rest of the publication remains the same.
No. MC 52673 (Sub-No. 29), filed June 15, 1970. Applicant: FRED OLSON MOTOR
Service, 24522 West State Street, Milwaukee, Wis. 53213. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill.
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.
Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill.
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 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., 1291 Bourbon Street, New Orleans, La. 70116. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tractors, trenchers, construction equipment, (except in bulk), on return.
No. MC 69118 (Sub-No. 129), filed June 8, 1970. Applicant: SPECTOR FREIGHT, INC., 101 North Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60606. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, from Rice Lake, Wis., to points in the State of Wisconsin; from Rice Lake, Wis., to Portland, Ore.; and from Rice Lake, Wis., to Spokane, Wash. Authority further requests it be held at Kansas City, Mo.
Applicant: E. W. Lasseter, 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: Fruit-flavored syrup, sunflower seed oil, (except in bulk, on return), 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.
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) in containers, (c) sunflower seeds, in containers, from the plantsite of Wagoner Industries, Inc., located at Cleo, Ill., to points in Ohio, and points in Michigan, and Cleveland, Ohio; and (d) sunflower seed oil, (except in bulk), on return.
Applicant's representative: 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, 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., 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 Corinne, 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 north 14 miles, and return over the same route. Route 3: Between Augusta, Ga., and Greenville, S.C., over U.S. Highway 26. Route 4: Between Columbia, S.C., and Athens, Ga., from Columbia, over Route 72 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.

