FEDERAL REGISTER
VOLUME 35 • NUMBER 223
Tuesday, November 17, 1970 • Washington, D.C.
Pages 17649–17693

Agencies in this issue—
Agency for International Development
Agricultural Stabilization and Conservation Service
Agriculture Department
Air Force Department
Atomic Energy Commission
Census Bureau
Civil Aeronautics Board
Coast Guard
Commerce Department
Consumer and Marketing Service
Emergency Preparedness Office
Federal Communications Commission
Federal Insurance Administration
Federal Power Commission
Federal Reserve System
Food and Drug Administration
General Services Administration
Hazardous Materials Regulations Board
Indian Affairs Bureau
Interior Department
Interstate Commerce Commission
Labor Department
Land Management Bureau
Narcotics and Dangerous Drugs Bureau
National Bureau of Standards
National Park Service
Oil Import Administration
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Securities and Exchange Commission
Transportation Department

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1936–1969

The full text of Presidential proclamations, Executive orders, reorganization plans, and other formal documents issued by the President and published in the Federal Register during the period March 14, 1936–December 31, 1969, is available in Compilations to Title 3 of the Code of Federal Regulations. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

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Order from Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402
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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.
Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1971 Crop of Extra-Long Staple Cotton; Acreage Allotments and Marketing Quotas

STATE RESERVES AND COUNTY ALLOTMENTS

Section 722.562 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 202 et seq.). This section establishes the State reserves and allocation thereof among uses for the 1971 crop of extra-long staple cotton. It also establishes the county allotments. Such determinations were made initially by the respective State committees and are hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (29 F.R. 16210, 33 F.R. 4243, 33 F.R. 5677, 6189).

Accordingly, it is hereby found and determined that compliance with the 30-day effective date requirement of § 722.562 is impracticable and contrary to the public interest, and § 722.562 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.562 State reserves and county allotments for the 1971 crop of extra-long staple cotton.

(a) State reserves. The State reserves for each State shall be established and allocated among uses for the 1971 crop of extra-long staple cotton pursuant to § 722.508 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton (31 F.R. 8247, 13430, 22 F.R. 5418, 33 F.R. 8427, 16066, 16435, 34 F.R. 5, 908). It is hereby determined that no State reserve is required for trends, abnormal conditions, new farms, inequities and hardships or new farms. The following table sets forth the State reserve for each State. The table also sets forth the allotments in the State productivity pool which shall not be allocated to counties and farms, as required under § 722.509 (a) of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton.

(b) County allotments. County allotments are established for the 1971 crop of extra-long staple cotton in accordance with § 722.509 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton. The following table sets forth the county allotments:

### Arizona

<table>
<thead>
<tr>
<th>County</th>
<th>County allotment acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconino</td>
<td>842</td>
</tr>
<tr>
<td>Gila</td>
<td>19</td>
</tr>
<tr>
<td>Graham</td>
<td>14,004</td>
</tr>
<tr>
<td>Maricopa</td>
<td>20,342</td>
</tr>
<tr>
<td>Pima</td>
<td>8,677</td>
</tr>
<tr>
<td>Yuma</td>
<td>1,237</td>
</tr>
</tbody>
</table>

### California

<table>
<thead>
<tr>
<th>County</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imperial</td>
<td>139</td>
</tr>
<tr>
<td>Riverside</td>
<td>639</td>
</tr>
<tr>
<td>San Diego</td>
<td>780</td>
</tr>
<tr>
<td>Alachua</td>
<td>64</td>
</tr>
<tr>
<td>Hamilton</td>
<td>6</td>
</tr>
<tr>
<td>Jefferson</td>
<td>2</td>
</tr>
<tr>
<td>Madison</td>
<td>31</td>
</tr>
<tr>
<td>Marion</td>
<td>44</td>
</tr>
<tr>
<td>Bakersfield</td>
<td>3</td>
</tr>
<tr>
<td>Union</td>
<td>55</td>
</tr>
</tbody>
</table>

### Florida

<table>
<thead>
<tr>
<th>County</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barren</td>
<td>128</td>
</tr>
<tr>
<td>Cook</td>
<td>24</td>
</tr>
<tr>
<td>New Mexico</td>
<td></td>
</tr>
<tr>
<td>Cuero</td>
<td>65</td>
</tr>
<tr>
<td>Doña Ana</td>
<td>22,636</td>
</tr>
<tr>
<td>Eddy</td>
<td>192</td>
</tr>
<tr>
<td>Hidalgo</td>
<td>33</td>
</tr>
<tr>
<td>Luna</td>
<td>663</td>
</tr>
<tr>
<td>Mora</td>
<td>37</td>
</tr>
<tr>
<td>Sierra</td>
<td>257</td>
</tr>
<tr>
<td>State</td>
<td>28,903</td>
</tr>
</tbody>
</table>

### Texas

<table>
<thead>
<tr>
<th>County</th>
<th>County allotment acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brewster</td>
<td>17</td>
</tr>
<tr>
<td>Culberson</td>
<td>412</td>
</tr>
<tr>
<td>El Paso</td>
<td>28,067</td>
</tr>
<tr>
<td>Hudspeth</td>
<td>3,307</td>
</tr>
<tr>
<td>Loving</td>
<td>14</td>
</tr>
<tr>
<td>Reeves</td>
<td>7,191</td>
</tr>
<tr>
<td>Ward</td>
<td>594</td>
</tr>
</tbody>
</table>

### State products

<table>
<thead>
<tr>
<th>State</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>50,878</td>
</tr>
<tr>
<td>California</td>
<td>205</td>
</tr>
<tr>
<td>Georgia</td>
<td>159</td>
</tr>
</tbody>
</table>

FEDERAL REGISTER, VOL. 35, NO. 223—TUESDAY, NOVEMBER 17, 1970
the Administrative Committee during the period September 1, 1970, through August 31, 1971, will amount to $155,100.

(b) Rate of assessment. The rate of assessment for such period, payable by each handler in accordance with §909.41, is hereby fixed at $0.03 per case, or equivalent quantity of grapefruit.

(c) Operating reserve. Unexpended assessment funds, in excess of expenses incurred during such period, shall be carried over as a reserve in accordance with the applicable provisions of §909.42.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the Federal Register (5 U.S.C. 559) that (1) shipments of the current crop of grapefruit grown in the designated production area are now being made; (2) the relevant provisions of said marketing order require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period; and (3) such period began on September 1, 1970, and said rate of assessment will automatically apply to all such grapefruit beginning with such date. (Secs. 1-10, 48 Stat. 31, as amended; 7 U.S.C. 601-674)


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

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Expenses and Rate of Assessment

On October 31, 1970, notice of rule making was published in the Federal Register (35 F.R. 16860) regarding proposed expenses and the related rate of assessment for the period August 1, 1970, through July 31, 1971, pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912) regulating the handling of grapefruit grown in the Indian River District in Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Indian River Grapefruit Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 912.210 Expenses and rate of assessment.

(a) Expenses. Expenses that are reasonable and likely to be incurred by the Indian River Grapefruit Committee during the period August 1, 1970, through July 31, 1971, will amount to $32,500.

(b) Rate of assessment. The rate of assessment for said period, payable by each handler in accordance with §912.41, is fixed at $0.005 per standard packed box of grapefruit.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the Federal Register (5 U.S.C. 553) that (1) shipments of grapefruit are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period, and (3) such period began on August 1, 1970, and said rate of assessment will automatically apply to all such grapefruit beginning with such date. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 12, 1970.

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

PART 913—GRAPEFRUIT GROWN IN INTERIOR DISTRICT IN FLORIDA

Expenses and Rate of Assessment

On October 31, 1970, notice of rule making was published in the Federal Register (35 F.R. 16860) regarding proposed expenses and the related rate of assessment for the period August 1, 1970, through July 31, 1971, pursuant to the marketing agreement, as amended, and Order No. 913, as amended (7 CFR Part 913), regulating the handling of grapefruit grown in the Interior District in Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Interior Grapefruit Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 913.206 Expenses and rate of assessment.

(a) Expenses. Expenses that are reasonable and likely to be incurred by the Interior Grapefruit Marketing Committee during the period August 1, 1970, through July 31, 1971, will amount to $35,000.

(b) Rate of assessment. (1) The rate of assessment for said period, payable for each handler in accordance with §913.31, is fixed at $0.005 per standard packed box of grapefruit.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the Federal Register (5 U.S.C. 553) that (1) shipments of grapefruit are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period, and (3) such period began on August 1, 1970, and said rate of assessment will automatically apply to all such grapefruit beginning with such date. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 12, 1970.

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

PART 144—ANTIBIOTIC DRUGS; EXEMPTIONS FROM LABELING AND CERTIFICATION REQUIREMENTS

2-Acetylamino-5-Nitrosozole and Antibiotics in Poultry Feed; Reversion of Exemption

No comments were received in response to the notice published in the Federal Register of September 9, 1970 (35 F.R. 14221), proposing that the antibiotic drug regulations be amended to revoke the exemption of poultry feed containing 2-acetylamino-5-nitrosozole and antibiotics from certification requirements. The Commissioner of Food and Drugs concludes that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343–51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), §144.26 Animal feed containing certifiable antibiotic drugs is amended by revoking paragraph (1) (19).

Effective date. This order shall become effective 30 days after its date of publication in the Federal Register.

Dated: November 4, 1970.

SAM D. FINE, Associate Commissioner for Compliance.

[F.R. Doc. 70-15388; Filed, Nov. 10, 1970; 8:45 a.m.]
Title 24—HOUSING AND HOUSING CREDIT  
Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development  
SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM  
PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE  
List of Designated Areas

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:  
§ 1914.4 List of designated areas.

<table>
<thead>
<tr>
<th>State</th>
<th>County</th>
<th>Location</th>
<th>Map No.</th>
<th>State map repository</th>
<th>Local map repository</th>
<th>Effective date of authorization of sale of flood insurance for area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>California</td>
<td>Los Angeles</td>
<td>Arcadia</td>
<td>E 60 07 0129 05</td>
<td></td>
<td>Office of the City Clerk, 1834 East Third St., Arcadia, Calif. 90010.</td>
<td>Nov. 13, 1970.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Brevard</td>
<td>Unincorporated areas</td>
<td>E 12 09 0000 10</td>
<td></td>
<td>Office of the Director of Public Works, 3300 State Road, Tallahassee, Fla.</td>
<td>Nov. 13, 1970.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>Natchitoches</td>
<td>Yankton</td>
<td>E 12 07 3232 01</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Bristol</td>
<td>Somerset</td>
<td>E 47 00 0000 01</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td>Buncombe</td>
<td>Maryville</td>
<td>E 47 00 1670 01</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas</td>
<td>Brazoria</td>
<td>Freeport</td>
<td>E 48 08 2450 00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The above table lists the designated areas for the sale of flood insurance as of Nov. 13, 1970.
## Rules and Regulations

**Effective date of authorization of sale of flood insurance for area**

<table>
<thead>
<tr>
<th>State</th>
<th>County</th>
<th>Location</th>
<th>Map No.</th>
<th>State map repository</th>
<th>Local map repository</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wisconsin</td>
<td>Jefferson</td>
<td>Fort Atkinson</td>
<td>E 55 065 1760 01</td>
<td>Department of Natural Resources, Office of the City Manager, Municipal Bldg., Fort Atkinson, Wis. 33664.</td>
<td>Do.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>E 55 065 1760 02</td>
<td>Wisconsin Insurance Department, 909 Sheboygan Ave., Madison, Wis. 53701.</td>
<td>Do.</td>
</tr>
</tbody>
</table>

Issued: November 16, 1970.

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**PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS**

List of Flood Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

### § 1915.3 List of flood hazard areas.

<table>
<thead>
<tr>
<th>State</th>
<th>County</th>
<th>Location</th>
<th>Map No.</th>
<th>State map repository</th>
<th>Local map repository</th>
</tr>
</thead>
</table>

- **California**
  - Lassen: Duarte, through T 06 035 1048 01 T 06 035 1048 03 Department of Water Resources, Post Office Box 388, Sacramento, Calif. 95802.
  - Los Angeles: Arcadia, through T 06 037 0000 06 through T 06 037 0000 03 California Insurance Department, 1440 Market St., San Francisco, Calif. 94103, and 107 South Broadway, Los Angeles, Calif. 90012.
  - Ventura: Thousand Oaks, through T 06 111 3860 01 through T 06 111 3860 03 State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32304.
  - Brevard: Unincorporated areas, through T 12 000 0000 01 through T 12 000 0000 03 Department of Community Affairs, State of Florida, 300 Office Plaza, Tallahassee, Fla. 32300.

- **Florida**
  - Brevard: Unincorporated areas, through T 12 000 0000 01 through T 12 000 0000 03 State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32304.

- **Louisiana**
  - Jefferson: Kenner, through T 05 031 1190 01 through T 05 031 1190 03 Louisiana Insurance Department, Post Office Box 4114, Baton Rouge, La. 70834.
  - Orleans: Algiers Parish, through T 25 000 1185 01 through T 25 000 1185 03 Division of Water Resources, State Office Bldg., 100 Cambridge St., Boston, Mass. 02202.

- **Tennessee**
  - Blount: Maryville, through T 47 000 1570 01 through T 47 000 1570 03 Office of Federal and Urban Affairs, 221 Seventeenth Ave., North, Nashville, Tenn. 37212.
  - Knox: State Planning Commission, Room C3-205, Central Service Bldgs., Nashville, Tenn. 37119 and Upper East Tennessee Office, 305 West Walnut St., Johnson City, Tenn. 37601.
  - State Insurance Commission, B-114, State Office Bldg., Nashville, Tenn. 37219.

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**Issued:** November 16, 1970.

**Charles W. Wiecking,**

Acting Federal Insurance Administrator.
Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Index of Part

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of November 1970. Part 302 (Rules of Practice in Economic Proceedings) is a detailed and complex part comprising 28 pages printed in Federal Register format and embodying some 185 different sections of rules. The Board has compiled a comprehensive index of the part in order to assist parties to Board proceedings who use the part and other members of the public who may have occasion to refer to it. The attached Index will be printed as an appendix to the part and will be published in the part in the yearly reissue of the Code of Federal Regulations (14 CFR Part 302).

Since this amendment is merely an index of the part, notice and public procedure thereon are not required, and the amendment may become effective upon less than 30 days' notice.

In consideration of the foregoing, the Board hereby amends Part 302 of the procedural regulations (14 CFR Part 302), effective November 10, 1970, by incorporating therein an index of the part in the form attached hereto as Appendix A.

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

PART 908—MEDICAL, DENTAL, AND VETERINARY EDUCATION OF REGULAR AND RESERVE AIR FORCE OFFICERS

Part 908 of Title 32 of the Code of Federal Regulations is revised to read as follows:

---

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[FR Doc. 70-15321; Filed, Nov. 16, 1970; 3:45 a.m.]

---

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[FR Doc. 70-15321; Filed, Nov. 16, 1970; 3:45 a.m.]


By the Civil Aeronautics Board.

Effective: November 10, 1970.


[seal]
HARRY J. ZINCK,
Secretary.

[FR Doc. 70-15428; Filed, Nov. 16, 1970; 6:00 a.m.]
§ 908.1 Purpose.

This part explains how a military member or civilian highly motivated toward an Air Force career in medicine (includes osteopathy), dentistry, or veterinary medicine may participate in advanced training that qualifies him as a physician, dentist, or veterinarian. It also outlines responsibilities and eligibility requirements and tells how to apply for such training.

§ 908.2 Who may apply for training.

Any military member (active or inactive) or civilian who meets the criteria in § 908.3 and has been recommended by the dean of his undergraduate school for training, may apply for training. For any military member, this training may be given at an accredited school for the time normally required to earn an M.D., D.O., D.D.S., D.M., or D.V.M. degree from the school, usually four but sometimes 5 years.

§ 908.3 Eligibility criteria for training.

If an applicant is a nonrated Regular or Reserve officer in the grade of first lieutenant or below, a Reserve or active duty enlisted man, a civilian having received a B.S. degree, or a civilian within 6 months of completion of undergraduate school, and if he will be under 25 years of age upon entry into medical, dental, osteopathic, or veterinary school, and has proof of acceptance by an accredited professional school1 and has been recommended by the dean of his undergraduate school, then he may apply for training under the program at least 6 months before anticipated entry to school.

§ 908.4 Service commitment incurred.

A participant in this education program:

(a) Must agree to accept appointment or reappointment in the Regular Air Force or U.S. Air Force Reserve as appropriate, Medical (MC), Dental (DC), or Veterinary (VC) Corps upon graduation.

(b) Is on active duty while attending school and is entitled to pay and allowances for his grade during that period.

(c) Incurs active duty service commitment (ADSC) of three times the length of the course. For example, a student attending for 4 years a school which has an academic year of 9 months would incur an ADSC of three times the length of the course (36 months) or 108 months. Fulfillment of the ADSC commences according to the following rules:

1. A medical student who begins fulfilling the ADSC on the day following completion of internship.

2. A dental student who voluntarily participates in the Air Force Dental Intern Program will begin to fulfill the ADSC on the day following completion of the internship training: otherwise, the ADSC will begin on the day following graduation from dental school.

3. A veterinary medicine student would commence to fulfill the ADSC on the day following graduation from school.

(d) Will fulfill an ADSC incurred by the acceptance of an Air Force commission while attending school or during sponsored internship training programs.

(e) Who is eliminated from training before completion of the first year will incur an ADSC of the 2nd year plus 1 month for each month of training received after the first year. Situations of students eliminated from training leading to a degree will be reviewed by USAFMC (AFMSMB4) and (APPMR-EB) and, when appropriate, will be reappointed in the line of the Air Force.

§ 908.5 How to apply for training.

The applicant will submit a request direct to USAFMC (AFMSMB4), Randolph AFB, TX 78148, for an application kit.

§ 908.6 Processing responsibilities.

(a) HQ USAF—after considering each application, makes selections through an Education Committee representing the Surgeon General, USAF. This Committee considers career motivation, scholastic standing, and military aptitude in making selections. The Committee will also consider Medical College Test (MCAT) scores for medical applicants.

(b) Air University—through the Commandant, Air Force Institute of Technology (AFIT) will negotiate and contract with schools for the education authorized by this part. The contract must include payment for all tuition and fees listed in the selected school’s official catalog. In addition, AFIT will defray associated educational expenses for books, supplies, thesis preparation, and equipment as follows:

1. Books, supplies, and materials as required by the school, $50.

2. Any equipment the school requires all students to possess.

3. Doctoral dissertation (when required of students), $50.

4. Reimbursement for fees for examinations administered by the National Board of Medical Examiners when such examinations are required by the institution in which enrolled as a prerequisite to graduation.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCIA, JR.,
Colonel, U.S. Air Force
Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 70-13385; Filed, Nov. 16, 1970; 8:45 a.m.]

