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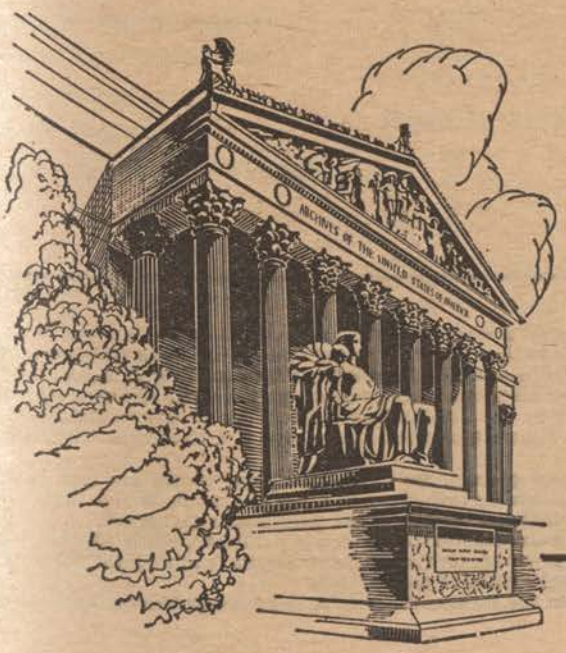

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List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section 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, 1971, and specifies how they are affected.

Rules and Regulations

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PETITIONS FOR THIRD AND SIXTH PREFERENCE CLASSIFICATION; ADJUSTMENT OF STATUS

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER on February 23, 1971 (36 F.R. 3370), pursuant to section 553 of title 5 of the United States Code (80 Stat. 383) and in which there were set out proposed rules which conform Service regulations to the regulations of the Department of Labor published on February 4, 1971 (36 F.R. 2462). No representations were received. Those proposed rules have been amended in the following respects: § 204.1(c)(3) has been amended by clarifying the filing date of a sixth preference petition which is required to be and is supported by a labor certification issued on the basis of a job offer to insure that such a sixth preference petition filed on or after April 1, 1971, will not be accorded a more advantageous filing date than such a petition filed prior to that date; and § 204.4(b) has been amended by clarifying the duration of validity of third and sixth preference petitions and a sentence has been added thereto conferring the benefit of revalidation of third and sixth preference petitions which had previously become invalid solely through the passage of time. The amendatory regulations as set out below are hereby adopted:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

§ 103.1 [Amended]

1. Subparagraph (2) of paragraph (e) of § 103.1 is amended to read as follows:

(2) Decisions on third- and sixth-preference petitions, as provided in § 204.1(c) of this chapter, except when the denial of the petition is based upon the lack of a certification by the Secretary of Labor pursuant to section 212(a)(14) of the Act;

2. Subparagraphs (3) and (5) of paragraph (e) *Regional commissioners* of § 103.1 *Delegations of authority* are revoked.

PART 204—PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A U.S. CITIZEN OR AS A PREFERENCE IMMIGRANT

§ 204.1 [Amended]

1. Paragraph (c) of § 204.1 *Petition* is amended to read as follows:

(c) *Petition under section 203(a)(3) or (6)—(1) General.* A petition to classify the status of an alien under section 203(a)(3) or (6) of the Act shall be filed on Form I–140. For each beneficiary a separate Form I–140 must be submitted, accompanied by a fee of $25. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by a consular officer or an immigration officer. Before it may be accepted and considered properly filed, the petition must be accompanied by Statement of Qualifications of Alien on Form MA 7–50A and Job Offer for Alien Employment on Form MA 7–50B to which the certification under section 212(a)(14) of the Act has been affixed by the Secretary of Labor or his designated representative, except that Form MA 7–50B and such certification may be omitted if the beneficiary is qualified for and will be engaged in an occupation currently listed in the Department of Labor's Schedule A (29 CFR Part 60), or the beneficiary is qualified as a member of a profession or has exceptional ability in the sciences or arts and will be engaged therein.

(2) *Place of filing.* A petition to classify the status of an alien under section 203(a)(3) of the Act shall be filed by such alien or by any person on his behalf in the office of the Service having jurisdiction over the place in the United States where the alien intends to reside. A petition to classify the status of an alien under section 203(a)(6) of the Act shall be filed by the person, firm, or organization desiring and intending to employ the alien within the United States in the office of the Service having jurisdiction over the place of intended employment.

(3) *Filing date.* In the case of a sixth preference petition received by the Service on or after April 1, 1971, which is required to be and is supported by a labor certification issued on the basis of a job offer, the filing date of the petition within the meaning of section 203(c) of the Act shall be the date the request for certification was accepted for processing by any office within the employment service system of the Department of Labor, or April 1, 1971, whichever is the later. In the case of any other sixth preference petition, and in the case of any third preference petition, the filing date of the petition shall be the date it was properly filed with the appropriate Service office.

(4) *Sixth-preference petition for member of the professions or person having exceptional ability in the sciences or arts.* Nothing contained in this part shall preclude an employer who desires and intends to employ an alien who is a member of the professions or a person having exceptional ability in the sciences or the arts from filing a petition for a sixth-preference classification; however, any such petition shall be subject to the requirements of this part governing sixth-preference petitions.

(5) *Interview and decision.* Prior to decision by the district director, the beneficiary and the petitioner may be required as a matter of discretion to appear in person before an immigration or consular officer and be interrogated under oath concerning the allegations in the petition. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter. However, no appeal shall lie from a decision denying a petition for lack of a certification by the Secretary of Labor pursuant to section 212(a)(14) of the Act.

2. Paragraph (d) *Petitions under section 203(a)(6) of the Act* of § 204.1 *Petition* is revoked.

§ 204.2 [Amended]

3. Paragraph (e) of § 204.2 *Documents* is amended to read as follows:

(e) *Evidence of eligibility for third- or sixth-preference classification—(1) General.* The documentary evidence which the petitioner must submit to establish the beneficiary's eligibility under section 203(a)(3) or (6) of the Act shall include Form MA 7–50A, or Forms MA 7–50 A and B, as provided in § 204.1(c), and any documents required to be presented with those forms. If the alien's eligibility is based in whole or in part on higher education, a certified copy of his school record shall be submitted. The record must show the period of attendance, major field of study, and the degrees or diplomas awarded. If the alien has received a license or other official permission to practice his profession, the license or other official permit to practice must also be submitted. If the alien's eligibility is based on a claim of exceptional ability in the sciences or the arts, documentary evidence supporting the claim must be submitted by the petitioner. Such evidence may attest to the universal acclaim and either the national or international recognition accorded to the alien; that he has received a nationally or internationally recognized prize or award or won a nationally or internationally recognized competition for excellence for a specific product or performance or for outstanding achievement; or that he is a member of a national or international association of persons which maintains standards of membership recognizing outstanding achievement as judged by recognized national or international experts in a specific discipline or field of endeavor. An affidavit attesting to an alien's exceptional ability in the sciences or the arts must set forth the name and address of the affiant, state how he has acquired his knowledge of

the alien's qualifications, and must describe in detail the facts on which the affiant bases his assessment of the alien's qualifications. If material published by or about the alien is submitted, it must be accompanied by information as to the date, place, and title of the publication. If the alien's eligibility is based on training or experience, documentary evidence thereof, such as affidavits, must be submitted by the petitioner. Affidavits concerning training or experience must set forth the name and address of the affiant, state how he acquired his knowledge of the alien's qualifications, state the places where and the dates between which the alien gained the training or experience, and described in detail the duties performed by the alien, any tools used, and any supervision received or exercised by the alien.

(2) *Physicians.* An alien physician shall be considered eligibile for classification as a member of the professions if he establishes that he was graduated from a medical school in the United States or Canada, or that he was graduated from a foreign medical school and has successfully passed the examination given by the Educational Council for Foreign Medical Graduates, or that he was graduated from a foreign medical school and has obtained a full and unrestricted license to practice medicine in the country where he obtained his medical education. In any other case the district director may consult the Educational Council for Foreign Medical Graduates or other organizations and experts in the medical field for the purpose of obtaining an advisory opinion of the alien's qualifications as a physician.

(3) *Advisory opinion.* The district director may request the Manpower Administration to furnish an advisory opinion concerning the qualifications of the beneficiary of a petition under section 203(a) (3) or (6) of the Act.

(4) *Certification under section 212 (a) (14).* An alien whose occupation is currently listed in Schedule A (29 CFR Part 60) will be considered as having obtained a certification under section 212(a)(14) of the Act upon determination by the district director that the alien is qualified for and will be engaged in such occupation. In the case of an alien whose occupation is currently listed in Schedule B, the Secretary of Labor has announced that the determination and certification required by section 212(a)(14) of the Act cannot now be made (29 CFR Part 60). In the case of a beneficiary who the district director finds is a member of a profession or a person with exceptional ability in the sciences or arts, but who is not included in Schedule A (29 CFR Part 60), the district director will refer Form MA 7-50A to the appropriate Regional Manpower Administrator for a determination as to whether an individual labor certification will be issued. In the case of any other alien, his employer or prospective employer may apply for certification under section 212(a)(14) of the Act by submitting properly executed Forms MA 7-50A and MA 7-50B, together with the documentary evidence required by the instructions for completion of the forms, to the local office of the State Employment Service serving the area of intended employment. Information concerning the categories of employment listed in Labor Department Schedules (29 CFR Part 60) may be obtained from principal offices of the Service, from State Employment Service offices and from U.S. consular offices.

4. Paragraph (f) *Evidence required to accompany petition for skilled or unskilled labor* of § 204.2 *Documents* is revoked.

5. Paragraphs (b) and (c) of § 204.4 are amended to read as follows:

§ 204.4 Validity of approved petitions.

* * * * *

(b) *Petitions under sections 203(a) (3) and (6).* The approval of a petition to classify an alien as a preference immigrant under section 203(a) (3) or (6) of the Act shall remain valid for as long as the supporting labor certification is valid and unexpired, provided in the case of a petition for third preference classification there is no change in the beneficiary's intention to engage in the indicated profession, art or science, and provided in the case of a petition for sixth preference classification there is no change in the respective intentions of the petitioner and the beneficiary that the beneficiary will be employed by the petitioner in the capacity indicated in the petition. The approval of a petition to classify an alien under section 203(a) (3) or (6) which had heretofore become invalid solely because the date until which the approval was valid had lapsed, is hereby reinstated provided the conditions of this paragraph are met.

(c) *Subsequent petition by same petitioner for same beneficiary.* When a visa petition has been approved and subsequently a new petition by the same petitioner is approved in behalf of the the same beneficiary, the latter approval shall be regarded as a reaffirmation or reinstatement of the validity of the original petition.

* * * * *

§ 204.6 [Amended]

6. The last sentence of § 204.6 *Effect of changed employment on priority date for sixth-preference classification* is amended to read as follows: "However, the original priority date shall be restored if the beneficiary returns to the original petitioner's employment or establishes that he intends upon arrival in the United States to be employed by the original employer as specified in the original petition, and that petition is still valid."

PART 205—REVOCATION OF APPROVAL OF PETITIONS

Paragraph (b) of § 205.1 is amended to read as follows:

§ 205.1 Automatic revocation.

* * * * *

(b) *Petitions under section 203(a) (3) or (6).* (1) Upon expiration pursuant to 29 CFR Part 60 of the labor certification in support of the petition unless the certification is thereafer revalidated.

(2) Upon the death of the petitioner or beneficiary.

(3) Upon formal notice of withdrawal filed by the beneficiary with the officer who approved the petition in a third-preference case.

(4) Upon formal notice of withdrawal filed by the petitioner with the officer who approved the petition in a sixth-preference case.

(5) Upon termination of the employer's business in a sixth-preference case.

* * * * *

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

§ 245.1 [Amended]

1. Paragraph (e) of § 245.1 *Eligibility* is amended to read as follows:

(e) *Nonpreference aliens.* An applicant who is a nonpreference alien seeking adjustment of status for the purpose of engaging in gainful employment in the United States, and who is not exempted under § 212.8(b) of this chapter from the labor certification requirement of section 212a()(14) of the Act, is ineligible for the benefits of section 245 of the Act unless an individual labor certification is issued by the Secretary of Labor or his designated representative, or unless the applicant establishes that he is within Schedule A (29 CFR Part 60).

2. The fourth sentence of paragraph (g) *Availability of immigrant visas under section 245* of § 245.1 *Eligibility* is amended to read as follows: "The priority date of an applicant who is seeking the allotment of a nonpreference immigrant visa number shall be fixed by the following factors, whichever is the earliest: (1) The priority date accorded the applicant by the consular officer as a nonpreference immigrant; (2) the date on which application Form I-485 is filed, if the applicant establishes that the provisions of section 212(a)(14) of the Act do not apply to him or that he is within the Department of Labor's Schedule A (29 CFR Part 60); (3) the date on which an approved valid third- or sixth-preference visa petition in his behalf was filed if the applicant was within the Department of Labor's Schedule A (29 CFR Part 60); or (4) the date an application for certification was accepted for processing by any office within the employment service system of the Department of Labor, provided the certification applied for was issued."

3. Paragraph (b) of § 245.2 is amended to read as follows:

§ 245.2 Application.

* * * * *

(b) *Application by nonpreference alien seeking adjustment of status for purpose of engaging in gainful employment—(1) Alien whose occupation is included in Schedule A (29 CFR Part 60), or who is*

a member of the professions, or has exceptional ability in the sciences or arts. An applicant for adjustment of status as a nonpreference alien under section 245 of the Act who is subject to the labor certification requirement of section 212 (a)(14) of the Act must submit Form MA 7-50A with his application, if he is qualified for and will be engaged in an occupation currently listed in Schedule A (29 CFR Part 60), or if he is a member of a profession or has exceptional ability in the sciences or arts. The Forms MA 7-50A must be executed in accordance with the instructions for completion of that form, and must be accompanied by the evidence of the applicant's qualifications specified in the instructions attached to the application for adjustment of status. The other documents specified in paragraph (a) of this section must also be submitted in support of the application for adjustment of status. Determination concerning certification under section 212(a)(14) of the Act will be made in accordance with the pertinent provisions of § 204.1(e)(4) of this chapter.

(2) *Other nonpreference aliens who will engage in gainful employment.* An applicant for adjustment of status as a nonpreference alien under section 245 of the Act, who is subject to the labor certification requirement of section 212 (a)(14) of the Act, must submit the certification with his application if he is not a member of a profession, is not a person with exceptional ability in the sciences or the arts, and is unqualified for a category of employment currently listed in Schedule A (29 CFR Part 60). The applicant's employer or prospective employer may apply for the certification to the local State Employment Service.

* * * * *

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

The basis and purpose of the above-prescribed rules are to conform Service regulations to the regulations promulgated by the Department of Labor relating to immigrant labor certifications on February 4, 1971 (36 F.R. 2462).

This order shall be effective on April 1, 1971. Compliance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383), as to delayed effective date, is unnecessary in this instance and would serve no useful purpose because the persons affected thereby will not require additional time to prepare for the effective date of the regulations.

Dated: March 24, 1971.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[FR Doc.71-4327 Filed 3-29-71;8:46 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 70-EA-117; Amdt. 39-1179]

PART 39—AIRWORTHINESS DIRECTIVES

Pratt & Whitney Aircraft Engines

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to the Pratt & Whitney JT8D-1, -7, -7A type aircraft engines.

There had been a report of the front compressor hub on a JT8D engine having failed. The failure had been ascribed to a crack in the acute corner of the blade slot which propagated to the rear hub rim and through to the bolt holes. Since this deficiency could exist or occur in other engines of the same type design, a telegram dated October 16, 1970, was issued to all known owners of airplanes incorporating the JT8D engines requiring an inspection of the hub. Subsequent evaluation was performed with the intent of making the inspection a repetitive one. However, it is determined that such amendment of the telegraphic airworthiness directive is unnecessary and it is, therefore, being published in its original form. However, the safety concern is still present and requires expeditious adoption of the amendment making notice and public procedure impractical and requiring effectivity in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 12697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

Applies to all Pratt & Whitney Aircraft JT8D-1, JT8D-7, and JT8D-7A Turbofan Engines which incorporate Part No. 504101 and 515201 front compressor front hubs (first stage fan disc). To preclude front compressor front hub failures accomplish the following, unless already accomplished:

1. Hubs with 6,000 total cycles in service but less than 8,000 total cycles in service:

(A) Inspect in accordance with paragraph (4) within the next 70 cycles in service, or

(B) Inspect in accordance with paragraph (5) within the next 70 cycles in service unless already accomplished within the last 1,500 cycles.

2. Hubs with 8,000 total cycles or more in service:

(A) Inspect in accordance with paragraph (4) within the next 140 cycles in service, or

(B) Inspect in accordance with paragraph (5) within the next 140 cycles in service unless already accomplished within the last 1,500 cycles.

3. Hubs with less than 6,000 total cycles in service:

(A) Inspect in accordance with paragraph (4) prior to the accumulation of 6,070 cycles in service, or

(B) Inspect in accordance with paragraph (5) prior to the accumulation of 6,070 cycles, unless already accomplished subsequent to 4,500 cycles.

4. With a mirror or equivalent inspect all visible portions of the rear face of the disc rim and overhang of the front compressor front hub for cracks, with particular attention to the acute corner. If any crack is found, replace hub before further flight.

5. Remove all first stage compressor blades from front compressor hub and by use of fluorescent penetrant, inspect for cracks paying particular attention to the rear acute corner of the hub blade slots. If any crack is found, replace hub before further flight.

This amendment is effective March 30, 1971 and was effective upon all recipients of the telegram dated October 16, 1970, which contained this Airworthiness Directive.

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

Issued in Jamaica, N.Y., on March 12, 1971.

ROBERT M. BROWN,
Acting Director, Eastern Region.

[FR Doc.71-4351 Filed 3-29-71;8:48 am]

[Airspace Docket No. 71-CE-12]

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

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the control zone and transition area at Madison, Wis.

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

criteria requires minor alteration of the Madison, Wis., control zone and transition area. Action is taken herein to reflect these changes.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 27, 1971, as hereinafter set forth:

(1) In § 71.171 (36 F.R. 2055), the following control zone is amended to read:

MADISON, WIS.

That airspace within a 5½-mile radius of the Truax Field Airport (latitude 43°08'15" W., longitude 89°20'10" W.); within 2½ miles each side of the Madison VOR 359° radial extending from the 5½ mile radius to 6 miles north of the VOR; and within 2½ miles each side of the Madison VOR 134° radial extending from the 5½-mile radius to 6 miles southeast of the VOR.

(2) In § 71.181 (36 F.R. 2140), the following transition area is amended to read:

MADISON, WIS.

That airspace extending upward from 700 feet above the surface within an 11-mile radius of the Truax Airport (latitude 43°08'15" N., longitude 89°20'10" W.); within 3 miles each side of the Madison ILS localizer south course extending from the 11-mile radius to 8 miles south of the Madison ILS outer marker; and within 3 miles each side of the Madison ILS localizer north course extending from the 11-mile radius to 8 miles north of the Windsor back course marker; and that airspace extending upward from 1,200 feet above the surface bounded on the north by a line extending from latitude 43°43'00" N., longitude 89°55'00" W., to latitude 43°30'00" N., longitude 88°30'00" W.; on the east by longitude 88°30'00" W.; on the south by latitude 42°45'00" N.; and on the west by longitude 89°55'00" W.

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

Issued in Kansas City, Mo., on March 10, 1971.

EDWARD C. MARSH,
Director, Central Region.

[FR Doc.71-4346 Filed 3-29-71;8:48 am]

[Airspace Docket No. 71-CE-15]

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

Alteration of Transition Area

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

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

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 27, 1971, as hereinafter set forth:

In § 71.181 (36 F.R. 2140), the following transition area is amended to read:

ASHLAND, WIS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the John F. Kennedy Memorial Airport (latitude 46°32'55" N., longitude 90°55'00" W.); and that airspace extending upward from 1,200 feet above the surface within 9½ miles southeast and 4½ miles northwest of the 209° bearing from the John F. Kennedy Memorial Airport extending from the airport to 18½ miles southwest of the airport.

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

Issued in Kansas City, Mo., on March 10, 1971.

EDWARD C. MARSH,
Director, Central Region.

[FR Doc.71-4347 Filed 3-29-71;8:48 am]

[Airspace Docket No. 71-CE-20]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the transition area of Sheboygan, Wis.

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

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 27, 1971, as hereinafter set forth:

In § 71.181 (36 F.R. 2140), the following transition area is amended to read:

SHEBOYGAN, WIS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Sheboygan County-Memorial Airport (latitude 43°46'05" N., longitude 87°51'05" W.); and within 3 miles each side of the 026° bearing from the Sheboygan County Memorial Airport extending from the airport to 8 miles northeast of the airport.

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

Issued in Kansas City, Mo., on March 16, 1971.

EDWARD C. MARSH,
Director, Central Region.

[FR Doc.71-4348 Filed 3-29-71;8:48 am]

[Airspace Docket No. 70-CE-116]

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

Alteration of Control Zone and Transition Area

On January 7, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 225) stating that the Federal Aviation Administration proposed to alter the Watertown, S. Dak., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. No objections have been received to this proposal.

Subsequent to the publication of this notice it has been determined that the NDB (ADF) Runway 30 approach procedure has been canceled. Therefore, less airspace is required than was proposed in the notice and will be so deleted from the adopted rule.

Since this change reduces the amount of controlled airspace and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and this change may be accomplished by final rule action.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 27, 1971, as hereinafter set forth:

(1) In § 71.171 (35 F.R. 2054), the following control zone is amended to read:

WATERTOWN, S. DAK.

That airspace within a 5-mile radius of Watertown Municipal Airport (latitude 44°-54'51' N., longitude 97°09'16'' W.).

(2) In § 71.181 (35 F.R. 2134), the following transition area is amended to read:

WATERTOWN, S. DAK.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of the Watertown Municipal Airport (latitude 44°54'51'' N., longitude 97°09'16'' W.); within 4½ miles east and 9½ miles west of the Watertown VORTAC 006° radial extending from the 10-mile radius to 18½ miles north of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 23½-mile radius circle centered on the Watertown VORTAC, extending from a line 5 miles north of and parallel to the VORTAC 086° radial clockwise to a line 5 miles northwest of and parallel to the VORTAC 235° radial; within a 13-mile radius of the Watertown VORTAC from a line 5 miles northwest of and parallel to the VORTAC 235° radial clockwise to a line 5 miles north of and parallel to the VORTAC 086° radial; and within 9½ miles east and 4½ miles west of the Watertown VORTAC 185° radial extending from the VORTAC to 30 miles south of the VORTAC.

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

Issued in Kansas City, Mo., on March 12, 1971.

EDWARD C. MARSH,
Director, Central Region.

[FR Doc.71-4349 Filed 3-29-71;8:48 am]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter I—Bureau of the Census, Department of Commerce

PART 30—FOREIGN TRADE STATISTICS

Delivery of the Shipper's Export Declaration to Exporting Carrier

Correction

In F.R. Doc. 71-3928 appearing at page 5411 in the issue of Tuesday, March 23, 1971, the phrase "shipments by vessel or aid" in the first line of § 30.12 should read "shipments by vessel or air".