NOTICES
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 Spartanburg 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., (a) from Columbia over U.S. Highway 276 to Laurens, S.C., thence over U.S. Highway 176 to Spartanburg, S.C., (b) from Spartanburg over U.S. Highway 221 to its junction with Interstate Highway 26, thence over Interstate Highway 26 to its junction with Interstate Highway 85 near Greenville, S.C., thence over Interstate Highway 85 to Laurens, S.C., thence over U.S. Highway 176 to Spartanburg, 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., (b) from Macon to Atlanta, Ga.; (c) from Savannah, Ga., over Interstate Highway 75 to Atlanta, Ga., thence over U.S. Highway 278 and/or Interstate Highway 20 to its intersection with U.S. Highway 80 near Crawford, Ga., thence over U.S. Highway 80 and return over the same route. Route 10: Between Augusta, Ga., and Charleston, S.C., over U.S. Highways 221, 22, and 17 at or near Augusta, Ga., thence over U.S. Highway 221 and U.S. Highway 22 to its junction with Interstate Highway 75 near Augusta, Ga., thence over Interstate Highway 75 to Atlanta, Ga., and return over the same route. Route 11: Between Athens, Ga., and Atlanta, Ga., over U.S. Highway 78. Route 12: Between Rome, Ga., and Athens, Ga., over 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 13: Between Atlanta and Cedartown, Ga., over U.S. Highway 278. Route 14: Between Rome, Ga., and the junction of U.S. Highways 411 and Interstate Highway 75 near Cartersville, Ga., from Rome, over U.S. Highway 411 to the intersection of U.S. Highways 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 Rome, Ga., over U.S. Highway 278 and return over the same route. Route 17: Between Cusseta, Ga., and Macon, Ga., from Cusseta, 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 29 to its junction with Interstate Highway 75 near Laurens, S.C., thence over U.S. Highway 221 to its junction with Interstate Highway 26, thence over Interstate Highway 26 to its junction with Interstate Highway 85 near Greenville, S.C., thence over Interstate Highway 85 to Laurens, S.C., thence over Interstate Highway 26 to its junction with Interstate Highway 285 near Spartanburg, S.C., thence over Interstate Highway 285 near Greenville, S.C., and return over the same route. Route 20: Between Greenville, S.C., and Columbia, S.C., from Greenville, S.C., over U.S. Highway 29 and/or Interstate Highway 85 and return over the same route. Route 21: Between Georgetown, S.C., and Rock Hill, S.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 Interstate Highway 95 near Florence, S.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 65 near Rocky Mount, N.C., thence over U.S. Highway 278 and/or Interstate Highway 20 to its junction with U.S. Highway 411 in approximately 10 miles north of Augusta, Ga., thence over Interstate Highway 20 to its junction with Interstate Highway 85 near Florence, S.C., thence over Interstate Highway 85 near Greenville, S.C., and return over the same route. Route 22: Between Savannah, Ga., and Charlotte, N.C., from Savannah, over U.S. Highway 31 to Columbia, S.C., thence over U.S. Highway 29 to its junction with Interstate Highway 95 near Augusta, Ga., thence over U.S. Highway 29 to its junction with Interstate Highway 75 near Augusta, Ga., thence over U.S. Highway 278 at its junction with Interstate Highway 95 near Augusta, Ga., and return over the same route. Route 23: Between Ashville, N.C., and Winston-Salem, N.C., over Interstate Highway 40 and return over the same route. In connection with Route 23, service is sought 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, Asheville, N.C., from Greenville, S.C., and return over the same route. 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 221 to its junction with Interstate Highway 20 at or near Rome, Ga., thence over Interstate Highway 20 to its junction with Interstate Highway 85 near Florence, S.C., thence over Interstate Highway 85 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 Route 66 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 its junction with Interstate Highway 95 near Hardsville, 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 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 over U.S. Highway 27 to its junction with Interstate Highway 75, thence over U.S. Highway 365 to its intersection with U.S. Highway 90 near Rocky Mount, N.C., 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 junction with Alabama Highway 85 at Rocky Mount, Ala., thence over Georgia Highway 48 to Alabama-Georgia State line, thence over Alabama Highway 48 to its junction with U.S. Highway 72 near Mobile, Ala., and return over the same route. Route 27: Between Cedartown, Ga., and Scottsboro, Ala., from Cedartown over U.S. Highway 27 to its junction with Interstate Highway 75 near Rocky Mount, Ga., thence over Georgia Highway 48 to Alabama-Georgia State line, thence over Alabama Highway 48 to its junction with U.S. Highway 72 near Mobile, Ala., and return over the same route. Route 28: Between Cedarville, Ga., and Brewton, Ala., from Cedarville over U.S. Highway 27 to La Grange, Ga., thence over U.S. Highway 29 to Brewton, Ala., from La Grange, Ga., over U.S. Highway 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, Ala., thence over Interstate Highway 85 to Montgomery, Ala., and return over the same route. Route 30: Between Cedarville, Ga., and Mobile, Ala., from Cedarville 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 at or near Pell City, Ala., thence over U.S. Highway 231 to Harpersville, Ala., thence over U.S. Highway 31 to its junction with Interstate Highway 85 near near Centreville, Ala., thence over Alabama Highway 5 to its intersection with U.S. Highway 43 near Thomasville, Ala., 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.
NOTICES