Title 49—Transportation

Subtitle A—Office of the Secretary of Transportation

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation of Authority With Respect to Approval of Sufficiency of Title to Land

The purpose of this amendment is to delegate to the General Counsel of the Director, Transportation the Department’s authority to approve the sufficiency of title to land and to provide for successive redelegations to other attorneys within the Department of Transportation.

Section 355 of the Revised Statutes, as amended by Public Law 91-393, 84 Stat. 833 (40 U.S.C. 255) authorizes the Attorney General to delegate to other departments and agencies his authority to give written approval of the sufficiency of the title of land being acquired by the United States. The Attorney General has delegated to the Assistant Attorney General in charge of the land and Natural Resources Division the authority to make delegations under that law to other Federal departments and agencies (35 F.R. 16694; 26 CFR 0.68). The Assistant Attorney General, Land and Natural Resources Division, has further delegated certain responsibilities in connection with the approval of the sufficiency of the title of land to this Department as follows:

DELEGATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE APPROVAL OF THE TITLE TO LANDS ACQUIRED FOR FEDERAL PURPOSES

Pursuant to the provision of Public Law 91-393, approved September 1, 1970, 86 Stat. 835, amending R.S. 835 (40 U.S.C. 255), and acting under the provisions of Order No. 440-70 of the Attorney General, dated October 2, 1970, the responsibility for the approval of the sufficiency of the title of land for the purpose for which the property is being acquired by purchase or condemnation by the United States for the use of your Department is, subject to the general supervision of the Attorney General and to the following conditions, hereby delegated to your Department.

This delegation of authority is further subject to:

1. Compliance with the regulations issued by the Assistant Attorney General on October 2, 1970, a copy of which is enclosed.

2. This delegation is limited to:

(a) The acquisition of land for which the title evidence, prepared in compliance with
these regulations, consists of a certificate of
title, title insurance policy, or an owner's
duplicate Torrens certificate of title.

(b) The acquisition of lands valued at
$100,000 or less, for which the title evidence
consists of abstracts of title or other types of
title evidence prepared in compliance with said
regulations.

As stated in the above-mentioned act, and
Section 192.239(a) of the Code, Regulations issued in accordance with
the Act of November 10, 1958, to the Department of
Transportation may only be made
effective in less than 30
days after publication in the
Federal Register.

In consideration of the foregoing, ef
fective November 10, 1970, § 1.59 of title
49, Code of Federal Regulations is amended by adding the following new
paragraph at the end thereof:

§ 1.59 Delegations to General Counsel.
The General Counsel is delegated au-
thority to—

(k) Exercise the authority delegated to the Department by the Assistant At-
torney General, Land and Natural Re-

sources Division, in his order of Octo-
ber 2, 1970, to approve the sufficiency of
the title to land being acquired by pur-
chase or condemnation by the United
States for the use of the Department.

Redelegation and successive redele-
gations of this authority may only be made to attorneys within the Department
of

Transportation (Sec. 9 of the Department of Transportation
Act; 49 U.S.C. 1657)

Issued in Washington, D.C., on the 6th
of October 1970.

JAMES M. BEGGS

Acting Secretary of Transportation.

[Amtd. 162-1; Docket OPS-3]

PART 192—TRANSPORTATION OF

NATURAL AND OTHER GAS BY

PIPELINE: MINIMUM FEDERAL

SAFETY STANDARDS

Miscellaneous Amendments

The purpose of this amendment is to
modify several provisions of the newly
established minimum Federal safety

standards. These changes will avoid sev-

eral problems that would have caused
unnecessary burdens for the pipeline

industry.

The minimum Federal safety standards
were established on August 12, 1970
as Part 192 of Title 49 of the Code of
Federal Regulations (35 F.R. 13247,
Aug. 19, 1970). These amendments are
also being made effective November 12,
1970, in order to coincide with the effec-
tive date of Part 192.

One major problem area is the appli-
cation of the new standards to existing
stocks of pipe and other materials, par-
ticularly with respect to Subpart B and
Appendix B. The editions of the pipe
specifications listed in Appendix B were
the most recently issued editions. This
required that stockpiled pipe made under
earlier editions of these specifications be
qualified or used in some other way. To
avoid this situation, two amendments
are being made. The earlier editions of
these specifications that were listed in
the 1968 edition of the B31.8 Code are
being included in the list in Appendix B.
Further, § 192.55 is being amended to
permit the use of new steel pipe for re-
placement in an existing pipeline if it
was manufactured in accordance with the
same specification as the pipe used in
the pipeline.

Another step being taken to avoid diffi-
culties with existing stocks of parts is the
addition of an exception to § 192.63. This
will permit, under certain conditions, the
continued use of items that were manu-
factured before the effective date of the
standards and are unmarked, but which are
clearly identifiable as to manufac-
turer, type, and model. In addition, §
192.359(b) is being modified to make it
applicable only to meters manufac-
tured after the effective date of the reg-
ulations. This will permit the use of the
large stock of existing meters which have not been tested to 10 p.s.i.g.

Several questions have been asked as to
whether API 6A is an acceptable stand-
ard for the purpose of § 192.145(a). In
response to these questions and to clarify
the intended meaning of this require-
ment, this section is amended to speci-
fically permit the use of valves
manufactured in accordance with this
standard.

In response to a petition by a manu-
facturer of pipeline parts, an additional
exception is being added to § 192.153(b).
This exception is one that was contained
in the B31.8 Code and the interim stand-
ards, but was inadvertently omitted from
the new standards. However, to assure that
the parts being excepted are proper-
made, certain conditions will have to be
met before the exception applies.

Section 192.199 provides requirements
for design of pressure relief and limiting
devices. These requirements were not
intended to apply to rupture discs. Since
in effect, they would prohibit the use of
the parts. To avoid this problem and per-
mit continuation of the present industry practice in using rupture discs,
they are being modified from the re-

requirements of this section.

Another correction is being made in
section 192.371. As proposed in Notice
70-3, this requirement would have ap-
pplied only to pipe used in steel service
lines, not to the other components of the
pipeline. As amended, this section would require the service line valves and their
components as well as the pipe to be designed
for 100 p.s.i.g. This was not the intent
and the regulation has been corrected to
apply to pipe only.

Section 192.619(a) establishes maxi-
mum operating pressures based on a
number of factors, one of which is based
on the testing of the pipeline. Since this
test factor applied to all pipelines with-
out regard to operating pressure, it ap-
peared to be inconsistent with the testing
requirements of § 192.509 which only re-
quired testing to 90 p.s.i.g. for pipelines
operated at or below 100 p.s.i.g. For those
pipelines operated at or below 100 p.s.i.g., the leak test
requirements of § 192.509 will be suf-
cient.

Appendix A has been changed so as
to inform the changes made to the list of specifications in Appendix B and to include API Standard 6A which has
been added to § 192.145(a).

In addition to the amendments dis-
cussed above, several editorial amendments have been made to other sections
to correct typographical and other
mistakes.

These amendments, together with the
changes to § 192.63(ii) that were published in the Final
Register on November 11, 1970 (35 F.R.
17335), have been reviewed by the Tech-
nical Pipeline Safety Standards Commit-
tee (in accordance with § 4(b) of the
Natural Gas Pipeline Safety Act. The
report of the Committee on the technical feasibility, reasonableness, and practi-
cality of an amendment, together with a transcript of the hearings, is contained
in a public docket, Docket OPS-3, at the
Office of Pipeline Safety. The amend-
ments issued herein conform to the rec-
ommendations of the Committee with
two exceptions.

The amendments to § 192.55(a) and
to Appendix B are issued as they were
submitted to the Committee by the De-
partment. With respect to § 192.55(a),
the Committee recommended that the
new subparagraph (4) read “New steel pipe in stock before March 12, 1971, may
be used in a segment of pipeline if it
has been manufactured in accordance
with a previous edition of a specification
listed in Appendix B. If the pipe is to
be used as a replacement in an existing
segment of pipeline the pipe shall be
compatible with the existing segment”.

Since this recommended language
would have made a change to the list
of specifications unnecessary, the Com-
mitee further recommended that Ap-
pendix B remain unchanged.
The Department has considered the effect of the Committee’s recommendation and has concluded that it involves a change to the existing regulations of such significance as to require a full regulatory proceeding. The Committee has submitted a copy of proposed rule making published in the Federal Register. This will give the public and the industry an opportunity to comment on the recommendation and to provide the Department with more complete information on the extent of the problem.

The second instance in which these amendments do not conform to the recommendations of the Committee is with respect to § 192.55 (b). The Committee recommended that this paragraph be amended to permit the use of meters manufactured before March 12, 1971, that had not been tested to at least 10 p.s.i.g. The Department has modified this recommendation to limit the date for manufacture without testing to November 12, 1970. During these rule-making proceedings, the Department ascertained that testing was a common practice among meter manufacturers and that this new requirement would not create any difficulty. Further, the effective date of this minimum Federal standards gives any manufacturers who were not previously testing their meters 90 days to adjust their operations to meet this requirement. The Department believes that this is an adequate time to achieve compliance while still permitting the use of all existing stocks of meters that have not been tested.

Since the regulations that are affected by this amendment will become effective on November 12, 1970, and since these amendments relieve certain restrictions and will impose no additional burden on any person, I find that notice and public procedure are not necessary, and that good cause exists for making them effective on less than 30 days’ notice.

In consideration of the foregoing, Part 192 of Title 49 of the Code of Federal Regulations is amended as follows, effective November 12, 1970. This amendment is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1671 et seq.), Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1), and the delegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16468).

Issued in Washington, D.C., on November 10, 1970.

JOSEPH C. CALDWELL,
Director, Acting, Office of Pipeline Safety.

§ 192.55 Steel pipe.

(a) * * *

(3) It is used in accordance with paragraph (e) or (d) of this section.

§ 192.63 Marking of materials.

(a) Except as provided in paragraph (d) of this section, each valve, fitting, length of pipe, and other component must be marked as prescribed in—

(1) The specification or standard to which it was manufactured; or

(2) MSS Standard Practice SP-25.

(b) Surfaces of pipe and components that are subject to stress from internal pressure may not be field die stamped.

(c) If any item is marked by die stamping, the die must have blunt or rounded edges that will minimize stress concentrations.

(d) Paragraph (a) of this section does not apply to the pipe used in constructing that segment of pipeline.

§ 192.145 [Amended]

3. Section 192.145(a) is amended by inserting the words “API 6A,” between the word “of” and the words “API 6D.”

4. Section 192.153(b) is amended to read as follows:

§ 192.153 Components fabricated by welding.

(b) Each prefabricated unit that uses plate and longitudinal seams must be designated, constructed, and tested in accordance with the ASME Boiler and Pressure Vessel Code, except for the following:

(1) Regularly manufactured butt-welding fittings.

(2) Pipe that has been produced and tested under a specification listed in Appendix B to this part.

(3) Partial assemblies such as split rings or collars.

(4) Prefabricated units that the manufacturer certifies have been tested to at least twice the maximum pressure to which they will be subjected under the anticipated operating conditions.

§ 192.191 [Amended]

5. Section 192.191(b) is amended by deleting the word “alpha-bunastyrene” and by inserting the word “acrylonitrile-buta diene-styrene” in place thereof.

§ 192.197 [Amended]

6. Section 192.197(a) is amended by deleting the words “for less” from the lead in sentence.

7. Section 192.199 is amended by revising the introductory text preceding paragraph (a) to read as follows:

§ 192.199 Requirements for design of pressure relief and limiting devices.

Except for rupture discs, each pressure relief or pressure limiting device must—

§ 192.309 [Amended]

8. Section 192.309(b) (3) (ii) is amended by deleting the number “20” and inserting in place thereof the number “25”.

9. Section 192.335(b) is amended to read as follows:

§ 192.335 Customer meter installations: operating pressure.

(b) Each newly installed meter manufactured after November 12, 1970, must have been tested to a minimum of 19 p.s.i.g.

10. Section 192.371 is amended to read as follows:

§ 192.371 Service lines: steel.

Each steel service line to be operated at less than 100 p.s.i.g. must be constructed of pipe designed for a minimum of 100 p.s.i.g.

11. Section 192.619(a) (2) (ii) is amended by revising the introductory text to read as follows:

§ 192.619 Maximum allowable operating pressure: steel or plastic pipelines.

(a) * * *

(ii) For steel pipe operated at 100 p.s.i.g. or more, the test pressure is divided by a factor determined in accordance with the following table:

12. Sections II-A and II-B of Appendix A are revised to read as follows:

II. Documents incorporated by reference.

A. American Petroleum Institute:


9. B. The American Society for Testing and Materials:


for High-Temperature Service” (A105-65, A105-68).
20. Section 1 of Appendix B is amended to read as follows:

Appendix B—Qualification of Pipe

1. Listed Pipe Specifications. Numbers in parentheses indicate applicable editions.
Proposed Rule Making

POST OFFICE DEPARTMENT

RENTING AND CLOSING POST OFFICE BOXES

Notice of Proposed Rule Making

Notice is hereby given of proposed rule making consisting of a revision of regulations codified in 39 CFR 151.3(h). Those regulations relate to restrictions applicable to the rental and use by postal patrons of post office boxes, as well as to the grounds for closing such boxes by the Postal Service. It is proposed to expand and improve these regulations, and also to provide for an appellate procedure in those cases where an application to rent a box is refused, or where a box closing is under consideration. The amendments hereinafter stated will achieve the stated purposes.

Interested persons who desire to do so may submit written data, views, and arguments concerning the proposed regulations to the Assistant General Counsel, Malleability Division, Post Office Department, Washington, D.C. 20260, at any time prior to the 30th day following the date of publication of this notice in the Federal Register.

PART 151—SERVICE IN POST OFFICES

In § 151.3 Post office boxes, make the following changes:

1. Amend paragraph (h) and add a new paragraph (i) to read as follows:

§ 151.3 Post office boxes.

(h) Restrictions. (1) Grounds for refusal to rent or renew. A postmaster shall refuse to rent or renew the rental of a box to any person if he has reason to believe that such person has falsified the application or has, within the previous 2 years, physically abused a box or violated any regulation or contractual provision relating to the care and use of a box, or is likely to use the box in connection with a scheme or enterprise in violation of paragraph (h)(4) of this section. An order of the Judicial Officer closing a post office box or authorizing the refusal to grant an original or renewal application for such box shall bar the granting of any similar application wherever made, by or on behalf of the person involved, until such order or decision has been revoked, amended or modified by the Judicial Officer.

(ii) Grounds for closing a box. (1) Notice of intent to close a post office box. Whenever the General Counsel is in receipt of substantial evidence which he believes warrants the closing of a post office box, he may issue a “Notice of Intent to Close Post Office Box.” Such notice shall state clearly the reasons for the contemplated action and inform the boxholder of his right to appeal this determination to the Judicial Officer, Post Office Department, Washington, D.C. 20260.

(2) Service of Notice of Intent upon boxholder. The “Notice of Intent to Close a Post Office Box” may be served on the boxholder by certified mail, with delivery restricted to addressee only, addressed to his post office box or other address. A return receipt therefor shall be obtained and forwarded immediately to the General Counsel. If restricted delivery cannot be made, the notice shall be deposited for delivery of ordinary mail and shall be registered. (3) Service of post office delivery receipt, Form 3849, shall be filled out and sent to the General Counsel. Both the Form 3849 and the return receipt for the certified mail shall be endorsed to show that restricted delivery could not be made and that the notice was delivered as ordinary mail.

(4) Timely appeal. No appeal may be taken from a “Notice of Intent to Close a Post Office Box” issued under subparagraph (2) unless it is postmarked no later than 20 days after service of such notice.

(iii) Failure to appeal; consequences. If no appeal is taken within 20 days after service of the “Notice of Intent to Close a Post Office Box,” the box may be closed by order of the General Counsel without further notice to the boxholder.

(6) Disposition of mail. When a box has been closed pursuant to subparagraph (5) of this paragraph or by order of the Judicial Officer, the postmaster shall notify the boxholder and transfer mail addressed to the box to General Delivery. The mail will be held at General Delivery for a period of 10 days following the notification to the boxholder, during which period he may claim his mail at General Delivery. If a Change of Address Order is received during this period, or any Change of Address Order received prior to the effective date of this subparagraph, shall be honored not to exceed the current time limitation for forwarding orders. At the end of the applicable period all mail addressed to the box shall be handled as undeliverable. However, this shall not preclude compliance with sender’s request in accordance with § 123.3(b) of this chapter.

Note: The corresponding section of the Postal Manual is § 151.3.


DAVID A. NELSON,
General Counsel.

[F.R. Doc. 70-15427; Filed, Nov. 16, 1970; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

UNTIAH INDIAN IRRIGATION PROJECT, UTAH

Operation and Maintenance Charges

Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 231) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs in Secretary’s Order 1008 (10 BIAM 3.1, effective date of June 11, 1946) and by virtue of authority delegated by the Commissioner of Indian Affairs to Area Directors by 10 BIAM 3.1, notice is hereby given of the intention to modify § 221.77 Basic water charges, of Title 25, Code of Federal Regulations, dealing with operation and maintenance charges on assessable lands of the Uintah Indian Irrigation
Project, Utah, by increasing the annual basic assessment rate for the calendar year 1971 and subsequent years, unless changed by further order, from $3 to $4 per acre per annum, where not otherwise established by contract, and by raising the minimum bill from $4 to $5.

Interested parties are hereby given opportunity to participate in preparing the proposed amendment by submitting written comments, suggestions, or objections, to W. Wade Head, Area Director, Phoenix Area Office, Post Office Box 7077, Phoenix, Ariz., 85011, within 30 days from date of publication of this notice of intention in the daily issue of the Federal Register.

W. Wade Head, Area Director.

[FR. Doc. 70-35182; Filed, Nov. 16, 1970; 8:40 a.m.]

National Park Service

[36 CFR Part 7]

YOSEMITE NATIONAL PARK, CALIF.

Closed Roads

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 1, 1916 (39 Stat. 533, as amended; 16 U.S.C. 3), section 2 of the Act of October 1, 1890 (26 Stat. 650; 16 U.S.C. 61), and section 8 of the Act of June 2, 1920 (41 Stat. 731; 16 U.S.C. 57), 245 DM-1 (34 F.R. 13879, as amended), National Park Service Order No. 34 (31 F.R. 4253), Regional Director, Western Region Order No. 4 (31 F.R. 5577), it is proposed to amend § 7.16 of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this amendment is to close to public travel that section of the commonly called Chuwilla Mountain Road from the Park boundary to its junction with the main Yosemite Valley-South Entrance highway in the vicinity of Wawona.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed amendment to the Superintendent, Post Office Box 577, Yosemite National Park, Calif. 95389, within 30 days of the publication of this notice in the Federal Register. Paragraph (b) (2) of § 7.16 is amended as follows:

§ 7.16 Yosemite National Park.