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1866]

PART 13—PROHIBITED TRADE PRACTICES

Chrysler Corp. et al.

Subpart—Advertising falsely or misleading: § 13.71 *Financing:* 13.71-10 Truth in Lending Act; § 13.73 *Formal regulatory and statutory requirements:* 13.73-92 Truth in Lending Act; 13.155 *Prices:* 13.155-95 Terms and conditions: 13.155-95(a) Truth in Lending Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1623 *Formal regulatory and statutory requirements:* 13.1623-95 Truth in Lending Act; Misrepresenting oneself and goods—Prices: § 12.1823 *Terms and conditions:* 13.1823-20 Truth in Lending Act. Subpart—Neglecting, unfairly or deceptively, to make material discuosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-75 Truth in Lending Act; § 13.1905 *Terms and conditions:* 13.1905-60 Truth in Lending Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 82 Stat. 146, 147; 15 U.S.C. 45, 1601-1605) [Cease and desist order, Chrysler Corp. et al., Highland Park, Mich., Docket No. C-1866, Feb. 19, 1971]

In the Matter of Chrysler Corp., Chrysler Motors Corp., and Young & Rubicam, Inc., Corporations

Consent order requiring a major automobile corporation with headquarters in Highland Park, Mich., and its New York City advertising agency to cease violating the Truth in Lending Act by misrepresenting in advertisements that a specific installment payment can be arranged in the credit sale of its automobiles; representing the amount of the downpayment or that no downpayment is required, the amount of the installment payment, the dollar amount of any finance charge, the number of installments or period of repayment, or that there is no charge for credit, unless the terminology of Regulation Z is used; and publishing any consumer credit advertising without making all disclosures required by Regulation Z.

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

It is ordered, That respondents Chrysler Corp. and Chrysler Motors Corp., corporations, and their officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with any advertisement to aid, promote, or assist directly or indirectly any extension of consumer credit in connection with the sale of automobiles, as "consumer credit" is defined in Regulation Z (12 CFR Part 226) of the Truth in Lending Act (Public Law 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Representing, directly or by implication, that a specific amount of credit or installment amount can be arranged unless such amount is usually and customarily made available to purchasers of such automobiles by a substantial number of dealers in the areas in which the advertisement is to appear. Unless it has been ascertained that all dealers in such areas arrange credit in the amount advertised, the advertisement shall indicate that the amount shown is not necessarily available from all dealers.

2. Representing, directly or by implication, the amount of the down payment required or that no down payment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, unless all of the following items are stated in terminology prescribed under § 226.8 of Regulation Z:

(i) The cash price;

(ii) The amount of the down payment required or that no down payment is required, as applicable;

(iii) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended;

(iv) The amount of the finance charge expressed as an annual percentage rate; and

(v) The deferred payment price.

3. Causing to be published any consumer credit advertisement without making all disclosures that are required by § 226.10 (a) and (d) of Regulation Z to be made in connection with that advertisement, in the manner and form prescribed in Regulation Z.

4. Failing to deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in any aspect of preparation, creation, and placing of advertising, all persons engaged in reviewing the legal sufficiency of advertising, and all present and future agencies engaged in preparation, creation and placing of advertising on behalf of respondents, and failing to secure from each such person or agency a signed statement acknowledging receipt of said order.

It is further ordered, That respondent Young & Rubicam, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with any advertisement to aid, promote, or assist, directly or indirectly any extension of "consumer credit" in connection with the sale of automobiles, as "consumer credit" is defined in Regulation Z (12 CFR Part 226) of the Truth in Lending Act (Public Law 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Representing, directly or by implication, that a specific amount of credit or installment amount can be arranged unless such amount is usually and customarily made available to purchasers of such automobiles by a substantial number of dealers in the areas in which the advertisement is to appear. Unless it has been ascertained that all dealers in such areas arrange credit in the amount advertised, the advertisement shall indicate that the amount shown is not necessarily available from all dealers.

2. Representing, directly or by implication, in any advertisement on behalf of any advertiser the amount of the downpayment required or that no downpayment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, unless all of the following items

are stated in terminology prescribed under § 226.8 of Regulation Z:

(i) The cash price;

(ii) The amount of the downpayment required or that no downpayment is required, as applicable;

(iii) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended;

(iv) The amount of the finance charge expressed as an annual percentage rate; and

(v) The deferred payment price.

3. Creating or causing to be published any consumer credit advertisement without making all disclosures that are required by § 226.10 (a) and (d) of Regulation Z to be made in connection with that advertisement, in the manner and form prescribed by Regulation Z.

4. Failing to deliver a copy of this order to cease and desist to all present and future personnel of respondent engaged in reviewing the legal sufficiency of advertising prepared, created, or placed on behalf of any advertiser, and failing to secure from each such person a signed statement acknowledging receipt of said order.

It is further ordered, That each respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist contained herein.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

Issued: February 19, 1971.

By the Commission.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.71-4333 Filed 3-29-71;8:47 am]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. IC-6392]

PART 271—INTERPRETATIVE RELEASES RELATING TO THE INVESTMENT COMPANY ACT OF 1940 AND GENERAL RULES AND REGULATIONS THEREUNDER

Periodic Payment Plans and Face-Amount Certificates

This is the second in a series of releases relating to the Investment Company Amendments Act of 1970 (1970 Act), Public Law 91-547, enacted December 14, 1970. The purpose of this release is to call to the attention of registered investment companies and other interested persons some important provisions of the 1970 Act relating to periodic payment plan and face-amount certificates which will require companies issuing such certificates and their managements to take certain actions.

CONTRACTUAL OR PERIODIC PAYMENT PLANS

The 1970 Act amends section 27 of the Investment Company Act by adding new subsections (d), (e), (f), (g), and (h), which provide greater protection to investors in contractual or periodic payment plans. These amendments do not become effective until June 14, 1971, but a number of matters should be considered, some requiring immediate action.

New subsection (d) will make it unlawful on and after June 14, 1971, for any registered investment company issuing periodic payment plan certificates, or for any depositor of or underwriter for such company, to sell any such certificate unless it provides that the holder thereof may surrender the certificate at any time within the first 18 months after its issuance and receive payment thereof, in cash, the sum of (1) the value of his account and (2) an amount equal to that part of the excess paid for sales loading which is over 15 percent of the gross payments made by the holder. This subsection also gives the Commission authority to adopt rules specifying such reserve requirements as it deems necessary or appropriate in order for such depositors and underwriters to carry out their obligations to refund sales charges. Subsection (e) requires that any registered company which issues periodic payment plant certificates subject to subsection (d) or any depositor or underwriter for such a company must give written notice of the refund rights specified in subsection (d) to certificate holders who have missed a specified number of payments. In addition, subsection (e) authorizes the Commission to make rules specifying the method, form, and contents of such notice.

In connection with subsection (d), it should be noted that the refund obligation of the depositor or underwriter of the registered company issuing the periodic payment plan certificate, which is required to be embodied in the certificate, may be considered to be an evidence of indebtedness, and thus a security as defined by section 2(1) of the Securities Act of 1933, which might be required to be registered under that Act. Also, depending upon the use of the portion of the proceeds from the sale of the plan which is held in reserve to meet the refund obligations, the depositor or underwriter may be an investment company for the purposes of the Investment Company Act. However, the Commission will deem the requirements of the Securities Act to be met with respect to the refund obligation and will not raise any questions under the Investment Company Act at this time, if the depositor or underwriter makes adequate disclosure of its financial status and ability to meet its refund obligations in the registration statement and prospectus for the certificates. Appropriate disclosure requirements will be specified in a revised form for registration of unit investment trusts now in preparation. Of course, until such form is promulgated unit investment trusts should continue to use Forms S-6 and N-8B-2.

As an alternative to the refund obligations imposed by subsection (d), new subsection (g) would permit a registered investment company issuing periodic payment plan certificates to elect to be governed by the provisions of new subsection (h). Any such election must be by written notice to the Commission and may be filed with the Commission prior to June 14, 1971, to take effect on or after that date. Subsection (g) makes no provision for an investment company which has elected to be governed by subsection (h) to revoke such election. However, the Commission expects to adopt a rule to allow revocation of such election, subject to appropriate limitations.

Subsection (h) will make it unlawful for a registered investment company governed by that subsection to issue periodic payment plan certificates, or for any depositor or underwriter for such company, to sell any such certificate if, among other things, (1) the sales load exceeds 9 percent of the total payments to be made thereon,[1] (2) more than 20 percent of any 1 year's payments are deducted for sales load, (3) more than an average of 16 percent is deducted from the first 48 monthly payments, or (4) the amount deducted for sales load in any month on any payment in excess of the minimum monthly payment, or its equivalent, exceeds the sales load applicable to payments subsequent to the first 48 monthly payments or their equivalent.

New subsection (f) requires the custodian bank for any periodic payment plan to mail to each certificate holder within 60 days after issuance of the certificate, a statement of charges[2] to be deducted from the projected payments on the certificate and a notice of his right of withdrawal. Under this new subsection, a certificate holder may within 45 days of the mailing of such notice surrender his certificate and receive in payment thereof, in cash, the sum of (1) the value of his account and (2) an amount, from the underwriter or depositor, equal to the difference between the gross payments and the net amount invested. It should be noted that this provision affords the certificate holder the right to a complete refund of all

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[1] Although section 27 of the Act provides an outer limit of a 9 percent sales load on any periodic payment plan certificate, this provision does not limit in any way the authority of the National Association of Securities Dealers, Inc., or of the Commission under section 22(b) to make rules to prohibit excessive sales loads.

[2] The charges which must be described, in such statement include the sales load and all other custodial, administrative, and similar charges imposed in connection with the sale of a certificate.

charges imposed in connection with the sale plus the then value of his account, whether such certificate is sold subject to subsection (d) or subject to subsection (h).

Subsection (f) gives the Commission authority to adopt rules specifying the method, form, and contents of the notice required by this subsection. Also, the Commission is given authority to adopt rules specifying such reserve requirements as it deems necessary or appropriate in order for underwriters and depositors of such registered companies to carry out their obligations to refund sales charges as required by the subsection. The Commission intends to propose rules on these subjects in the near future.

It is clear that the amendments to section 27 of the Investment Company Act will permit a person on and after June 14, 1971, to purchase a periodic payment plan certificate on substantially more advantageous terms. The Commission believes that it is important for investors to consider these factors in deciding whether or not to purchase periodic payment plan certificates prior to June 14, 1971, and that they constitute material facts which should be disclosed no later than April 1, 1971, on the front page of the prospectuses of issuers of such certificates. For this purpose, amendments may be made pursuant to Rule 424(c) under the Securities Act of 1933. The Commission would ordinarily consider acceptable language which substantially conforms to the following guidelines:

GUIDELINES FOR SUPPLEMENTS TO PROSPECTUSES OF REGISTERED INVESTMENT COMPANIES ISSUING PERIODIC PAYMENT PLANS

The following guidelines for supplements are presented in three versions. The first version should be used by companies which have not yet determined whether they will be governed by the provisions of section 27(h) or the provisions of sections 27 (a) and (d). The second version should be used by companies which elect or plan to elect to be governed by section 27(h). The third version is for use by companies which plan to be governed by sections 27 (a) and (d).

(1) FOR COMPANIES WHICH HAVE NOT DETERMINED WHETHER TO BE GOVERNED BY SECTION 27(h)

Under recent amendments to the Investment Company Act of 1940, a planholder who starts a periodic payment plan on or after June 14, 1971, will have certain new rights including (a) a 45-day right of withdrawal and refund, and (b) either (i) a direct limit on the amounts which may be deducted for sales charges from payments during the early years of the plan, or (ii) an indirect limit on such charges in the form of a right to receive a refund of a portion of the sales charges during the first 18 months of the plan. You should consider these rights, explained below, in deciding whether to purchase a periodic payment plan before that date.

(a) The first right, a 45-day right of withdrawal, is applicable to all such plans. A new planholder will be entitled to surrender his periodic payment plan certificate for any reason within 45 days after the custodian bank mails the planholder a notice of that right and to receive in cash the value of his account plus an amount equal to the difference between the gross payments made and the net amount invested.

(b) Under the periodic payment plans now in effect, and being offered by this prospectus, 50 percent of the total payments made during the first 12 months or their equivalent is deducted as sales charges. (i) Effective June 14, 1971, registered investment companies issuing periodic payment plan certificates may elect to sell periodic payment plans under which no more than 20 percent of any payment is deducted for sales charges and no more than an average of 16 percent is deducted for sales charges from the first 48 payments. Under this provision, in addition to these direct limits on sales charges, a substantially larger portion of the planholder's early payments would be invested on his behalf in the shares of the underlying investment company than under the periodic payment plans presently being offered. The sponsor has not yet determined whether it will elect to offer periodic payment plans on this basis. (ii) If it does not elect to do so, a planholder who starts his periodic payment plan on or after June 14, 1971, will be entitled, at any time within 18 months after the issuance of his certificate, to surrender that certificate and receive in cash the value of his account plus that part of the amount which he has paid for sales charges which exceeds 15 percent of his gross payments. Holders of periodic payment plans now in effect or purchased before June 14, 1971, will not be entitled to any of the above rights. Under such plans a planholder who redeems during the first 18 months receives only the net asset value of his plan.

(2) FOR COMPANIES WHICH ELECT TO BE GOVERNED BY SECTION 27(h)

Under recent amendments to the Investment Company Act of 1940, a planholder who starts a periodic payment plan on or after June 14, 1971, will have certain new rights, including (a) a 45-day right of withdrawal and refund, and (b) a limit on the amounts which may be deducted for sales charges from payments during the early years. You should consider these rights, explained below, in deciding whether to purchase a periodic payment plan before that date.

(a) The first right, a 45-day right of withdrawal, enables a new planholder to surrender his periodic payment plan certificate for any reason within 45 days after the custodian bank mails the planholder a notice of that right and to receive in cash the value of his account plus an amount equal to the difference between the gross payments made and the net amount invested.

(b) The second right will substantially reduce the sales load which may be deducted from payments made during the early years of the plan, and thus would reduce effective charges for certificates surrendered during such early years. Starting June 14, 1971, the sponsor intends to offer periodic payment plans under which no more than 20 percent of any payment will be deducted for sales charges and no more than an average of 16 percent will be deducted for sales charges on the first 48 payments. Under this new plan a substantially larger portion of a planholder's early payments will be invested on his behalf in the shares of the underlying investment company than under the periodic payment plans offered by this prospectus and presently in effect. Holders of periodic payment plans now in effect or purchased before June 14, 1971, will not be entitled to any of the above rights. Under such plans, 50 percent of the total payments made during the first 12 months or their equivalent is deducted as sales charge and a planholder who redeems receives only the net asset value of his plan.

(3) FOR COMPANIES WHICH HAVE DETERMINED NOT TO ELECT TO BE GOVERNED BY SECTION 27(h)

Under recent amendments to the Investment Company Act of 1940, a planholder who starts a periodic payment plan on or after June 14, 1971, will have certain new rights, including (a) a 45-day right of withdrawal and refund, and (b) a right to receive a refund of a portion of the sales charges during the first 18 months of the plan. You should consider these rights, explained below, in deciding whether to purchase a periodic payment plan before that date.

(a) The first right, a 45-day right of withdrawal, enables a new planholder to surrender his periodic payment plan certificate for any reason within 45 days after the custodian bank mails the planholder a notice of that right and to receive in cash the value of his account plus an amount equal to the difference between the gross payments made and the net amount invested.

(b) New planholders will also have another right which may substantially increase the amount recoverable on certificates surrendered during the first 18 months after their issuance. A planholder who starts a plan on or after June 14, 1971, will be entitled, at any time within 18 months after the issuance of his certificate, to surrender his certificate and receive in cash the value of his account plus that part of the amount which he has paid for sales charges which exceeds 15 percent of his gross payments. In addition, a new planholder who misses specified numbers of payments during this 18-month period will be sent a notice informing him of (1) his right to surrender, (2) the value of his account at the time of the mailing of the notice, and (3) the amount to which he is entitled. Holders of periodic payment plans now in effect or purchased before June 14, 1971, will not be entitled to any of the above rights. Under such plans 50 percent of total payments made during the first 12 months or their equivalent is deducted as sales charges and a planholder who redeems during the first 18 months receives only the net asset value of his plan.

FACE-AMOUNT CERTIFICATES

The 1970 Act adds a new section 28(i) to the Investment Company Act which increases reserve requirements for face-amount certificates issued on and after June 14, 1971. Instead of the present certificate reserve requirement of 50 percent the first year, the amendment requires that the reserve payment or payments on such certificates for the first 3 certificate years must amount to at least 80 percent of the required gross annual payment for those years, 90 percent in the fourth certificate year, 93 percent in the fifth year and 96 percent in subsequent years.

In effect, this amendment reduces the front-end load on face-amount certificates sold on and after June 14, 1971, to 20 percent in each of the first 3 years, 10 percent in the fourth year, 7 percent in the fifth year and 4 percent in subsequent years. It also provides for similar reductions in any surrender charges on face-amount certificates issued on and after June 14, 1971.

Several face-amount certificate companies are already offering certificates which meet the requirements of the amendment. However, other companies

now offering or selling face-amount certificates which do not comply with the requirements of new section 28(i) should disclose in their prospectuses no later than April 1, 1971, the reduced sales and surrender charges which will be available on and after June 14, 1971, since the Commission believes that such changes constitute material facts which investors should consider in deciding whether or not to purchase face-amount certificates.

By the Commission, March 19, 1971.

[SEAL] ROSALIE SCHNEIDER,
Recording Secretary.

[FR Doc.71-4413 Filed 3-29-71;8:50 am]

Title 20—EMPLOYEES' BENEFITS

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

[Regs. No. 5, further amended]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED (1965-)

Subpart D—Principles of Reimbursement for Provider Costs and for Services by Hospital-Based Physicians

COMPENSATION OF OWNERS

Correction

In F.R. Doc. 71-3996 appearing on page 5488 in the issue for Wednesday, March 24, 1971, the word "provided" in the ninth line of § 405.426(d)(1) should read "provider".

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

ISSUANCE OF CERTAIN NOTICES REGARDING FOOD STANDARDS, FOOD ADDITIVES, AND COLOR ADDITIVES

Under authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the following new paragraph is added to § 2.121 to establish the described delegation of authority:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

* * * * *

(t) *Delegation regarding issuance of notices of filing of petitions and notices of proposed rulemaking pertaining to food standards, food additives, and color additives.* The Director of the Bureau of Foods is authorized to perform all the functions of the Commissioner of Food and Drugs under sections 401, 409, and 706 of the Federal Food, Drug, and Cosmetic Act regarding the issuance of notices of filing of petitions and notices of proposed rulemaking pertaining to food standards, food additives, and color additives.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (3-30-71).

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: March 18, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.71-4320 Filed 3-29-71;8:45 am]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 108.636]

PART 51—PASSPORTS

Issuance of Passports to Boy Scouts Attending World Jamboree of Boy Scouts

Part 51, Chapter I, Title 22, of the Code of Federal Regulations is amended in accordance with section 4 of the Act of December 9, 1970 (Public Law 91-539), governing the issuance of passports to Boy Scouts, Scouters, or officials of the Boy Scouts of America who are nationals of the United States for use in attending the World Jamboree of Boy Scouts to be held in Japan in July and August 1971.

Section 51.63(a) is amended by adding a new subparagraph (4) to read as follows:

§ 51.63 Exemption from payment of passport or fee.

(a) * * *

(4) Any Boy Scout, Scouter, or official of the Boy Scouts of America, who is a national of the United States and who is certified by a responsible official of the National Council, Boy Scouts of America, as a representative of the Boy Scouts of America at the World Jamboree, Boy Scouts, in Japan in July and August 1971. No person described in this subparagraph (4) shall be required to pay an execution fee when his passport application is executed before a Federal official. Each passport issued under this subparagraph (4) shall:

(i) Include only the name of the applicant;

(ii) Be restricted in validity to a period not later than November 1, 1971; and

(iii) Bear a statement of the purpose for which it is issued.

* * * * *

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER (3-30-71) and shall remain in effect until November 1, 1971.

(Sec. 1, 44 Stat. 887, sec. 4, 63 Stat. 111, as amended; 22 U.S.C. 211a, 2658, E.O. 11295; 3 CFR, 1966 Comp.)

For the Secretary of State.

BARBARA M. WATSON,
Administrator, Bureau of Security and Consular Affairs.

MARCH 17, 1971.

[FR Doc.71-4356 Filed 3-29-71;8:49 am]

Title 24—HOUSING AND HOUSING CREDIT

Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development

SUBCHAPTER A—NATIONAL INSURANCE DEVELOPMENT PROGRAM

PART 1906—STANDARD REINSURANCE CONTRACT

The purpose of the following revision is to offer Federal reinsurance against excess aggregate losses from riots and civil disorders, as defined in § 1906.21, to insurance companies eligible under § 1906.35 for such coverage, for the May 1, 1971, through April 30, 1972, contract year; and to set forth the terms, conditions, and premium rates for such coverage. The principal changes in the contract from the preceding year are (1) a reduction in the basic premium rate from $0.30 to $0.15 per $100 of direct earned premiums, to be paid in a single installment; (2) a reduction from $2.50 to $2 per $100 of direct earned permiums in the assessment liability under § 1906.27, combined with an elimination of credits against net retention (and its concomitant recordkeeping requirements) and provision for making such assessments (where necessary) in increments of $0.10; and (3) the establishment of a $25 minimum premium under § 1906.31 for each reinsured State.

Insurers may enter into the contract with the Federal Insurance Administration in the manner prescribed by § 1906.24.

Notice and public procedure upon this revision are not required inasmuch as it relates only to a contract (5 U.S.C. 553(a)(2)).

Part 1906 is revised to read as follows:

Sec.
1906.20 Statement of applicable law.
1906.21 Definitions.

Sec.

AUTHORITY: The provisions of this Part 1906 issued under title XII, National Housing Act, added by the Urban Property Protection and Reinsurance Act of 1968 (secs. 405-407, Public Law 91-152, Dec. 24, 1969), 12 U.S.C. 1749bbb—1749bbb-21; 5 U.S.C. 553; and Secretary's delegation of authority to Federal Insurance Administrator, effective February 27, 1969 (34 F.R. 2680).

§ 1906.20 Statement of applicable law.

Title XII of the National Housing Act (hereinafter referred to as the Act), added by the Urban Property Protection and Reinsurance Act of 1968, 12 U.S.C. 1749bbb—1749bbb-21, provides for a National Insurance Development Program. Pursuant to this title, the Secretary of Housing and Urban Development is authorized to offer to any insurer reinsurance against losses resulting from riots or civil disorders, in all standard lines of property insurance enumerated under subparagraphs (A) through (E) of section 1203(a)(13) of the Act taken together, and, with respect to any State in which such reinsurance is purchased, to offer reinsurance individually on the standard lines of property insurance enumerated under subparagraphs (F) through (J) of said section. Principal eligibility requirements under the Act for such reinsurance are set forth in § 1906.35.