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, Cedarment, Linendale, Mount Berry, Rome, or Summerville, Ga. Route 31: Between Birmingham, Ala., and Tifton, Ga., thence over U.S. Highway 90 and/or Interstate Highway 75 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, and return over the same route. Route 40: Between Summerville, Ga., and Jacksonville, Fla., from Summerville, over U.S. Highway 27 to Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, 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 14 to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, and return over the same route. Route 42: Between Birmingham, Ala., and Lewisburg, Ga., thence over U.S. Highway 41 to Barnesville, Ga., thence over U.S. Highway 31 to Flomaton, Ala., thence over U.S. Highway 80 to the Alabama-Florida State line, thence over Florida Highway 87 to its junction with U.S. Highway 90 and/or Interstate Highway 85 at or near Fort Walton Beach, Fla., from Summerville, over U.S. Highway 27 to Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, 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 Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near Fort Walton Beach, Fla., from Summerville, over U.S. Highway 27 to Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, and return over the same route. Route 35: Between Summerville, Ga., and Jacksonville, Fla., from Summerville, over U.S. Highway 27 to Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, and return over the same route. Route 36: Between Summerville, Ala., and Tifton, Ga., thence over U.S. Highway 41 to Barnesville, Ga., thence over U.S. Highway 31 to Flomaton, Ala., thence over U.S. Highway 80 to the Alabama-Florida State line, thence over Florida Highway 87 to its junction with U.S. Highway 90 and/or Interstate Highway 85 at or near Fort Walton Beach, Fla., from Summerville, over U.S. Highway 27 to Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, and return over the same route. Route 37: Between Cedartown, Ga., and St. Petersburg, Fla., from Cedartown, Ga., over U.S. Highway 278 to Alabama, thence over U.S. Highway 19 to St. Petersburg, Fla., over U.S. Highway 92 and/or Interstate Highway 95 to its junction with U.S. Highway 1 and/or Interstate Highway 95 to Miami, Fla., from 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 14 to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, 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) 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 90 and/or Interstate Highway 85 at or near San Antonio, Ark., thence over U.S. Highway 90 and/or Interstate Highway 85 at or near Lake City, Fla., from Summerville, over U.S. Highway 27 to Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, and return over the same route. Route 44: Between Mobile, 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) 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 90 and/or Interstate Highway 85 at or near San Antonio, Ark., thence over U.S. Highway 90 and/or Interstate Highway 85 at or near Lake City, Fla., from Summerville, over U.S. Highway 27 to Carrolton, Ga., thence over U.S. Highway 27 to A to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 31 to the aforementioned junction, and return over the same route. Route 45: Between Tampa, Fla., and Vero Beach, Fla., over Florida Highway 60. Route 46: Between Jacksonville, Fla., and Miami, Fla., from Jacksonville, Ga., 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. Highways 1 and Interstate Highway 4 at or near Daytona Beach, Fla., over Interstate Highway 4.
intermediate and all off-route points in
Tennessee, restricted to the transporta-
tion of traffic moving between such Ala-
bian points, on the one hand, and, on the
other, (1) points within 65 miles of Bir-
mingham, 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 within 65 miles of Bir-
mingham, 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 within 65 miles of Bir-
mingham, 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 within 65 miles of Bir-
mingham, 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 within 65 miles of Bir-
mingham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, 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 within 65 miles of Bir-
ningham, Ala., including Birmingham,
line, and thence along the Illinois-Indiana State line to point of beginning, and those in the 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 against the transportation of traffic moving 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., points in the District of Columbia, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, New Mexico, 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 Billings or 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 Butte, Mont.

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:

- 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 103998 (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, over irregular routes, transporting:

- Pipeliner plastics, fittings and heating, 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). 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 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:

- Pipe, ducts, fittings and heating, 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, 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
NOTICES

may result in an unrestricted grant of tack and therefore does not identify the 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 TRANSPORTING, INC., 1930 W. 43rd Street, Tulsa, Okla. 74107. 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 construction industry, through tacking. Persons interested in the requested authority can be tacked 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 Salt Lake City, Utah.

No. MC 107151 (Sub-No. 24), filed June 11, 1970. Applicant: H. F. JOHNSTON, INC., 1524 Lockwood Road, Billings, Mont. 59103. Applicant's representative: Lon Rodney Kump, 720 Tower, Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat packing-related machinery, tools, parts, and articles distributed by meat packers, and/or meat by-products. Persons interested in the requested authority can be tacked 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 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. Persons interested in the requested authority can be tacked 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 Indianapolis, Ind., or Washington, D.C.

No. MC 108053 (Sub-No. 95), filed June 4, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Neb. 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: Meat, meat products and meat by-products and articles distributed by meat packers, and/or meat by-products. Persons interested in the requested authority can be tacked 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 Chicago, Ill.

No. MC 108033 (Sub-No. 96), filed June 8, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Neb. 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, Wyoming, and points in the plantsite and/or storage facilities of the Lloyd J. Harriss Ice Co. No: 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 109294 (Sub-No. 13), filed March 16, 1970. Applicant: COMMERCIAL TRUCK CO., LTD., 280 Brumete 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 lines between the United States and Canada, at or near Blaine and Sumas, Wash. No: Applicant states that the requested authority cannot be tacked with its existing authority 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 Seattle, Wash.