(b) Closed roads.

(2) The road commencing in the SW¼ of the NW¼ of sec. 10, T. 5 S., R. 21 E., Mount Diablo Base and meridian and going generally northeastward to a junction with the main roadway in the NE¼ of the SW¼ of sec. 3, T. 5 S., R. 21 E., Mount Diablo Base and meridian, is closed to all privately owned vehicles.

RUSSELL K. OLSEN,
Acting Superintendent.

[FR. Doc. 70-15392; Filed, Nov. 16, 1970; 8:40 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1001]

MILK IN THE MASSACHUSETTS-RHODE ISLAND-NEW HAMPSHIRE MARKETING AREA

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

The hearing with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Massachusetts-Rhode Island-New Hampshire marketing area, notice of which was published in the Federal Register dated September 11, 1970 (35 F.R. 14324), was convened in Concord, N.H., October 7-10, 1970. With respect to proposals 1 through 5, as set forth in said notice, the record was closed when the hearing was recessed on October 10. The Hearing Examiner announced at that time that the hearing would be reconvened at a time and place to be announced later for the purpose of receiving evidence with respect to remaining proposals 6 through 11.

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 orders (7 CFR Part 900), notice is hereby given that said public hearing will be reconvened commencing at 8:45 a.m. E.S.T., on December 15, 1970, in Room 2366, John Fitzgerald Kennedy Building, Government Center, Boston, Mass.

Signed at Washington, D.C., on November 5, 1970.

JOHN C. LIBERT.
Hearing Examiner.

[FR. Doc. 70-15403; Filed, Nov. 16, 1970; 8:40 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 30]

TABLE SYRUPS

Extension of Time for Filing Comments on Proposed Identity Standards

The notice published in the Federal Register of October 2, 1970 (35 F.R. 15403), proposing establishment of identity standards for table sirups, provided for the filing of comments within 60 days after said date.

The Commissioner of Food and Drugs has received a request to extend such time and, good reason therefor appearing, the time for filing comments regarding the subject proposal is hereby extended to December 31, 1970.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended; 70 Stat. 919, 72 Stat. 914; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: November 6, 1970.

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

[FR. Doc. 70-15889; Filed, Nov. 16, 1970; 8:40 a.m.]

[21 CFR Part 191]

CERTAIN TOYS INTENDED FOR USE BY CHILDREN

Proposed Classification as Banned Hazardous Substances

The Child Protection and Toy Safety Act of 1969 (83 Stat. 187-190) provides that any toy or other article intended for use by children may be classified as a hazardous substance by the Secretary of Health, Education, and Welfare upon publication of a determination that its associated with the use of certain toys or other articles intended for use by children present a mechanical, electrical, mechanical, or thermal hazard. Such a determination is to be made by regulation in accordance with the procedures prescribed by § 5 U.S.C. 653. The nature of these electrical, mechanical, or thermal hazards is set forth in section 2(d) of the Act. A determination that any toy or other article intended for use by children presents such a hazard classifies it as a banned hazardous substance. The authority to make these determinations has been delegated by the Secretary to the Commissioner of Food and Drugs (21 CFR 2.19).

The Food and Drug Administration has received comments concerning unacceptable mechanical and thermal hazards associated with the use of certain toys being marketed for use by children. Accordingly, pursuant to provisions of the Federal Hazardous Substances Act, as amended by the Child Protection and Toy Safety Act of 1969 (41 U.S.C. 1261-73), the Commissioner proposes that Part 191 be amended by adding two new sections, as follows:

§ 191.1a Banned toys.

(a) Toys with mechanical hazards. Under the authority of section 2(1)(1) (D) of the act and pursuant to provisions of section (3) of the act, the Commissioner has determined that the following toys or other articles intended for use by children present a mechanical hazard within the meaning of section 2(1) of the act because in normal use or when subjected to reasonably foreseeable damage or abuse, the design or manufacture presents an unreasonable risk of personal injury or illness:
(1) Toy rattles containing, either internally or externally, rigid wires, sharp protrusions, or loose small objects that have the potential for laceration, puncture wound injury, aspiration, ingestion, or other injury; for example: a musical toy rattle labeled “Protect-o Product, Copyright 1969, Reliance Product Corp., Woonsocket, R.I., Made in Japan”.

(2) Any toy having noisemaking components or attachments capable of being dislodged by the operating features of the toy or capable of being deliberately removed by a child, which have the potential for laceration, puncture wound injury, aspiration, ingestion, or other injury; for example: “Party Pack, 5 Fringed Balloon Squawwers”, distributed by American Party Favors, 523 North Main St., Ptistien, Pa. 18440.

(3) Dolls, stuffed animals, and other similar toys having internal or external components that have the potential for laceration, puncture wound injury, or other similar injury.

(4) Lawn darts and other similar sharp pointed toys usually intended for outdoor use and capable of producing injury on contact; for example: “Jarts”, distributed by R. B. Jarts, Inc., 162 Oelgo Ave., South Glen Falls, N.Y. 12301.

(5) Toy guns capable of producing sound at a level of 100 decibels or higher; for example: “WASP Cap Gun”, distributed by Ohio Art Co., Bryan, Ohio 43506.

§ 191.65a Exemptions from classification as a banned toy.

(a) The term “banned hazardous substance” as used in section 2(q)(1)(A) of the act shall not apply to the following articles:

(1) Toy rattles described in §191.9a (a) (1) of this chapter in which the rigid wires, sharp protrusions, or loose small objects are internal and provided that such rattles are constructed so that they will not break or deform to expose or release the contents either in normal use or when subjected to reasonably foreseeable damage or abuse.

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 17-12, 5605 Wisconsin Ave., N.W., Wash., D.C. 20582. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of Oklahoma and appropriate local authorities, both within and without the proposed regions, who are affected 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 1 p.m., November 24, 1970, in Room 4210, Government Center Courthouse Building, 200 Northwest Fourth Street, Oklahoma City, Okla. 73102.

Mr. Dean Mathews is hereby designated as Chairman for the consultation. The Chairman shall fix the time, date, and place of inter sessions and may convene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

Interested state and local authorities wishing to participate in the consultation should notify the Chairman, Mr. Dean Mathews, National Air Pollution Control Administration, 1114 Commerce Street, Dallas, Tex. 75202, of such intention at least 1 week prior to the consultation.

In Part 81 the following new sections are proposed to be added as follows:

§ 81.123 Eastern Oklahoma Intrastate Air Quality Control Region.

The Eastern Oklahoma Intrastate Air Quality Control Region 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 section 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 Oklahoma:

Atoka County. Bay County. McCurtain County.
Carter County. Cherokee County. Okfuskee County.
Cleveland County. Coal County. Pushmataha County.
Garvin County. Haskell County. Seminole County.
Jackson County. Hughes County. Johnston County.
Le Flore County. Latimer County.

§ 81.124 North Central Oklahoma Intrastate Air Quality Control Region.

The North Central Oklahoma Intrastate Air Quality Control Region 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 section 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 Oklahoma:

Garfield County. Noble County. Payne County.
Grant County. Osage County. Kay County.

§ 81.125 Southwestern Oklahoma Intrastate Air Quality Control Region.

The Southwestern Oklahoma Intrastate Air Quality Control Region 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 section 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 Oklahoma:

Beckham County. Jackson County.
Caddo County. Jefferson County.
Comanche County. Kiowa County.
Cotton County. Logan County.
Greer County. Tillman County.
Harmon County. Washita County.

§ 81.126 Northwestern Oklahoma Intrastate Air Quality Control Region.

The Northwestern Oklahoma Intrastate Air Quality Control Region 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 section 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 Oklahoma:

Alfalfa County. Harper County.
Beaver County. Major County.
Blaine County. Roger Mills County.
Bryan County. Texas County.
Custer County. Woods County.
Dewey County. Woodward County.
Ellis County.

This action is proposed under the authority of sections 107(a) and 301(a) of the Clean Air Act, section 2, Public Law 90-146, 81 Stat. 594, 42 U.S.C. 1857c-2(a), 1857g(a).


JOHN T. MIDDLETON,
Commissioner, National Air Pollution Control Administration.

[FR Doc. 70-15399, Filed, Nov. 16, 1970, 8:40 a.m.]

PROPOSED RULE MAKING

CERTAIN AIR QUALITY CONTROL REGIONS; 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 Intrastate Air Quality Control Regions as set forth in the following new § 81.65a inclusive which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designations effective upon republication.

PUBLIC HEALTH SERVICE

[42 CFR Part 81]
designate an Intrastate Air Quality Control Region in the State of Mississippi as set forth in the following new § 81.122 which would be added to Part 81 of Title 40, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

In addition to the proposal to designate a new Intrastate Air Quality Control Region, it is proposed to revise the boundaries of the already designated Alabama-Mississippi-Tennessee Interstate Air Quality Control Region (§ 81.62) and the Mobile (Alabama)—Pensacola-Panama City (Florida)—Gulfport (Mississippi) Interstate Air Quality Control Region (§ 81.68), as provided for in section 107(a)(2) of the Clean Air Act, as amended.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Parkdawn Building, Room 17-82, 5000 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 Alabama, Arkansas, Florida, Louisiana, Mississippi, and Tennessee, and appropriate local authorities, both within and without the area to be designated, and those who are affected by or interested in the proposed designation or redesignations, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation and redesignations. Such consultation will take place at 2 p.m., November 23, 1970, in the First Floor Auditorium, Woolfolk State Office Building, corner of West and High Streets, Jackson, Miss.

Mr. Gene B. Welsh is hereby designated as Chairman for the consultation. The Chairman shall fix the time, date, and place of the first sessions and may convene, reconvene, 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 Chairman, Mr. Gene B. Welsh, National Air Pollution Control Administration, 50 Seventh Street NE, Room 404, Atlanta, Ga. 30323, of such intention at least 1 week prior to the consultation.

In Part 81 the following new sections are proposed to be added to read as follows:

§ 81.122 Mississippi Delta Intrastate Air Quality Control Region.

The Mississippi Delta Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions as described in the following new § 81.122 which would be added to Part 81 of Title 40, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

In the State of Mississippi:
- Bolivar County.
- Sunflower County.
- Humphreys County.
- Tippah County.
- Issaquena County.
- Tunica County.
- Leflore County.
- Quitman County.

In the State of Tennessee:
- Lauderdale County.
- Fayette County.
- Mud Island County.

In the State of Alabama:
- Colbert County.
- Lauderdale County.
- Mobile County.

In the State of Mississippi:
- Alcorn County.
- Tishomingo County.

In the State of Tennessee:
- Hardin County.

It is now proposed to: (1) Add Attala, Benton, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Grenada, Holmes, Itawamba, Kemper, Lafayette, Leake, Lee, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Panola, Perry, Pontotoc, Prentiss, Tate, Tippah, Union, Webster, Winston, and Yalobusha Counties, in the State of Mississippi, to the region; (2) consistent with the proposal contained in the November 7, 1970, Federal Register to revise this region to exclude Hardin County, Tenn., and change the name of the Alabama-Mississippi Intrastate Air Quality Control Region to the Mobile (Alabama)—Pensacola-Panama City (Florida)—Gulfport (Mississippi) Interstate Air Quality Control Region.

The Mobile (Alabama)—Pensacola-Panama City (Florida)—Gulfport (Mississippi) Interstate Air Quality Control Region (§ 81.68) presently is designated as the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1877(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Alabama:
- Baldwin County.
- Escambia County.

In the State of Florida:
- Bay County.
- Calhoun County.
- Escambia County.
- Santa Rosa County.
- Gulf County.
- Holmes County.

In the State of Mississippi:
- Hancock County.
- Harrison County.

It is now proposed to: (1) Add Adams, Amite, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, George, Greene, Hinds, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Lincoln, Madison, Marion, Newton, Perry, Pike, Rankin, Scott, Simpson, Smith, Stone, Walthall, Warren, Wayne, and Wilkinson Counties, in the State of Mississippi, to the region; (2) change the name of the region to the Mobile (Alabama)—Pensacola-Panama City (Florida)—Southern Mississippi Interstate Air Quality Control Region.

This action is proposed under the authority of sections 107(a) and 301(a) of the Clean Air Act, section 2, Public Law 90–146, 81 Stat. 594, 42 U.S.C. 1875c–2(a), 1875g(a).

Dated: November 12, 1970.

RAYMOND SMITH, Acting Commissioner, National Air Pollution Control Administration.

[FR Doc. 70–15400; Filed, Nov. 16, 1970; 8:46 a.m.]

DEPARTMENT OF LABOR
Office of the Secretary
2 CFR Part 60]

IMMIGRATION

Immigrant Labor Certifications

Pursuant to section 212(a)(14) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1152), and Secretary’s Order No. 14–69 (34 F.R. 6502), I hereby propose to revise 29 CFR Part 60 as set forth herein.

Any person interested in this proposal may file a written statement of data, views, or argument regarding it with the Assistant Secretary for Manpower, U.S. Department of Labor, Washington, D.C. 20210, within 15 days after this notice is published in the Federal Register.

Part 60 would be revised to read as follows:

PART 60—IMMIGRATION: IMMIGRANT LABOR CERTIFICATIONS

Sec. 60.1 Purpose and scope.

60.2 Determinations and certification schedules.

60.3 Request for certification.

60.4 Certification determinations and reviews.

60.5 Validity.

60.6 Matters to be considered.

60.7 Schedules.

Authority: The provisions of this Part 60 are issued under sec. 212(a)(14), as amended, 66 Stat. 193; 8 U.S.C. 1152.

§ 60.1 Purpose and scope.

(a) Sections 101(a)(27)(A) and 203 of the Immigration and Nationality Act were amended on October 3, 1965, to require as a condition to the admission of any “special immigrant”, any nonpreference immigrant under paragraph 203(a), any preference immigrant under paragraph 203(a)(3) or 203(a)(6) that the alien be a beneficiary of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(14) of the Act. Accordingly,
the immigrants for whom the 212(a)(14) certification is made a condition precedent to admission to the United States are as follows:

(1) Third preference immigrants who are described as "qualified immigrants who are members of the professions, or who have skills or unskilled labor, unless the Secretary of Labor, the Consular officer, or the U.S. Department of Labor for the region wherein the employment is to occur shall be notified by the Regional Manpower Administrator of the U.S. Department of Labor for the region wherein the employment is to occur of the denial or revocation of certification or of refusal to certify.

(2) Requests for review of a denial of certification pursuant to paragraph (b) of § 60.3 shall be made by the Regional Manpower Administrator of the U.S. Department of Labor for the region wherein the employment is to occur of the denial or revocation of certification or of refusal to certify.

(3) MA 7-50C (formerly ES-575B, Supplement 1)—Supplemental Statement for Live-At-Work Job Offers. This form provides for a further description of the alien's prospective living and working conditions for jobs where the alien is required to live at the place of employment.

§ 60.4 Certification determinations and review.

(a) Determinations pursuant to paragraphs (b) and (c) of § 60.3 shall be made by the Certifying Officer appointed by the Regional Manpower Administrator of the U.S. Department of Labor for the region wherein the employment is to occur of the denial or revocation of certification or of refusal to certify.

(b) Requests for review of a denial of certification pursuant to paragraph (b) of § 60.3 shall be made by the Regional Manpower Administrator of the U.S. Department of Labor for the region wherein the employment is to occur of the denial or revocation of certification or of refusal to certify.

§ 60.3 Requests for certification.

(a) Any alien whose category of employment is included on Schedule A shall file a Form MA 7-50A with a U.S. Consular office abroad or, if permitted by the U.S. Department of Labor, the Consular or Immigration Officer concerned. Requests for certification by an alien are subject to the following conditions for jobs where the alien is required to live at the place of employment.

(b) Any alien who applies for certification shall file a Form MA 7-50B with a U.S. Consular office abroad or, if permitted by the U.S. Department of Labor, the Consular or Immigration Officer concerned. Requests for certification by an alien are subject to the following conditions for jobs where the alien is required to live at the place of employment.

§ 60.2 Determinations and certification schedules.

(a) Determinations. To facilitate the processing of requests for labor certification, schedules and lists are provided below which contain determinations made by the Secretary of Labor, pursuant to the requirements of section 212 (a)(14) of the Immigration and Nationality Act that:

(1) For the categories of employment described in Schedule A at § 60.7 except for any geographic limitations therein set forth, there are not sufficient workers who are able, willing, qualified, and available for employment and the employment of aliens in such categories in such areas will not adversely affect the wages and working conditions of the workers in the United States similarly employed.

(2) For the categories of employment described in Schedule B at § 60.7 and within any geographic limitations therein set forth, the certification required by section 212(a)(14) cannot now be made.

(b) The determination and certification required to be made by the Secretary of Labor and the Consular Officer shall after review forward to the Regional Manpower Administrator of the U.S. Department of Labor for the region wherein the employment is to occur of the denial or revocation of certification or of refusal to certify.

§ 60.1 Determinations.

To facilitate the processing of requests for labor certification, schedules and lists are provided below which contain determinations made by the Secretary of Labor, pursuant to the requirements of section 212 (a)(14) of the Immigration and Nationality Act that:

(1) For the categories of employment described in Schedule A at § 60.7 except for any geographic limitations therein set forth, there are not sufficient workers who are able, willing, qualified, and available for employment and the employment of aliens in such categories in such areas will not adversely affect the wages and working conditions of the workers in the United States similarly employed.

(2) For the categories of employment described in Schedule B at § 60.7 and within any geographic limitations therein set forth, the certification required by section 212(a)(14) cannot now be made.

(b) The Secretary may make such revisions of the schedules and listings described in paragraph (a) of this section as he deems appropriate upon his own initiative or upon the written request of any person setting forth reasonable grounds therefore. Requests for such revisions should be filed with the Secretary of Labor, Washington, D.C. 20510.

(c) The prospective employer of any alien whose category of employment is not included on Schedule A or on Schedule B or in paragraph (b) of § 60.1 of this section shall file a Form MA 7-50A, a Form MA 7-50B, and, where the alien is to "live at work", a Form MA 7-50C with the Regional Manpower Administrator of the U.S. Department of Labor for the region wherein the alien will be employed. After a review of the forms and area labor market information pertaining to the availability of U.S. workers and to the prevailing wages and working conditions in the area for employment similar to the alien's intended employment, the State Employment Service shall forward information to the office of the Manpower Administration of the U.S. Department of Labor for the region wherein the alien will be employed. A labor certification determination will be made based on the information submitted by the State Employment Service and any other applicable data available to the Manpower Administration regional office.