§ 1906.21 Definitions.

As used in this part:

(a) "Aggregate losses" means the sum total of losses resulting from riots or civil disorders occurring in a State and allocable to a State in which reinsurance is provided;

(b) "Civil disorder" means:

(1) Any pattern of unlawful incidents taking place within close proximity as to time and place and involving property damage intentionally caused by persons apparently having civil disruption, civil disobedience, or civil protest as a primary motivation, at least two of which incidents result in property damage in excess of $1,000 each; or

(2) Any occurrence of property damage in excess of $2,000 caused by persons whose unlawful conduct in causing the occurrence clearly manifests their primary purpose of civil disruption, civil disobedence, or civil protest;

(c) "Company" means any company authorized to engage in the insurance business under the laws of any State, except that if there are two or more companies within a State in which reinsurance is to be provided under the contract which as determined by the reinsurer:

(1) Are under common ownership and ordinarily operate on a group basis; or

(2) Are under single management direction; or

(3) Are otherwise determined by the reinsurer to have substantially common or interrelated ownership, direction, management, or control; then all such related, associated, or affiliated companies, excluding nonadmitted companies which are not specifically included by endorsement to the contract, shall be reinsured only as one aggregate entity;

(d) "Continuing organization, pool, or association of insurers" means an industry pool created to provide direct insurance to meet special problems of insurability, such as for a particular class or type of business;

(e) "Contract" means the Standard Reinsurance Contract;

(f) "Direct premiums earned" means direct premiums earned as reported in column 2 on page 14 of the company's Fire and Casualty Annual Statement for the specified calendar year, in the form adopted by the National Association of Insurance Commissioners, subject to (1) adjustment as approved by the reinsurer for cessions to pools, facilities, and associations, and for the inclusion of participations in such pools, facilities, and associations, and (2) such other appropriate adjustments as may be approved or required by the reinsurer, which shall include adjustments for dividends paid or credited to policyholders and reported in column 3 on page 14, subject to a maximum credit of 20 per centum of direct premiums earned for any one line of insurance;

(g) "Excess aggregate losses" means that part of aggregate losses which is equal to the sum of—

(1) 90 percent of the company's aggregate losses in excess of its net retention until the company's 10-percent share of aggregate losses under this subparagraph (1) equals the amount of its net retention;

(2) 95 percent of the company's remaining aggregate losses (after deducting the reinsurer's share of aggregate losses under subparagraph (1) of this paragraph in excess of twice its net retention, until the company's 5-percent share of aggregate losses under this subparagraph (2) equals the amount of its net retention; and

(3) 98 percent of the company's remaining aggregate losses (after deducting the reinsurer's share of aggregate losses under subparagraphs (1) and (2) of this paragraph) in excess of an amount equal to three times its net retention;

(h) "Losses" means all claims proved, approved, and paid by the company under reinsured policies, resulting from riots or civil disorders occurring in a State during the period of the contract, after making proper deduction for salvage and for recoveries other than reinsurance, together with an allowance for expense in connection therewith, hereby agreed to equal an amount per claim of eight per centum (8%) of the first $25,000 of any such claim, plus three per centum (3%) of the amount by which such claim exceeds $25,000 but is less than $100,000, plus one per centum (1%) of the amount by which the claim exceeds $100,000;

(i) "Net retention" means the amount of aggregate losses that the company must stand before the reinsurer's liability attaches under the contract and shall be one aggregate figure for each State which shall be the larger of either $1,000 or the amount determined by applying a factor of two and one-half per centum (2½%) to the specified percentage of the company's direct premiums earned in the State for the calendar year 1971 on those lines of insurance reinsured;

(j) "Property owner" means any individual or group of individuals, corporation, partnership, or association, or any other organized groups of persons having an insurable interest in any real, personal, or mixed real and personal property;

(k) "Reinsurer" means the Federal Insurance Administrator;

(l) "Riot" means any tumultuous disturbance of the public peace by three or more persons mutually assisting one another, or otherwise acting in concert, in the execution of a common purpose by the unlawful use of force and violence resulting in property damage of any kind;

(m) "Specified percentage" means one hundred per centum (100%) of the direct premiums earned for each line of insurance reinsured under the contract, except that the specified percentage of Homeowners multiple peril shall be eighty-five per centum (85%) and that of Commercial multiple peril shall be sixty-five per centum (65%);

(n) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions, and the Trust Territory of the Pacific Islands; and

(o) "State pool" means any State pool or other facility required under State law or approved by the State insurance authority which is formed, associated, or otherwise created as part of a statewide plan for the purpose of making property insurance more readily available.

§ 1906.22 Offer to provide reinsurance.

Pursuant to the provisions of the Urban Property Protection and Reinsurance Act of 1968, and subject to the terms and conditions set forth in this part, the reinsurer offers to enter into a contract to pay, as reinsurance of the company, the amount of the company's excess aggregate losses resulting from riots or civil disorders in such lines of mandatory and optional coverage as may be designated by the company separately for each State.

§ 1906.23 Effective date of offer.

The reinsurer's offer to provide reinsurance under the terms and conditions set forth in this part is effective at the

time this document is filed for public inspection at the Office of the Federal Register.

§ 1906.24 Acceptance of offer.

(a) Acceptance of this offer shall be by telegraphed or mailed notice of acceptance to the reinsurer. The date of dispatch of this notice of acceptance, which date should be no later than 12 p.m., e.s.t., April 30, 1971, must be clearly shown either by telegraph dispatch notation or postmark.

(b) The telegram or letter accepting this offer of reinsurance must indicate the States in which reinsurance on lines of mandatory coverage is to be provided and must specifically designate for each such State the lines of optional coverage for which reinsurance is to be provided. This notice of acceptance shall be in substantially the following form:

> The [name of insurer or insurers] hereby accepts the offer as filed with the Office of the Federal Register of a Standard Reinsurance Contract pursuant to the Urban Property Protection and Reinsurance Act of 1968 for the mandatory and [specify] optional lines in the following States: [specify].

(c) Any company accepting this offer of reinsurance in accordance with paragraphs (a) and (b) of this section shall be supplied copies of the Standard Reinsurance Contract, Form HUD–1601, for execution and return to the reinsurer.

§ 1906.25 Policies reinsured.

(a) Reinsurance, under a Standard Reinsurance Contract provided pursuant to this offer, shall apply to:

(1) All policies or contracts of direct property insurance issued by the company to any property owner, except for policies for which the business is handled for or through any State pool or any other continuing organization, pool, or association of insurers, and

(2) The company's participations in State pools and, as may be approved by the reinsurer, in other continuing organizations, pools, or associations of insurers,

which policies, contracts, or participations are in force on the effective date of the contract or which commence or are renewed on or after such effective date in all the mandatory and in such optional standard lines of property insurance listed under paragraphs (b) and (c) of this section as may be designated separately for each State.

(b) The lines of mandatory coverage are:

(1) Fire and extended coverage;

(2) Vandalism and malicious mischief;

(3) other allied lines of fire insurance;

(4) Burglary and theft; and

(5) Those portions of multiple peril policies covering similar perils to those provided in subparagraphs (1), (2), (3), and (4) of this paragraph.

(c) The lines of optional coverage are:

(1) Inland marine;

(2) Glass;

(3) Boiler and machinery;

(4) Ocean marine; and

(5) Aircraft physical damage.

§ 1906.26 Premiums.

(a) The aggregate basic premium due the reinsurer for the reinsurance coverage provided under the contract shall be computed by applying an annual rate of fifteen hundredths of one per centum (0.15%) to an aggregate premium base consisting of the sum of the products of the company's direct premiums earned in each State in each reinsured line for the calendar year 1971 multiplied by the specified percentage of such earned premiums, as defined in § 1906.21 (f) and (m).

(b) An advance premium, which shall be an estimated premium only, shall be computed by the company on the basis of its direct premiums earned in the calendar year 1970 in the manner required for the computation of the aggregate basic premium. If any line of insurance is added during the term of the contract for which the company had no premium writings in 1970, the premium base for the advance premium shall be estimated by State for the period from the date of attachment of coverage to the expiration date of the contract. The aggregate advance premium shall be paid to the reinsurer without demand within 30 days from the effective date of coverage. Interest shall accrue at six per centum (6% per annum on any portion of the advance premium which is not paid on or before 30 days from its due date. The actual amount of the aggregate basic premium shall subsequently be computed and adjusted in accordance with the provisions of this § 1906.26 and § 1906.31.

(c) If at any time the total amount of excess aggregate losses incurred by the reinsurer under the contract and all like Standard Reinsurance Contracts issued during the period between May 1, 1971, and April 30, 1972, exceeds the total net amount of all advance premiums collected by the reinsurer during the same period under all such contracts, the company shall be obligated to pay to the reinsurer as an additional premium an amount equal to ten hundredths of one per centum (0.10%) of its aggregate premium base as defined above. Such additional premium shall be payable within 30 days after the demand of the reinsurer, either as an additional advance premium estimated on the basis of direct premiums earned for the year 1970 (and subject to adjustment in accordance with § 1906.31) or subsequent to adjustment, whichever the reinsurer may determine to be appropriate.

(d) The aggregate basic premium, together with any additional premium which may be due the reinsurer in accordance with the preceding paragraph, shall constitute the minimum reinsurance premium payable for coverage under the contract; and such reinsurance premium shall be deemed fully earned on the date that such reinsurance coverage attaches, except as otherwise provided in § 1906.30.

§ 1906.27 Assessments.

If any other company (or companies) reinsured by the reinsurer under a like Standard Reinsurance Contract incurs aggregate losses in reinsured lines in any State during the period of the contract, which in total exceed its net retention for all such lines, and as a result lodges claims against the reinsurer, then the company, on demand of the reinsurer, shall pay to the reinsurer an assessment sufficient to meet the company's equitable share of all such excess aggregate losses incurred in the State, but only to the extent that such losses exceed the unused net amount of all reinsurance premiums paid or payable by all reinsured companies into the National Insurance Development Fund for the period from August 1, 1968, through April 30, 1972 (including interest earned thereon), for reinsurance in such State. Such share shall be in the proportion that—

(a) The amount, if any, by which the company's net retention in lines reinsured under the contract in such State exceeds the company's aggregate losses in such lines, bears to

(b) The aggregate amount of unabsorbed net retention for all the lines of insurance of all companies reinsured under the contract in such State,

but such share shall not exceed the amount of the company's unabsorbed net retention under paragraph (a) of this section. An assessment will be required only after the termination of coverage provided by the contract.

§ 1906.28 Claims.

(a) The company shall advise the reinsurer by letter (1) of all losses from a single occurrence which exceed $50,000 and (2) whenever it appears that aggregate losses have been incurred in an amount equal to ninety per centum (90%) of the company's net retention in any State, on the basis of its direct premiums earned and reported to the reinsurer for the calendar year 1970.

(b) When the company incurs aggregate losses which exceed its net retention in any State, the company may make claim upon the reinsurer for the payment of excess aggregate losses in that State by filing a certification of loss and thereafter such supporting documentation of such losses as may be required by the reinsurer, and following the receipt of such certifications and documentation the reinsurer shall, as promptly as possible, in such installments and on such conditions as may be determined by the reinsurer to be appropriate (including advance payments made on the basis of preliminary certifications of loss filed in advance of the final determination of the ultimate amount of losses paid), pay to the company the amount of such excess aggregate losses subject to adjustments on account of underpayments or overpayments.

(c) If the ultimate amount of losses to be paid by the company has not been finally determined when the certification of loss is filed, the company shall, in due course, file one or more supplementary certifications of loss and thereafter the reinsurer or the company, as the case may be, shall pay the balance due.

(d) Claims paid pursuant to computations of net retentions based upon the direct premiums earned for the calendar

year 1970 shall be recomputed and adjusted at the termination of the coverage provided by the contract on the basis of direct premiums earned in reinsured lines for the calendar year 1971.

§ 1906.29 Inception and expiration dates.

(a) Provided the company has requested reinsurance by States and lines of coverage on or before April 30, 1971, the Standard Reinsurance Contract shall be in effect from 12:01 a.m., e.s.t., on May 1, 1971, and shall expire at 12 p.m. (midnight), e.s.t., on April 30, 1972, unless sooner terminated.

(b) If the company applies for coverage on or after May 1, 1971, the contract shall be effective from 12:01 a.m., e.s.t., on the day after such application is dispatched, as determined by the date of postmark or telegram, provided the company requests coverage by State and line and otherwise complies with the eligibility requirements of the contract.

(c) The contract applies only to losses occurring during the term of the contract as follows:

(1) If at the inception of the contract any riot or civil disorder is in progress, no coverage shall be provided for losses resulting therefrom unless the contract is a continuation of coverage from the previous year's contract.

(2) If the contract terminates while a riot or civil disorder is in progress, no coverage shall be provided for any losses resulting therefrom which occur after the date and time of termination of the contract.

§ 1906.30 Cancellations.

(a) Reinsurance under the contract may be canceled by the company in its entirety or with respect to any State upon written notice by the company to the reinsurer stating that it desires to cancel the reinsurance coverage specified and that it will pay any premium due the reinsurer in accordance with the provisions of the contract, subject to any adjustments which may be required under § 1906.31: *Provided, however,* That no coverage shall attach under the contract if the company has willfully concealed or misrepresented any material fact with respect thereto.

(b) Reinsurance under the contract may be canceled by the reinsurer in its entirety or with respect to any State upon 30 days written notice to the company of such cancellation, stating the reasons for cancellation, which shall be limited to one or more of the following grounds: Fraud or misrepresentation subsequent to the inception of the contract, nonpayment of premium or any other amount due the reinsurer, and the grounds set forth in paragraph (b) of § 1906.36.

(c) Whenever the reinsurer determines, in his discretion, that any cancellation of reinsurance is involuntary and without fault on the part of the company, the premium due the reinsurer for the coverage afforded under the contract shall be prorated in the ratio of—

(1) The number of days for which coverage was provided prior to the cancellation of such coverage plus 30, to

(2) The total number of days of coverage provided under the contract from the inception of such coverage up to and including April 30, 1972.

(d) In the event of any cancellation of reinsurance coverage under this § 1906.30, the net retention and assessment of such company shall be computed, without proration, on the basis of the direct premiums earned for the calendar year 1971. Refunds of premiums, if any, due the company upon cancellation may, at the discretion of the reinsurer, be deferred until after final adjustments have been made in accordance with the provisions of § 1906.31.

§ 1906.31 Adjustments.

(a) The company shall report to the reinsurer within 60 days after request its direct premiums earned for the calendar year 1971 in all reinsured lines in all States for which reinsurance was provided under the contract, for the purpose of computing and adjusting the reinsurance premium due to the reinsurer with respect to the coverage provided. The direct premiums earned to be reported for any line of insurance added during the contract term for any State in which the company had no premium writings in such line in 1971 shall be the direct premiums earned for the first 4 months of 1972 as estimated by the company, subject to audit by the reinsurer.

(b) In no event shall the adjusted amount of direct premiums earned by the company result in a basic premium to the reinsurer in an amount less than $25 for each State during the contract year, which shall constitute the minimum adjusted reinsurance premium for any State under the contract.

(c) On or before July 31, 1972, or such later date as may be permitted at the option of the reinsurer, the company shall report to the reinsurer its aggregate losses, for the purpose of computing and adjusting excess aggregate losses and assessments.

(d) Any overpayment or underpayment between the reinsurer and the company shall be adjusted and paid in accordance with the obligations assumed under the contract.

§ 1906.32 Insolvency.

(a) In the event of insolvency of the company the reinsurance under the contract shall be payable by the reinsurer to the company or to its liquidator, receiver, or statutory successor on the basis of the liability of the company under all policies, contracts, or participation shares reinsured without diminution because of the insolvency of the company.

(b) It is further agreed that the liquidator, or receiver, or statutory successor of the company shall give written notice to the reinsurer of the pendency of any claim against the company on the policies, contracts, or participation shares reinsured within a reasonable time after such claim is filed in the insolvency proceeding, and that during the pendency of such claim the reinsurer may investigate such claim and interpose, at its own expense, in the proceeding where such claim is to be adjudicated, any defense or defenses which may be deemed available to the company or its liquidator, receiver, or statutory successor. The expense thus incurred by the reinsurer shall be chargeable, subject to court approval, against the company as part of the expense of liquidation to the extent of a proportionate share of the benefit which may accrue to the company solely as a result of the defense undertaken by the reinsurer.

§ 1906.33 Errors and omissions.

Inadvertent delays, errors, or omissions made in connection with any transaction under the contract shall not relieve either party from any liability which would have attached had such delay, error, or omission not occurred, provided always that such delay, error, or omission is rectified as soon as possible after discovery.

§ 1906.34 Restriction of benefits.

No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of the contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to the contract if made with a corporation for its general benefit.

§ 1906.35 Participation in statewide plans.

(a) No reinsurance shall be offered or effective under the contract in any State unless there is in effect in such State, on the date coverage commences, a continuing statewide plan to make essential property insurance more widely available, and the company is fully participating in such plan on a risk-bearing basis and is certified by the State insurance authority as meeting the requirements of this § 1906.35. Except with respect to its runoff business after ceasing to do business within a State, the company shall not be eligible for reinsurance under the contract in any State in which it is not engaged in the direct writing of property insurance at the time coverage is requested, or in which it is writing business on a nonadmitted basis, unless it reports such nonadmitted business to the State insurance authority and participates in the statewide plan of such State on the basis of such reported business. The company shall file and maintain with the State insurance authority in each State in which it is participating in the statewide plan a statement pledging its full participation and cooperation in carrying out the plan and shall file a copy of each such statement with the reinsurer. The company shall not direct any agent, broker, or other producer not to solicit business through such plans and shall not penalize in any way any agent, broker, or other producer for submitting applications for insurance under such plans. The company shall also establish and carry out an education and public information program to encourage agents, brokers,

and other producers to utilize the programs and facilities available under such statewide plans.

(b) In the event that the company after the inception of the contract voluntarily withdraws from any State plan, pool, or other facility required by the provisions of this section, such withdrawal shall be deemed to constitute cancellation by the company with respect to that State as of the effective date of the withdrawal.

§ 1906.36 Limitations on reinsurance.

(a) Reinsurance hereunder shall not be applicable to insurance policies subsequently written in a State by the company after the close of the second full regular session of the appropriate State legislative body following August 1, 1968, if the State has not enacted legislation to reimburse the reinsurer, as necessary, for the portion of the aggregate losses specified in section 1223(a)(1) of the National Housing Act (12 U.S.C. 1749 bbb–9(a)), paid by the reinsurer under the contract.

(b) The reinsurer shall cancel coverage, in accordance with the provisions of the contract, with respect to any State in which—

(1) The reinsurer has found (after consultation with the State insurance authority) that (i) it is necessary to have a suitable program adopted, in addition to required statewide plans, to make essential property insurance available without regard to environmental hazards and that such a program has not been adopted, or (ii) the company is not fully participating in the statewide plan; and, where it exists, in a State pool or other facility; and, where it exists, in any other program found necessary to make essential property insurance more readily available in the State; or

(2) Following a merger, acquisition, consolidation, or reorganization involving the company and one or more insurers with or without such reinsurance, the surviving insurer does not meet all criteria of eligibility for reinsurance and within 10 days pay any reinsurance premiums due; or

(3) The reinsurer has found (after consultation with the State insurance authority) that a statewide plan is not complying with the reinsurer's statutory or regulatory criteria or has become inoperative.

(c) Notwithstanding the foregoing provisions, reinsurance may at the election of the company be continued, up to and including April 30, 1972, for the term of such policies and contracts reinsured prior to the date of termination of reinsurance under this § 1906.36, provided the company pays the reinsurance premiums in such amounts as may be required. For the purposes of this § 1906.36, the renewal, extension, modification, or other change in a policy or contract for which any additional premium is charged, shall be deemed to be a policy or contract written on the date such change was made.

(d) Reinsurance under the contract shall be subject to all of the provisions of the Urban Property Protection and Reinsurance Act of 1968, 12 U.S.C. 1749bbb–1749bbb–21, and to all regulations duly promulgated by the reinsurer pursuant thereto prior to the inception of any particular coverage provided under the contract.

§ 1906.37 Arbitration.

(a) If any misunderstanding or dispute arises between the company and the reinsurer with reference to the amount of premium due, the amount of loss, or to any other factual issue under any provision of the contract, other than as to legal liability or interpretation of law, such misunderstanding or dispute may be submitted to arbitration for a determination which shall be binding only upon approval by the reinsurer. The company and the reinsurer may agree on and appoint an arbitrator who shall investigate the subject of the misunderstanding or dispute and make his determination. If the company and the reinsurer cannot agree on the appointment of an arbitrator, than two arbitrators shall be appointed, one to be chosen by the company and one by the reinsurer.

(b) The two arbitrators so chosen, if they are unable to reach an agreement, shall select a third arbitrator who shall act as umpire, and such umpire's determination shall become final only upon approval by the reinsurer. The company and the reinsurer shall bear equally all expenses of the arbitration.

(c) Findings, proposed awards, and determinations resulting from arbitration proceedings carried out under this § 1906.37, shall, upon objection by the reinsurer or the company, be inadmissible as evidence in any subsequent proceedings in any court of competent jurisdiction.

§ 1906.38 Access to books and records.

The reinsurer and the Comptroller General of the United States, or their duly authorized representatives, shall have access for the purpose of investigation, audit, and examination to any books documents, papers, and records of the company that are pertinent to the business reinsured under the contract. Such audits shall be conducted to the maximum extent feasible in cooperation with the State insurance authorities and through the use of their examining facilities. The company shall keep records which fully disclose all matters pertinent to the business reinsured, including premiums and claims paid or payable under the contract. Records relating to premiums shall be retained and available for three (3) years after final adjustment of premiums, and to reinsurance claims three (3) years after final adjustment of such claims.

§ 1906.39 Information and annual statements.

The company shall furnish to the reinsurer such summaries and analyses of information in its records as may be necessary to carry out the purposes of the Urban Property Protection and Reinsurance Act of 1968, 12 U.S.C. 1749bbb–1749bbb–21, in such form as the reinsurer, in cooperation with the State insurance authority, shall prescribe; and the company shall file with the reinsurer a true and correct copy of the company's Fire and Casualty Annual Statement, or amendment thereof, as filed with the State insurance authority of the company's domicillary State, at the time it files such statement or amendment with the State insurance authority. The company shall also file with the reinsurer an equivalent of page 14 of such annual statement for each State in which reinsurance is provided under the contract.

Effective date. This part is effective at the time this document is filed for public inspection at the Office of the Federal Register.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.71-4357 Filed 3-29-71;8:49 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7100]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Revision of Corporate Rates and Related Provisions Pursuant to the Revenue Act of 1964 and Imposition and Extensions of Tax Surcharge; Correction

On March 20, 1971, Treasury Decision 7100 was published in the FEDERAL REGISTER (36 F.R. 5325). In § 1.11, strike out the title and insert in lieu thereof the following title:

§ 1.11 Statutory provisions; tax imposed.