No. MC 109551 (Sub-No. 4), filed June 2, 1970. Applicant: MILLER TRUCKING, INC., 100 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 shore of Lake Michigan, and Lake Huron, to ports of entry on the Great Lakes, and to points in the State of Louis., restricted to traffic originating at the warehouse facilities owned or used by Owens-Illinois, Inc. No: Applicant holds contract carrier authority under MC 14529, 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 state of Illinois (except Havana). No: 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 110883 (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. McPherson, 1000 16th Street NW, Washington, D.C. 20036. Authority sought to provide a through service at points in the plantsite and/or storage facilities of the Lloyd J. Harriss Ice Co. No: 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.
NOTICES 10819

operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products and meat by-products and articles distributed by meat packhouses, 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.

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: (1) Rubber hose, from the plants of Allen Canning Co., 8 miles northeast of Siloam Springs, Ark., to points in California, Oregon, Washington, Idaho, Montana, Alberta, and British Columbia;

No. MC 113077 (Sub-No. 390), filed June 16, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Richard Peterson, Post Office Box 806, Lincoln, Neb. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods and commodities in bulk, in tank vehicles, 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. No: 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 Little Rock, Ark., or Oklahoma City, Okla.

No. MC 113675 (Sub-No. 39), filed June 6, 1970. Applicant: PROPEANE TRANSPORT, INC., Post Office Box 232, 1734 State Route 131, Milford, Ohio. Applicant's representative: James R. Stiver, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Anhydrous ammonia, in bulk, in tank vehicles, from a point in Illinois, Wisconsin, Minnesota, Virginia, West Virginia, and Kentucky, Indiana, Michigan, and Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. No: 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 Jacksonvile, Fla.

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: Food stuffs, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from points in Minnesota, Wisconsin, and Illinois, to points in Connecticutt, 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. No: 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 115230 (Sub-No. 91), filed June 16, 1970. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 1, South Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: R. E. Barnshaw, 835 Washington Building, Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, from Columbus, Ohio, to Mishawaka, Ind., under contract with Electric Hose & Rubber Co. No: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 115204 (Sub-No. 91), 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; (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. No: 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 Little Rock, Ark., or Oklahoma City, Okla.

NOTICES

FEDERAL REGISTER, VOL. 35, NO. 128—THURSDAY, JULY 2, 1970

10820

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 117676 (Sub-No. 170), filed May 8, 1970. Applicant: CARL SUBLER TRUCKING, Inc., 115 North University, Versailles, Ohio 45380. 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: Meat by products 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, 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 117677 (Sub-No. 31), filed June 8, 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: Meat, meat products, meat by products 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 Alabama, Georgia, Tennessee, Louisiana, Kentucky, North Carolina, South Carolina, Mississippi, Minnesota, Wisconsin, Michigan, Ohio, Indiana, Illinois, and Pennsylvania. 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 117678 (Sub-No. 2), filed June 12, 1970. Applicant: DORIS JONES doing business as DORIS JONES TRUCKING, 822 South 9th St., Post Office Box 15, Gleason, Tenn. 38229. Applicant’s representative: James Clarence Evans, 18th Floor, Third National Bank Building, Nashville, Tenn. 37219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Brick, from Gleason and Nashville, Tenn., to (1) points in Georgia, (2) points in Alabama on or north of the Alabama-Mississippi State line east along U.S. Highway 80 to intersection U.S. Highway 29, then along U.S. Highway 29 to the Alabama-Georgia State line; (3) points in the southern part of Georgia on or north of the following described boundary; commencing at the Alabama-Georgia State line northeastward along U.S. Highway 23 north to U.S. Highway 411, then northerly along U.S. Highway 411 to the
notices

10821

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection U.S. Highway 67 at Alvort, 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 Manchester, Mo., thence southerly along U.S. 65 to the Missouri-Arkansas State line, thence westwardly along Interstate Highway 40 to intersection on 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.