(d) Forms MA 7-50A (formerly ES-575A)—Application for Alien Employment Certification; Statement of Qualification of Alien. This form provides for a description of the alien, including the reasons regarding the availability of employment, qualifications and intended area of residence in the United States. It is to be completed by the alien applicant.

(2) MA 7-50B (formerly ES-575B)—Application for Alien Employment Certification; Job Offer for Alien Employment. This form provides for a description of the alien's prospective employment, the place of residence, and other information about the employment.

(3) MA 7-50C (formerly ES-575B, Supplement 1)—Supplemental Statement for Live-At-Work Job Offers. This form provides for a description of the alien's prospective living and working conditions for jobs where the alien is required to live at the place of employment.

§ 60.3 Requests for certification.

(a) Any alien whose category of employment is included on Schedule A shall file a Form MA 7-50A with a U.S. Consular office abroad or, if permitted by the U.S. Department of Labor, the Consular or Immigration Officer concerned. Requests for certification by an alien are subject to the following conditions for jobs where the alien is required to live at the place of employment.
and (3) include all documents which accompanied the denial of certification. Denials of certifications by officials of the Departments of State, Justice, or Labor based upon occupations on the list of labor market conditions which prevail for U.S. workers similarly employed in the area of employment described below, includ-

§ 60.5 Validity.

(a) Labor certifications issued pursuant to this Part shall be valid for an indefinite period of time except that revalidation shall be required as provided in paragraph (b) of this section.

(b) Labor certifications and revalidations of certifications in the categories of employment described below, including any geographic limitations, shall be valid for 1 year after the date that the certification was actually made and revalidation shall be required after that period, provided that the certification is still valid and the applicant is still eligible for employment regarding the furnishing of fringe benefits. The Regional Manpower Administrator or his designated representative may order the issuance of a certification or may affirm the denial. The Regional Manpower Administrator's determination as to such certifications shall be final.

(d) Notwithstanding any provision in this section to the contrary, applications for certification may be removed by the Department of Labor in the national office or in a consular or immigration office of the United States. Such review shall be consistent with the provisions of this section.

§ 60.6 Matters to be considered.

Prospective employment offered in accordance with § 60.3(c) will be deemed to adversely affect "wages" or "working conditions" of American workers similarly employed if it.

(a) That such employment will for wages no less than those prevailing for U.S. workers similarly employed in the area of employment; Provided, however, that such wages are not lower than any applicable wage rates prescribed by the Secretary of Labor pursuant to provisions of the Davis-Bacon Act for Federal installations in the area described by the Secretary in accordance with the current determination of the Department of Labor.

(b) That such employment will not be performed by the majority of those employed in the classification * * *

(c) That such employment will involve adherence to prevailing working conditions including customs in the area of employment regarding the furnishing of board, lodging and other facilities.

(d) That such employment will not involve positions (1) that are vacant because the former occupant is on strike or is being locked out in the course of a labor dispute or (2) the filling of which is at issue in a labor dispute. In such a case, the Department of Labor will not be required to render a determination.

(e) That such employment will not involve any discrimination with regard to race, color, national origin, age, or sex.

(f) That such employment or any term or condition thereof is not contrary to any provisions of Federal, State, or local law.

(g) That the alien will not be caused to bear expenses or fees that exceed those customarily charged for placement services relating to the offer: Provided, however, that this restriction shall not apply to reimbursement for the actual cost of the alien's transportation to the United States.

§ 60.7 Schedules.

SCHEDULE A

Group I: Persons who have received an advanced degree in any of the following fields from an institution of higher learning accredited in the country whose degree was obtained (equivalent to a Ph. D. or master's degree conferred by American colleges or universities):

- Dietetics.
- Medicine and Surgery.
- Nursing.
- Pharmacy.
- Physical Therapy.

Group II: Persons who have received a degree conferred by an accredited institution of higher learning in any of the following specialties (equivalent to the bachelor's degree conferred by American colleges or universities) or have experience or a combination of experience and education equivalent to the bachelor's degree:

- Dietetics.

Group III:

(a) Any person of any religious denomination whose regular profession or occupation is to conduct religious services, which he is authorized by his denomination to perform, and who is seeking admission to the United States to perform the duties required of him by virtue of such commitment.

(b) Any person seeking admission to the United States to perform duties related to the nonprofit operation of a religious organization (1) if he will perform duties which are related to the religious objectives of the organization and (2) if he intends to be engaged principally (more than 50 percent of his working time) in such duties. Examples of persons coming within this category are ministers, rabbis, priests, and similar religious workers who are temporarily engaged in the United States to perform the duties required of them by virtue of their commitment.

(c) Any other person whose occupation is to conduct religious services (1) if he is authorized by his denomination to perform such services and (2) if his occupation is related to the religious objectives of the organization.

(d) Any other person seeking admission to the United States to perform duties related to the nonprofit operation of a religious organization whose regular profession or occupation is that of a cantor or translator of religious tracts or texts who has the special capability of conveying through the translation of the spiritual message to which such religious tracts or texts are related to the religious objectives of the organization.

OCCUPATIONAL DEFINITIONS

These definitions are intended as descriptive guidelines and not as mandatory qualification requirements.
The application of the principles of nutrition to plan menus and diets and direct the preparation and serving of meals. Includes individuals involved with food service programs designed to feed individuals and groups with special nutritional requirements in institutions, hospitals, and other public or private institutions. Also includes participation in research or instruction in the field of nutrition.

MEDICINE AND SURGERY

The application of the art and science of medicine and surgery to the diagnostic, prevention, and treatment of diseases and injuries in man, disorders of the mind, and the treatment of wounds, curing, or, in some cases, finding. Includes the practice of medicine, osteopathy, psychiatry, and ophthalmology. May specialize in treating a specific area of the body, or a particular disease, sex, or age group. Provided, That certification by boards of examinations and candidates for certification by the state medical society of the United States and Canada who (a) submit evidence from the licensing authority of the state of the alien's intended employment that the alien has met all of the educational requirements for licensure or for admittance to the licensure examination in that State; or (b) submit evidence from an institution of learning that the alien has met all of the educational requirements for appointment to an internship or residency and is being offered such appointment; or (c) submit evidence that they have passed the examination of the educational council for foreign medical graduates; or (d) submit evidence of having received an appointment to engage in medical teaching, research, or laboratory work that will not involve direct patient care.

NURSING

The application of the art and science of nursing which reflects comprehension of principles derived from the physical, biological, and behavioral sciences. Nursing generally includes the making of clinical judgments concerning the observation, care, and control of persons requiring nursing care; the administering of medicines and treatments prescribed by the physician or dentist; the participation in activities for the promotion of health and the prevention of illness in others.

Preparation for nursing practice is generally obtained through an organized program of study approved by a governmental or other competent authority in the alien's country. High school graduation or its equivalent is usually a prerequisite. A program of study generally includes theory and practice in clinical areas such as: obstetrics, surgery, pediatrics, psychiatry, medicine.

PHARMACY

The compounding of prescriptions written by physicians, dentists, and other authorized medical practitioners; and the bulk selection, dispensing, and preservation of drugs and medicines.

PHYSICAL THERAPY

The treatment of patients with disabilities, disorders, and injuries to relieve pain, develop or restore function, and maintain performance, using physical means, such as exercise, massage, heat, water, light, and electricity, as prescribed by a medical doctor.

SCHEDULE B

OCCUPATIONAL TITLES

Assemblers

Attendants, Parking Lot

Attendants (Service Workers such as Personal Service Attendants, Amusement and Recreation Service Attendants)

Automobile Service Station Attendants

Bartenders

Bookkeepers II

Bus Boys

Cashiers

Chauffeurs and Taxicab Drivers

Charmen and Cleaners

Clerks, General

Clerks, Hotel

Clerks and Bookkeepers, Grocer Stores

Clerk-Typists

Cooks, Skilled

Counter and Fountain Workers

Electric Truck Operators

Elevator Operators

Floormen, Floorboys, and Floorgirls

Groundskeepers

Guards and Watchmen

Helpers, Any Industry

Household Domestic Service Workers

Housekeepers

Housemen and Yardmen

Janitors

Key Punch Operators

Kitchen Workers

Laborers, Farm

Laborers, Mine

Laborers, Common

Loopers and Oppers

Maids, Hotel and Motel

Men-of-All-Work

Material Handlers

Nurses' Aides

Orderlies

Packers, Markers, Bottlers, and Related

Porters

Receptionists

Salars and Deck Hands

Sales Clerks, General

Sewing Machine Operators and Handlers

Street Railway and Bus Conductors

Telephone Operators

Truck Drivers and Tractor Drivers

Clerks, Hotel

Clerks and Checkers, Grocery Stores


PROPOSED RULE MAKING

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Provide, answer inquiries, checking lists, and maintaining simple records.

Automobile Service Station Attendants

Service automobile vehicles with fuel, lubricants, and automotive accessories at drive-in service facilities. Also, compute charges and collect fees from customers.

Bartenders

Prepare, mix, and dispense alcoholic beverages for consumption by bar customers. Also, compute and collect charges for drinks.

Bookkeepers II

Keep records of one facet of an establishment's financial transactions. Responsible for maintaining one set of books, and specialize in such areas as accounts-payable, accounts-receivable, or interest accrued rather than a complete set of records.

Bus Boys

Facilitate food service in an eating place by performing such tasks as removing dirty dishes, replenishing linen and silver supplies, serving water and butter to patrons, and cleaning and polishing equipment.

Cashiers

Receive payments made by customers for goods or services, make change, and give receipts. Involves such activities as operating cash registers, balancing, checking bank deposits and other related duties.

Chauffeurs and Taxicab Drivers

Drive automobiles to convey passengers according to their instructions.

Charmen and Cleaners

Keep premises of commercial establishments, office buildings, or apartment houses in a clean and orderly condition, by performing such tasks as mopping and sweeping floors, dusting and polishing furniture and fixtures, and vacuuming rugs. Work according to set routine.

Clerks, General

Perform a variety of routine clerical tasks not requiring knowledge of systems or procedures. Involves such activities as copying and posting data, proofreading records or forms, counting, weighing, or measuring material, routing mail, answering telephones, conveying messages, and running errands.

Clerks, Hotel

Perform a variety of routine tasks to accommodate hotel guests. Involves such activities as registering guests, dispensing keys, distributing mail, collecting payments, and answering complaints. Performs related duties not involving use of typewriter in majority of duties, such as processing reservations, recording complaints, answering telephones and similar duties. (Combines typing and filing, sorting and distributing mail, answering the telephone, and similar general office work.)
Cooks—Short Order
Prepares and cooks to order all kinds of short-order foods. May involve such activities as carrying meals and filling orders from a steam-table; preparing sandwich fillings, sandwiches, beverages; and serving meals over a counter.

Counter and Fountain Workers
Serve food to patrons at lunchroom counters, cafes, soda fountains, or similar public eating places. Take orders from customers and at counter; prepare simple items, such as dessert dishes; itemize and total checks; receive payment and make change; and clean work area and equipment.

Electric Truck Operators
Drive gasoline- or electric-powered industrial trucks or tractors equipped with fork-lift, elevating platform, or trailer hitch to move and stack equipment and materials in a warehouse, factory, or refinery.

Elevator Operators
Operate elevators to transport passengers and freight between building floors.

Floormen, Floorboys, and Floorgirls
Perform a variety of routine tasks in support of other workers in and around such work sites as factory floors and service areas, frequently in call of other workers. Includes such tasks as cleaning floors, materials, and equipment; distributing materials and parts among workers; running errands; delivering messages; emptying containers; and removing materials from work area to storage or shipping areas.

Groundskeepers
Maintain grounds of industrial, commercial, or public property in good condition. Includes such tasks as cutting lawns, trimming hedges, pruning trees; repairing fences, planting flowers, and shoveling snow.

Guards and Watchmen
Guard and patrol premises of industrial or business establishments, or similar types of property to prevent theft and other crimes and prevent possible injury to others.

Helpers (Any Industry)
Perform a variety of duties to assist another worker usually of a higher level of competency or on a temporary or off-the-job call of other workers. Includes such activities as furnishing another worker with materials, tools, and supplies; cleaning work area; machine maintenance; feeding or offloading machines; holding materials or tools; according to worker assisted.

Housekeeping Service Workers
Perform a variety of tasks in private houses, including such activities as cleaning, dusting, washing, ironing, making beds, cleaning clothes, marketing, cooking, serving food, and caring for children: Provided, however, that noncertification under this category shall apply only to those workers who have had less than 1 year of documented paid experience in the performance of the above tasks working on a live-in or live-out basis.

Housekeepers
Supervise workers engaged in maintaining sanitation of residential buildings in a clean and orderly condition. Includes cleaning duties to maids, charwomen, and housemen; inspect finished work, and maintain supply of equipment and materials.

Housemen and Yardmen
(1) Perform routine tasks to keep hotel premises neat and clean. Includes such tasks as cleaning rugs; washing walls, ceilings, and windows, mopping and waxing floors, and polishing metalwork.

(2) Maintain the grounds of private residence in good condition. Typical tasks are mowing and watering lawns, planting flowers and shrubs, and repairing and painting fence. Work on instructions of private employer.

Janitors
Keep hotel, office building, apartment house, and similar building in clean and orderly condition, and tend furnaces and boilers to provide heat and hot water. Typical tasks are sweeping, mopping floors, emptying trash containers, and doing minor painting and plumbing repairs. Often maintain residence at place of work.

Keypunch Operators
Using machines similar in action to typewriters, punch holes in cards in such a position that each hole can be identified as representing a specific item of information. These punched cards may be used with electronic computers as well as tabulating machines.

Kitchen Workers
Perform routine tasks in kitchens of restaurants. Primarily is concerned with preparing food in a clean and orderly fashion. Includes such tasks as chopping, washing pots and pans, transferring supplies and equipment, and washing and peeling vegetables.

Laborers, Farm
Plant, cultivate, and harvest farm products, following instructions of supervisors, often working members of a team. Typical tasks are watering and feeding livestock, picking fruit and vegetables, and cleaning storage areas and equipment.

Laborers, Mine
Perform routine tasks in underground or surface mine, pit, or quarry, or in refuse mill, or preparation plant. Involves such tasks as cleaning work areas, shoveling coal onto conveyors, pushing mine cars from working face to haulage road, and loading or sorting material onto wheelbarrow.

Perform routine tasks in an industrial construction or manufacturing environment. Typical tasks are loading and moving equipment and supplies, cleaning work areas, and distributing tasks according to instructions given upon instructions to set routine.

Loopers and Toppers
(1) Tend machines that shear rope, throw threads, and knots from cloth surfaces to give uniform finish and texture.

(2) Operate looping machines to close openings in tops of seamless hose or join knitted garment parts.

Keypunch Operators
Using machines similar in action to typewriters, punch holes in cards in such a position that each hole can be identified as representing a specific item of information. These punched cards may be used with electronic computers as well as tabulating machines.

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external lines for outgoing calls. Taking mes-
gages, supplying Information and keeping
from specified destinations, such as plants,
from customers which to make lower, local or long distance telephone connections.

**Truck Drivers and Tactor Drivers**

1. Drive trucks to transport materials, merchandise, equipment, or people to and from specified destinations, such as plants, railroad stations, and depots.
2. Drive tractors to move materials, draw implements, pull out objects imbedded in ground, or pull cable of winch to raise, lower, or load heavy materials or equipment.

**Typists, Lesser Skilled**

Type straight-copy material, such as letters, reports, stencils, and addresses, from draft or corrected copy. Not required to prepare materials involving the understanding of complicated technical terminology, the arrangement and setting of complex tabular detail or similar problems. Typing speed in English does not exceed 52 words per minute or 60 words per minute on a manual typewriter and/or 60 words per minute on an electric typewriter and the error rate reaches 12 or more for a five-minute period on representative business correspondence.

**Usiers (Recreation and Amusement)**

Assist patrons at entertainment events, in finding seats, checking for lost articles, and locating facilities.

**Warehousemen**

Receive, store, ship, and distribute materials, tools, equipment, and products within establishments as directed by others.

Signed at Washington, D.C., this 10th day of November 1970.

M. R. Lovell, Jr.
Assistant Secretary for Manpower.

[FR. Doc. 70-15399; Filed, Nov. 19, 1970; 8:46 a.m.]

**DEPARTMENT OF COMMERCE**

**Office of the Secretary**

[15 CFR Part 7]

**CHILDREN'S SLEEPWEAR**

**Proposed Flammability Standard**

On January 24, 1970, there was published in the Federal Register (35 FR 1019) a notice of finding that a flammability standard or other regulation, including labeling, may be needed for children's wearing apparel, specifically including sleepwear, and fabrics, or related materials intended to be used, or which may reasonably be expected to be used, for such apparel, to protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage, and which may reasonably be expected to be used by children's sleepwear, and fabrics for such garments, present a significant risk of fire leading to death, personal injury, or significant property damage.

In the course of the development of this finding, the Department of Commerce has analyzed data from 580 cases investigated by HEW. The reports of HEW indicated that, in the cases investigated by them, 1059 separate garments were ignited, causing deaths of 76 persons and injury to 394. The remains of 413 garments were recovered from 258 of the cases, including 36 cases in which death resulted. Tests conducted by the Department of Commerce on the remains of these garments showed that none of the tested garments exceeded the rapid and intense burn limits established by the existing standard (CS 101-53, "Flammability of Clothing Textiles for Protection Against Flame Spread").

Of the 580 cases, 174 involved the spillage of flammable liquids on the garments. These 174 cases were not considered in further analysis of either performance requirements or the behavior of the recovered garments. Analysis of the remaining 406 cases, involving 713 garments, showed that children in the 0-5 years age group were exposed to unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage.

The finding that a flammability standard or other regulation is needed for children's sleepwear is based on the analysis of data developed by investigations of deaths and injuries due to wearing apparel fires and on results of laboratory research involving garments and fabrics for children's sleepwear. The analysis of accident data indicates that children's sleepwear garments, and fabrics for such garments, present a significant risk of fire leading to death, personal injury, or significant property damage.

The proposed standard is reasonable and technologically practicable. In the course of the development of the proposed standard, NASA purchased garments on the open market that comply with the proposed standard. These garments are being marketed nationally by major distributors, both through their retail outlets and through catalog sales.

The proposed standard, which the Department of Commerce finds is needed to protect the public against unreasonable risk of fire leading to death, personal injury or significant property damage, is limited to young children's sleepwear.

**Participation in proceedings.** All interested persons are invited to submit written comments relative to the proposed flammability standard within 30 days after the date of publication of this notice in the Federal Register.
PROPOSED RULE MAKING

MYRON TRUBUS
Assistant Secretary for
Science and Technology.