In section 11(e)(2) of § 1.11, strike out the period and insert "; or" after the words "(sec. 801 and following, relating to insurance companies)."

Section 51(a)(2)(A)(ii) of § 1.51 should be changed to read as follows:

(ii) A fraction, the numerator of which is the sum of the number of days in the taxable year occurring on and after the effective date of the surcharge and before January 1, 1970, plus one-half times the number of days in the taxable year occurring after December 31, 1969, and before July 1, 1970, and the denominator of which is the number of days in the entire taxable year.

In paragraph (d) of § 1.821–4, item (6) of Example (3) is changed to read as follows:

(6) Total tax (item (2) plus item (5))— 16,540

JAMES F. DRING,
Director, Legislation and Regulations Division.

[FR Doc.71-4440 Filed 3-29-71;8:50 am]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER C—PUBLIC RELATIONS

PART 834—SELECTING ARCHITECT-ENGINEERS FOR PROFESSIONAL SERVICES BY NEGOTIATED CONTRACTS

Part 834 of Chapter VII, Title 32, of the Code of Federal Regulations is revised to read as follows:

Sec.
834.1 Purpose.
834.2 Definitions.
834.3 Policies.
834.4 Contract provisions and limitations.
834.5 The architect-engineer progress report.

AUTHORITY: The provisions of this Part 834 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

§ 834.1 Purpose.

This part states the policies and procedures for selecting architectural and engineering firms and for negotiating contracts for their professional services.

§ 834.2 Definitions.

(a) *Architect-engineer.* A firm (individual, partnership, association, corporation, or joint-venture) performing architectural or engineering services, or both, under the personal direction and responsibility of an individual or individuals legally qualified to engage in the professional practice of architecture or engineering.

(b) *Professional architect-engineering services.* These operations, service, and materials furnished by architects or engineers, as defined in paragraph (a) of this section, for developing designs, plans, drawings, specifications, and other documents essential to facilities repair, alteration, or construction for the Air Force. These services also include, but are not limited to: (1) Making technical studies analyses, surveys, investigations, and reports; (2) master planning of site developments and installations; (3) preparing technical operating/maintenance manuals; (4) supervising and inspecting repair, alteration, or construction projects; and (5) performing the necessary supervision and coordination of all phases of such architectural-engineering work.

(c) *Fee.* The compensation for professional services furnished.

(d) *Civil engineer.* The responsible Air Force civil engineering official at any echelon of command.

§ 834.3 Policies.

(a) In-service architectural and engineering capabilities will be used to the maximum feasible extent in providing the technical services required to accomplish Air Force projects and programs.

(b) The Secretary of the Air Force may authorize the procurement of the professional services of architect-engineers under a negotiated contract if he finds that in-service capability is inadequate to provide the needed architectural and engineering services and determines that procurement of such services by contract will be in the interest of national defense.

(c) The use of architect-engineer services for any repair, alteration, or construction project must be approved by the commander of the echelon of command having authority to approve the project concerned. Before approval, the commander must fully determine that in-service capability is not available to accomplish the services required.

(d) Preselection and selection boards, formally constituted and composed of members nominated by the responsible civil engineer and appointed by special orders, will select architect-engineers for each proposed architect-engineer contract.

(e) Architect-engineer selections will be based solely upon comparative evaluations of the professional and technical qualifications considered essential for satisfactory performance of the work and services required. Competitive bidding or comparable procedures will not be used.

(f) Fixed-price (lump sum) contracts will be negotiated. Each contract will be based upon a complete well defined Statement of Work which clearly describes the project, the objectives to be accomplished, and the scope and nature of the work, services, and material to be furnished. If the nature of the project involved does not permit development of a definite Statement of Work, a cost-plus-a-fixed-fee type of contract may be negotiated, provided the Secretary of the Air Force specifically authorizes that type of procurement of architect-engineer services for the particular project involved.

(g) Architect-engineer fees will be negotiated in accordance with the criteria and guidance outlined in AFR 70–22 (Procedure for Negotiation of Architect-Engineer Contracts).

§ 834.4 Contract provisions and limitations.

The following provisions and limitations apply to professional architect-engineer contracts:

(a) *Statutory limitation on the fee.* The total amount that may be paid to an architect-engineer for producing and delivering the designs, plans, drawings, and specifications for a public work or utility project is limited by statute (10 U.S.C. 9540) to 6 percent of the predetermined estimated construction cost of the particular project, or part of a project, to which the architect-engineer work applies. This limitation, applied to either a fixed-price or cost-plus-a-fixed-fee type contracts, is referred to as a 6 percent statutory fee limitation.

(1) Under a cost-plus-a-fixed-fee type of contract, the 6 percent limitation applies to the total, consisting of the costs incurred by the architect-engineer in producing and delivering the above documents, plus his fixed fee (10 U.S.C. 2306(d)).

(2) The predetermined estimated construction cost of a project is an estimate of those costs expected to be incurred in connection with actual construction, repair, or alteration. That estimated cost does not include any amount to be paid to the architect-engineer. The above 6 percent of the predetermined estimated construction cost represents the maximum amount that may be paid for the services outlined.

(3) The contracting officer will determine that the negotiated fee is fair and reasonable for these services and for other services discussed in this section, that are not subject to the 6 percent limitation. In determining appropriate fees, follow the guidance in AFR 70–22.

(b) *Application.* The 6 percent statutory fee limitation applies to all services normally furnished by an architect-engineer in the actual preparation of the material outlined. This includes the visual inspections of the site of (or facility comprising) the proposed project, for familiarization with its scope, the general conditions governing the performance of his work, the conditions under which the project will be constructed, and the coordination with using elements, to develop functional relationships and special detailed requirements.

(1) This limitation, however, does not apply to the cost of making other field investigations and surveys, such as topographical surveys, soil borings, soil, chemical, mechanical, and similar fact-finding surveys and investigations that are essential to proper design.

(2) Similarly, the 6 percent fee limitation does not apply to services furnished for the supervision and inspection of construction; master planning; making technical studies, investigations, and reports; preparing technical operating or maintenance manuals; and similar services not involving the production of designs, plans, drawings, and specifications for specific projects.

(c) *Contract provisions.* When the "Statement of Work" contemplates furnishing services subject to the 6 percent limitation and services not subject to that limitation, the fee negotiated for each class of service will be separately stated in the contract.

(d) *Family housing.* Architect-engineer fees for family housing projects authorized for construction under the U.S. Housing Act of 1937, as amended (Capehart or Title VIII family housing projects), will not exceed those fees legally permissible under schedules allowed and established from time to time by the Public Housing Administration.

(e) *Revising a contract.* Change orders and supplemental agreements to existing architect-engineer contracts may be authorized subject to the following limitations:

(1) The cost of changes may not exceed the approved funding limitations for specific projects or programs.

(2) Architect-engineer fees incident to changes are subject to the fee limitations outlined in paragraphs (a), (b), and (d) of this section.

(3) Contract modifications which increase the scope or change the character of the work or services required by the original contract must be approved by the Secretary of the Air Force or his designated representative, as outlined in the Findings and Determination which authorized the original contract and will not be binding until so approved.

(f) *Personal services.* This part does not authorize, under any circumstance, the negotiation or award of any contract exclusively for personal services, such as:

(1) Day labor, management, office, or stenographic personnel; or

(2) Expert, consultant, or inspection services other than for nonprofessional architect-engineer services as explained in § 834.2.

§ 834.5 The architect-engineer progress report.

(a) Each architect-engineer contract of 6 months' duration or longer will contain a provision requiring the architect-engineer to submit to the contracting officer, by the 10th day of each month, a report of the work done on the contract during the preceding month.

(1) This provision may be inserted in a contract of less than 6 months' duration when special circumstances make inclusion desirable.

(2) One copy of the report will be forwarded to the major command concerned.

(3) This reporting requirement has been exempted by the Bureau of the Budget from clearance under the Federal Reports Act of 1942.

(b) Performance Evaluation, Architect-Engineer Professional Services Contractor, DD Form 1413, RCS: DD–I&L (AF) 559.

(1) The performance of each architect-engineer will be monitored closely and evaluated by the civil engineer monitoring the contract. The following factors will be used as guidelines in evaluating this performance:

(i) Cooperation of the principals and employees.

(ii) Adequacy and active participation of top management.

(iii) Quality and adequacy of the work produced.

(iv) Suitability of the end product for the intended purpose.

(v) Ability to meet established schedules.

(vi) Overall performance.

By order of the Secretary of the Air Force.

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

[FR Doc.71-4318 Filed 3-29-71;8:45 am]

Chapter XIV—Renegotiation Board

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

PART 1460—PRINCIPLES AND FACTORS IN DETERMINING EXCESSIVE PROFITS

Application of Statutory Factors

The table of contents of this part is amended by changing the heading of § 1460.8 to read as follows:

Sec.
1460.8 Application of statutory factors.

Section 1460.8 *Application of statutory factors; general policy* is amended in the following respects: The heading of the section is deleted in its entirety and a new heading inserted in lieu thereof; the existing text of the section is designated as paragraph (a) with the heading "General policy" added therefor; and a new paragraph (b) is added; all to read as follows:

§ 1460.8 Application of statutory factors.

(a) *General policy.* * * *

(b) *Considerations affecting small contractors.* Characteristics inherent in the operation of a small company, if shown to be relevant in a particular case, are taken into consideration by the Board in applying the factors described in section 103(e) of the act. For example, under the efficiency factor, it may be shown that a small contractor, through greater flexibility, was able to schedule and complete the performance of a contract more expeditiously than his larger competitors, or that by closer personal supervision he achieved lower costs or a better product. Under the risk factor, the small contractor undertaking renegotiable production unrelated to his ordinary commercial business may be shown to have been endangered to a greater extent than larger contractors by the possible cancellation of the Government program. Considerations of company size may also affect the application of other factors.

(Sec. 109, 65 Stat. 22; 50 U.S.C.A., App. sec. 1219)

Dated: March 23, 1971.

LAWRENCE E. HARTWIG,
Chairman.

[FR Doc.71-4330 Filed 3-29-71;8:46 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 4—Department of Agriculture

PROCUREMENT

The following miscellaneous amendments are made in the Agriculture Procurement regulations:

PART 4–1—GENERAL

1. In § 4–1.009–2(b)(2), the first sentence is amended to read as follows:

§ 4–1.009–2 Procedure.

* * * * *

(b) * * *

(2) Where the deviation applies to a class of cases, necessary coordination with the General Services Administration and Office of Management and Budget will be accomplished by the Office of Plant and Operations.* * *

* * * * *

PART 4–3—PROCUREMENT BY NEGOTIATION

1. The table of contents for Part 4–3 is amended by adding the following entry:

Sec.
4–3.5110 Changes in methodology, objectives or phenomena.

§ 4–3.5101 [Amended]

2. Section 4–3.5101 is amended as follows:

a. Paragraph (h) is amended by deleting that reading "$100" and replacing with "$200."

b. A new paragraph (i) is added as follows:

(i) "General Purpose Equipment" means nonexpendable property which is usable for activities of the institution other than research, such as office equipment and furnishings, air conditioning, reproduction or printing equipment, motor vehicles, etc., or any automatic data processing equipment.

3. Section 4–3.5102–1 is amended to read as follows:

§ 4–3.5102–1 Contracts.

41 U.S.C. 252 (5) and (11); 7 U.S.C. 427i(a) and 7 U.S.C. 1624 (Research and Marketing Act of 1946, as amended).

4. Section 4–3.5102–3 is amended to read as follows:

§ 4–3.5102–3 Cooperative arrangements.

7 U.S.C. 2201 (formerly 5 U.S.C. 511); 7 U.S.C. 450b (formerly 5 U.S.C. 563); 7 U.S.C. 2220 (formerly 5 U.S.C. 564); 7 U.S.C. 427 and 427i(b); 16 U.S.C. 581 and 581a–581i and 7 U.S.C. 1624.

§ 4–3.5103 [Amended]

5. Section 4–3.5103(e) is amended as follows: So much as reads "§ 4–1.109" is corrected to read "§ 4–1.009."

6. Section 4–3.5104 is amended as follows: Paragraphs (b) and (d) are revised and a new paragraph (e) is added, to read as follows:

§ 4–3.5104 Cost reimbursement policy.

* * * * *

(b) *Grants.* Grants shall provide for cost participation by the grantee institution in accordance with Office of Management and Budget Circular No. A–100 (see § 4–52.602 of this chapter).

* * * * *

(d) *Allowable costs.* The allowable costs shall be determined in accordance with the cost principles in Office of Management and Budget Circular No. A–21 which is codified in Subpart 1–15.3 of the Federal Procurement Regulations (Subpart 1–15.3 of this title).

(e) *Advance payments.* In view of the nonprofit position of educational institutions, and the stated Government objective of strengthening the research capabilities of those institutions, advance payments shall be made in reasonable amounts on Research Agreements whether under contract, grant, or cooperative arrangement authorities, whenever practical and authorized by law. Advance shall be made in accordance with the Treasury Fiscal Requirements Manual, Part IV, Chapter 1000. Advances should be limited to the minimum necessary to meet the institution's cash needs. Ordinarily advances by Treasury check will be made monthly but may be made less frequently whenever the cash need is small.

7. Section 4–3.5105 is amended by adding paragraph (d) which reads as follows:

§ 4–3.5105 Negotiation procedures.

* * * * *

(d) *Indirect cost rates.* The indirect cost rate for research agreements shall be in accordance with OMB Circular A–88 (see § 4–52.601 of this chapter).

8. Section 4–3.5107 is amended to read as follows:

§ 4–3.5107 Nonexpendable property.

(a) In accordance with OMB Circular A–101 title to nonexpendable property purchased or fabricated under a research agreement at an educational institution shall be vested in the institution, without further obligation to the Government except as provided under paragraph (b) of this section, unless it is determined that such vesting is not in furtherance of the objective of the agency or unless there is not proper authority to vest title in the institution (see § 4–52.603 of this chapter). Title shall be vested at the time of acquisition.

(b) The sponsoring agency may reserve the right to require the institution to transfer title to items of nonexpendable property to the Government or to a third party named by the Government, when such third party is otherwise eligible under existing statute. The reservation shall provide that the right may be exercised at any time, but no later than 12 months after receipt of a final fiscal report from the institution after completion or termination of the particular project. Such right to require transfer of title shall not apply to any items of nonexpendable property with an acquisition cost of less than $1,000.

(c) The research agreement shall clearly indicate where title to nonexpendable property is to be vested. If title to any nonexpendable property is to vest in the Government, the research agreement shall specify which items are to be Government property.

9. Add new § 4–3.5110 as follows:

§ 4–3.5110 Changes in methodology, objectives or phenomena.

(a) The principal investigator shall be permitted to change the methods and procedures employed in performing the research without approval of the Authorized Departmental Officer unless the methods and procedures employed are stated as specific objectives of the research work, in which case, paragraph (b) of this section applies. Significant changes made by the principal investigator within his authority shall be reported to the Authorized Departmental Officer in periodic or final technical reports.

(b) The stated objectives of the research effort shall not be changed except with the prior written approval of the Authorized Departmental Officer.

(c) The phenomenon or phenomena under study, i.e., the broad category of research, shall not be changed except with prior written approval of the Authorized Departmental Officer.

(d) The degree of Government review or direction exercised will vary depending upon the amount of detail used in stating the objectives of the research effort in the Research Agreement.

PART 4–7—CONTRACT CLAUSES

§ 4–7.5101–1 [Amended]

1. Section 4–7.5101–1 is amended as follows:

a. Paragraph (h) is amended by deleting that reading "$100" and replacing with "$200."

b. A new paragraph (i) is added as follows:

(i) "General Purpose Equipment" means nonexpendable property which is usable for activities of the institution other than research, such as office equipment and furnishings, air conditioning, reproduction or printing equipment, motor vehicles, etc., or any automatic data processing equipment.

2. Section 4–7.5101–4 is amended to read:

§ 4–7.5101–4 Key personnel.

KEY PERSONNEL

Written approval of the Authorized Departmental Officer is required to change the principal investigator(s) or to continue the research work, without participation of the principal investigator(s), for a period in excess of 3 continuous months. Substantial reduction in the effort devoted to the work by the principal investigator(s) requires approval of the Authorized Departmental Officer.

The principal investigator(s) shall obtain prior written approval of the Authorized Departmental Officer before changing the objectives of the research effort as stated in the agreement or the phenomenon or phenomena under study.

3. Section 4–7.5101–11(d) is amended to read as follows:

§ 4–7.5101–11 Estimated costs.

* * * * *

(d) The Authorized Departmental Officer shall be kept informed of contemplated major changes of cost estimates and the reason therefor. Expenditures requiring prior approval in writing from the Authorized Department Officer are:

(1) Foreign travel must be specifically approved for each separate trip. Foreign travel is any travel outside of Canada and the United States and its territories and possessions.

(2) Domestic travel exceeding the amount allocated for such travel by $500 or 25 percent whichever is greater.

(3) Personnel movements of a special or mass nature not approved in the budget.

(4) Purchase of general purpose equipment not itemized in the approved budget.

(5) Purchase of permanent research equipment costing $1,000 or more and not itemized in the approved budget.

(6) Expenditures for nonexpendable property exceeding the amount allotted for the nonexpandable property category by 25 percent.

(7) Expenditures for the acquisition of land or any interest therein.

4. Section 4–7.5101–12 *Reimbursements* is changed to read as follows:

§ 4–7.5101–12 Payment.

PAYMENT

Advance payments or reimbursement of costs incurred will be made at scheduled intervals by the Authorized Departmental Officer. The frequency of the payment interval will be based upon cash needs.

Done at Washington, D.C., this 25th day of March 1971.

ELMER MOSTOW,
Director,
Office of Plant and Operations.

[FR Doc.71–4362 Filed 3–29–71;8:49 am]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5032]

[New Mexico 12226]

NEW MEXICO

Partial Revocation of Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the Act of December 29, 1916, 39 Stat. 865, as amended, 43 U.S.C. sec. 300 (1964), it is ordered as follows:

The departmental order of April 29, 1919, creating Stock Driveway Withdrawal No. 81 (New Mexico 12), is hereby revoked so far as it affects the following described land:

NEW MEXICO PRINCIPAL MERIDAN

T. 13 N., R. 4 L.,
Sec. 30, lots 7, 8, 9 and NW¼.

The area described aggregates 218.13 acres in Sandoval County.

The land has been patented to the State of New Mexico and is located within the Coronado State Monument.

HARRISON LOESCH,
Assistant Secretary of the Interior.

MARCH 19, 1971.

[FR Doc.71-4322 Filed 3-29-71;8:46 am]

[Public Land Order 5033]
[Idaho 3728]

IDAHO

Withdrawal for National Forest Recreation Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2); but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

NEZPERCE NATIONAL FOREST
BOISE MERIDIAN

Dry Gulch Recreation Area

T. 29 N., R. 4 E.,
Sec. 22, SE¼NE¼SE¼SE¼, W½NE¼SE¼SE¼, NW¼SE¼SE¼, NE¼SE¼SE¼SE¼.

The areas described aggregate 20 acres in Idaho County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,
Assistant Secretary of the Interior.

MARCH 19, 1971.

[FR Doc.71-4323 Filed 3-29-71;8:46 am]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Union Slough National Wildlife Refuge, Iowa

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (3-30-71).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

IOWA

UNION SLOUGH NATIONAL WILDLIFE REFUGE

Sport fishing on the Union Slough National Wildlife Refuge, Kossuth County, Iowa, is permitted only on the area designated by signs as open to fishing. This open area is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The open season for sport fishing on the refuge extends from May 15, 1971 through September 15, 1971 during daylight hours only.

(2) The use of boats or other floating devices is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in title 50, Part 33, and are effective through September 15, 1971.

STEPHEN S. BERLINGER,
Refuge Manager, Union Slough National Wildlife Refuge, Titonka, Iowa.

MARCH 23, 1971.

[FR Doc.71-4324 Filed 3-29-71;8:46 am]

Title 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

Extensions of Time To File Appeal Briefs

After the effective date of this rule change, the examining group clerical staffs will perform all processing and recordkeeping relating to appeals to the Board of Appeals up to and including the time when an examiner's supplemental answer to a reply brief is mailed or the time for filing a reply brief has expired. At this time jurisdiction of an appealed application passes from the examiner to the Board of Appeals.

Therefore, all inquiries and papers concerning an application under appeal should be directed to the appropriate examining group until the application is in condition for consideration by the Board of Appeals.

Papers filed in an appealed application under the jurisdiction of the Board of Appeals, such as requests for reconsideration or confirmation of an oral hearing date, should include an expression in the heading such as "Before the Board of Appeals" so that it may be properly routed by the mailroom.

The examining group appeal clerks are authorized to grant, upon the first request therefor, 1-month extensions of time to file the brief or reply brief. Any further extensions or any initial request for an extension of more than 1 month may be granted by the group directors.

After the effective date, there will be no Patent Office acknowledgements of notices of appeals or briefs.

There was published in the December 31, 1970, issue of the FEDERAL REGISTER (35 F.R. 20010) a proposal to revise § 1.192 of Title 37, Code of Federal Regulations, to broaden the authority to grant extensions of time for filing appeal briefs.

Interested persons were given the opportunity to participate in the rule making through submission of comments in writing, and at an oral hearing held on February 19, 1971.

In consideration of the foregoing and pursuant to the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6), § 1.192 of Title 37 of the Code of Federal Regulations is hereby revised as follows:

§ 1.192 Appellant's brief.

(a) The appellant shall, within 2 months from the date of the appeal, or within the time allowed for response to the action appealed from, if such time is later, file a brief in triplicate, accompanied by the requisite fee, of the authorities and arguments on which he will rely to maintain his appeal, including a concise explanation of the invention which should refer to the drawing by reference characters, and a copy of the claims involved, at the same time indicating if he desires an oral hearing. Upon a showing of sufficient cause, the Commissioner may grant extensions of time for filing the brief. The determination of such requests may be delegated by the Commissioner to appropriate Patent Office officials. All requests for extensions must be filed prior to the expiration of the period sought to be extended.

(b) On failure to file the brief, accompanied by the requisite fee, within the time allowed, the appeal shall stand dismissed.

Effective date. This amendment shall be effective March 30, 1971.

WILLIAM E. SCHUYLER, Jr.,
Commissioner of Patents.

Approved: March 25, 1971.

JAMES H. WAKELIN, Jr.,
Assistant Secretary for Science and Technology.

[FR Doc.71-4414 Filed 3-29-71;8:50 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Special Rules for Determining Foreign Tax Credit in the Case of Certain Interest Income

Correction

In F.R. Doc. 71-3871 appearing at page 5423 in the issue of Tuesday, March 23, 1971, in the table for example 1 of § 1.904-4(e)(2)(iii) the "Other income" figure for 1965 under the heading "Excess limitation with respect to—" reading "65" should read "55".

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Parts 25, 26, 29, 31, 33]

NATIONAL WILDLIFE REFUGE SYSTEM

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended; 16 U.S.C. 668dd), it is proposed to amend 50 CFR 25.1, 26.12, 26.14, 29.3, 31.16, and 33.1.