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 State Route 57, thence southwesterly along U.S. Highway 70 to the Mississippi River, thence southerly along State Route 5 and/or U.S. Highway 27 to Covington and along U.S. Highway 67 to the Mississippi River, thence southeasterly along U.S. Highway 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., Springfield, Mo., thence southerly along Missouri Highway 19 thence southwesterly along Interstate Highway 70 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, thence westwardly along Interstate Highway 40 to intersection on U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River.
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., 540–43 Merritt Avenue, Nashville, Tenn. 37203. 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 an east of North Dakota, South Dakota, Nebraska, Colorado, New Mexico, Texas; and paper products, and materials and supplies; Irish and sweet potatoes, house<br> 
 
hold goods, sugar cane, corn, lumber, poultry houses, and articles therefor; 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: R. MARTEL 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 Montgomery County, Ohio, and pending contract carrier authority under contract with Muskingum Iron and Metal Co. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127978 (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. Harrington, 118, Investors Building, Washington, D.C. 20006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Limestone, in bags, from Florence, Rutland, W. 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, 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, Massachusetts, Connecticut, and New York. Authority is sought. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128201 (Sub-No. 3), filed June 19, 1970. Applicant: SCHUSTER G. & CO., INC., Route 20 East, Box 525, Norwalk, Ohio, 44850. Applicant's representative: James E. Evans, Post Office Box 1301, Norwalk, Ohio 44850. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Animal feed and animal health products, from Des Moines, Iowa, to points in South Dakota, and Minnesota, and from Omaha, Neb., 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 169, Fort Scott, Kansas 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: (1) Food, soft drinks and paper products, products produced or distributed by manufacturers and converters of paper and paper products, and materials and supplies thereof and therefor; (2) snowmobiles and parts, 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, Massachusetts, Connecticut, and New York. Authority is sought. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 129892 (Sub-No. 4), filed June 1, 1970. Applicant: SCHONEGGE, 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, and from the plantsite of Superior Coach and Milling Co., South Euclid, Ohio, (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 Norfolk, 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 2, Farnham, Quebec, 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 130402 (Sub-No. 3), filed June 18, 1970. Applicant: JACK A. HART, doing business as PARTS LOCATOR SERVICE, 5501 Northwest Walnut Street, Vancouver, Wash., 98663. Applicant's representative: Harry E. Close, 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. If a hearing is sought, authority is sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.


No. MC 130402 (Sub-No. 4), filed April 3, 1970. Applicant: NORTH EAST EXPRESS INC., Post Office Box 1300, Wilkes-Barre, Pa. 18704. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517, and Edward G. Villalon, 1745 K Street NW, Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Malt beverages, (1) from Miami and Tampa, Fla., to Tallahassee, Fla., and (2) from Norfolk, 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 June 8, 1970. Applicant: CHEROKEE HAULING & RIGGING, INC., 540–43 Merritt Avenue, Nashville, Tenn. 37203. 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: Insulation and insulation materials, from the plantsite of Certain-Teed, Saint Gobain Insulation Corp. at Baltimore, Md., Alliance, and Columbus, Ohio, and Saint Gobain Insulation Corp. at 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 (a)
NOTICES

New York, New Jersey, Maryland, Del- 
aware, Ohio, and Michigan (except points in the Upper Peninsula); insula- 
tion and insulation materials, from the 
plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- 
ship, Luzerne County, Pa., and Williams- 
town, Junction, N.J. Not: Applicant 
requests it be held at Atlanta, Ga., or 
Washington, D.C.

No. MC 134064 (Sub-No. 2), filed 
June 20, 1970. Applicant: INTERSTATE 
TRANSPORT, INC, Post Office Box 867, 
Gainesville, Ga, 30501. Applicant's re- 
presentative: Monty Schumacher, Suite 
310, 2949 Peachtree Road NE, Atlanta, Ga, 30305. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Manufacturing blanks, between points in New York, New Jersey, Mary- land, Delaware, Ohio, and Michigan (ex- cept points in the Upper Peninsula), to 
the plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- ship, Luzerne County, Pa., and Williams- town, Junction, N.J. Not: Applicant 
requests it be held at Philadelphia, Pa.