CHILDREN'S SLEEPWEAR

PROPOSED STANDARD FOR THE FLAMMABILITY OF CHILDREN'S SLEEPWEAR

(DOC PFF 6-79)

1. Definitions.

2. Scope and application.

3. General requirements.

4. Test procedure.

5. Labeling requirements.

6. Definitions. In addition to the definitions given in section 2 of the Flammable Fabrics Act, as amended (sec. 1, 81 Stat. 586; 15 U.S.C. 1191), and §7.2 of the Flammable Fabrics Act, as amended (sec. 1, 81 Stat. 586; 15 U.S.C. 1191), the following definitions apply for the purposes of this standard:

(a) "Children's Sleepwear" means any product of wearing apparel intended for use in children's sleep, or any fabric or related material intended for use in children's sleepwear, or any child or any functional materials (findings) such as ribbons, laces, ornaments, and any product of wearing apparel intended for use in children's sleepwear, or any fabric or related material (findings) such as ribbons, laces, ornaments, and any product of wearing apparel intended for use in children's sleepwear.

(b) "Char Length" means the distance from the original lower edge of the specimen exposed to the flame in accordance with the procedure specified herein in "4 Test Procedure" to the end of the tear or void in the charred, burned, or damaged area, the tear being made in accordance with the procedure specified herein in "4 Test Procedure" (1). "Char Length" means the continuity of the specimen after flaming has ceased.

2. Scope and application. (a) This Standard provides a test method to determine the flammability of items of children's sleepwear.

(b) All items of children's sleepwear must meet the acceptance criterion.

3. General requirements. (a) Summary of test method. Five conditioned specimens, 7.0 x 25.4 cm. (2 3/4 x 10 in.), are suspended one at a time at a vertical distance from the burner to a test flame which has been turned off during the acceptance rate for the valve system shall in

4. Test procedure. (a) Apparatus. The test chamber shall be a stainless steel cabinet with side dimensions of 39.6 x 25.2 cm. (15 1/2 x 10 in.) wide. 157.6 cm. (5 ft.) deep and 78.7 x 25.2 cm. (31 x 10 in.) high. It shall have a frame which permits the suspension of the specimen holder over the center of the burner cabinet at such a height that the bottom of the specimen holder is 1.71 ± 0.08 cm. (7/8 ± 1/32 in.) above the top of the gas burner specified in 4(a) (5) and perpendicular to the front of the cabinet. The front of the cabinet shall be a hinged or sliding door having a glass insert to permit observation of the entire test. The specified cabinet is illustrated in Figure 1.

(b) Specimen holder. The specimen holder is designed to permit suspension of the specimen in a fixed vertical position and to prevent curling of the specimen when the flame is applied. It shall consist of two U-shaped 0.32 cm. (1/8 in.) thick stainless steel plates, 49.0 x 10 cm. (15 1/2 x 4 in.) long and 7.62 cm. (3 in.) wide, between which the specimen shall be fixed and which shall be held together with side clamps. The openings in the plates shall be 5.1 x 35.6 cm. (2 x 14 in.). The plates shall be hinged to assure alignment. The specified holder is illustrated in Figure 1.

5. Gas supply system. There shall be a control valve system with a delivery rate designed to furnish gas to the burner under a pressure of 129 ± 13 mm. Hg. (2 1/2 ± 1/4 in.) water column and the air vents at its base shall be closed and taped shut. A centering device shall be built into the floor of the test chamber so that the burner may be moved quickly under the specimen and away from it, as illustrated in Figure 1. The burner shall be connected to the gas source by rubber of other flexible tubing.

6. Gas and weights. Metal hooks and weights shall be used to produce a series of loads used to determine char length. The metal hooks shall consist of No. 19 gauge steel wire, or equivalent, and shall be made from lengths of wire, 1.3 cm. (1/2 in.) from one end to a 45° angle hook. One end of the hook shall be fastened around the neck of the weight used and the other in the lower end of each burned specimen to one side of the burned area. The requisite loads are given in Table 2.

7. Stopwatch. A stopwatch or similar timing device shall be used to measure time to 0.1 second.

8. Scale. A linear scale graduated in 0.25 cm. (0.1 in.) divisions shall be used to measure char length.

9. Circulating air oven. A forced circulation drying oven capable of maintaining the specimens at 105° C. (221° F.), shall be used to dry the specimens while mounted in the specimen holders.

10. Desiccator. A drying oven capable of maintaining the specimens at 105° C. (221° F.) shall be used to dry the specimens while mounted in the specimen holders.

11. Hood. The hood shall be conducted under a hood capable of being closed and having its draft turned off during drying. Anhydrous silica gel shall be used as the desiccant in the desiccating chamber.

*Engineering drawings may be purchased from the Central Reference and Records Inspection Facility, Room 2122, Department of Commerce Building, Washington, D.C. 20230.
each test, and capable of rapidly removing the products of combustion following each test. The hood fan shall be turned off during the test and shall be turned on after testing to remove fumes.

(12) Sewing machine. A machine capable of carrying out the operations in .4(b) (3) shall be used whenever sewing is required.

(b) Specimen and sampling.—(1) Selection of fabric samples. Select a sample of the item representative of the lot and large enough to permit cutting five specimens, as described in .4(b) (2) or (3) from each visible face or part of the item. More than one item of the lot may be used if necessary. The most flammable part or direction of the item may be determined on the basis of experience or by pretesting, and may be in the machine or cross-machine direction or on the bias, and may contain trim or seams.4 If pretesting has shown that significantly different results are obtained at different parts of the item, the item shall be cut so that each contains different machine direction yarns and different cross-machine direction yarns.

(3) Cutting and preparation of specimens. Cut five specimens, 7.6 x 25.4 cm (3 x 10 in.) from the sample selected in .4(b) (1). If the sample is wrinkled, it may be ironed. If possible, specimens shall be cut so that each contains different machine direction yarns and different cross-machine direction yarns.

For items with attached trim whose configuration does not allow placement in the specimen holder as described above, specimens shall be prepared by severing the trim from the center of the vertical axis of an appropriate sample of untrimmed fabric chosen from another portion of the item, beginning the sewing or attachment at the lower edge of each specimen. The sewing or attachment shall be made in a manner as nearly identical as possible to the manner in which trim was attached in the item. In such cases, trim shall be removed from the item with due care to avoid damage to the trim, and with due care to remove all remnants of thread, other fastening material and base fabric from the trim. The specimen containing the trim shall be sewed the entire length (if possible) of representative samples of the item. For items in which the seam length is less than 25.4 cm (10 in.) specimens shall be cut so that the specimen begins at the lower edge of each specimen.

(c) Mounting and conditioning of specimens. The specimens shall be placed in specimen holders so that the bottom edge of each specimen is even with the bottom edge of the specimen holder. Mount the specimens in as close to a flat configuration as possible. The sides of the specimen holder shall cover 1 cm (5/16 in.) of the specimen width. The sides of the specimen shall not be in contact with the surface of the holder unless the sides of the sample interfere with the testing. The specimen holder shall be designed to ensure that the specimen is not displaced during handling and testing. The specimen holder may be removed from the holder if the clamps fail to hold them.

Remove the mounted specimens from the drying oven in a manner that will permit free circulation of air at 105 ± 2°C (215 ± 4°F) around them for 30 minutes.8

(d) Testing.—(1) Burner adjustment. With the hood fan turned off, use the variable orifice at the burner to adjust the flame height to be 3.8 cm (1 1/2 in.). Move the burner closer or farther away so it is not in the center of the cabinet.

(2) Specimen burning and evaluation. Remove the mounted specimens from the oven and place them in the specimen holder. At least five specimens of more than five specimens shall be placed in a desiccator at one time. Specimens shall remain in the desiccator no more than 60 minutes. One at a time, the mounted specimens shall be removed from the desiccator and suspended in the cabinet.

The cabinet door shall be closed and the burner flame impinged on the bottom edge of the sample for 3.0±0.2 seconds. The flame impingement is accomplished by moving the burner under the specimen for this length of time, and then removing it. Afterflame time shall be measured to the nearest 0.1 second. If the char length of an individual specimen equals 25.4 cm (10 in.) that item fails to meet the acceptance criterion and testing may be stopped. If the visual estimate of the char length caused by 3 seconds exposure to the flame is less than 25.4 cm (10 in.) immediately apply the flame to that same specimen for an additional 12 seconds. Afterflame time shall be measured to the nearest 0.1 second.

When afterglow has ceased, remove the specimen from the cabinet and holder, and place it on a clean flat surface. Fold the specimen lengthwise along the charred area from the edge. The specimen shall be reconditioned prior to testing afterglow has ceased, remove the specimen from the cabinet and holder, and place it on a clean flat surface. Fold the specimen lengthwise along the charred area from the edge. The specimen shall be reconditioned prior to testing.

*For pretesting, it is recommended that shall be cut with the seam beginning at the lower edge of each specimen.

fabric at the opposite edge of the char from the weight and gently raising the specimen and weight clear of the supporting surface. Measure the length as the distance from the edge of the specimen to the flame to the end of the tear.

(3) Report. Report separately the values of char length in centimeters (inches), and afterflame time in seconds, for each specimen as well as the average of these quantities for the set of five specimens.

(4) Laundering. The procedures described under .A (b), (e) and (d) shall be carried out on items in the condition in which they are intended to be sold, and after they have been washed and dried 50 times according to Test Method AATCC 124-1967. Washing procedure 6.2 (5) with a water temperature of 60 ± 2.8°C (140 ± 5°F) drying procedure 6.3.2 (B), maximum load 3.64 kg (8 pounds) shall be used. Alternatively, a different number of times under another washing and drying procedure may be specified and used, if that procedure

5. Labeling requirements. All items of children's sleepwear shall be labeled with precautionary instructions to protect the items from agents or treatments which are known to cause deterioration of their flame resistance. Such labels shall be permanent and otherwise in accordance with rules and regulations established by the Federal Trade Commission.

PROPOSED RULE MAKING

FEDERAL REGISTER, VOL. 35, NO. 223—TUESDAY, NOVEMBER 17, 1970

**Figure showing how this is done is given in AATCC 34-1969. Technical Manual of the American Association of Textile Chemists and Colorists, Vol. 45, 1959, published by AATCC, Post Office Box 12215, Research Triangle Park, N.C. 27709.**

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

DURHAM CREEK, S.C.

Proposed Drawbridge Operation Regulations

1. The Chief, Office of Operations, U.S. Coast Guard Headquarters, is considering a request by the South Carolina Electric and Gas Co. to establish special operation regulations for its railroad removable span bridge to be constructed across Durham Creek for which a construction permit has recently been issued. The purpose of these regulations would be to permit the removable span to remain closed to all but dredges and construction equipment. This equipment would be passed 20 days after advance notice and be used in periodically removing silt from a fresh water reservoir constructed for operational and domestic use by industrial plants in the vicinity.

The removable span would also be removed for other projects for which this type of equipment might be used. Use of this bridge in the closed position would be limited to small boats which could easily pass the closed span. The vertical clearance at mean high water will be 5 feet under the removable span. Another fixed span of this bridge will provide 11 feet vertical clearance at mean high water. Present regulations applicable to this bridge would require the draw to be opened on signal. The proposed regulations would require 20 days' advance notice at all times. Authority for this action is set forth in section 5, 38 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) (35 P.R. 4959) and 33 CFR 1.05-1(c)(4) (35 P.R. 15922).

2. Accordingly, it is proposed that § 117.245 of Part 117 be amended by adding subparagraph (17-a) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

(g) * * * *(17-a) Durham Creek, S.C., South Carolina Electric and Gas Co. railroad bridge. The removable span shall be removed to allow the passage of dredges and construction equipment upon 20 days' advance notice.

* * * * *

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 December 18, 1970. All submissions should be made in writing to the Commander, Seventh Coast Guard District, Room 1018, Federal Building, 51 SW. First Ave., 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 proposals 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
PROPOSED RULE MAKING

Time to File Application from the MCI Carriers. They seek an extension of time until February 28, 1971, to file an application for a domestic satellite system utilizing frequencies in the 12 GHz band (11.7-12.2 GHz and 12.75-13.25 GHz). They request such an extension for alternative frequency proposals, one using 4 and 6 GHz frequencies and the other placing major reliance on 12 GHz frequencies possibly in combination with 4 and 6 GHz frequencies. The MCI Carriers assert that much of the basic technical and supporting data will be common to both proposals and that presentation of the alternatives in one application would facilitate consideration of the entire technical concept. The MCI Carriers state that "we are confident that we can file such a complete application by February 28, 1971—possibly even by February 1, 1971."

2. By Public Notice (FCC 70-953) issued on September 3, 1970, in Docket No. 16495, the Commission established a December 1, 1970, cutoff date for the filing of applications for domestic satellite facilities in the 4 and 6 GHz bands, to be considered in conjunction with the pending application of The Western Union Telegraph Co. In the Further Notice of Inquiry and Proposed Rule Making in Docket No. 16495 issued on September 25, 1970 (25 FCC 2d 718, 721), the Commission stated that applicants desiring to file for the use of other frequencies, or for a mixture of other frequencies and the 4 and 6 GHz bands, could request an extension of time within which to file such applications, if necessary. In view of the representations in the motion of the MCI Carriers, we believe that the public interest would be served by granting the requested extension. In order to avoid duplicative efforts by the applicant, such extension of time will apply to the alternative system proposal involving the use of 4 and 6 GHz frequencies, as well as the alternative placing major reliance on 12 GHz possibly in combination with 4 and 6 GHz frequencies. However, it is requested that the MCI Carriers make every effort to file such applications at an earlier date, by February 1, 1971, if possible.

3. Accordingly, it is ordered, That the motion of the MCI Carriers is granted and that alternative proposals filed by MCI Carriers on or before February 28, 1971, will be considered in conjunction with applications for domestic communications satellite systems filed on or before December 1, 1970.

Dated: November 6, 1970.

Released: November 6, 1970.

FEDERAL COMMUNICATIONS COMMISSION.

[Seal]

BEN F. WAPLE,
Secretary.

[FR Doc. 70-15410; Filed, Nov. 10, 1970; 8:47 a.m.]

1 By letter filed on Nov. 6, 1970, the MCI Carriers requested expedited action on its motion, on the ground that if the time for filing the 4 and 6 GHz alternative was not included in any extension for the alternative involving other frequencies, intensive efforts on their part would be required to meet the December 1 deadline. In the circumstances, we believe it reasonable to accord the MCI Carriers prompt Commission action on the motion.

2 Commissioners Bartley and Johnson absent.
Notices

DEPARTMENT OF STATE
Agency for International Development
[Delegation of Authority No. 88]
ASSISTANT ADMINISTRATORS

Delegation of Authority Relating to Housing Guaranties

1. Pursuant to the authority delegated to me by Delegation of Authority No. 104, as amended, from the Secretary of State, dated November 3, 1961 (36 F.R. 18608), I hereby delegate to the Assistant Administrator for Administration all of the authorities contained in sections 221, 223, 226, and 636(i) of the Act, except the authority to authorize the issuance of guaranties, which I hereby delegate to the Regional Assistant Administrators for the countries or areas within their responsibilities.

2. This delegation of authority supersedes paragraphs 2 and 3 of A.I.D. Delegation of Authority No. 39, as amended.

3. Any redelegations of authority issued prior to the date hereof by officers duly authorized pursuant to the authorities superseded in paragraph 2 above, and by the above-mentioned Delegation of Authority No. 88, are hereby continued in effect according to their terms until modified, revoked, or superseded by action of the Assistant Administrator for Administration.

4. The authority delegated herein may be redelegated successively and may be exercised by persons who are performing the functions of designated officers in an acting capacity.

5. This delegation of authority shall be effective immediately.

Dated: November 4, 1970.

JOHN A. HANRAHAN,
Administrator.

[F.R. Doc. 70-15996; Filed, Nov. 16, 1970; 8:46 a.m.]

DIRECTOR AND DEPUTY DIRECTOR,
OFFICE OF HOUSING

Redelegation of Authority

1. Pursuant to the authority delegated to me by Delegation of Authority No. 88 from the Administrator, A.I.D., dated November 4, 1970, I hereby redelegate to the Director and Deputy Director of the Office of Housing, the following authorities:

A. All of the authorities delegated to me by the above-mentioned Delegation of Authority No. 88.

2. The authorities redelegated herein may be redelegated as follows:

A. The authority to execute guaranties may be redelegated, on an ad hoc basis only, to U.S. Ambassadors, A.I.D. Mission Directors, and A.I.D. Representatives.

B. All other authorities may be redelegated.

C. Redelegations of authority within the purview of this paragraph 2 to persons not assigned to the Office of Housing shall be subject to approval by the appropriate Regional Assistant Administrator, or his designee.

3. The authority redelegated herein may be exercised by persons who are performing the functions of the designated officers in an acting capacity.

4. The following redelegations of authority are hereby canceled:


D. Redelegation of authority from Rutherford M. Poate, Assistant Administrator, Far East, to Director, Office of Private Enterprise, Bureau for Africa, dated December 30, 1966 (32 F.R. 5375).

5. This redelegation of authority shall be effective immediately.


LAKE DWINELL,
Assistant Administrator
for Administration.

[F.R. Doc. 70-15996; Filed, Nov. 16, 1970; 8:46 a.m.]

DEPARTMENT OF JUSTICE
Bureau of Narcotics and Dangerous Drugs
S. B. PENICK AND CO.

Application for License to Manufacture Methadone

Notice is hereby given pursuant to the provisions of section 8 of the Narcotics Act of 1966, 21 U.S.C. 815, and 21 CFR 307.93, that an application for a license to manufacture the narcotic drug Methadone, has been submitted by S. B. Penick and Co., 100 Church Street, New York, N.Y. 10006, and that such application is being favorably considered.

Within 30 days from the date of publication of this notice in the Federal Register, any interested person may file a written protest with both the Director of the Bureau of Narcotics and Dangerous Drugs and the applicant, S. B. Penick and Co., 100 Church Street, New York, N.Y. 10006, and that such application is being favorably considered.

DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
AREA DIRECTORS ET AL.

Delegation of Authority

Correction

In F.R. Doc. 70-15107 appearing on page 1774 of the issue of Tuesday, November 10, 1970, the signature of the Acting Commissioner at the end of the document should read “Anthony P. Lincoln.”

Bureau of Land Management
[New Mexico 12479]

NEW MEXICO
Notice of Proposed Withdrawal and Reservation of Lands

November 10, 1970.

The Forest Service, U.S. Department of Agriculture, has filed an application, New Mexico 12479, for the withdrawal of lands described below, from location and entry under the general mining laws. The applicant desires the lands for use in connection with further development of the Canon Administrative Site and improving the Trampas Recreation Area.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned.
NOTICES

This statement is made as of October 11, 1970.
CARROL M. BENNETT.
[FR Doc. 70-15594; Filed, Nov. 16, 1970; 8:46 a.m.]