The purpose of the proposed amendment is to conform to recent enacted laws and to improve management practices within the National Wildlife Refuge System.

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, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Part 25, General Provisions:

Section 25.1 is amended as follows:

§ 25.1 Definitions.

As used in the rules and regulations in this subchapter:

"National Wildlife Refuge System" means all lands, waters, and interests therein administered by the Bureau of Sport Fisheries and Wildlife as national wildlife refuges, wildlife ranges, game ranges, wildlife management areas, waterfowl production areas, and areas for the protection and conservation of fish and wildlife, including those that are threatened with extinction.

"Wildlife refuge area" means any area of the National Wildlife Refuge System.

"Wildlife range" means any area of public land administered by the Bureau of Sport Fisheries and Wildlife for the protection and management of wildlife resources under the terms of an Executive or Public Land Order establishing a specific area.

"Game range" means any area of public land administered jointly by the Bureau of Sport Fisheries and Wildlife and the Bureau of Land Management for the protection and management of wildlife resources and for the grazing of domestic livestock under the terms of an Executive or Public Land Order establishing a specific area.

"Waterfowl production area" means any small wetland or pothole area acquired pursuant to section 3 of the amended Migratory Bird Hunting Stamp Act (72 Stat. 487; 16 U.S.C. 718b), owned or controlled by the United States and administered by the Bureau of Sport Fisheries and Wildlife as a part of the National Wildlife Refuge System.

"Big game" means large game mammals, including moose, elk, caribou, reindeer, musk ox, deer, big horn sheep, mountain goat, pronghorn, bear, wild hogs, and peccary.

"Migratory bird" means and refers to those species of birds listed under § 1.11 of this chapter.

2. Part 26, Restricted or Prohibited Acts:

Section 26.12 is amended as follows:

§ 26.12 Firearms, fireworks, and explosives.

Carrying, possessing, or discharging firearms, fireworks, or explosives is prohibited except as may be authorized under the provisions of Part 28 of this chapter.

Section 26.14 is amended as follows:

§ 26.14 Vehicles.

Travel in or use of any motorized vehicle, including land, water, ice, snow, and aircraft types is prohibited on areas within the National Wildlife Refuge System except on specific routes of travel or in designated areas posted for public use by the officer in charge.

3. Part 29, Land Use Management, Subpart A—General Rules:

Section 29.3 is amended as follows:

§ 29.3 Nonprogram uses.

Uses of wildlife refuge areas that make no contribution to the primary objective of the program for an individual area or are in no way related to the objectives of the National Wildlife Refuge System are classed as nonprogram uses. Permission for such uses will be granted only when compatible with the major purposes for which such areas are established.

4. Part 31, Wildlife Species Management, Subpart A—Surplus Wildlife:

Section 31.16 is amended as follows:

§ 31.16 Trapping program.

Except as hereafter noted, persons trapping annimals on wildlife refuge areas where trapping has been authorized shall secure and comply with the provisions of a Federal permit issued for that purpose. This permit shall specify the terms and conditions of trapping activity and the rates of charge or division of pelts, hides, and carcasses. Lands acquired as "waterfowl production areas" shall be open to public trapping without Federal permit provided that trapping on all or part of individual areas may be temporarily suspended by posting upon occasions of unusual or critical conditions affecting land, water, vegetation, or wildlife populations. Each person trapping on any wildlife refuge area shall possess the required State license or permit and shall comply with the provisions of State laws and regulations.

5. Part 33, Sport Fishing:

Section 33.1 is amended as follows:

§ 33.1 Public fishing authorization.

Except as hereafter noted, the opening or closing of wildlife refuge areas to sport fishing shall be in accordance with the rulemaking requirements of the Administrative Procedure Act (5 U.S.C. 553). However, wildlife refuge areas will be opened to sport fishing only when a determination has been made that such activity is not detrimental to the objectives for which the area was established. Lands acquired as "waterfowl production areas" shall be open to sport fishing subject to the provisions of State laws and regulations and that pertinent provisions of Parts 25 through 31 of this subchapter; provided, that fishing on all or any part of individual areas may be temporarily suspended by posting upon occasions of unusual or critical conditions of, or affecting, land, water, vegetation, or wildlife populations.

J. P. LINDUSKA,
Acting Director, Bureau of Sport Fisheries and Wildlife.

MARCH 25, 1971.

[FR Doc.71-4341 Filed 3-29-71;8:47 am]

National Park Service

[36 CFR Part 7]

GLACIER NATIONAL PARK, MONT.

Fishing

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535,

as amended; 16 U.S.C. 3), the Act of May 11, 1910 (36 Stat. 354; 16 U.S.C. 162), and the Act of August 22, 1914 (38 Stat. 700; 16 U.S.C. 170), 245 DMI (27 F.R. 6395) as amended, National Park Service Order No. 34 (31 F.R. 4255) as amended, Regional Director, Midwest Regional Order No. 4 (31 F.R. 5769) as amended, it is proposed to amend § 7.3 of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this amendment is to further insure the protection and preservation of populations of native fishes and natural aquatic environments, to retain quality angling for wild fish in natural environments as part of the visitors' total park experience, and to simplify the fishing season by establishing one opening and closing date for all but four park waters.

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, Glacier National Park, West Glacier, Mont. 59936, within 30 days of the publication of this notice in the FEDERAL REGISTER.

Paragraphs (a), (b), and (c) of § 7.3 are amended, as follows:

§ 7.3 Glacier National Park.

(a) *Fishing; open season.* All waters in the park shall be open to fishing from 12:01 a.m. on June 5 and end at 12 midnight on October 15, except as otherwise provided by the following restrictions:

(1) That portion of Waterton Lake that is in the park shall be open to fishing in conformance with the seasons established by Canada for this lake.

(2) Kintla Creek between Kintla Lake and Upper Kintla Lake, Bowman Creek for its entire length above Bowman Lake, Logging Creek between Logging Lake and Grace Lake, and Ole Creek, Park Creek, Muir Creek, Coal Creek, and Nyack Creek for their entire length; Fish Creek for its entire length, Upper McDonald Creek from McDonald Falls to Lake McDonald, shall be closed to fishing.

(3) The North Fork of the Flathead River, except for its tributaries, and Lower McDonald Creek from the Quarter Circle Bridge to its confluence with the Middle Fork of the Flathead River, shall be open to fishing in conformance with the seasons and regulations established by the State of Montana for this river.

(4) That portion of Lower Two Medicine Lake that is in the park shall be open in conformance with the seasons established for the Blackfeet Indian Reservation for this lake.

(5) [Deleted]

(6) [Deleted]

(7) [Deleted]

(b) *Fishing; daily limit of catch and possession limit.* (1) Sport fish are herein defined as cutthroat trout, rainbow trout, brook trout, lake trout, Dolly Varden, Kokanee salmon, grayling, mountain whitefish, lake whitefish, northern pike, and burbot (ling). All other species are defined as nonsport fish and may not be kept or killed.

(2) A person must cease fishing immediately when he has in his possession or has taken into his possession a total of five (5) sport fish that day, except that a person shall cease fishing as soon as he has in his possession or has taken into his possession a total of three (3) of the following sport fish that day: Cutthroat trout, Dolly Varden trout, lake trout, grayling. However:

(i) The daily limit of catch and possession in the North Fork of the Flathead River, except for its tributaries, and Lower McDonald Creek from the Quarter Circle Bridge to its confluence with the Middle Fork of the Flathead River, shall be in conformance with the regulations established by the State of Montana for this river;

(ii) The daily limit of catch and possession in that portion of Waterton Lake, located within the park, shall be in conformance with the limits established by Canada for this lake;

(iii) The daily limit of catch and possession in that portion of Lower Two Medicine Lake, located within the park, shall be in conformance with the regulations established for the Blackfeet Indian Reservation for this lake;

(iv) Fish caught in Lower McDonald Creek from the Quarter Circle Bridge and upstream, extending into Lake McDonald for a radius of 300 feet, shall be handled carefully and released immediately to the stream. No fish of any size may be in possession at any time along this stream.

(c) *Fishing; restriction on use of bait and lures.* (1) Only artificial flies, with a single hook, may be used as lures in Rogers Lake, Trout Lake, Arrow Lake, Camas Lake, Lake Evangeline, Ruger Lake, and those sections of Camas Creek interconnecting these lakes.

(2) Only artificial flies and lures, with a single hook, may be used as lures in the catch and release fishing waters of Lower McDonald Creek from the Quarter Circle Bridge and upstream, extending into Lake McDonald for a radius of 300 feet.

* * * * *

Dated: February 18, 1971.

WILLIAM J. BRIGGLE,
Superintendent,
Glacier National Park.

[FR Doc.71-4326 Filed 3-29-71;8:46 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 130]

DRUGS FOR HUMAN USE

New Drugs on the Market Without Approved New-Drug Applications; Extension of Time for Filing Comments

The notice published in the FEDERAL REGISTER of February 23, 1971 (36 F.R. 3372), proposing § 130.— *New drugs on the market without approved new-drug applications,* provided for comments to be filed within 30 days of 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 on the proposal is extended to April 24, 1971.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(p), 505, 701(a), 52 Stat. 1041–42, as amended, 1052–53, as amended, 1055; 21 U.S.C. 321(p), 355, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: March 24, 1971.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.71-4334 Filed 3-29-71;8:47 am]

Social and Rehabilitation Service

[45 CFR Part 250]

UTILIZATION REVIEW OF CARE AND SERVICES

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations relate to certification and recertification by physicians for inpatient hospital services in the medical assistance program under title XIX of the Social Security Act.

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions, or objections thereto which are submitted in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, DC 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed regulations are to be issued under section 1102, 49 Stat. 647, 42 U.S.C. 1302.

Dated: February 10, 1971.

JOHN D. TWINAME,
Administrator, Social and Rehabilitation Service.

Approved: March 17, 1971.

ELLIOT L. RICHARDSON,
Secretary.

Section 250.20(a) is amended by adding a new subparagraph (3) to read as follows:

§ 250.20 Utilization review of care and services.

(a) * * *

(3) Provide for procedures to assure that the principles and standards for certification and recertification by physicians for inpatient hospital services

described in 20 CFR 405.1625–405.1630 are applied for hospital inpatients under the medical assistance program.

* * * * *

[FR Doc.71-4095 Filed 3-29-71;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Part 146]

[CGFR 71-17]

SULFURIC ACID CONTAINERS

Notice of Proposed Rule Making

Correction

In F.R. Doc. 71-3790 appearing at page 5296 in the issue of Friday, March 19, 1971, in the table in the first column of page 5297, the fourth entry under the heading "Wooden boxes" now reading "Fiberboard boxes (DOT-12)B WIC polyethylene not over 1 gal. cap. ea." should read "Fiberboard boxes (DOT-12B) WIC polyethylene not over 1 gal. cap. ea."

Federal Aviation Administration

[14 CFR Parts 37, 91, 121, 127, 135]

[Docket No. 10955; Notice 71-10]

AIRBORNE ATC TRANSPONDER EQUIPMENT

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Parts, 37, 91, 121, 127, and 135 to provide new standards for airborne ATC transponder equipment and to require that transponders in aircraft meet TSO standards.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20590. All communications received on or before June 30, 1971, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

By Notice 69-9 published in the FEDERAL REGISTER (34 F.R. 5259) on March 14, 1969, the FAA proposed to further implement the National Airspace System (NAS) by requiring that all aircraft carry improved radar beacon transponders for all operations in controlled airspace at and above 10,000 feet MSL, in positive control airspace, or in terminal airspace within which transponders are required by appropriate FAR's.

The present TSO-C74b contains appropriate minimum performance standards for the improved radar beacon transponders specified in Notice 69-9. However, TSO-C74b was prepared with air carrier operations in mind and did not take into consideration the minimum performance standards that would be suitable for transponder equipment to be used in general aviation operations under Part 91. It is therefore proposed to update TSO-C74b to provide appropriate performance standards for ATC transponder equipment to be used in general aviation operations. The present performance standards of TSO-C74b would be incorporated into the new TSO with the exception that paragraph 2.7c of the Federal Aviation Administration Standard set forth in the TSO would be amended to limit the dead time of the transponder due to means other than normal interrogations. This would control transponder dead time occurring primarily from the use of proximity warning systems. In addition, the present classifications would be redesignated as Class 1A and Class 1B. A new class of equipment designated 2A and 2B would be incorporated in the TSO and the performance standards for such equipment would be set forth in Radio Technical Commission for Aeronautics Document No. DO-144 entitled "Minimum Operational Characteristics—Airborne ATC Transponder Systems," dated March 12, 1970, and Change No. 1 to DO-144, Paper 232-70/EC-643, dated November 5, 1970. The identification of equipment as Class 2A and 2B would depend upon whether the equipment was to be used in operations above 15,000 feet or below, the same as Class 1A and 1B equipment. It should be noted that while ATC transponder equipment approved prior to the effective date of the new TSO may continue to be manufactured, the proposed amendments to the operating rules would require the installation of equipment meeting this new TSO after January 1, 1972, on all aircraft not equipped with an ATC transponder and on all aircraft using ATC transponders after January 1, 1975.

The proposed new TSO would also require a manufacturer to furnish the FAA with an equipment data sheet specifying the actual performance capability of the equipment and the environmental conditions under which the performance capability can be achieved. Knowledge of the actual performance capability for transponder equipment would facilitate the approval of the equipment installation. Therefore, it is proposed to require manufacturers to also furnish a copy of this data sheet with each article.

Notice 69-9 identifies the required ATC transponder merely as one which has a Mode 3/A 4096 code capability, replying to Mode 3/A interrogations with the code specified by ATC. Both TSO-C74b and the proposed TSO provide this capability. However, there are numerous other design requirements, in addition to the number of codes, which a transponder must meet to insure that it will perform its function adequately and reliably and that it is compatible with other airborne transponders and with the ground interrogator facilities. Both TSO-C74b and the TSO proposed herein provide the necessary performance standards and they are both compatible with the U.S. National Standards for Radar Beacon Systems (ATCRBS). Therefore, in order to properly implement the Air Traffic Control Radar System portion of the National Airspace System it will be necessary that all transponders meet the requirements of TSO-C74b or the TSO proposed herein at the time that the requirements proposed in Notice 69-9 are incorporated into the Federal Aviation Regulations.

For the foregoing reasons, it is proposed to amend Parts 91, 121, 127, and 135 to require that ATC transponder equipment installed after January 1, 1972, in any aircraft not previously equipped with an ATC transponder must meet the requirements of TSO-C74b or the appropriate requirements of the TSO proposed herein. Moreover, it is proposed to require that all ATC transponder equipment used after January 1, 1975, meet the requirements of TSO-C74b or the appropriate requirements of the TSO proposed herein. This will insure that all transponder equipment being used in any operation, regardless of when that equipment was installed, eventually meets the necessary performance standards. Under this proposal, transponders currently installed may continued to be used, including the installation of replacement equipment, until January 1, 1975, without meeting the requirements of TSO-C74b or the TSO proposed herein. It should be noted that there is no need for a specific amendment to Part 123 in this proposal since the proposed amendment to § 121.345 would be applicable to Part 123 operators under the provisions of § 123.27(g).

Under the terms of this notice, affected operators would be allowed to equip their aircraft with either above-15,000-feet transponders (TSO-C74b, Class I, or TSO-C74c, Classes 1A and 2A, as applicable) or below-15,000-feet transponders (TSO-C74b, Class II, or TSO-C74c, Classes 1B and 2B, as applicable). This would mean that aircraft capable of operating well above 15,000 feet could be equipped (under the proposed rules) with below-15,000-feet transponders. If the operator of such an aircraft were to climb above 15,000 feet, either voluntarily or in response to an ATC request, his transponder would not perform adequately and safety might be adversely affected. For this reason, it has been suggested that the agency eliminate the 15,000-foot altitude distinction and require all affected operators to equip their aircraft with above-15,000-feet transponders. The agency is aware that transponders meeting above-15,000-feet standards are more expensive than those that do not, but does not have reliable information on how much. To help resolve this issue, interested persons are hereby asked to comment on: (1) The need to eliminate the 15,000-foot altitude

distinction in the transponder TSO proposed in this notice and to require that all affected operators equip their aircraft with above-15,000-feet transponders; and (2) how much more expensive above-15,000-feet transponders would be in comparison to below-15,000-feet transponders. If, on the basis of comments received, the agency determines that there is insufficient justification to retain the proposed distinction between above-15,000-feet transponders and below-15,000-feet transponders, the final rule will permit the use of above-15,000-foot transponders only.

In consideration of the foregoing, it is proposed to amend Parts 37, 91, 121, 127, and 135 of the Federal Aviation Regulations as follows:

A. Part 37 would be amended by amending § 37.180 as follows:

1. Paragraphs (a), (b), (c), and (d) would be amended and a new paragraph (e) would be added, to read as follows:

§ 37.180 Airborne ATC transponder equipment—TSO–C74c.

(a) *Applicability.* This technical standard order prescribes the minimum performance standards which airborne ATC transponder equipment must meet in order to be identified with the applicable TSO marking. New models of such equipment that are to be so identified and that are manufactured on or after (the effective date of this section) must meet the following performance and environmental standards:

(1) *Performance standards.* (i) Equipment marked as Class 1A must be equipment intended for installation in aircraft that operate at altitudes above 15,000 feet and must meet the minimum performance requirements of "Federal Aviation Administration Standard Airborne ATC Transponder Equipment," set forth at the end of this section, as applicable.

(ii) Equipment marked as Class 1B must be equipment intended for installation in aircraft that operate at altitudes not exceeding 15,000 feet and must meet the minimum performance standards of "Federal Aviation Administration Standard, Airborne ATC Transponder Equipment," set forth at the end of this section, as applicable.

(iii) Equipment marked as Class 2A must be equipment intended for installation in aircraft that operate at altitudes above 15,000 feet and must meet the minimum performance standards set forth in Radio Technical Commission for Aeronautics Document No. DO–144 entitled "Minimum Operational Characteristics—Airborne ATC Transponder Systems," dated March 12, 1970, and Change No. 1 to DO–144, Paper 232–70/EC–643, dated November 5, 1970, as applicable.

(iv) Equipment marked as Class 2B must be equipment intended for installation in aircraft that operate at altitudes not exceeding 15,000 feet and must meet the minimum performance standards set forth in Radio Technical Commission for Aeronautics Document No. DO–144 entitled, "Minimum Operational Characteristics—Airborne ATC Transponder Systems," dated March 12, 1970, and Change No. 1 to DO–144, Paper 232–70/EC–643, dated November 5, 1970, as applicable.

(2) *Environmental standards.* RTCA Document No. DO–138 entitled "Environmental Conditions and Test Procedures for Airborne Electronic/Electrical Equipment and Instruments," dated June 27, 1968, must be used in determining the environmental conditions over which the equipment has been designed to operate. Class 2A and 2B equipment need only be tested for the environmental conditions of temperature and altitude, humidity, shock, vibration, and power input voltage set forth in paragraphs 4, 5, 6, 7, and 9 of DO–138.

(b) *Availability of documents.* RTCA Documents Nos. DO–138 and DO–144, as amended, are incorporated herein in accordance with 5 U.S.C. 552(a)(1) and § 37.23 of the Federal Aviation Regulations and are available as indicated in § 37.23. Additionally, RTCA Documents Nos. DO–138 and DO–144, as amended, may be examined at any FAA regional office of the Chief of Engineering and Manufacturing Branch (or in the case of the Western Region, the Chief, Aircraft Engineering Division) and may be obtained from the RTCA Secretariat, Suite 655, 1717 H Street NW., Washington, DC, 20006, at a cost of $8 per copy for Document No. DO–138 and $6 per copy for Document No. DO–144.

(c) *Marking.* In addition to the markings specified in § 37.7, the equipment must meet the following requirements:

(1) The environmental categories over which it has been designed to operate as set forth in Appendix B of RTCA Document No. DO–138 must be permanently and legibly marked on the equipment. Where an environmental test procedure is not applicable and the test is not conducted, and "X" should be placed in the space assigned for that category.

(2) The class which the equipment meets must be permanently and legibly marked on the equipment. Equipment which meets the requirements of more than one class need only be marked with the class which contains the more severe requirements. When listed in order of severity of requirements, highest first, the classes are: 1A, 1B, 2A, and 2B.

(3) Each separate component of equipment (antenna, receiver-transmitter, etc.) must be permanently and legibly marked with at least the name of the manufacturer, the TSO number, and the environmental categories over which it is designed to operate.

(d) *Data requirements.* (1) In accordance with § 37.5, the manufacturer must furnish to the Chief, Engineering and Manufacturing Branch, Flight Standards Division (or in the case of the Western Region, the Chief, Aircraft Engineering Division), Federal Aviation Administration, in the region in which the manufacturer is located, one copy of the following technical data:

(i) Manufacturer's operating instructions and equipment limitations.

(ii) Installation procedures with applicable schematic diagrams, wiring diagrams, and specifications. Indicate any limitations, restrictions, or other conditions pertinent to the installation.

(iii) Manufacturer's test report(s).

(iv) Equipment data sheet specifying the actual performance capability of the equipment and the environmental conditions under which the performance capability can be achieved. Performance data for abnormal environmental conditions may also be included.

(2) One copy of the technical data specified in subparagraphs (1) (ii) and (iv) of this paragraph must be furnished with each article.

(e) *Previously approved equipment.* Airborne ATC transponder equipment approved prior to the effective date of this section may continue to be manufactured under the provisions of its original approval.

2. Paragraph 2.7c of the "Federal Aviation Standard, Airborne ATC Transponder Equipment," would be amended to read as follows:

2.7 *Transponder discrimination and desensitization.*

* * * * *

c. *Dead time.* (1) After reception of a proper interrogation, the transponder must reply to no other interrogation for the duration of the reply pulse train. This dead time must end no later than 125 microseconds after the transmission of the last reply pulse of the group.

(2) The dead time of the transponder created by means other than normal interrogations shall not exceed a period of more than 2,500 microseconds duration at a maximum duty cycle of 4.5 percent.

3. Paragraphs 2.8 and 2.11 of the "Federal Aviation Standards, Airborne ATC Transponder Equipment" would be amended by deleting the parenthetical reference to "(Class I)" and to "(Class II)".

B. Part 91 would be amended by adding a new § 91.24 to read as follows:

§ 91.24 ATC transponder equipment.

(a) ATC transponder equipment installed after January 1, 1972, in U.S. registered civil aircraft not previously equipped with an ATC transponder and all ATC transponder equipment used in U.S. registered civil aircraft after January 1, 1975, must meet the requirements of any Class of TSO–C74b of any Class of TSO–C74c, as appropriate.

(b) This section does not apply to operations conducted under Part 121, 123, 127, or 135 of this chapter.

C. Part 121 would be amended by amending § 121.345 by adding a new paragraph (c) to read as follows:

§ 121.345 Radio equipment.

* * * * *

(c) ATC transponder equipment installed after January 1, 1972, in aircraft not previously equipped with an ATC transponder and all ATC transponder equipment used after January 1, 1975, must meet the requirements of any Class

of TSO–C74b, or Class 1A or Class 1B of TSO–C74c, as appropriate.