No. MC 134064 (Sub-No. 2), filed 
June 20, 1970. Applicant: INTERSTATE 
TRANSPORT, INC, Post Office Box 867, 
Gainesville, Ga, 30501. Applicant's re- 
presentative: Monty Schumacher, Suite 
310, 2949 Peachtree Road NE, Atlanta, Ga, 30305. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Manufacturing blanks, between points in New York, New Jersey, Mary- land, Delaware, Ohio, and Michigan (ex- cept points in the Upper Peninsula), to 
the plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- ship, Luzerne County, Pa., and Williams- town, Junction, N.J. Not: Applicant 
requests it be held at Philadelphia, Pa.

New furniture, original equipment, New York, New Jersey, Maryland, Del- aware, Ohio, and Michigan (except points in the Upper Peninsula); insula- 
tion and insulation materials, from the 
plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- ship, Luzerne County, Pa., and Williams- town, Junction, N.J. Not: Applicant 
requests it be held at Atlanta, Ga., or 
Washington, D.C.

No. MC 134064 (Sub-No. 2), filed 
June 20, 1970. Applicant: INTERSTATE 
TRANSPORT, INC, Post Office Box 867, 
Gainesville, Ga, 30501. Applicant's re- 
presentative: Monty Schumacher, Suite 
310, 2949 Peachtree Road NE, Atlanta, Ga, 30305. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Manufacturing blanks, between points in New York, New Jersey, Mary- land, Delaware, Ohio, and Michigan (ex- cept points in the Upper Peninsula), to 
the plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- ship, Luzerne County, Pa., and Williams- town, Junction, N.J. Not: Applicant 
requests it be held at Philadelphia, Pa.

New York, New Jersey, Maryland, Del- aware, Ohio, and Michigan (except points in the Upper Peninsula); insula- 
tion and insulation materials, from the 
plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- ship, Luzerne County, Pa., and Williams- town, Junction, N.J. Not: Applicant 
requests it be held at Atlanta, Ga., or 
Washington, D.C.

No. MC 134064 (Sub-No. 2), filed 
June 20, 1970. Applicant: INTERSTATE 
TRANSPORT, INC, Post Office Box 867, 
Gainesville, Ga, 30501. Applicant's re- 
presentative: Monty Schumacher, Suite 
310, 2949 Peachtree Road NE, Atlanta, Ga, 30305. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Manufacturing blanks, between points in New York, New Jersey, Mary- land, Delaware, Ohio, and Michigan (ex- cept points in the Upper Peninsula), to 
the plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- ship, Luzerne County, Pa., and Williams- town, Junction, N.J. Not: Applicant 
requests it be held at Philadelphia, Pa.

New York, New Jersey, Maryland, Del- aware, Ohio, and Michigan (except points in the Upper Peninsula); insula- 
tion and insulation materials, from the 
plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Town- ship, Luzerne County, Pa., and Williams- town, Junction, N.J. Not: Applicant 
requests it be held at Atlanta, Ga., or 
Washington, D.C.
by motor vehicle, over irregular routes, transporting: Feed and food ingredients, dry; (3) 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 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.

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, chemicals, drugs, and drugs for human and animal use, such as vaccines, serums, and biological materials; articles of food, tobacco, and drugs; pharmaceuticals and radioactive chemicals, to and from the same points in the interstate commerce, by motor vehicle, over irregular routes, transporting: Insulating materials, in packages or rolls, between the warehouse facility of the shipper at or near Klamath 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., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), and return.

Applicant: CABS UNLIMITED, INC., 604 Archibald Street, St. Boniface, Manitoba, Canada. Applicant's representative: Alan Ross, 503 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 in the international boundary, between the United States, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), and return in round trip charter service.