Oil Import Administration
[Oil Import Administration Bulletin No. 5]

CANADIAN NATURAL GAS LIQUIDS

Imports Into Districts I–IV

Section 1A(e) of Proclamation 3279 (24 F.R. 1781), as amended (see particularly Proclamation 4018) (35 F.R. 16587), provides that:

On and after October 1, 1970, any natural gas liquids, as defined in subparagraph (1) of paragraph (a) of section 3 of this proclamation, derived solely from Canadian natural gas, may be transported other than by sea into the United States from Canada without license and without reducing the quantities of crude oil, unfinished oils, or finished products that may be imported into the United States under the provisions of section 1A, section 2A, and section 2 of this proclamation.

Natural gas liquids are specifically defined in Proclamation 3279, as amended. The term includes those light liquid hydrocarbons that are recovered from wet natural gas in order to prepare such natural gas for pipeline deliveries to consumers. These natural gas liquids are usually identifiable by having physical characteristics such as higher API gravities (above most crude oils) and a high vapor pressure. These materials, which are derived solely from Canadian natural gas, may be imported without an allocation and license.

All natural gas liquids that are tendered by importers to the United States without allocation or license must be consistent with the general physical characteristics outlined above. Accordingly, no hydrocarbons which are to be further processed, except those that are inevitably mixed in small quantities with natural gas liquids at the interface in the pipeline or in tank bottoms, will be deemed to be natural gas liquids for the purpose of identifying materials that may be imported without allocation and license.

An officer of the importing company proposing to import natural gas liquids from Canada shall certify to the appropriate Customs' officers at the port of entry, that the shipment tendered for entry without an allocation or license, meets the definition of natural gas liquids as set forth in the Proclamation and that such liquids were derived solely from Canadian natural gas.

Liquid hydrocarbons, derived from dissolved (solution) gas and which are to be further processed, must be imported without allocation and license.

All importers making certification to the Customs' officers for entry of natural gas liquids for the purpose of exempting such liquids from allocations and licenses shall maintain records and other evidence by which representatives of the Oil Import Administration may verify such certifications.

All Customs' officers are requested to submit monthly to the Oil Import Administration a report of the quantities of exempt natural gas liquids which were imported during the preceding month. Such reports should be made available to the Oil Import Administration within 15 days following the month in which the imports were made.

RALPH W. SNYDER, JR., Acting Administrator, Oil Import Administration.

November 12, 1970.
[FR Doc. 70-15666; Filed, Nov. 15, 1970; 1:12 p.m.]

DEPARTMENT OF AGRICULTURE
Office of the Secretary
COLORADO

Designation of Areas for Emergency Loans

On the basis of the September 22, 1970, declaration by the President of a major disaster and the October 20, 1970, areas determination by the Director, Office of Emergency Preparedness, the following counties in the State of Colorado are hereby designated for the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) as modified by section 7 of the Disaster Relief Act of 1959 (42 U.S.C. 1956r):

COLORADO

Alamosa
San Miguel
Costilla

Emergency loans will not be made in these counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers hereunder.

Done at Washington, D.C., this 10th day of November, 1970.

CLIFFORD M. HARDIN, Secretary of Agriculture.

[FR Doc. 70-15504; Filed, Nov. 16, 1970; 8:47 a.m.]

MISSOURI

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Missouri, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.
Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1971, except to applicants who previously received emergency or special livestock loan assistance and can qualify under established policies and procedures.

Done at Washington, D.C., this 12th day of November, 1970.

CLIFFORD M. HARRIN,
Secretary of Agriculture.

OKLAHOMA

Designation of Areas for Emergency Loans

On the basis of the October 14, 1970, declaration by the President of a major disaster and the October 19, 1970 (as amended Oct. 26, 1970) areas determination by the Director, Office of Emergency Preparedness, the following counties in the State of Oklahoma are hereby designated for the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) as modified by section 7 of the Disaster Relief Act of 1969 (42 U.S.C. 1555ff):

OKLAHOMA

Adair. Lincoln. 
Atoka. McClain.
Carter. Murray. 
Pittsburg. 
Cleveland. Pontotoc. 
Coal. Pottawatomie. 
Garvin. Seminole. 
Jefferson. 
Lyon. 

Emergency loans will not be made in these counties under this designation after June 30, 1971, except subsequent loans to qualified borrowers hereunder.

Done at Washington, D.C., this 10th day of November 1970.

CLIFFORD M. HARRIN,
Secretary of Agriculture.

PUERTO RICO

Designation of Areas for Emergency Loans

On the basis of the October 12, 1970, declaration by the President of a major disaster and the October 19, 1970 (as amended Oct. 26, 1970) areas determination by the Director, Office of Emergency Preparedness, the following municipalities in the Commonwealth of Puerto Rico are hereby designated for the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) as modified by section 7 of the Disaster Relief Act of 1969 (42 U.S.C. 1555ff):

PUERTO RICO

Adjuntas. Juncos. 
Aguas Buenas. Las Piedras. 
Albion. Loiza. 
Arecibo. Luquillo. 
Arecheo. Manati. 
Arroyo. Mayaguez. 
Barceloneta. Manabao. 
Barranquitas. Morovis. 
Bayamon. Naguabo. 
Caguas. Naranjito. 
C miglior,. Orocovis. 
Camuy. Ponce. 
Carolina. Salinas. 
Cidra. San Juan. 
Comerlo. San Lorenzo. 
Corozal. San Sebastian. 
Dorado. Santa Isabel. 
Fajardo. Toa Alta. 
Fajardo. Toa Baja. 
Fanado. Trujillo Alto. 
Guayanabo. Utuado. 
Guaynabo. Vega Alta. 
Gurabo. Vega Baja. 
Humacao. Vieques. 
Jayuya. Villalba. 
Juana Diaz. Yabucoa.

Emergency loans will not be made in these municipalities under this designation after June 30, 1971, except subsequent loans to qualified borrowers hereunder.

Done at Washington, D.C., this 10th day of November 1970.

CLIFFORD M. HARRIN,
Secretary of Agriculture.

DEPARTMENT OF COMMERCE

Bureau of the Census

SURVEY OF DISTRIBUTORS STOCKS OF CANNED FOODS

Notice of Consideration

Notice is hereby given that the Bureau of the Census is planning to conduct its usual annual survey of inventories covering 30 canned and bottled products, including vegetables, fruits, juices, and fish as of December 31, 1970, under the provisions of title 13, United States Code, sections 181, 224, and 225. This survey, together with the previous surveys, provides the only continuing source of information on stocks of the specified canned foods held by wholesalers and in warehouses of retail multiunit organizations.

On the basis of information received by the Bureau of the Census, these data will have significant application to the needs of the public, industry, and the distributive trades, and governmental agencies and are not publicly available from nongovernmental or other governmental sources.

Such survey, if conducted, shall begin not earlier than 30 days after publication of this notice in the Federal Register. Reports will not be required from all firms but will not be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods. In order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger." In addition, multiunit firms reporting separately by establishment will be requested to update the list of their establishments maintaining canned food stocks.

Copies of the proposed forms and a description of the collection methods are available upon request to the Director, Bureau of the Census, Washington, D.C. 20233.

Any suggestions or recommendations concerning the subject matter of this proposed survey should be submitted in writing to the Director of the Census within 30 days after the date of this publication and will receive consideration.


GEORGE H. BROWN,
Director, Bureau of the Census.

[FR. Doc. 70-15435; Filed, Nov. 16, 1970; 8:48 a.m.]

National Bureau of Standards

PORTABLE PICNIC COOLERS

Notice of Recommended Standard

The National Bureau of Standards hereby gives public notice of the following recommended standard: TS 196, "Portable Picnic Coolers."

This notice is made in accordance with the provisions of § 10.5 of the Department of Commerce Procedures for the Development of Recommended Standards (15 CFR Part 10, as amended; 35 P.R. 8849, dated May 28, 1970). The purpose of this recommended standard is to establish nationally recognized safety requirements for portable picnic coolers. This standard is needed to prevent the accidental entrapment of small children in portable picnic coolers.

The initiation of this standard was undertaken by the Department of Commerce in accordance with provisions of § 10.1(e) of the referenced procedures with the cooperation of the manufacturers of portable picnic coolers.

This recommended standard is being distributed for acceptance or rejection to a list representative of producers, distributors, and users and consumers, for the purpose of determining general concurrence. Distribution of this recommended standard for comment will be made to any party filing a written request for a copy.
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Food and Drug Administration

3.5-DICHLORO-N-(1,1-DIMETHYL-2-PROPYNYL)BENZAMIDE

Notice of Extension of Temporary Tolerances

The Rohm and Haas Co., Independence Mall West, Philadelphia, Pa., 19165, was granted temporary tolerances for residues of the herbicide 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide and its metabolites calculated as 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)benzamide in or on the raw agricultural commodities alfalfa, clover, lespedeza, trefoil, and vetch at 3 parts per million; lettuce at 1 part per million; kidney and liver at 0.2 part per million (negligible residue); and milk at 0.01 part per million (negligible residue) on August 29, 1969. (Notice was published in the Federal Register of Sept. 9, 1969; 34 FR 14183.)

The firm has requested a 1-year extension of the temporary tolerances to permit obtaining additional experimental data. The Commissioner of Food and Drugs has determined that such extension will protect the public health.

A condition under which these temporary tolerances are extended is that the herbicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Rohm & Haas Co. name.

As extended, these temporary tolerances expire August 29, 1971.

This action is pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j)); 68 Stat. 516: 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: November 5, 1970.

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

(F.R. Doc. 70-15390; Filed, Nov. 16, 1970; 8:45 a.m.)
the Secretary will issue a notice of hearing or an appropriate order.

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10 Ch. 1, Code of Federal Regulations, and the Commission has found that:

(a) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations as set forth in Title 10 Ch. 1, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety characteristics of the facility to be exported.

A copy of the application, dated September 17, 1970, is on file in the Atomic Energy Commission's Public Document Room located at 1117 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 29th day of October 1970.

For the Atomic Energy Commission.

Clyfford R. Price
Director, Division of State and Locations Relations.

(F.R. Doc. 70-15401; Filed, Nov. 16, 1970; 8:40 a.m.)

[DOCKET NO. 50-287]

FIRST ATOMIC SHIP TRANSPORT, INC.

Indemnity Agreement Termination Order

The Atomic Energy Commission having found that the Maritime Administration is qualified to be a holder of Facility License NS-1 and that the transfer of the license from First Atomic Ship Transport, Inc., is otherwise consistent with applicable provisions of law, regulations and orders amendable by the Commission, and having executed Amendment 7 to Facility License NS-1, such that the Maritime Administration becomes the licensee of First Atomic Ship Transport, Inc., cease to be the licensee under said license, the Agreement of Indemnification between First Atomic Ship Transport, Inc., and the Atomic Energy Commission entered into August 5, 1965, as amended, shall be terminated by amendment to said Agreement of Indemnification.

Date of issuance: November 9, 1970.

For the Atomic Energy Commission.

CLIFFORD K. BECK
Deputy Director of Regulation.

[FR Doc. 70-15402; Filed, Nov. 16, 1970; 8:40 a.m.]

[FEDERAL REGISTER, VOL. 35, NO. 223—TUESDAY, NOVEMBER 17, 1970]
may be fixed by the board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, by November 27, 1970. Any person whose interest may be affected by the proceeding who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a petition for leave to intervene.

Petitions for leave to intervene, pursuant to the provisions of 10 CFR 2.714 of the Commission’s “Rules of Practice,” must be received in the Office of the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or the Commission’s Public Document Room, 1717 H Street NW., Washington, D.C. not later than November 27, 1970. The petition shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by Commission action, and the contents of the petition in reasonableness of detail. A petition which sets forth questions relating only to matters outside the Commission’s jurisdiction will be denied. A petition for leave to intervene which is not timely filed will be denied unless the petitioner shows good cause for failure to file it on time.

A person permitted to intervene becomes a party to the proceeding, and has all the rights of the applicant and the regulatory staff to participate fully in the conduct of the hearing. For example, he may examine and cross-examine witnesses. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set forth in the proceeding. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705 of the Commission’s “Rules of Practice,” must be filed by the applicant on or before November 27, 1970.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or may be filed by delivery to the Commission’s Public Document Room, 1717 H Street NW., Washington, D.C.

Pendency further order of the Board, parties are required to file pursuant to the provisions of 10 CFR 2.703 of the Commission’s “Rules of Practice,” an original and 20 confirmed copies in each such paper with the Commission.

With respect to this proceeding, the Commission has delegated to the Atomic Safety and Licensing Board the authority and the review function which would otherwise be performed by the Commission. The Commission has established the Appeal Board pursuant to 10 CFR 2.785 of the Commission’s “Rules of Practice” and has made the delegation pursuant to subparagraph (a) (1) of this section. The Appeal Board is composed of the Chairman and Vice-Chairman of the Atomic Safety and Licensing Board Panel and a third member who is technically qualified and designated by the Commission. The Commission has designated Dr. Lawrence Quaries, Dean of the School of Engineering and Applied Science, the University of Virginia, as this third member.

Dated at Washington, D.C., this 13th day of November 1970.

UNITED STATES ATOMIC ENERGY COMMISSION

W. B. McCool,
Secretary of the Commission.

[FR. D.C. 00-15821, Filed, Nov. 16, 1970; 9:44 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22025; Order 70-11-35]

AMERICAN AIRLINES, INC., ET AL.

Order Regarding Limitation of Capacity in Certain Markets


American, TWA, and United have requested our approval of an agreement, entered into without prior Board-authorized and supervised discussions, under which each carrier would limit its available seat-miles in scheduled nonstop service in 15 named markets.

The carriers allege that overcapacity exists in these markets, that individually each carrier cannot reduce its schedules because of fear of losing its market share to the others, and that agreed reduction of capacity under the formula proposed will eliminate $50 million of unnecessary costs to the three carriers.

On September 8, 1970, the Board by Order 70-9-42 deferred action on the agreement and invited comments thereon. Numerous comments have been filed in response to Order 70-9-42, the majority requesting the Board either to disapprove all or a portion of the agreement, or to hold hearings on the agreement.

Of the parties commenting on the agreement, only one other carrier (Mahan) urges immediate approval. Strenuous concern for the possible effects of the agreement has been registered by the majority of the scheduled carriers as well as by local and Federal government agencies. The Department of Justice asserts that the agreement violates anti-trust laws, and opposes approval without a full public hearing.

We have carefully considered and evaluated all of the comments and reply comments and have concluded that approval of the agreement before us is not warranted, both because of the manner in which it was reached and because of certain of its substantive features. We shall accordingly disapprove it, without prejudice to the submission of other capacity-limitation agreements lacking these objectionable features and arrived at through discussions approved and monitored by the Board.

Discussions and proposed agreements involving scheduling and capacity reduction reach to the very heart of a competitive air transportation system. Discussions of this nature may serve to inform air carriers of competitive attitudes, policies, and intentions with respect to future scheduling, and may of themselves inhibit competition without there being any agreements reached or submitted for the Board’s consideration. Thwarting a very purpose for which the competitive authorizations were issued. In these circumstances, and in areas so fraught with antitrust considerations, the Board is not prepared to approve agreements of the type here present when the discussions between the carriers have not been approved and monitored by the Board. The Board is authorized to approve intercarrier discussions under the provisions of section 412; it frequently has done so; and in any event can conclude only that agreements of the nature here present are adverse to the public interest unless reached after discussions held with the

3 See the appendix for a list of persons submitting comments filed as part of the original document.
approval and under the auspices of the Board.\footnote{The parties to the agreement contend, inter alia, that the Federal Aviation Act does not contemplate Board authority for discussions and that Board approval of such discussions would not relieve the parties from the operations of the antitrust laws. We disagree. The Board has frequently held that it has the power to approve intercarrier discussions leading to agreements that would tend to monopolize the carriers from any antitrust liability which might otherwise result from such discussions (see e.g., Air Freight Tariff Agreement Case, 14 C.A.B. 242, 439-441 (1951)). In 1957, this view was officially sanctioned by a formal opinion of the Administrative (41 Op. A.C.A. 352). The Attorney General focused on the provisions of what is now section 204(a) which authorizes the Board to inquire into such orders pursuant to and consistent with the provisions of this Act, as it shall deem necessary, so as to carry out the provisions of section 402 and that such discussions consequently were granted antitrust immunity under section 411.}

We also have a number of substantive problems with the present agreement. In the first place, we are concerned over the number of markets in which Board approval would be required. We would not approve a 2-year agreement such as here proposed. Six months would appear to be adequate for the affected carriers to take corrective steps to conform capacity to indicated market demands over the longer term.

We also believe that the very "flexibility" built into the agreement is one of its major defects. Under the agreement, no carrier is bound to reduce service in any particular market—it could even increase its frequencies. So long as in the aggregate of markets the agreed-upon capacity reduction is put into effect, the agreement is being complied with. Given the extremely competitive history of the carriers in such major markets as New York-Los Angeles, for example, it is highly possible that the carriers would choose to maintain their competitive pressures in these markets and comply with their agreement by reducing service in their two-carrier markets (e.g., Memphis-Los Angeles) or in some other shape market (e.g., New York-Jacksonville). In such latter instances, satellites like Ontario or San Jose could lose the relatively little transcontinental service they now have.

If the markets chosen by the carriers for inclusion in the agreement, 16 are two-carrier markets. These markets, by the carriers' admissions, are not unprofitable. The effect of two carriers reducing service in such markets could have a serious impact on the quantity and quality of service available to the public—more so than in the three-carrier markets, which are all larger. Moreover, the carriers do not justify their choice of markets in terms of load factors being experienced in individual markets, but lump them together. Some of the markets, such as New York-Los Angeles, are extremely large markets in which load factors have been strikingly low, and in which a reasonable reduction in capacity, by acceptable means, should have no serious adverse effect on the traveling public. Others, however, are markets of only moderate size, in which it is by no means clear that capacity could be substantially reduced without injury to the public.

Because of these factors, any concerted reduction in capacity, even on a temporary basis, should be definite, precise, and in markets of substantial size having low load factors. Generally these would be markets with three or more carriers, but there may be a few with only two carriers which meet these criteria. We believe that markets such as New York-Chicago, Chicago-Los Angeles, New York-Los Angeles, New York-San Francisco, and New York-Atlanta are representative of those in which the problem is most acute. Any capacity reduction agreement having our approval would have to justify individually the inclusion of each market proposed to be covered thereby, on the basis of a showing that competitive pressure and the capacity was in fact being offered in that particular market, and that the reduction in capacity proposed would not be injurious to the traveling public.