* * * * *

D. Part 127 would be amended by designating present § 127.123 as paragraph (a) and adding a new paragraph (b) as follows:

§ 127.123 **Radio equipment.**

* * * * *

(b) ATC transponder equipment installed after January 1, 1972, in helicopters not previously equipped with an ATC transponder and all ATC transponder equipment used after January 1, 1975, must meet the requirements of any Class of TSO–C74b, or Class 1A or 1B of TSO–C74c, as appropriate.

E. Part 135 would be amended by amending § 135.143 by adding a new paragraph (c) to read as follows:

§ 135.143 **General requirements.**

* * * * *

(c) ATC transponder equipment installed after January 1, 1972, in aircraft not previously equipped with an ATC transponder and all ATC transponder equipment used after January 1, 1975, must meet the requirements of any Class of TSO–C74b, or Class 1A or Class 1B of TSO–C74c, as appropriate.

These amendments are proposed under the authority of sections 313(a), 601, 603, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423, and 1424), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on March 22, 1971.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[FR Doc.71–4352 Filed 3–29–71;8:48 am]

[14 CFR Part 71]

[Airspace Docket No. 71–SO–40]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Vidalia, Ga., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, GA.

The Vidalia transition area described in § 71.181 (36 F.R. 2140) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Vidalia Municipal Airport (lat. 32°11'45" N., long. 82°22'15" W.).

The proposed alteration is required to provide controlled airspace protection for IFR operations in the Vidalia terminal in conformance with the application of Terminal Instrument Procedures (TERPs) and current airspace criteria.

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

Issued in East Point, Ga., on March 19, 1971.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.71–4353 Filed 3–29–71;8:48 am]

[14 CFR Part 71]

[Airspace Docket No. 71–EA–23]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

Correction

In F.R. Doc. 71–4088 appearing at page 5620 in the issue of Thursday, March 25, 1971, in the description of the Utica, N.Y., transition area (§ 71.181), the phrase "9 miles southwest" in the 14th line should read "9 miles southeast".

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 1–5; Notice 7]

BRAKE HOSES AND BRAKE HOSE ASSEMBLIES

Proposed Motor Vehicle Safety Standard

A notice of proposed amendment to 49 CFR 571.21, Federal Motor Vehicle Safety Standard No. 106, Brake Hoses and Brake Hose Assemblies, was published on August 28, 1970 (35 F.R. 13728), corrected on November 5, 1970 (35 F.R. 17055), and revised in certain respects on November 6, 1970 (35 F.R. 17116). The purpose of this notice is to reissue the proposal incorporating the corrections, some of the earlier revisions, and additional revisions discussed herein.

Research, test results, and other data which have come to the attention of the Administration since the initial issuance of the proposal have shown the need for additional revisions of proposed requirements and test procedures, and for comment thereon. The proposed specifications for hydraulic brake hose braid are revised to eliminate cotton, viscose rayon, and polyester cord, and to leave the braid material unspecified. Thus, under the proposal, a hydraulic brake hose braid may be made from any material as long as the brake hose incorporating the braid can meet the performance requirements of the standard. Values for regular-expansion hoses are added to Table I that previously set forth only maximum expansion limits of a low-expansion hose under pressure. The additional values will permit the continued availability of cotton braid hoses. A substantial number of passenger cars use cotton braid hydraulic brake hoses as original equipment, and a cotton braid hose is deemed more suitable for replacement than a rayon braid hose, which would have been the alternative had the earlier proposal not been modified. The proposed requirement that hoses bear two white stripes is revised to allow use of at least two stripes of any color contrasting with that of the hose. Under the previous proposal, the date of manufacture was indicated by a hyphenated numeral representing the day of the year, and the year itself; comments indicated that a numeral combining month, day, and year would result in a more easily identifiable manufacturing date and the proposal is revised accordingly.

Major revisions have been made in the airbrake hose portion of the proposal by eliminating the six types previously specified. Thus an airbrake hose under the proposal may be manufactured from any material as long as the hose can meet the performance requirements of the standard. Specification of a multilayer construction has been deleted to allow the industry more freedom for innovation in meeting the proposed requirements. Similarly, multilayer construction has been deleted from proposed hydraulic brake hose specifications. Comments are especially solicited on this specific area of the proposal. In recognition of the contemplated manufacture of certain brake hoses from synthetic materials, hoses of ⅛-inch inside diameter are included. The proposed minimum radii of the forms are also increased, as the previously specified radii are considered unduly restrictive.

Comments have apprised the NHTSA of the hazards involved in coupling differing sizes of air brake hoses and end fittings. While the coupling appears proper to the eye, the hose may be separated from the fitting as early as the first brake application. Specifying the outside diameter of airbrake hoses would insure a

greater likelihood of proper inservice replacement of airbrake hose assemblies. The NHTSA has not specified outside diameter dimensions for airbrake hoses in this rulemaking action but will prescribe values that will require the use of Standard SAE 100R5 fittings. It is requested that interested persons comment to the docket in order that these dimensions may be prescribed in the eventual amendment of Standard No. 106.

Test requirements are proposed for airbrake hoses to demonstrate resistance to ozone, water, ultraviolet light, and zinc chloride. Following exposure to each, a brake hose would have to demonstrate compliance with one of the following requirements: length change, adhesion, air pressure, strength, or tensile strength.

Physical tolerances in test conditions and procedures have been removed, since they are generally inappropriate for regulatory purposes, and likely to cause confusion as to their significance. Where a range within test conditions or procedures is specified, it is important for enforcement purposes that the vehicle or equipment be required to meet the specified requirements at all points within the range. If it is only required to meet the requirements at one point within a range, a nonconforming result in an NHTSA compliance test would be inconclusive, and repeated retesting would be required. Thus, if tolerances are used they should represent options for Government testing, not for manufacturers' test. But since safety standards should in all cases be considered as performance levels that each vehicle or item of equipment must meet, and not as instructions for manufacturer testing, it is usually clearer and more useful to express a test condition as a single figure without tolerances. Manufacturers have the responsibility of insuring, by any methods that constitute due care, that their products meet the requirements at the stated level. Normally this is done by setting their own test conditions slightly on the "adverse side" of the stated level.

The proposed effective date is extended from October 1, 1971, to March 1, 1972.

Interested persons are invited to submit data, views, and arguments on the proposed amendments. Comments are particularly invited on the leadtime and costs directly related to compliance with the proposed standard. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 4223, 400 Seventh Street SW., Washington, DC 20591. It is requested, but not required, that 10 copies be submitted. All comments received before the close of business May 24, 1971, will be considered, and will be available in the docket for examination both before and after the closing date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration will be treated as suggestions for future rulemaking. Relevant material will continue to be filed as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.

Proposed effective date: March 1, 1972.

In consideration of the foregoing it is proposed that 49 CFR 571.21, Motor Vehicle Safety Standard No. 106, Brake Hoses and Brake Hose Assemblies, be amended as set forth below. This notice of proposed rulemaking is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegations of authority at 49 CFR 1.51 (35 F.R. 4955) and 49 CFR 501.8 (35 F.R. 11126).

Issued on March 19, 1971.

RODOLFO A. DIAZ,
Acting Associate Administrator,
Motor Vehicle Programs.

§ 571.21 Federal Motor Vehicle Safety Standards.

* * * * *

MOTOR VEHICLE SAFETY STANDARD NO. 106

S1. *Scope.* This standard specifies requirements for motor vehicle brake hoses and hose assemblies.

S2. *Purpose.* The purpose of this standard is to reduce deaths and injuries occurring as a result of brake failure from pressure loss due to hose leakage or rupture.

S3. *Application.* This standard applies to passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles, and to brake hoses and brake hose assemblies for use in passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles.

S4. *Definitions.*

"Braid" means two or more strands of intertwined threads forming a diagonal pattern the length of a brake hose.

"Hydraulic brake hose" means a flexible hose for use in a hydraulic brake system of a motor vehicle.

"Hydraulic brake hose assembly" means a hydraulic brake hose with or without armor equipped with permanently attached end fittings.

"Airbrake hose" means a flexible hose for use in an airbrake system of a motor vehicle.

"Airbrake hose assembly" means an airbrake hose with or without armor equipped with couplings or end fittings.

"Vacuum brake hose" means a flexible hose for use in a vacuum brake system of a motor vehicle.

"Vacuum brake hose assembly" means a vacuum brake hose with or without armor equipped with couplings or end fittings.

"Heavy-duty vacuum brake hose" means a vacuum brake hose intended for use in the braking systems of single vehicles or as connecting or transmission lines in combinations of vehicles and systems thereof.

"Oil-resisting heavy-duty vacuum brake hose" means a heavy-duty vacuum brake hose intended for specific use as a manifold connection.

"Light-duty vacuum brake hose" means a vacuum brake hose intended for service in conjunction with the power-braking system on passenger cars, multipurpose passenger vehicles and trucks.

"Rupture" means any failure which results in leakage or a separation of a brake hose from its couplings or end fittings.

"P.s.i." means gage pressure in pounds per square inch as differentiated from absolute pressure.

S5 *Requirements.*

S5.1 *Hydraulic brake hoses and hose assemblies.*

S5.1.1 *Manufacture.* Each hydraulic brake hose shall consist of a rubber inner tube of ⅛-inch, 5/16-inch, or ¼-inch inside diameter, braid imbedded in and bonded to the rubber, and a rubber outer cover. The cover shall be free from sulfur bloom. The inner tube of each hose shall be of a nonblooming stock.

S5.1.2 *Labeling.*

S5.1.2.1 Each hydraulic brake hose shall have at least two solid stripes of a color contrasting to that of the hose, at least one-eighth of an inch in width, placed on opposite sides of the hose parallel to its longitudinal axis. The stripes may be interrupted by the information required by S5.1.2.2.

S5.1.2.2 Each hydraulic brake hose shall be permanently labeled at 6-inch intervals, in block capital letters and numerals at least five thirty-seconds of an inch high, with the following information in the order listed:

(a) A six-digit number indicating the month, day, and year of manufacture. For example, "010773" means January 7, 1973.

(b) The symbol DOT, constituting a certification by the hose manufacturer that the hose conforms to all applicable motor vehicle safety standards.

(c) The hose manufacturer's code number, assigned by the National Highway Traffic Safety Administration.

(d) One of the following three symbols, as applicable:

(1) H2, for hydraulic brake hose of ⅛-inch diameter;

(2) H3, for hydraulic brake hose of 5/16-inch diameter; or

(3) H4, for hydraulic brake hose of ¼-inch diameter.

S5.1.2.3 At least one end fitting of a hydraulic brake hose assembly shall be permanently etched, embossed, or stamped, in block capital letters and numerals at least three thirty-seconds of an inch high, with the date on which the fitting was assembled to the hose, the symbol DOT, and the assembler's code number, as specified in S5.1.2.2 (a), (b), and (c).

S5.1.3 *Test requirements.* Each hydraulic brake hose assembly shall be capable of meeting any of the requirements set forth under this heading, when tested under the conditions of S6 and the applicable procedures of S7. However, a particular hose assembly need not meet further requirements after hav-

ing been subjected to, and having met the requirements of, any one of the following test groups:

(a) Expansion test (S7.1.2) and strength test (S7.1.3);

(b) Fatigue life test (S7.1.4.) and pressure test (S7.1.5);

(c) Tensile test (S7.1.6) and pressure test (S7.1.5);

(d) Water absorption procedure (S7.1.7), strength test (S7.1.3), tensile test (S7.1.6), and fatigue life (S7.1.4);

(e) Cold test (S7.1.8);

(f) Brake fluid compatibility test (S7.1.9); constriction test (S7.1.1), and strength test (S7.1.3);

(g) Ozone resistance test (S7.1.10); or

(h) Salt spray test (S7.1.11).

S5.1.3.1 *Constriction.* The time required for the gage plug to drop of its own weight a distance of 3 inches into the hydraulic brake hose assembly shall not exceed 5 seconds (S7.1.1(a)). However, if the configuration of the assembly precludes testing by the gage plug method, the above requirement shall not apply, and instead, when tested according to S7.1.1(b), a steel ball with a diameter equal to that of the applicable gage plug under 25 p.s.i. air pressure shall pass completely through the hose assembly at a rate not less than 1 inch per second.

S5.1.3.2 *Expansion and strength.* The maximum expansion of a hydraulic brake hose assembly at 1,000 p.s.i. and 1,500 p.s.i. shall not exceed the values specified in Table I (S7.1.2). After being subjected to the expansion test, the hydraulic brake hose shall then withstand 4,000 p.s.i. water pressure for 2 minutes without rupture, and shall not rupture at less than 5,000 p.s.i. (S7.1.3).

TABLE I—MAXIMUM EXPANSION OF FREE LENGTH BRAKE HOSE, cc/ft.

Hydraulic brake hose, inside diameter	Test pressure			
	1000 p.s.i.		1500 p.s.i.	
	Reg. Exp. hose	Low Exp. hose	Reg. Exp. hose	Low Exp. hose
¼ inch	0.66	0.33	0.79	0.42
5/16 inch	0.86	0.55	1.02	0.72
⅜ inch	1.04	0.82	1.30	1.10

S5.1.3.3 *Fatique life and pressure resistance.* A hydraulic brake hose assembly shall not rupture when run continuously on the flexing machine for 35 hours (S7.1.4), and shall then withstand 1,500 p.s.i. air pressure for 30 seconds without rupture (S7.1.5).

S5.1.3.4 *Tensile strength and pressure resistance.* A hydraulic brake hose assembly shall withstand a pull of 325 pounds without rupture (S7.1.6), and shall then withstand 1,500 p.s.i. air pressure for 30 seconds without rupture (S7.1.5).

S5.1.3.5 *Water absorption, strength, tensile strength, and fatigue life.* Each hydraulic brake hose assembly, after immersion in water for 70 hours (S7.1.7), shall withstand 4,000 p.s.i. water pressure for 2 minutes without rupture, and shall then not rupture at less than 5,000 p.s.i. (S7.1.3). It shall then withstand a pull of 325 pounds without rupture (S7.1.6), and shall not rupture when run continuously on a flexing machine for 35 hours (S7.1.4).

S5.1.3.6 *Low-temperature compatibility.* The outer cover of a hydraulic brake hose conditioned at minus 65° F. for 70 hours shall show no signs of cracking when bent around a cylinder (S7.1.8).

S5.1.3.7 *Brake fluid compatibility, construction, and strength.* After having been subjected to a temperature of 250° F. for 70 hours while filled with brake fluid conforming to Standard No. 116, as in effect on the date of manufacture of the hose (S7.1.9), each hydraulic brake hose assembly shall meet the constriction requirements of S5.1.3.1. It shall then withstand 4,000 p.s.i. water pressure for 2 minutes without rupture, and shall not rupture at less than 5,000 p.s.i. (S.7.1.3).

S5.1.3.8 *Ozone resistance.* The outer cover of a hydraulic brake hose shall show no cracking after exposure to ozone, when examined under 7-power magnification (S71.10).

S5.1.3.9 *End fitting corrosion resistance.* After 24 hours of exposure to salt spray, hydraulic brake hose assembly end fittings shall show no pitting, or base metal rust on the end fitting surface (S7.1.11).

S5.2 *Airbrake hoses and hose assemblies.*

S5.2.1 *Manufacture.*

(a) Each airbrake hose and hose assembly shall be provided with reusable metal end fittings.

(b) Each reusable end fitting shall consist of a nipple inserted into the bore of the hose and an outer sleeve (socket, body, or shell) engaging the nipple. The wall of the hose shall be compressed between the nipple and sleeve. Zinc-plated end fittings, if any, shall be dichromate dipped.

S5.2.2 *Labeling.*

S5.2.2.1 Each airbrake hose shall be labeled as specified in S5.1.2.2 (a), (b), (c), and with the letter "A" indicating that the hose is an airbrake hose. In addition each airbrake hose shall bear a number designating hose diameter in sixteenths of an inch. For example, "7" designates a hose diameter of seven-sixteenths of an inch; "6.5" designates a hose diameter of thirteen thirty-seconds of an inch.

S5.2.2.2 Each airbrake hose assembly shall be permanently labeled as specified in S5.1.2.3.

S5.2.3 *Test requirements.*

(a) Each airbrake hose assembly shall be capable of meeting any of the requirements set forth under this heading, when tested under the conditions of S6 and the applicable procedures of S7.

(b) A particular hose assembly need not meet further requirements after having been subjected to and having met the requirements of any of the following tests:

(1) Salt spray test (S7.2.2).

(2) High temperature resistance test (S7.2.3).

(3) Low temperature compatibility test (S7.2.4).

(4) Oil resistance test (S7.2.5).

(c) Each airbrake hose assembly shall meet the applicable requirements when subjected to any one of the tests in group (1), below, followed by any one of the tests in group (2). A particular hose assembly need not meet further requirements after having been subjected to and having met the requirements of any such combination of tests.

(1) Ozone resistance test (S7.2.6); water resistance test (S7.2.12); ultraviolet light resistance test (S7.2.13); or zinc chloride resistance test (S7.2.14).

(2) Length change test (S7.2.7); adhesion test (S7.2.8); air pressure test (S7.2.9); strength test (S7.2.10); or tensile strength test (S7.2.11).

S5.2.4 *Constriction.* A steel ball (of diameter as specified in Table II) under 25 p.s.i. air pressure shall pass completely through the hose assembly at a rate not less than 1 inch per second (S7.2.1).

TABLE II—AIRBRAKE HOSE CONSTRICTION REQUIREMENTS

Inside diameter of hose (inches):	*Minimum ball diameter (inches)*
⅛	0.0940
5/16	.1405
¼	.1880
5/16	.2340
⅜	.2820
13/32	.2980
7/16	.3280
½	.3750
⅝	.4700

S5.2.5 *Airbrake hose assembly end connectoins.* After 24 hours exposure to salt spray airbrakes hose assembly couplings or end fittings shall show no pitting, or base metal rust of the couplings or end fittings surfaces (S7.2.2).

S5.2.6 *High temperature resistance.* An airbrake hose shall show no cracks, charring or disintegration externally or internally when straightened after being bent over a form having the minimum bend radius specified in Table III (S7.2.3) and then impacted with a 10-pound weight (see Figure 1).

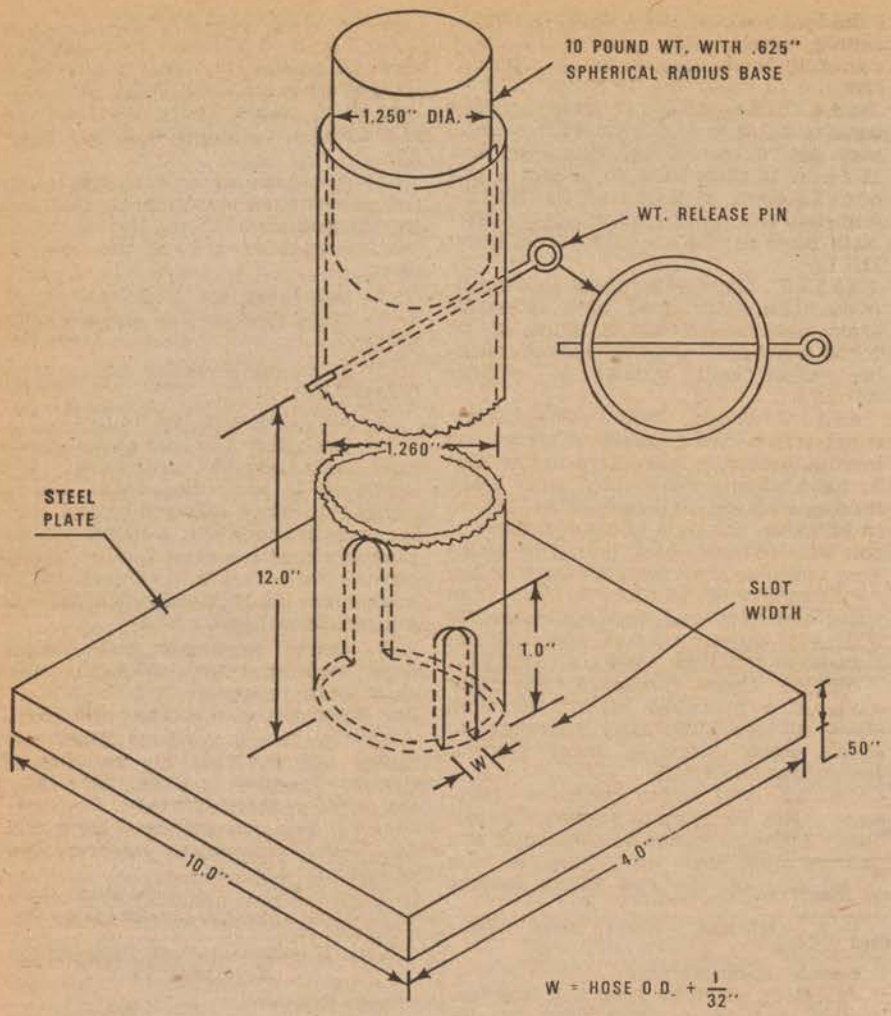


FIGURE 1

TABLE III—AIR BRAKE HOSE DIAMETERS AND MINIMUM BEND RADII

Hose, inside diameter in inches	⅛	3/16	¼	5/16	⅜	13/32	7/16	½	5/8
Minimum bend radius to inside of bend, in inches	1½	2	2½	3	3½	3½	4	4	4½

S5.2.7 *Sizes.* The hose shall conform to the dimensional requirements given in Table III.

S5.2.8 *Low temperature compatibility.* The outer cover of an airbrake hose shall show no signs of cracking after conditioning at minus 40° F. for 70 hours, when bent around a cylinder having the minimum bend radius specified in Table III, and shall not rupture when tested under 300 p.s.i. air pressure for 30 seconds (S.7.2.4).

S5.2.9 *Oil resistance.* After immersion in ASTM No. 3 oil for 70 hours at 212° F. the volume of a specimen prepared from the inner tube and from the cover of an airbrake hose shall not increase more than 100 percent (S7.2.5).

S5.2.10 *Ozone resistance.* After exposure to ozone for 70 hours at 104° F. the outer cover of an airbrake hose shall show no cracking when examined under 7-power magnification (S7.2.6), and:

(a) *Length change.* The hose shall not contract in length more than 7 percent nor elongate more than 5 percent when tested under a pressure of 150 p.s.i. (S7.2.7).

(b) *Adhesion.* The hose shall not require a force less than 8 pounds (machine method) to separate adjacent layers (S7.2.8).

(c) *Air pressure.* The hose assembly shall show no leakage when tested under air pressure of 300 p.s.i. for 30 seconds (S7.2.9).

(d) *Strength.* The hose shall not rupture when tested under hydrostatic pressure at 900 p.s.i. (S7.2.10).

(e) *Tensile strength.* The hose assembly shall withstand a pull of 250 pounds if it is ⅛-inch, 3/16-inch, or ¼-inch hose, or of 325 pounds, if it is any other hose, without separation from the end fittings or couplings and without rupture of the hose (S7.2.11).