Applicant: BEAR CAT, INC., 2336 Hilliard Street, Klamath Falls, Oreg. 97601. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23rd Avenue, Portland, Oreg. 97210. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products (except aviation fuel) 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 Siskiyou, Modoc, and Humboldt Counties, Calif.; (3) from Malheur, Grant, Harney, Lake, Crook, Deschutes, Klamath, Douglas, Coos, Curry, Josephine, and Jackson Counties, Oreg.; (4) from Oldalde, 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 Jose, Solano, 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, Monticello, Miss. 38901. Applicant's representative: David M. Marshall, 133 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, Massachusetts, to points in Connecticut, Maine, New Hampshire, Rhode Island, Vermont, and New York, and return; (2) from Northampton, Mass., to points in Connecticut, and return. Note: Applicant states that the requested authority cannot be tack 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, Inc., 339 Archibald Street, St. Boniface, Manitoba, Canada. Applicant's representative: Allen Ross, 503 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 in the international boundary, between the United States, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), and return in round trip charter service.

APPLICATION OF WATER CARRIER


By the Commission.

[SEAL]  H. NEIL GARSON,  Secretary.

[PR Doc. 70-8350; Filed, July 1, 1970; 8:45 a.m.]
The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during July.

### Executive Orders:

- 11248 (amended by EO 11540)
- 11452 (see EO 11541)
- 11472 (see EO 11541)
- 11493 (see EO 11541)
- 11514 (see EO 11541)
- 11538
- 11539
- 11540
- 11541

### Proposed Rules:

- 19 CFR
  - Proposed Rules:
  - 4
  - 22

### CFR

#### 3 CFR

**Proclamations:**

- 3961
- 3992
- 3993

**Executive Orders:**

- 11249 (amended by EO 11540)
- 11452 (see EO 11541)
- 11472 (see EO 11541)
- 11493 (see EO 11541)
- 11514 (see EO 11541)
- 11538
- 11539
- 11540
- 11541

#### 7 CFR

- 28
- 220
- 908
- 911
- 917
- 922
- 944
- 947
- 991
- 1032
- 1039
- 1084
- 1104
- 1103
- 1421
- 1822

**Proposed Rules:**

- 1030
- 1032
- 1036
- 1046
- 1049
- 1050
- 1062
- 1090
- 1130

#### 9 CFR

- 76

#### 10 CFR

- 14

#### 12 CFR

- 531
- 545
- 556

#### 13 CFR

- 101
- 121

#### 14 CFR

- 21
- 37
- 39
- 71
- 75
- 121
- 127
- 139
- 145

**Proposed Rules:**

- 71
- 159

#### 16 CFR

- 3
- 13

#### 18 CFR

- 601

#### 19 CFR

**Proposed Rules:**

- 4

#### 21 CFR

- 1481

#### 22 CFR

- 51

#### 24 CFR

- 203
- 207
- 220
- 1914
- 1915

#### 29 CFR

- 102
- 531

#### 31 CFR

- 505

#### 33 CFR

- 117

**Proposed Rules:**

- 82
- 117

#### 36 CFR

- 6
- 7

#### 38 CFR

- 2
- 3
- 18a
- 18b
- 21

#### 41 CFR

- 60-1
- 101-32

#### 42 CFR

**Proposed Rules:**

- 81

#### 43 CFR

- Ch. II

#### 45 CFR

- 177

#### 47 CFR

- 15

#### 49 CFR

- 1033
- 1048
- 1049

#### 50 CFR

- 33
- 80

Page numbers:

- 10643
- 10729
- 10731
- 10733
- 10735
- 10737
- 10739
- 10741
- 10743
- 10745
- 10747
- 10748
- 10750
- 10751
- 10753
- 10755
- 10757
- 10759
- 10761
- 10763
- 10765
- 10767
- 10769
- 10771
- 10773
- 10775
- 10777
- 10779
- 10781
- 10783
- 10785
- 10787
- 10789
- 10791
- 10793
- 10795
- 10797
- 10799
- 10801
- 10803
- 10805
- 10807
- 10809
- 10811
- 10813
- 10815
- 10817
- 10819
- 10821
- 10823
- 10825
- 10827