We are fully cognizant of the economic plight of some of the air carriers, due in substantial part to the overcapacity presently being operated in certain large markets. We believe that unilateral action short of the two-carrier reductions that would be required to reduce that overcapacity is indefensible. We note that a number of carriers have already taken substantial action unilaterally to reduce their systemwide schedules. Under our competitive system, this is by far the preferable way. Not only are individual management decisions in response to the play of competitive forces inherently more efficient and more responsive to market competition, but such decisions made collusively, but any agreement of capacity-limitation agreements would inevitably draw the Board, in order to protect the public interest, into detailed scrutiny and the presentation of operating decisions that should properly be made by individual carrier management. Nevertheless, while normal competitive forces might well resolve the problem of overcapacity, they might do so too slowly to avert serious injury to some of the carriers and to the air transportation system as a whole. Accordingly, we would be prepared to consider applications for authority to engage in discussions, under appropriate safeguards,\footnote{Of course, any discussions would be subject to appropriate limitations such as that any authority to hold such discussions would be granted only for limited periods; that any meeting would be held in Washington with advance notice provided; that interested persons could have observers present; that a transcript of the meeting would be kept; that suitable opportunity would be provided for communities and other persons with legal standing to be heard; that carrier participation in any agreement could be open-ended, but would be limited to a specific period of time; and that any matters be discussed which are authorized by the Board; and that any agreements resulting from the discussions would be subject to Board approval.} Jointly formulated agreements to reduce capacity in markets in which excess capacity is presently being operated. Upon a proper showing, short-term approval of such agreements might be found warranted. We emphasize, however, that the approval of such a new agreement will depend upon our appraisal of its particular terms and upon a clear showing by the carriers that it is "required by a serious transportation need, or in order to secure important public benefits".\footnote{Dissenting statement of Vice Chairman O'Neill and statement of concurrence and dissent by member Adams filed as part of the original document.}

For the above reasons, we find that Agreement CAB 21965 is adverse to the public interest.

Accordingly, it is ordered, That:

1. Agreement CAB 21965 be and hereby is disapproved;
2. All other outstanding requests be and they hereby are dismissed; and
3. This order shall be served upon all U.S. certificated scheduled air carriers; each community listed in the agreement; and the Departments of Justice, Post Office, and Defense.

This order shall be published in the \emph{Federal Register}.

By the Civil Aeronautics Board.\footnote{Secretary [F.R. Doc. 70-15429; Filed, Nov. 16, 1970; 8:40 a.m.]}
FILED WITH THE EXAMINER AND PARTIES ON OR BEFORE NOVEMBER 25, 1970.


[SEAL]

THOMAS L. WRENNER, Chief Examiner.

[F.R. Doc. 70-15449; Filed, Nov. 16, 1970; 8:49 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

CRUDE OIL AND GASOLINE

Notice of Investigation of Recently Announced Increases in Prices

Section 6 of Proclamation No. 3278, as amended, requires the Director of the Office of Emergency Preparedness to maintain constant surveillance of imports of petroleum and its primary derivatives in respect of the national security and form the President of any circumstances which, in the opinion of the Director, might indicate the need for further Presidential action under section 232 of the Trade Expansion Act of 1962. That section also provides that in the event prices of crude oil or its products or derivatives should be increased after the effective date of that Proclamation "such surveillance shall include a determination as to whether such increase or increases are necessary to accomplish national security objectives * * *.

Notice is hereby given that the Office of Emergency Preparedness, with the assistance of the Department of Justice and the several Departments referred to in section 6 of Proclamation No. 3278, as amended, will conduct an investigation of increases in prices of crude oil and gasoline recently announced by certain producers and refiners of petroleum. Interested parties may file information or comments concerning the subject matter of this investigation until December 1, 1970. All such information and comments should be submitted in writing, and 25 copies of each such submission should be provided. All such submissions should be addressed to:

Director, Office of Emergency Preparedness, Washington, D.C. 20540.

Information which would disclose confidential business data or operations within the meaning of section 1905 of the United States Code, or section 552(b)(4) of title 5 of the United States Code, will be accorded confidential treatment if submitted in confidence. All information submitted in confidence must be on separate pages marked "Business Confidential." All information and comments submitted pursuant to this notice, except "Business Confidential" information submitted in accordance with the preceding sentence, will be available for inspection and copying. A list of persons submitting information pursuant to this notice will be maintained and will be available for inspection and copying.

Dated: November 16, 1970.

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

[F.R. Doc. 70-15446; Filed, Nov. 16, 1970; 11:09 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

NOTICES

[Dockets Nos. 18898, 18900; FCC 70R-376]

JACKSONVILLE BROADCASTING CO. AND UNIVERSITY BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues


1. This proceeding involves mutually exclusive applications of Jacksonville Broadcasting Co. (Jacksonville) and University Broadcasting Co. (University) for authority to construct a new standard broadcast station at Jacksonville, Ala. The applications were designated for hearing under issues by FCC 70-764, released July 9, 1970. Presently before the Review Board is a motion to enlarge issues, filed August 28, 1970, by University seeking the addition of three factual issues relating to the requisite qualifications of Jacksonville.

2. Petitioner first requests an issue to determine whether Jacksonville has maintained a copy of its application available for public inspection as required by §1.536(e)(1) of the Commission's rules. In support of this request, petitioner submits the sworn affidavit of one of its principals, James C. Vice, wherein Vice alleges that on August 20 and 21, 1970, he made six attempts during normal business hours to inspect the Jacksonville application at 1001 Roberson Street only to find that it was a dwelling-type trailer in which Will Roberson, a principal of Jacksonville, lives. Thus, University maintains, since the application was placed in a dwelling-type house and was not available for inspection during regular business hours, an issue is warranted. We agree with the Broadcast Bureau that, without adequate explanation by Jacksonville, an issue is warranted to explore the circumstances surrounding Jacksonville's apparent failure to have its application available for inspection during regular business hours.

3. Petitioner next requests the addition of an issue to determine whether Jacksonville ignored the lawful requirement of the Hearing Examiner to produce certain documents for inspection on August 21, 1970. As support for the second requested issue, University again relies on Vice's affidavit, in which he states that while Jacksonville had a duty to produce certain documents pursuant to an Examiner's order, it did nothing to prepare for inspection and, in fact, will that Jacksonville was unable to cooperate. Such failure, averrs University, causing delay and needless expense, requires the addition of the requested issue. The Broadcast Bureau, in opposing the request, states that Jacksonville has a motion with the Hearing Examiner for contempt and to hold the applicant in default based on the same facts, this matter should be acted upon by the Hearing Examiner. If University is not satisfied with his decision, an appeal to the Board would then be appropriate.

The Board initially notes that subsequent to the filing of these pleadings, the Hearing Examiner denied University's motion, finding that Jacksonville's failure to comply with his order was due to an error in judgment on the part of the respondent and the ill health of Roberson. The Examiner indicated that he believed this was not a case where his authority was deliberately flaunted and that University had no reasonable cause to fail to cooperate. No appeal from this ruling has been filed. We have examined the Examiner's ruling and the pleadings which were filed before him, and we agree with the Examiner's decision. If University had a reasonable belief in the necessity of bad faith in this regard on the part of Jacksonville, the Board has been raised. Therefore, no further inquiry into this matter is required, and the requested issue will be denied.

4. University's final request for an issue is based on an alleged misstatement made by Jacksonville in its opposition to University's motion for production of documents. In that opposition, Jacksonville stated that "* * * one of the parties, Thomas J. Roberson is confined in a hospital and had an operation performed on him to wit August 10, 1970," and that "* * * Mr. Tom Roberson has been seriously, but we think, temporarily ill." While these statements appear to indicate that Roberson would remain in the hospital or be at home recovering throughout the period of inspection, University asserts, Roberson was discharged from the hospital 1 week before the proposed inspection and was not even at home on the date in which such inspection was supposed to occur; therefore, concludes University, an issue should be added to determine whether an attempt was made.

1 By Order, FCC 70M-1460, released Oct. 23, 1970, the mutually exclusive application of Heart of Dixie Broadcasting Co. (Docket No. 18898) was dismissed by the Hearing Examiner.

to misrepresent the seriousness of Roberson’s illness. As an additional basis for an inquiry into “misleading information”, petitioner submits that Jacksonville Broadcasting Co. and the burden of proof under the issue added herein shall be on Furniture City. Adopted: November 4, 1970.

Released: November 10, 1970.

FEDERAL COMMUNICATIONS COMMISSION.

SECRETARY.

[FR. Doc. 70-15411; Filed: Nov. 16, 1970; 8:47 a.m.]

NOTICES

1. The mutually exclusive applications of Southern Broadcasting Co. (Southern) for renewal of license of its television broadcast Station WOHP-TV, operating on Channel 8 in High Point, N.C., and of Furniture City Television Co., Inc. (Furniture City) for a construction permit to establish a new television broadcast station, operating on Channel 5 in High Point, were designated for hearing on a standard comparative issue by Commission Order, FCC 70-706, 35 F.R. 11277, published July 14, 1970. Presently before the Review Board is a petition to enlarge issues, filed July 29, 1970, by Southern, seeking the addition of a Suburban issue against Furniture City and a comparative efforts issue.

2. While acknowledging the Commission’s statement in the designation order that both applicants have satisfactorily complied with the requirements of being aware of, and responsive to, local community needs and interests, Southern asserts that a review of Furniture City’s application indicates that it is defective as to the method by which that applicant attempted to ascertain the needs of the community. Petitioner further asserts that the Review Board has the authority to change the findings of the Commission in this case, pursuant to Atlantic Broadcasting Co., 5 FCC 2d 177, 8 RR 2d 991 (1968), and WTAR Radio-TV Corp., FCC 2d 46, 19 RR 2d 661 (1970), because there is no reasoned analysis of the matter in the designation order. According to Southern, the alleged deficiencies of Furniture City’s application are as follows:

(a) The survey contains no demographic study, statistical survey, or any other yardstick to indicate awareness of the structure of the community; (2) the list of people surveyed contains no breakdown of age or ethnic groups; (3) the list of community leaders relied upon by Furniture City is comprised of leaders who were contacted in January 1970, at least two months after the original filing of its application; (4) of the community leaders contacted, only three out of approximately 150 were listed as residents of Winston-Salem, one of the three largest cities served by Channel 8; (5) certain groups, such as religious leaders and Negroes, are missing from the list of community leaders; (6) there is no indication that any consideration was given to the problems of Negroes living in the service area. Southern then maintains that its ascertainment efforts stand in sharp contrast to those of Furniture City. Petitioner averred that the first step in its survey was to obtain knowledge of the cross section of groups making up the viewing community; it then proceeded with a systematic and thorough survey of community leaders and the general public throughout the viewing area, considering the factors of age, income, religion, race, etc., and, as a result of these efforts, it was able to obtain a comprehensive and reliable list of community needs. Southern concludes that Furniture City’s deficiencies in ascertaining community needs warrant the addition of both Suburban and comparative efforts issues.

3. In opposition, Furniture City first asserts that petitioner may not rely on its failure to conduct a demographic survey as support for its requests for additional issues since, in the proposed Primer on Ascertainment of Community Problems by Broadcast Applicants, 34 F.R. 20292, 20 FCC 2d 880 (1969), the Commission stated that there are different ways to how an applicant determines the composition of the area to be served, and that a showing of consultation with group leaders is a prima facie indication that those consulted are representative. In describing its own ascertainment survey, respondent submits that over 1,000 personal interviews with individuals comprising 24 different professions and occupations were conducted from which it developed a detailed list of community needs. Furniture City then maintains that its local ownership (all 17 stockholders are longtime High Point residents) is an important consideration, and should be part of the total structure upon which responsive programing proposals rest. Furniture City stresses that petitioner’s demographic survey contained only statistical data garnered from public documents, such as the Standard Metropolitan Statistical Area and the Comparative Guide to American Colleges, that it has failed to connect its demographic statement with its survey, and that its “man-on-the-street” survey, comprising interviews with some 222 persons, cannot sustain its request for a comparative efforts issue. Southern’s “man-on-the-street” survey, asserts Furniture City, covered the same population as did its survey; thus, it seems reasonable that, during the survey, Furniture City would be expected to obtain the Negro, women, and other important segments of the population. In sum, Furniture City alleges that petitioner has failed to...
show that the High Point community differs from the average or that the groups consulted are not representative, and insists that its conclusions with approximately 150 community leaders, is a prima facie indication that those consulted are representative. Finally, respondent argues that Southern has violated the Commission's Policy Statement on Comparative Hearings Involving Regular Renewal Applicants, 22 FCC 2d 424, 18 RR 2d 1901 (1970), by attempting to upgrade its operation of Station WCMP-TV after Furniture City's competing application was filed.

4. In reply, Southern reiterates the alleged deficiencies of Furniture City's ascertainment survey and asserts that respondent at no time denied such defects but instead "lashed back with a deluge of misrepresentations, incomplete facts, and outright misstatements of fact." While recognizing that an applicant may use any valid method of ascertaining community needs, Southern alleges that Furniture City has failed to indicate anywhere that it used any method. In Southern's opinion, in order for consultations with community leaders to constitute a prima facie indication that those consulted are representative, the method used must cut across the entire spectrum of the community. Furniture City's did not do. Furniture City's list of occupations of those individuals contacted in its general survey is questioned by petitioner, who claims that conspicuously absent are members of the entertainment media and leaders, and that this list contains several leaders who are not listed in Furniture City's list of community leaders filed with its application. Next, Southern attacks respondent's statement that since Furniture City's list of occupations of those individuals consulted in its survey. The Commission does not have a prima facie indication that those consulted are representative. See Communications Association of South Carolina, 29 FCC 2d 880 (1970), where the designation order does not contain any valid method of ascertainment and the incumbent licensee is still required to have adequately canvassed its entire service areas to garner opinions of community leaders. While the survey outside the principal city of service does not have to be as extensive as the survey within the city, the applicant is still required to interview a sufficient number of community leaders in the outlying areas to establish the needs of those areas. See Southern Minnesota Supply Co. (KYSM), 18 FCC 2d 824, 825, 16 RR 2d 950, 952 (1969), review denied 21 FCC 2d 531, reconsideration denied 22 FCC 2d 917, 19 RR 2d 1260 (1970). Second, Furniture City does not appear to have interviewed any of its residents who are Negroes, women, etc.; the community opinion must be made. Cosmos Broadcasting Co., 21 FCC 2d 729, 18 RR 2d 62 (1970). Regarding the requested comparative efforts issue, we have previously held that a request for such an issue is not governed by a discussion in the designation order of the necessity for a Suburban issue. WTAR, supra. Also see WPIX, Inc., 23 FCC 2d 248, 19 RR 2d 182 (1970). Therefore, we will consider the merits of Southern's petition.

7. A review of Furniture City's survey reveals several basic deficiencies. First, we cannot judge from its application whether Furniture City did in fact contact a representative cross-section of the community. Secondly, Southern states that the geographic study is not required if the applicant shows that it has consulted with leaders of groups and organizations which constitute a cross-section of an average community. We do not agree. Regarding the five times the number of people interviewed by Southern, there must necessarily be a certain percentage of blacks who were contacted. See City of Camden, supra.

Furniture City points out that Southern is considering Furniture City's survey and the generalized public, as well as the determination that it has no such showing appears to have been made here. Further, we find little or no systematic attempt to contact representatives of various local groups, e.g., no interviews with blacks or labor leaders are indicated. See Chapman Radio and Television Co., 24 FCC 279, 19 RR 2d 889 (1970). As the Commission stated in City of Camden, supra:

"...We do not believe that this statement speaks of a "reasoned analysis" or a thorough discussion in the designation order of the ascertainment of community problems by broadcast applicants. We find that both applicants have satisfactorily complied with those standards."

The applicant should indicate, by cross-sectional survey, statistically reliable sample of the city's major occupational groupings and the neighborhoods in which the city's major occupation groups live. The applicant should demonstrate any valid method of ascertainment and its survey does not identify the significant groupings of the city's major occupation groups and the neighborhoods in which the city's major occupation groups live. Therefore, it cannot be considered a prima facie indication that those consulted are representative. See Communications Association of South Carolina, 29 FCC 2d 880 (1970).
8. Specification of a Suburban issue does not preclude the Board from adding a comparative efforts issue, Regal Broadcasting Corp., 14 FCC 2d 849, 14 RR 11 (1970). There is no showing of "significant disparity" in the efforts of the applicant to ascertain community needs. Chapman Radio & Television Co., 7 FCC 2d 213, 9 RR 2d 655 (1967). We believe that such a showing has been made in this case. In our view, more important than the larger number of people interviewed by Furniture City, are the substantial qualitative differences between its efforts and those of Southern. See Viking Television Inc., 16 FCC 2d 1018, 15 RR 2d 954 (1969). A comparison of the surveys denotes the differences: (1) Southern's survey was conducted by its principals, while we have no indication of who conducted Furniture City's; (2) Southern's survey was based on a detailed demographic study. Furniture City's apparently was not; and (3) Southern's interviewees indicate a contact with a representative cross-section of community leaders and the general population. Furniture City's does not. Although Furniture City will have to address itself to these matters under the Suburban issue being added herein, correction of the deficiencies will not necessarily eliminate the need for a comparative inquiry into the applicants' efforts. Cf. Regal Broadcasting Corp., supra. In view of the dearth of information submitted by Furniture City, we are of the opinion that an evidentiary hearing is necessary to ascertain the comparative effort of the applicants' surveys in the quality of the applicants' efforts, and an appropriate issue will therefore be added.°

9. Accordingly, it is ordered, that the petition to enlarge issues, filed July 29, 1970, by Southern Broadcasting Co., is granted; and

10. It is further ordered, That the issues in this proceeding are enlarged to include the following issues:

(a) To determine the efforts made by Furniture City Television Co., Inc. to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(b) To determine on a comparative basis the significant differences between Southern Broadcasting Co. and Furniture City Television Co., Inc., with respect to the efforts made by each applicant to ascertain the needs, interests and problems of the community it proposes to serve; and

11. It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof under Issue (a) added herein shall be on Furniture City Television Co., Inc.

Adopted: November 4, 1970.
Released: November 10, 1970.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] BEN F. WAPLE, Secretary.

[F.R. Doc. 70-15412; Filed, Nov. 16, 1970; 8:47 a.m.]

FEDERAL RESERVE SYSTEM
BANCÖHIO CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (3)), by BancOhio Corp., which is a bank holding company located in Columbus, Ohio, for prior approval by the Board of Governors of the acquisition by Applicant of 60 percent or more of the voting shares of The Adams Bank, Millersburg, Ohio.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition of merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the Federal Register, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

The application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Cleveland.

* Board Member Pincus absent.

By order of the Board of Governors, November 9, 1970.

[SEAL] KENNETH A. KENYON, Deputy Secretary.