S5.2.11 *Water resistance.* After immersion in distilled water for 168 hours, each airbrake hose and hose assembly shall be capable of meeting the requirements of S5.2.10(a)–(e).

S5.2.12 *Ultraviolet light resistance.* After exposure to ultraviolet light for 1,200 hours, and impact with a 10-pound weight (see Figure 1), the outer cover of each airbrake hose shall show no cracks under 7-power magnification (S7.2.13). The hose assembly shall then be capable of meeting the requirements of S5.2.10(a)–(e).

S5.2.13 *Zinc chloride resistance.* After immersion in a 50-percent zinc chloride aqueous solution for 200 hours, the outer cover of each airbrake hose shall show no cracks under 7-power magnification (S7.2.14). The hose assembly shall then be capable of meeting the requirements of S5.2.10(a)–(e).

S5.3 *Vacuum brake hoses and hose assemblies.*

S5.3.1 *Manufacture.* Vacuum brake hose shall have the dimensional requirements as specified in Table IV and Table V and shall be manufactured with a smoothbore tube of flexible material, reinforced with cord or duck plies, or a combination of both, together with an abrasive, weather, and sunlight resistant cover. Covers for light-duty vacuum and for oil-resisting heavy-duty vacuum brake hose shall be oil resistant. Zinc plated end connections shall be dichromate dipped.

TABLE IV—HEAVY-DUTY VACUUM BRAKE HOSE DIAMETERS

Heavy-duty vacuum brake hose size						
	Inside diameter, inch					
	¼	3/8	½	5/8	¾	1
Tolerance (inch):						
Plus	0.008	0.008	0.008	0.008	0.008	0.010
Minus	0.020	0.020	0.020	0.020	0.020	0.022
	Outside diameter, inch					
	9/16	13/16	15/16	1 1/16	1 3/16	1 5/16
Tolerance (inch):						
Plus	1/32	1/32	1/32	1/32	1/32	1/32
Minus	3/32	3/32	3/32	3/32	3/32	3/32

TABLE V—LIGHT-DUTY VACUUM BRAKE HOSE DIAMETERS

Light-duty vacuum brake hose size			
	Inside diameter, inch		
	7/32	1 3/32	1 5/32
Tolerance (inch):			
Plus	0.028	0.028	0.028
Minus	0.032	0.032	0.032
	Outside diameter, inch		
	7/16	1 1/16	1 3/16
Tolerance (inch):			
Plus	0.032	0.032	0.032
Minus	0.032	0.032	0.032

S5.3.2 *Labeling.*

S5.3.2.1 Each vacuum brake hose shall be labeled as specified in S5.1.2.2 (a), (b), and (c). In addition each hose shall also bear the following information in the order listed:

(a) A digit indicating intended service. The digit "1" designates a light-duty vacuum brake hose, "2" designates a heavy-duty vacuum brake hose, and "3" designates an oil-resisting heavy-duty vacuum brake hose.

(b) The letter "V" indicating that the hose is a vacuum brake hose.

(c) A number designating hose diameter in sixteenths of an inch. For example, "7" designates a hose diameter of seven-sixteenths of an inch; "6.5" designates a hose diameter of thirteen thirty-seconds of an inch.

S5.3.2.2 Each vacuum brake hose assembly shall be permanently labeled as specified in S5.1.2.3.

S5.3.3 Each vacuum brake hose assembly shall be capable of meeting any of the requirements set forth under this heading, when tested under the conditions of S6 and the applicable procedures of S7.

S5.3.4 *Constriction.* A steel ball of diameter as specified in Table VI for heavy-duty vacuum brake hose or Table VII for light-duty vacuum brake hose, under 25 p.s.i. air pressure shall pass completely through the hose assembly at a rate not less than 1 inch per second (S7.3.1).

S5.3.5 *Vacuum brake hose assembly end connections.* After 24 hours exposure to salt spray vacuum brake hose assembly end connections shall show no pitting or base metal rust of the connection surface (S7.3.2).

S5.3.6 *High temperature resistance.* A vacuum brake hose shall show no cracks, charring, or disintegration externally or internally when straightened after being bent over a form having the radius specified in Table VI for heavy-duty type or Table VII for light-duty type (S7.3.3).

TABLE VI—HEAVY-DUTY VACUUM BRAKE HOSE TEST REQUIREMENTS

Hose—Inside diameter, inches	High temperature resistance		Bend		Deformation—Collapsed ID (dimension D), inches	Strength—p.s.i.	Swell—diameter of ball, inches
	Specimen length, inches	Radius of form, inches	Specimen length, inches	Maximum collapse of OD, inches			
¼	9	1½	8	3/32	1/16	1200	3/16
5/16	10	1¾	12	5/32	3/32	1200	5/16
⅜	11	2	16	7/32	1/8	1000	13/32
7/16	12	2¼	22	7/32	5/32	1000	17/32
½	14	2½	28	7/32	3/16	800	5/8
1.0	16	3¼	36	9/32	¼	800	¾

TABLE VII—LIGHT-DUTY VACUUM BRAKE HOSE TEST REQUIREMENTS

Hose—Inside diameter, inches	High temperature resistance		Bend		Deformation—Collapsed ID (dimension D), inches	Strength—p.s.i.	Swell—ball diameter factor
	Specimen length, inches	Radius of form, inches	Specimen length, inches	Maximum collapse of OD, inches			
3/32	8	1½	7	1/64	3/64	350	1/16
1/16	9	1¾	11	1/64	3/64	350	3/32
1/32	11	2	14	1/64	3/64	350	3/32

S5.3.7 *Low temperature compatability.* The outer cover of a vacuum brake hose shall show no signs of cracking after conditioning at minus 40° F. for 70 hours when bent around a cylinder (S7.3.4).

S5.3.8 *Ozone resistance.* The outer cover shall show no cracking when examined under 7-power magnification after exposure to ozone (S7.3.5).

S5.3.9 *Strength.* A vacuum brake hose shall not rupture at the hydrostatic pressure specified in Table VI for heavy-duty type and Table VII for light-duty type (S7.3.6).

S5.3.10 *Vacuum.* The collapse of the outside diameter of a vacuum brake hose under internal vacuum of 26 inches of Hg. for 5 minutes shall not exceed 1/16 inch S7.3.7).

S5.3.11 *Bend.* The collapse of the outside diameter of a vacuum brake hose at the middle point of the test length when bent until the ends touch shall not exceed the values given in Table VI for heavy-duty type and Table VII for light-duty type (S7.3.8).

S5.3.12 *Swell.* A vacuum brake hose shall show no leakage in vacuum test under 26 inches of Hg. for 10 minutes, after which there shall be no separation of the inner tube from the fabric reinforcement of the hose. The steel ball shall pass freely through the hose (S7.3.10).

S5.3.13 *Adhesion.* The load required to separate adjacent layers shall be not less than 8 pounds (S7.3.11).

S5.3.14 *Additional requirements for heavy-duty vacuum brake hose.* In addition to meeting the requirements of S5.3.4 through S5.3.13, each heavy-duty vacuum brake hose shall also meet the following requirements:

(a) *Deformation.* A heavy-duty vacuum brake hose shall immediately return to at least 90 percent of the original outside diameter. The collasped inside diameter (dimension D) shall be that specified in Table VI. The load required in the first compression shall be less than 70 pounds, and in the fifth compression it shall be greater than 40 pounds (S7.3.9).

(b) *Cover tensile.* The cover shall have a tensile strength not less than 1,200 p.s.i. (S7.3.12).

(c) *Cover elongation.* The cover stock shall have an elongation at break not less than 200 percent (not less than 2 inches or more than 6 inches) (S7.3.12).

(d) *Tube tensile.* The tube stock shall have a tensile strength not less than 1,000 p.s.i. (S7.3.12).

(e) *Tube elongation.* The tube shall have an elongation at break not less than 175 percent (S7.3.12).

S5.3.15 *Additional requirements for light-duty vacuum brake hose.* In addition to meeting the requirements of S5.3.4 through S5.3.13, each light-duty vacuum brake hose shall also meet the following requirements:

(a) *Deformation.* Each light-duty vacuum brake hose shall immediately return to at least 90 percent of the original outside diameter. The collapsed inside diameter (dimension D) shall be that specified in Table VII. The load required in the first compression shall be less than 50 pounds, and in the fifth compression it shall be greater than 20 pounds (S7.3.9).

(b) *Swell.* Each hose shall meet the requirements of S5.3.12 (S7.3.10).

(c) *Cover tensile.* The cover stock shall have a tensile strength not less than 800 p.s.i. (S7.3.12).

(d) *Cover elongation.* The cover stock shall have an elongation at break not less than 200 percent (not less than 2 inches or more than 6 inches) (S7.3.12).

(e) *Cover volume increase.* The volume of a specimen prepared from the cover of the hose shall not increase more than 50 percent (S7.2.5).

(f) *Tube tensile.* The tube stock shall have a tensile strength not less than 700 p.s.i. (S7.3.12).

(g) *Tube elongation.* The tube stock shall have an elongation at break not less than 175 percent (S7.3.12).

S5.3.16 *Special requirements for oil-resisting heavy-duty vacuum brake hose.* The tube volume of a specimen of oil-resisting heavy-duty vacuum brake hose prepared from the inner tube of the hose shall not increase more than 100 percent. (S7.2.5). The brake hose itself shall meet each requirement of S5.3.4 through S5.3.14.

S6. *Test conditions.* The requirements of S5 shall be met under the following conditions.

S6.1 The temperature of the testing room is 75° F.

S6.2 Except for S7.1.8, S7.2.4, and S7.3.4 the test samples are stabilized at room temperature prior to testing.

S6.3 The brake hose assemblies are at least 24 hours old, and unused.

S7. *Test procedures.*

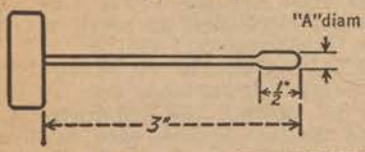
S7.1 *Hydraulic brake hoses and hose assemblies.*

S7.1.1 *Constriction test.*

(a) Measure the constriction of the brake hose assembly with gage plugs as shown in Figure 2. Diameter "A" shall be 0.080 inch for ⅛-inch hose, 0.120 inch for 3/16-inch hose, and 0.165 inch for ¼-inch hose. Gage plugs shall weigh 2 ounces. Hold the hose assembly vertically, and insert the "A" diameter portion of the plug one-half inch into the end of the fitting, then permit the gage plug to drop of its own weight the remaining

2½ inches into the hose assembly. Test both ends.

(b) Hold the brake hose assembly in a straight and vertical position. Pass a steel ball of diameter equal to diameter "A" of the applicable gage plug through the hose under 25 p.s.i. air pressure.



GAGE PLUG SHALL WEIGH 2-OUNCES. DIMENSION "A" OF THE GAGE PLUG SHALL BE AS PRESCRIBED IN THE SPECIFICATIONS FOR THE HOSE.

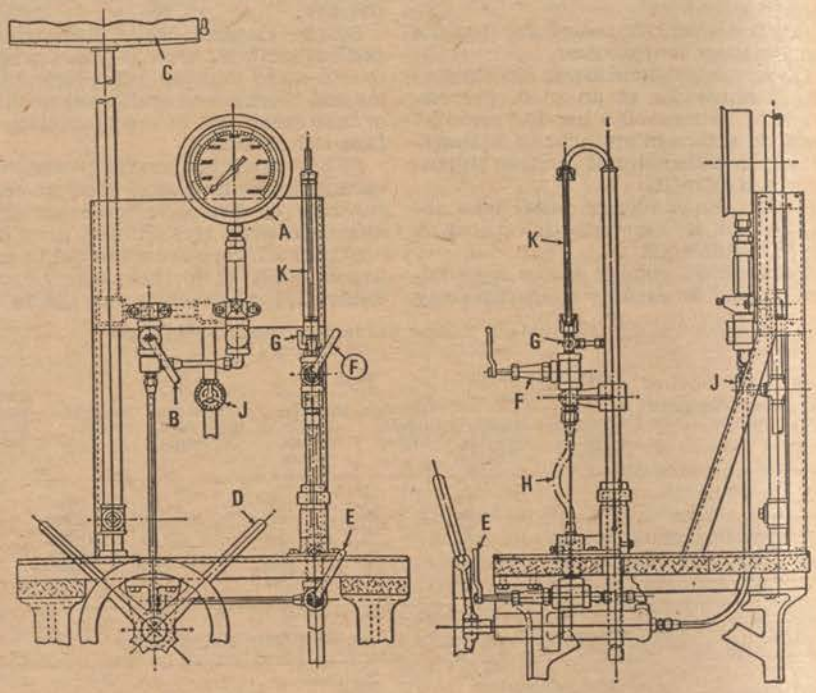
FIGURE 2.—Gage Plug for Testing Construction of Bore of Hose.

S7.1.2 *Test apparatus.*

(a) The test apparatus shall consist essentially of the following, as shown in Figure 3: Source for required fluid pressures, pressure gages, piping, valves, fittings in which the hose assembly may be mounted vertically for application of pressure under controlled conditions, and a graduated buret for measuring the volume of liquid corresponding to the expansion of the hose under pressure. All piping and connections shall be smooth bore without recesses or offsets, so that all air may be freely removed from the system before running each test. Valves shall be capable of withstanding pressures involved without leakage. The apparatus shall be capable of applying pressure at a rate of increase of 15,000 p.s.i. per minute.

(b) Establish the calibration correction factor for the test device at pressures of 1,000 and 1,500 p.s.i. using doublewalled, copper-brazed steel tubing with a small diameter, in place of the hose assembly. Subtract these calibration correction factors from expansion readings obtained on test specimens. The maximum permissible calibration correction factor shall be 0.08 cubic centimeters at 1,500 p.s.i.

(c) Thread the test specimen into position on apparatus so as to provide a leakproof seal. Do not twist. Maintain the hose in a vertical, straight position without tension while under pressure. Fill tank C with distilled water, so that when it is filled it is free of air and dissolved gases. Open valve B and turn crank D to left to allow the maximum amount of water to flow into the master cylinder. Next open valves, E, F, and G allowing water to run from tank C through buret K until no air bubbles are seen in the buret. Removal of air bubbles may be facilitated by moving the hose back and forth. Close valves B and F and raise pressure in hose to 1,500 p.s.i., at a rate of 15,000 p.s.i. per minute, for not more than 10 seconds. After inspecting for leaks at the connections, release the pressure in the hose completely by opening valve F. Close valve F. Adjust water level in buret K to zero by means of valve G. Turn crank D to the right, raising the pressure in the hose to 1,000 p.s.i., at a rate of 15,000 p.s.i. per minute. Seal this pressure in hose by closing valve E, after which measure the expansion immediately by opening valve F and allowing water in the expanded hose to rise in the buret. As soon as the liquid level is constant, close valve F and take reading on buret K. Repeat this operation so that the final reading taken on buret K will be the total of three expansions. This reading, divided by 3, minus the calibration factor, is the final volumetric expansion of the hose at 1,000 p.s.i. Readjust the water level in buret to zero as above and repeat procedure to obtain expansion at 1,500 p.s.i. If pressure in the hose should inadvertently be raised just prior to the expansion reading to a value above that specified, do not take a reading but release pressure and repeat procedure.



A—PRESSURE GAGE OF 10,000-PSI CAPACITY.
B—CONTROL VALVE FROM TANK C.
C—PRESSURE-MEDIUM TANK (VENTED ON TOP).
D—SCREW OPERATED MASTER CYLINDER.
E—VALVE CONTROLLING LINE FROM MASTER CYLINDER TO HOSE.
F—VALVE ABOVE HOSE.
G—VALVE CONTROLLING FLOW INTO BURET.
H—HOSE IN SLACK POSITION.
J—FLUID LINE VALVE.
K—BURET GRADUATED IN 0.1 CU CM.

FIGURE 3.—Apparatus for Expansion and Bursting Strength Tests.

S7.1.3 *Strength test.*

(a) The test apparatus shall consist of a pressure system in which the brake hose is so connected that controlled and measured fluid pressure may be applied internally. The pressure shall be obtained by pump or accumulator system and shall be measured with a calibrated gage. Provision shall be made for filling the hose with distilled water and allowing all air to escape through a relief valve prior to application of pressure. Pressure shall be applied at a rate of increase of 15,000 p.s.i. per minute. The apparatus described in S7.1.2(a) may be used when it conforms to these requirements and the components are adapted to high-pressure work.

(b) Connect the brake hose assembly to pressure system and fill completely with water, allowing all air to escape. Close relief valve and apply pressure at 15,000 p.s.i. per minute until it reaches 4,000 p.s.i. Hold for 2 minutes. Then increase pressure to 5,000 p.s.i.

S7.1.4 *Fatigue life (whip test).* Test shall be conducted with free length as specified in Table VIII and with protective armor removed.

TABLE IX.—HOSE LENGTHS

Straight length (free length between end fittings), in.	Slack, in.	
	1/8-in. hose	5/16-in. and 1/4-in. hose
8 to 15½, inclusive	1.750 ±0.015	1.000 ±0.015
Over 15½ to 19, inclusive	1.250 ±0.015	
Over 19 to 24, inclusive	0.750 ±0.015	

(a) Test apparatus shall provide the same motion to the specimens as the following: A movable header consisting of a horizontal bar mounted at each end on vertically rotating disks through ball bearings with centers placed 4 inches from disk centers, and an adjustable stationary header parallel to the movable header in the same horizontal plane as the centers of the disks. The headers are each provided with four standard end connections equally spaced, approximately 3½ inches on centers in which the hose assemblies are mounted in parallel. The disks are revolved at a speed of 800 r.p.m., whereby the hose ends fastened to the moving header are rotated at this speed through a circle 8 inches in diameter while the opposite hose ends remain stationary. The end connections on the movable header are tightly capped, while those on the stationary header are open to a manifold through which water pressure is supplied by means of a weight-operated plunger in a pressure cylinder. The hose assemblies are thereby subjected during test to a constant water pressure which shall be maintained between 225 and 235 p.s.i. as shown by a gage installed so as to read pressure in the manifold. A limit switch operated by the plunger weight must be used to stop the machine when the water pressure drops as in the case of rupture of the hose, since it is essential that the machine stop if the pressure drops or a hose assembly fails. A revolution counter and elapsed time indicator shall be provided.

(b) Equip the nonrotating header to permit attachment of each hose assembly with individual adjustment for length. When mounted in the whip test machine, the projected length of the hose assembly shall be less than the straight length by the amount indicated as slack in Table VIII. The reduction from straight length to projected length on the machine shall be within the limits specified. Take the projected length parallel to the axis of the rotating head. Install brake hose assemblies in the apparatus without any twist. Apply water pressure and bleed all hose and passages to eliminate air pockets or bubbles. Start the motor rotating the movable head and note the duration of the test. Failure of the brake hose by water leakage through a rupture, and consequent loss of pressure, constitutes a failure of the test. Run the machine continuously for 35 hours.

S7.1.5 *Pressure test.* Attach one end of the hose assembly to a source of air pressure and cap the open end. Submerge the hose assembly in water, using a suitable container for visual observation. Before applying pressure, wipe the hose assembly free of any surface bubbles formed during submersion. Apply an internal air pressure of 1,500 p.s.i. to the hose assembly and maintain for 30 seconds.

S7.1.6 *Tensile test.*

(a) Use a tension testing machine conforming to the requirements of the Methods of Verification of Testing Machines (ASTM Designation: E4) and provided with a recording device to give the total pull in pounds. The hose assembly shall be so held that the hose and fittings shall have a straight centerline corresponding to the direction of the machine pull.

(b) Assemble hose assembly in the fixture and mount in the testing machine. Apply a steady tension load at a speed such that the moving head of the testing machine travels at 1 inch per minute until the total load reaches 325 pounds.

S7.1.7 *Water absorption procedure.* Remove cover of a hose assembly one-half inch to five-eighths inch from either side of the center (total 1 inch to 1¼ inches of the cover removed), in such a manner that the outer braid is exposed, but the outer yarn is not injured and the hose is not elongated. Immerse the assembly in distilled water at room tempreature for 70 hours. Within 10 minutes after removal from the water, begin tests S7.1.3, and S7.1.6, as appropriate. Begin whip test (S7.1.4) not sooner than 10 minutes, and not later than 30 minutes, after removal from the water.

S7.1.8 *Low temperature compatability test.* After removal of chafing sleeves or extra appendages, condition the hose, in a straight position, and a cylinder of the diameter specified below, in air at minus 65° F. for 70 hours. Then, still at that temperature, bend the hose 180 degrees around the cylinder at a steady rate in a period of 3 to 5 seconds. The cylinder diameter shall be 3 inches for 1/8-inch hose, and 3½ inches for 3/16-inch and ¼-inch hose.

S7.1.9 *Brake fluid compatibility procedure.* Fill a hose assembly with brake fluid conforming to Federal Motor Vehicle Safety Standard No. 116, as effective at the time of manufacture of the hose, and cap both ends. Condition the assembly in an oven at 250° F. for 70 hours. Within 10 minutes after removal from the oven, drain the brake hose assembly of brake fluid and immediately begin test S7.1.1 or S7.1.3 as appropriate.

S7.1.10 *Ozone resistance test.* Bend a brake hose 10 inches longer than the circumference of the required cylinder around the cylinder, the diameter of which shall be eight times the nominal outside diameter of the brake hose, and bind where the ends cross. If the hose collapses when bent around the cylinder, provide for internal support of the hose. Condition hose for 24 hours in air at room temperature, and then place the hose on the cylinder in an exposure chamber containing air mixed with ozone in the proportion of 50 parts of ozone per 100 million parts of air by volume, for 70 hours. Ambient air temperature in chamber during test shall be 104° F. Then examine cover of hose under 7-power magnification, ignoring areas immediately adjacent to or within area covered by binding.

S7.1.11 *Salt spray test.*

(a) *Apparatus.* The apparatus for this test shall be that described in the appendix.

(b) *Material.* The material of construction of the salt spray chamber shall be such that it will not affect the corrosiveness of the fog. Drops of solution which accumulate on the ceiling or cover of the chamber shal not be permitted to fall on the brake hose. Drops of solution which fall from the brake hose shall not be returned to the solution reservoir for respraying.

(c) *Position of hose during test.* The position of the hose assembly in the chamber during the test shall be such that the following conditions are met:

(i) A hose assembly is supported or suspended 30° from the vertical and parallel to the principal direction of horizontal flow of fog through the chamber, based upon the dominant surface being tested.

(ii) Each hose is so placed as to permit free settling of fog on all assemblies.

(iii) Salt solution from one hose assembly does not drip on any other hose assembly.

(d) *Salt solution.* Solution shall be 5 parts by weight of sodium chloride in 95 parts of distilled water or water containing not more than 200 p.p.m. of total solids. The sodium chloride shall be substantially free of nickel and copper and shall contain on a dry basis not more than 0.1 percent of sodium iodide and not more than 0.3 percent of total impurities. The pH of the salt solution shall be such that when atomized at 95° F. the collected solution shall be in the pH range of 6.5 to 7.2. Before the solution is atomized it shall be free of suspended solids. The pH measurement shall be made electrometrically at 77° F. using a glass electrode with a saturated potassium chloride brideg, or colorimetrically using Bromthymol blue as indicator.