[F.R. Doc. 70-15387; Filed, Nov. 16, 1970; 6:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Temporary Regulation P-76]

SECRETARY OF DEFENSE
Delegation of Authority

1. Purpose. This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in a water rate proceeding.

2. Effective date. This regulation is effective November 9, 1970.

3. Delegation. a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a) (4) and 205(d) (40 U.S.C. 481(a) (4) and 485(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Atlanta Board of Aldermen in Georgia in a proceeding involving water rates of the city of Atlanta Water Department.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT L. KUNZIK, Administrator of General Services.

NOVEMBER 9, 1970.

[F.R. Doc. 70-15422; Filed, Nov. 16, 1970; 2:48 a.m.]

[Federal Property Management Temporary Regulation P-77]

SECRETARY OF DEFENSE
Delegation of Authority

NOVEMBER 9, 1970.

1. Purpose. This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in a telecommunication rate proceeding.

2. Effective date. This regulation is effective immediately.

3. Delegation. a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a) (4) and 205(d) (40 U.S.C. 481(a) (4) and 485(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Atlanta Board of Aldermen in Georgia in a proceeding involving water rates of the city of Atlanta Water Department.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT L. KUNZIK, Administrator of General Services.

NOVEMBER 9, 1970.

[F.R. Doc. 70-15422; Filed, Nov. 16, 1970; 2:48 a.m.]

[Federal Property Management Temporary Regulation P-77]
NOTICES

FEDERAL POWER COMMISSION

GENERAL AMERICAN OIL COMPANY OF TEXAS ET AL.

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

NOVEMBER 5, 1970.

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

Any person desiring to be heard or to make any protest with reference to said applications should on or before November 27, 1970, file with the Federal Power Commission, Washington, D.C. 20470, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT, Secretary.

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

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Applicant | Purchaser and location | Price per Mcf | Pressure Date |
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C171-307 | Samedan Oil Corp et al, Fort Office | | |
| | | | |
C171-308 | Continental Oil Co, Post Office Box 21, Houston, Tex. 77201 | | |
| | | | |
C171-311 | B & O Oil Co, Inc, successor to | | |
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C171-311 | Am. Carpenter, Owatonna, Minn. | | |
| | | | |
C171-311 | Allen Oil Co, Suite 466, Union City | | |
| | | | |
C171-312 | Denver Bldg., Parnham, Denver, Col. 80211 | | |
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C171-312 | A 10-7-70 | | |
| | | | |
C171-317 | Phillips Petroleum Co, Bartlesville, Okla. 74003 | | |
| | | | |
| | | | |
C171-346 | Cities Service Oil Co, Post Office Box 300, Tulsa, Okla. 74112 | | |
| | | | |
C171-352 | A 10-17-70 | | |
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C171-356 | Phillips Petroleum Co | | |
| | | | |
C171-357 | North Caddo Pipeline Co., New Orleans, La. 70119 | | |
| | | | |
| | | | |
C171-359 | Cities Service Oil Co, Post Office Box 300, Tulsa, Okla. 74112 | | |
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C171-365 | A 10-18-70 | | |
| | | | |
C171-365 | Phillips Petroleum Co | | |
| | | | |
C171-368 | B 12-7-70 | | |
| | | | |
C171-372 | Hask. Woodco, Agent for Gulf & | | |
| | | | |
C171-376 | San Diego, Calif. | | |
| | | | |
C171-376 | A 10-7-70 | | |
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C171-376 | San Diego, Calif. | | |
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C171-381 | F 10-3-70 | | |
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C171-381 | F 10-3-70 | | |
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C171-381 | F 10-3-70 | | |
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NOTICES

MOTOR CARRIERS OF PROPERTY

No. MC 2908 (Sub-No. 206 TA), filed November 3, 1970. Applicant: RYDELL TRUCK LINES, INC., 3505 Kings Road, Post Office Box 2408, Jacksonville, Fla. 32203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Carbon black, in packages, from Cabot, La., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan (Lower Peninsula), New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee (except Memphis), Virginia, West Virginia, Wisconsin, and St. Louis, Mo., and its commercial zone, for 180 days. Supporting shipper: Cabot Corp., 125 High Street, Boston, Mass. 02110. Send protests to: District Supervisor G. H. Paus, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35068, 400 West Bay Street, Jacksonville, Fla. 32203.


No. MC 53185 (Sub-No. 286 TA), filed November 6, 1970. Applicant: EAGLE LINES, INC., 820 North 53rd Street, Post Office Box 134, Birmingham, Ala. 35201. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and flooring, from the plant of Birmingham Forest Products, Inc. at or near Cordova, Ala. to points in Illinois, Kentucky, Michigan (Lower Peninsula), Mississippi, Tennessee, Texas, Virginia, and West Virginia, for 180 days. Supporting shipper: U.S. Plywood-Champion Papers, Inc., Knightbridge Drive, Hamilton, Ohio. Applicant: George R. Johansen, Traffic Analyst, Commercial Truck Section. Send protests to: Clifford W. White, Director, Bureau of Operations, Interstate Commerce Commission, Room 914, 2121 Building, Birmingham, Ala. 35203.


INTERSTATE COMMERCE COMMISSION

[Notice 190]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

November 9, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 C.F.R. Part 1151) published in the Federal Register, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the Federal Register publication, within 15 calendar days after the date of notice of the filing of the application is published in the Federal Register. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

[File No. 500-1]

GLOBAL INTERNATIONAL LTD.

Order Suspending Trading

November 9, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Global International Ltd., Delaware corporation, and all other securities of Global International Ltd, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 9, 1970, through November 18, 1970, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F.R. Doc. 70-15407; Filed, Nov. 16, 1970; 8:47 a.m.]

FEDERAL REGISTER, VOL. 35, NO. 223—TUESDAY, NOVEMBER 17, 1970

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NOTICES

FEDERAL REGISTER, VOL. 35, NO. 223—TUESDAY, NOVEMBER 17, 1970

NOTICE

MOTOR CARRIERS OF PROPERTY

No. MC 30837 (Sub-No. 412 TA), filed November 9, 1970, Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4209 30th Avenue, Post Office Box 166, Kenosha, Wis. 53140. Applic-ant's representative: Albert P. Barber (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Business papers, records, and audit and

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Dearborn Street, Room 1088, Chicago, Ill. 60604.

No. MC 11765 (Sub-No. 113 TA), filed November 3, 1970, Applicant: BARN TRUCK LINE, INC., 5315 Northwest Fifth, Post Office Box 75267, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Beverages (nonalcoholic) in containers, from the plantable of Shaesta Beverages, Granite City, Mo. to the following cities: Clinton, Iowa, Kentucky, and states not listed in the issue, Tennessee, and Wisconsin, for 180 days. Supporting shipper: Shaesta Beverages, Murray H. Crossen, Vice President, Post Office Box 5445, Lenexa, Kans. 66215. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 11977 (Sub-No. 194 TA) [Correction], filed October 23, 1970, published Federal Register, issue October 31, 1970, and republished in part as corrected this issue. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box Drawer L, Madisonville, Ky. 41070. Applicant's representative: H. H. Crossen (same address as above). Note: The purpose of this partial republication is to correct an error in the 'issue. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, Tex. 75222. Applicant's representative: James T. Johnson (same address as above). Note: The purpose of this partial republication is to add the State of Michigan to the destination States which was inadvertently omitted from previous publication. The rest of application remains the same.

No. MC 11979 (Sub-No. 39 TA) [Correction], filed October 6, 1970, published Federal Register, issue October 19, 1970, and republished in part as corrected this issue. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, Tex. 75222. Applicant's representative: James T. Johnson (same address as above). Note: The purpose of this partial republication is to add the State of Michigan to the destination States which was inadvertently omitted from previous publication. The rest of application remains the same.

No. MC 123856 (Sub-No. 2 TA) [Correction], filed October 23, 1970, published Federal Register, issue October 31, 1970, and republished in part as corrected this issue. Applicant: NORTH- LAND TRANSPORT, INC., 1803 42d Avenue East, Superior, Wis. 54884. Applicant's representative: Donald L. Stern, 830 City National Bank Building, Omaha, Nebr. 68102. Note: The purpose of this partial republication is to reparate the paper and return. The rest of the notice remains as previously published.


By the Commission.

[SEAL]

ROBERT L. ONSWALD, Secretary.

[F.R. Doc. 70-15496; Filed, Nov. 16, 1970; 6:48 a.m.]

[Notice 191]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

November 12, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-97 (49 CFR Part 1131) published in the Federal Register, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the filed official named in the Federal Register publication, within 15 calendar days after the date of notice of the filing of the application is published in the Federal Register. One copy of such protests must be served on the applicant, or its author- ized representative, if any, and the protests must certify that such service has been made. The protests must be speci- fic as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commis- sion, Washington, D.C., and also in field office to which protest is to be transmitted.


[Notice 191]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

November 12, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-97 (49 CFR Part 1131) published in the Federal Register, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the filed official named in the Federal Register publication, within 15 calendar days after the date of notice of the filing of the application is published in the Federal Register. One copy of such protests must be served on the applicant, or its author- ized representative, if any, and the protests must certify that such service has been made. The protests must be speci- fic as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commis- sion, Washington, D.C., and also in field office to which protest is to be transmitted.

Motor Carriers of Property

No. MC 30837 (Sub-No. 412 TA), filed November 9, 1970. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4209 30th Avenue, Post Office Box 166, Kenosha, Wis. 53140. Applicant's representative: Albert P. Barber (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Business papers, records, and audit and

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accounting media of all kinds, and advertising material moving therewith; (a) between points in Virginia, on the one hand, and, on the other, Byrd Field, Richmond; National Airport, Alexandria, D.C.; on the terminal of Seaboard Air Line Railroad Municipal Airport, Norfolk; Patrick Henry Airport, Newport News; Woodruff Field, Roanoke; and Tri-City Airport, Bristol, Va.; on traffic having an immediately succeeding movement made by air; (b) between Milwaukee, Wis., on the one hand, and, on the other, Belleville, Bloomington, Decatur, Elgin, and Kankakee, Ill., and Davenport, Iowa; (c) by motor vehicle, over irregular routes, transporting: (1) building and finishing materials; (2) building and finishing materials and related materials thereto, from Terre Haute, Ind., to Buffalo and Rochester, N.Y.; Detroit, Mich.; Milwaukee, Wis.; Pittsburgh, Pa.; and points in Illinois, Kentucky, Mississippi, Ohio, and West Virginia; (3) small new and used repair parts for farm equipment, machinery and trucks, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day; (4) from Cincinnati, Ohio, to Indianapolis, Evansville, and Terre Haute, Ind., and Charleston, W. Va.; (b) between points in Connecticut, Delaware, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Vermont, Virginia, and West Virginia; (c) building and finishing materials and related materials thereto, from one consignor to one consignee on any one day; (d) by air; (e) by motor vehicle, over irregular routes, transporting: Solvents, sponges, starch, polishing, cleaning, scouring, and washing compounds; paints, rubber compound, and specialty adhesives; odd lots of paint, character of which is not known when transported in bulk; (f) by motor vehicle, over irregular routes, transporting: Frozen grape concentrates and frozen ice tea, from the plant sites of Keystone Cooperative Grape Association at North East, Pa., to Hillside, Newark, Secaucus, and Moorestown, N.J., and Mount Kisco, White Plains, and Yonkers, N.Y. Support­ ing shipper: Keystone Cooperative Grape Association, North East, Pa., 16426. Send protests to: District Supervisor Joseph B. Tejcher, Interstate Commerce Commission, Room 7708, Federal Building, 900 North Washington Street, Washington, D.C., 20423.

No. MC 114788 (Sub-No. 30 TA), filed November 6, 1970. Applicant: NATION­ WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant seeks to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Dairy products; and dairy products commodities distributed by dairies (except commodities in bulk), from Chicago, Ill., and points in the Chicago, Ill., commercial zone as defined by the Commis­ sion to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Penn­ sylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting ship­ per: Land O'Lakes, Inc., 2315 Kennedy Highway, Neenah, Wisconsin 54955. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 445 Federal Building and U.S. Courthouse, 110 South Eighth Street, Minneapolis, Minn. 55401.

No. MC 115689 (Sub-No. 117 TA), filed November 6, 1970. Applicant: HOWARD N. DAHLSTEN, doing business as DAHL­ STEN TRUCK LINE, Post Office Box 18, Clay Center, Neb. 69333. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Salt, salt products, and mineral mixtures, when averaged by or belt unloading equipment, from Lyons, Kan., to points in New Mexico and Texas, for 180 days. Supporting ship­ per: American Salt Corp., 3142 Broadway, New York, N.Y. 10027. Send protests to: District Supervisor John F. Johnson, Bureau of Operations, Interstate Com­ merce Commission, 315 Post Office Build­ ing, Lincoln, Neb. 68508.

No. MC 115690 (Sub-No. 10 TA), filed November 6, 1970. Applicant: J. & M CAR- RIER CORP., 43-06 54th Road, Mas­ peh, N.Y. 11378. Applicant's representa­ tive: Morton E. Kiel, 146 Cedar Street, New York, N.Y. 10013. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is distributed by a premium stamp redemption center, from the described commodities for the ac­ quisition of premium merchandise for consump­ tion; when averaged by motor or belt unloading equipment, from Byrd Field, Roanoke, and Tri-City Airport, Virginia, on the one hand, and the described commodities for the ac­ quisition of premium merchandise for consump­ tion, from Piscataway, N.J., to points in and west of the States of Michigan, Ohio, Kentucky, Arkansas, and Louisiana, for 180 days. Supporting shipper: Chattanooga Express Corp., Post Office Box 366, Greenville, S.C. 29602. Send protests to: John E. Nance, District Supervisor, Bu­ reau of Operations, Interstate Commerce Commission, Room 207, P.O. Bldg., Washington, D.C., 20423. Send protests to: John E. Nance, District Supervisor, Bu­ reau of Operations, Interstate Commerce Commission, Room 207, P.O. Bldg., Washington, D.C., 20423.


No. MC 129713 (Sub-No. 5 TA), filed November 6, 1970. Applicant: CHE­ STERFIELD STEEDE AND EDWIN STEEDE, a partnership, doing business as STEEDE TRUCKING, 194-55 Broadway, Road, Hollis, N.Y. 11412. Applicant's re­ presentative: Edward Bowes, 744 Broad­ street, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Hospital and laboratory instruments, equipment, and materials, for the account of IPCO Hospital Supply Corp., and wholly owned subsidiaries, to points in Dearborn, N.J., on the one hand, and, on the other, New York, N.Y., and points in Nassau County, N.Y., for 150 days. Supporting shipper: IPCO Hospital Supply Corp., 161 Sixth Avenue, New York, N.Y. 10013.
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No. MC 135050 TA, filed November 6, 1970. Applicant: JOSEPH R. ZANNI, doing business as ZANNI TRANSFER & STORAGE COMPANY, 280 Sollman Avenue, Fort Pierce, Fla. 33450. Applicant's representative: Joseph R. Zanni (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 meat packinghouses as described in sections A and C, appendix 1 to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 786, restricted against the transportation of commodities in bulk, in tank vehicles and holds from the plant and warehouse facilities of Needham Packing Co., Inc., located at West Fargo, N. Dak.; Fargo, N. Dak.; and Spokane, Wash., and the District of Columbia, for 180 days. Supporting shipper: Needham Packing Co., Inc., Sioux City, Iowa 51107. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 135047 TA, filed November 6, 1970. Applicant: READY MOVING & STORAGE, INC., Post Office Box 38, Jacksonville, N.C. 28541. Applicant's representative: Robert J. Gallagher, 350 Fith Avenue, Suite 3020, New York, N.Y. 10016. Applicant requests to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Unused household goods, between points in North Carolina. Restriction: The operations authorized are restricted to the transportation of traffic having a principal or substantial movement in containers being contained in the commodity in which the traffic is shipped. Said operations are restricted to the performance of pick-up and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and de-containerization of such traffic, for 180 days. Supporting shipper: Alaska RR Movers, Inc., Post Office Box 87828, Tukwila Station, Seattle, Wash. 98168. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 6689, Harrisburg, Pa. 17105.


by the Commission.

[seal]

ROBERT L. OSWALD, Secretary.

[FR Doc. 70-18419 Filed Nov. 16, 1970 8:48 a.m.]

[NOTICE 614]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 12, 1970.

Synopses of orders entered pursuant to section 212(b), Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition for reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 1709 of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by the petitioners are specified in their petitions with particularity.

No. MC-FC-72430. By order of November 2, 1970, the Motor Carrier Board approved the transfer to David L. Hall, Greene, R.I., of the operating right in certificate No. MC-35896 issued September 6, 1962, to Lloyd C. Albrow, Washington, R.I., authorizing the transportation of livestock, other than ordinary live-stock, and, in connection therewith, personal effects of attendants, and supplies and equipment used in the care or exhibition of such animals, and ordinary live-stock, between points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, and Virginia. Russell B. Curnett, 36 Circuit Drive, Edgewood, R.I. 02805, representative for transferee, James P. Murphy, Post Office Box 328, Coventry, R.I. 02816, representative for transferor.


No. MC-FC-72467. By order of November 9, 1970, the Motor Carrier Board approved the transfer to Raymond J. Hoch-stetler and Jane B. Hochstetler, a partnership, doing business as R J Trucking, Downey, Calif., of the operating rights in certificate No. MC-329066 issued November 21, 1963, to Charles Warehouse Co., Inc., Los Angeles, Calif., authorizing the transportation of auto parts and accessories, garage equipment, materials and supplies, and office fixtures and supplies between points in Los Angeles, Calif., Phil Jacobson, 510 West Sixth Street, Los Angeles, Calif. 90014, attorney for applicants.

[seal]

ROBERT L. OSWALD, Secretary.

[FR Doc. 70-18420 Filed Nov. 16, 1970 8:48 a.m.]

*Republished to correct the MC-FC-number. The name for filling petitions will expire Nov. 21, 1970.
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No. MC-FC-72498. By application filed November 10, 1970, TORREY DELIVERY, INC., 219 Brigham Road, Post Office Box 583, Dunkirk, N.Y. 14048, seeks temporary authority to lease the operating rights of L-A-D TRUCK LINES, INC., under disqualifications of U.S. Treasury Department, INTERNAL REVENUE SERVICE, NOMINAL TRANSFEROR, Post Office Box 266, Niagara Square Station, Buffalo, N.Y. 14021, under section 210(a)(b). The transfer to TORREY DELIVERY, INC., of the operating rights of L-A-D TRUCK LINES, INC., is presently pending.

By the Commission.

Roger L. Oswald,
Secretary.

[F.R. Doc. 70-15421; Filed, Nov. 16, 1970; 8:48 a.m.]

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