(e) *Air supply.* Compressed air supply to nozzle or nozzles for atomizing salt solution shall be free of oil and dirt and maintained between 10 and 25 p.s.i.

(f) *Condition in salt supply chamber.* (i) Exposure zone of salt spray chamber shall be maintained at 95° F. Temperature within the exposure zone of the closed cabinet shall be recorded at least twice a day at least 7 hours apart.

(ii) Place at least two clean fog collectors within the exposure zone so that no drops of solution from the hoses or other sources are collected. Collectors shall be placed in the proximity of hoses, one nearest to any nozzle and the other farthest from all nozzles. Fog shall be such that for each 80 square centimeters of horizontal collecting area there will be collected in each collector from 1 to 2 milliliters of a solution per hour based on an average run of at least 16 hours. The sodium chloride concentration of the collected solution shall be 5 percent by weight. The pH of the collected solution shall be 6.5 to 7.2 and shall be made

electrometrically or colorimetrically using Bromthymol blue as the indicator.

(iii) The nozzle or nozzles shall be so directed or baffled that none of the spray can impinge directly on the hose assemblies.

(g) *Continuity and cleaning.* (i) The test shall be continuous for a period of 24 hours.

(ii) Remove salt deposit from surface of hoses by washing gently or dipping in clean running water not warmer than 100° F. and then immediately dry.

S7.2 *Airbrake hoses and hose assemblies.*

S7.2.1 *Constriction test.* Hold the hose assembly in a straight and vertical position. Pass a steel ball (of diameter as specified in Table II) through the hose while under 25 p.s.i. air pressure.

S7.2.2 *Salt spray test.* Conduct S7.1.11 using an airbrake hose.

S7.2.3 *High temperature resistance test.* Bend a specimen of brake hose over a form having the minimum bend radius specified in Table III and hold in place by a band or cord. Condition the assembly for 70 hours in an air oven at 212° F. After removal from oven allow hose to cool to room temperature and then remove from the form. Open hose out to a straight length, and impact at once, one time, with a 10-pound weight with a device as illustrated in Figure 1. Examine externally for cracks, charring, or disintegration. Cut specimen lengthwise and examine inner tube for signs of cracking.

S7.2.4 *Low temperature compatibility test.* Condition a hose, in a straight position, and a cylinder in a cold box at minus 40° F. for 70 hours. Without removing the hose, bend it around the cylinder 180° in not less than 3 seconds and not more than 5 seconds. The cylinder shall have a diameter of the minimum bend radius specified in Table III. Conduct S7.1.5 maintaining an internal air pressure of 300 p.s.i. for 30 seconds.

S7.2.5 *Oil resistance (volume increase).*

(a) Each test specimen shall be a rectangular rubber block 2 inches long and 1 inch wide, having a thickness not over one-sixteenth inch. It shall be cut from the brake hose and buffed on both faces only to extent necessary to insure smoothly buffed faces, except when the material is too thick, in which case the buffing shall be sufficient to reduce specimens to one-sixteenth inch. Three specimens shall be used for each test and the results averaged.

(b) Measure the volume of each test specimen by a water displacement method in which the specimen is accurately weighed to nearest milligram in air (W_1) and in distilled water (W_2) at room temperature. When weighing in water take care that specimen is free from adhering air bubbles. If necessary it may first be wetted by being dipped in acetone and thoroughly rinsed with distilled water. After weighing, blot specimen dry with filter paper, completely immerse in ASTM No. 3 oil, and allow to stand for 70 hours at 100° C. Cool specimen to room temperature by transferring to a clean, cool portion of test liquid for 30 to 60 minutes. Dip specimen quickly into acetone, blot lightly with filter paper, and place in a tared weighing bottle and weigh (W_3). Then remove it from bottle and weigh (W_4) in distilled water in immediate consecutive procedure to determine water displacement after test. Final weighing shall be completed within 5 minutes after removal of test specimen from test liquid.

(c) Calculate percentage increase in volume as follows:

$$\text{Percentage of increase} = \frac{(W_3 - W_4) - (W_1 - W_2)}{(W_1 - W_2)} \times 100$$

S7.2.6 *Ozone test.* Conduct S7.1.10 using air brake hose. Then conduct one of the following tests: Length change (S7.2.7), adhesion (S7.2.8, air pressure (S7.2.9), strength (S7.2.10), or tensile strength (S7.2.11).

S7.2.7 *Length change.* Lay out the hose in a straight, horizontal position and apply a pressure of 10 p.s.i. Measure the original length at this pressure. Then increase the pressure to 200 p.s.i. without releasing the original pressure of 10 p.s.i. and make a final length measurement within 1 minute. An increase in the final length from the original length is an elongation. A decrease in the final length from the original length is a contraction.

S7.2.8 *Adhesion test.* The test shall be conducted only on original unaged specimens using a power-driven apparatus of the inclination balance or pendulum type which fulfills the following requirements:

(i) The applied tension as measured and recorded is accurate within ±1 percent.

(ii) The recording head of the machine has a freely rotating form with an outside diameter substantially the same as the inside diameter of the hose specimen that is placed on it. The form shall be mounted in such a way that its axis of rotation will be in the plane of the ply being separated from the ring and that the applied force will be perpendicular to the tangent of the ring circumference at the line of separation.

(iii) The rate of travel of the power-actuated grip is a uniform 1 inch per minute.

(iv) The machine is to be operated without any device for maintaining maximum load indication. In a pendulum type machine, the weight lever swings as a free pendulum without engagement of pawls.

(v) The machine is autographic, giving a chart having the inches of separation as one axis and applied tension as the other axis of coordinates.

(vi) The machine is of such capacity that the maximum applied tension during the test is not more than 85 percent or less than 15 percent of the rated capacity. Separate from the specimen by hand that layer of the specimen of which the adhesion is to be tested, sufficient to permit attaching the power-actuated clamp of the machine. Place the specimen snugly on the cylinder. With the cylinder attached to the recording head of the machine and the separated layer gripped symmetrically and firmly without twisting in the power-actuated lamp, adjust the autographic mechanism and chart to zero and start the machine. Strip the separating layer from the specimen approximately at an angle of 90° to the tangent of the specimen surface, and continue the separation for a sufficient distance to indicate the adhesion value. The adhesion value shall be the minimum load over the portion of the chart corresponding to actual separation of the part being tested, or the minimum load recorded during actual separation of the part being tested. The load shall be expressed in pounds per inch of width for separation at 1 inch. During test the cylinder shall rotate freely so as to maintain the line of separation at all times approximately in the same position.

S7.2.9 *Air pressure test.* Assemble a specimen of hose 18 inches in length, with end fittings as for service, and connect to a source of air pressure. Then submerge the hose assembly entirely in water, using any suitable container for the water such that visual observation of the assembly is permitted. Then apply internal air pressure of 200 p.s.i. and maintain for 30 seconds.

S7.2.10 *Strength test.*

(a) Apply hydrostatic pressure by means of a hydraulic pump or an accumulator system. Connect hose to waterline or pump and fill with water before applying pressure, allowing all air in hose to escape through a petcock. Then close petcock and apply pressure at a uniform rate of increase of approximately 1,000 p.s.i. per minute until hose ruptures.

(b) The brake hose test specimen shall be at least 18 inches in length for hose 3 inches or less in inside diameter, and at least 24 inches in length for larger hose, but in no case shall the length exceed 36 inches.

S7.2.11 *Tensile test.* Use machine as in S7.1.6. The machine shall be operated at a speed of approximately 1 inch per minute. The specimen of airbrake hose, approximately 18 inches in length, shall be so held in the testing machine that the hose and fittings have a straight center line corresponding to the direction of the machine pull. The hose assembly shall be subjected to an increasing tension load until failure occurs either by separation of the specimen from the end fittings or by rupture of the hose structure.

S7.2.12 *Water resistance.* Bend air brake hose assembly around a cylinder having the minimum bend radius specified in Table III, then immerse in distilled water at room temperature for 168 hours. After removal from distilled water, conduct one of the following tests: length change (S7.2.7), adhesion (S7.2.8), air pressure (S7.2.9), strength (S7.2.10), or tensile strength (S7.2.11).

S7.2.13 *Ultraviolet light resistance.* Bend air brake hose assembly into a circle having the minimum bend radius specified in Table III and place on a turntable with an RS4 sunlamp centered 9 inches above. Rotate the turntable at 33⅓ r.p.m. for 1,200 hours. Remove hose assembly and impact at once, one time,

with a 10-pound weight (see Figure 1). Examine under 7-power magnification for cracks. Then conduct one of the following tests: Length change (S7.2.7), adhesion (S7.2.8), air pressure (S7.2.9), strength (S7.2.10), or tensile strength (S7.2.11).

S7.2.14 *Zinc choloride resistance.* Bend air brake hose assembly around a form having the minimum bend radius specified in Table III, then immerse in a 50 percent zinc chloride aqueous solution at room temperature for 200 hours. After removal from solution, examine under 7-power magnification for cracks, then conduct one of the following tests: Length change (S7.2.7), adhesion (S7.2.8), air pressure (S7.2.9), strength (S7.2.10), or tensile strength (S7.2.11).

S7.3 *Vacuum brake hoses and hose assemblies.*

S7.3.1 *Constriction test.* Conduct S7.2.1 using vacuum brake hose.

S7.3.2 *Salt spray test.* Conduct S7.1.11 using vacuum brake hose.

S7.3.3 *High temperature resistance test.* Conduct S7.2.3 using vacuum brake hose with dimension of form (Figure 4) as specified in Table IX.

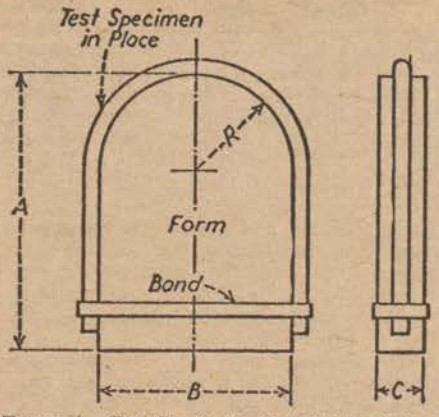


FIGURE 4.—Test Specimen on Form for Aging Test.

TABLE IX—DIMENSIONS OF VACUUM BRAKE HOSE TEST SPECIMEN AND FORM FOR HIGH TEMPERATURE RESISTANCE TEST

Inside diameter of hose (inch)	Duty type	Length of specimen (inch)	Dimensions of form (see Fig. 4) (inches)			
			A	B	R	C (min.)
VACUUM BRAKE HOSE						
5/16	Light	8	4 1/2	3	1 1/2	1/2
1/4	Heavy	9	4 1/2	3	1 1/2	1/2
11/32	Light	9	4 3/4	3 1/2	1 3/4	3/4
3/8	Heavy	10	4 3/4	3 1/2	1 3/4	3/4
15/32	Light	11	5	4	2	3/4
1/2	Heavy	11	5	4	2	3/4
5/8	do	12	5 1/2	4 1/2	2 1/4	3/8
3/4	do	14	6	5	2 1/2	1
1	do	16	7	6 1/2	3 1/4	1 3/8

S7.3.4 *Low temperature compatibility test.* Conduct S7.2.4 using vacuum brake hose.

S7.3.5 *Ozone test.* Conduct S7.1.10 using vacuum brake hose.

S7.3.6 *Strength test.* Conduct S7.2.10 using vacuum brake hose.

S7.3.7 *Vacuum test.* Assemble a specimen of vacuum brake hose 12 inches long with end fittings so that one end may be completely closed against air leakage and the other end connected to a vacuum pump. Measure the outside diameter of the test specimen and subject it to a vacuum of 26 inches of Hg. for 5 minutes. Connect a manometer or vacuum gage in the system to indicate the degree of vacuum actually maintained. At the end of the 5-minute period, while the hose is still under vacuum, again measure the outside diameter of the specimen so as to determine the minimum diameter at any cross section. Make the measurement with outside spring calipers and a steel scale graduated to one sixty-fourth inch. The difference between this measurement and the original outside diameter shall be the collapse of the hose outside diameter under vacuum.

S7.2.12 *Water resistance.* Bend air-vacuum brake hose, of the length prescribed in Table VI or Table VII, in the direction of its normal curvature until its ends just touch as shown in Figure 5. Measure the outside diameter of the specimen at the middle section A in the plane of the centerline before and after bending, using outside spring calipers and a steel scale graduated to one sixty-fourth inch. The difference between the two measurements shall be considered the collapse of the hose outside diameter on bending.

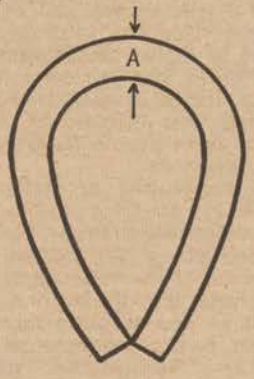


FIGURE 5.—Bend Test of Vacuum Brake Hose.

S7.3.9 *Deformation test.*

(a) *Apparatus.* The test apparatus shall consist of a No. 3 arbor press or other suitable compression device for collapsing the diameter of hose specimens, a platform scale or other suitable means for weighing the load required to collapse the hose, and feeler gages for measuring the free distances between the inner tube faces of the collapsed hose. The weighing device shall have a capacity of at least 100 pounds and shall indicate the applied loads on a dial or scale with an accuracy within ±1 percent. The feeler gages shall be of sufficient length to be passed completely through the test specimens of hose, which shall be a section cut to a length of 1 inch and shall be of rectangular cross section with dimensions as prescribed in Table X.

(b) *Procedure.* Place test specimen longitudinally in the arbor press with the fabric laps, if any, on either side and not in the line of the applied pressure. Insert the weighing device in the press and place the specimen on it so that the load applied may be measured. Compress test specimen to the form shown in Figure 6 with dimension D as prescribed in Table X. Record the observed load required to compress specimen to specified dimension D. Then compress test specimen 4 additional consecutive times to the form shown in Figure 6 with dimension D as prescribed in Table X. Hold the specimen under load each time for 5 seconds and allow it to recover for approximately 10 seconds which shall elapse between load applications. While under each application of the load, measure dimension D by means of the proper feeler gage for the size of hose being tested. Record the observed load required in the fifth application to compress the specimen to the specified dimension D. The specimen shall fail the test unless the load is less than that specified on the first application and unless the load is greater than that specified on the fifth application.

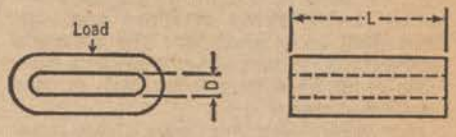


FIGURE 6.—Deformed Specimen of Vacuum Brake Hose.

TABLE X—DIMENSIONS OF TEST SPECIMEN AND FEELER GAGE FOR DEFORMATION TEST OF VACUUM BRAKE HOSE

Inside diameter of hose (inch)	Duty type	Specimen dimensions (see Fig. 6)		Feeler gage dimensions	
		D (inch)	L (inch)	Width (inch)	Thickness (inch)
7/32	Light	5/64	1	1/8	3/64
1/4	Heavy	1/16	1	1/8	1/16
11/32	Light	3/64	1	3/16	3/64
3/8	Heavy	3/32	1	3/16	3/32
15/32	Light	3/64	1	1/4	3/64
1/2	Heavy	1/8	1	1/4	1/8
5/8	do	3/32	1	1/4	3/32
3/4	do	3/16	1	1/4	3/16
1	do	1/4	1	1/4	1/4

S7.3.10 *Swell test.*

(a) Cut a speciment of vacuum brake hose 12 inches long. Measure the inside diameter and then fill the specimen with Reference Fuel A as described in the Method of Test for Change in Properties of Elastomeric Vulcanizates Resulting From Immersion in Liquids (ASTM Designation D471), enclosed by means of suitable cork stoppers to prevent loss by evaporation or leakage. Avoid putting Fuel A under greater than atmospheric pressure. Allow the filled hose to stand at room temperature for 48 hours, then remove the fuel and immediately test the hose specimen, in sequence, as described in paragraphs (b) to (d) of this section.

(b) Drop a steel ball through the specimen. If the ball does not pass freely, the specimen fails the test. Diameter of steel ball shall be that specified in Table VI for Heavy-Duty hose, and equal to the actual inside diameter measurement minus ball diameter factor in Table VII for Light-Duty hose.

(c) Next subject the specimen to a vacuum of 26 inches of Hg. as prescribed in S7.3.7, except that no measurements of diameter are required and the vacuum shall be maintained for at least 10 minutes. If the hose leaks, the specimen fails the test.

(d) Cut the specimen lengthwise in two sections and examine for any signs of separation of the inner tube from the fabric. If there is separation, the specimen fails the test.

S7.3.11 *Adhesion test.* Conduct S7.2.8 using vacuum brake hose.

S7.3.12 *Tensile strength and elongation of tube and cover.*

(a) *Apparatus.* Test apparatus shall consist of the following:

(i) *Bench marker.* The bench marker shall have two parallel straight marking surfaces ground smooth in the same plane. The surfaces shall be between 0.002 and 0.003 inch in width and at least 0.6 inch in length. The angles between the marking surfaces and the sides shall be at least 75°. The distance between the centers of the markings surfaces shall be within 0.003 inch of the required distance.

(ii) *Stamp pad.* The stamp pad shall have a plane unyielding surface (for example, hardwood, plate glass, or plastic). The ink shall have no deteriorating effect on the specimen and shall be of contrasting color to that of the specimen.

(iii) *Micrometers.* The dial micrometer used to measure the thickness of flat specimens shall be capable of exerting a pressure of 3.6 p.s.i. on the specimens and measuring the thickness to within 0.001 inch. The anvil of the micrometer shall be at least 1.4 inches in diameter and shall be parallel to the face of the contact foot.

(iv) *Testing machine.* Tension tests shall be made on a power-driven machine equipped with a suitable dynamometer and indicating or recording device for measuring the applied force within ±2 percent. If the capacity range cannot be changed during a test, as in the case of the pendulum dynamometer, the applied force at break shall be measured within ±2 percent, and the smallest tensile force measured shall be accurate to within 10 percent. If the dynamometer is of the compensating type for measuring tensile stress directly, means shall be provided to adjust for the cross sectional area of the specimen. The response of either an indicator or recorder shall be sufficiently rapid that the applied force is measured with the requisite accuracy during the extension of the specimen to rupture. If the tester is not equipped with a recorder, a device shall be provided that indicates after rupture the maximum force applied during extension. Testers equipped with a device to measure elongation automatically shall be capable of determining extensions within 5 percent of the original length. If elongation is measured manually, a scale capable of measuring each 10 percent elongation shall be provided.

(v) *Grips.* The tester shall have two grips, one of which shall be connected to the dynamometer, and a mechanism for separating the grips at a uniform rate of 20 inches per minute for a distance of at least 30 inches. Grips for testing specimens shall be either wedge or toggle type designed to transmit the applied force over a large surface area of the specimen.

(vi) *Calibration of testing machine.* The testing machine shall be calibrated in accordance with Procedure A of ASTM E4, Methods of Verification of Testing Machines.[1] If the dynamometer is of the strain-gage type the tester shall be calibrated at one or more loads daily, in addition to the requirements in sections 7 and 18 of Methods E4. Testers having pendulum dynamometers may be calibrated as follows: Place one end of a specimen in the upper grip of the testing machine. Remove the lower grip from the machine and attach it to the specimen. Attach to the lower grip a hook suitable for holding weights. Suspend a weight from the hook on the specimen to permit the weight assembly to rest on the machine grip holder. If the machine has a dynamometer head of the compensating type calibrate it at two or more settings of the compensator. Start the motor and run as in normal testing until the weight assembly is freely suspended by the specimen. If the dial or scale (whichever is normally used in testing) does not indicate the weight applied (or its equivalent in stress for compensating tester) within the specified tolerance, check the machine for excess friction in the bearings and all other moving parts. After eliminating as nearly as possible all the excess friction, recalibrate the machine as described in this paragraph. Calibrate the machine at a minimum of three points, using accurately known weight assemblies of approximately 10, 20, and 50 percent of capacity. Include the weight of the lower grip and hook as part of the calibration weight. If pawls and ratchet are used during the test, use them during the calibration. Friction in the head may be checked by calibrating with the pawls up.

(b) *Test specimens.* Test specimens shall be of sufficient length to permit their installation in the wedge or toggle grip used in the test. Bench marks shall be placed on the specimens. To determine the cross sectional area of specimens in the form of tubes, the weight, length, and density of the specimen shall be determined. The cross sectional area shall then be calculated from these measurements as follows:

$$A = \frac{W}{DL}$$

where:

A = Cross sectional area, cm.²,
W = Weight in air, g.,
D = Density, g./cm.³, and
L = Length, cm.

To determine the cross sectional area in square inches, the area A in square centimeters shall be multiplied by 0.155.

(c) *Determination of tensile stress, tensile strength, and ultimate elongation.* Place specimens in the grips of the testing machine, using care to adjust it symmetrically in order that the tension will be distributed uniformly over the cross section. If tension is greater on one side of the specimen than on the other, the bench marks will not remain parallel and maximum strength of the rubber will not be developed. Start the machine and note continually the distance between the center of the two bench marks, taking care to avoid parallax. Record the stress at the elongation specified for the materials under test and at the time of rupture, preferably by means of an autographic or spark recorder. At rupture measure and record the elongation to the nearest 10 percent on the scale. If the stress and strain are not autographically recorded, predetermine the distance between the centers of the rollers for the elongation specified for the material under test by the following equation:

[1] ASTM Standards Part 30 (1967).

$$D=\frac{1}{2}\left[\frac{EM}{100}+C-G\right]$$

where:

D=Distance between the roller centers of two grips,
E=Specified elongation, percent,
C=Inside circumference of the specimen,
M=Mean circumference of the specimen, and
G=Circumference of one grip roller (if each grip has two rollers, add twice the distance between the centers of the rollers on one grip).

Record the stress at the predetermined distance between the centers of the rollers and at the time of rupture, preferably by means of an autographic or spark recorder. At rupture measure the distance between the centers of rollers to within 0.1 inch and record.

(d) *Calculation.* Specimen: Calculate the tensile stress as follows:

$$\text{Tensile stress}=F/A$$

where:

F=Observed force, and
A=Cross-sectional area of the unstretched specimen.

Calculate the tensile strength by letting F in the above equation for tensile stress be equal to the force required to break the specimen.

Calculate the elongation as follows:

$$\text{Elongation, percent}=\frac{L-L_o}{L_o}\times 100$$

where:

L=Observed distance between the benchmarks on the stretched specimen, and
L_o=Original distance between the benchmarks.

Calculate the maximum elongation by letting L in the above equation for elongation be equal to the distance between the bench marks at the time of rupture. Calculate the tension set by substituting for L in the above equation, the distance between the bench marks after the 10-minute retraction period.

Appendix

Construction of Apparatus

1. *Cabinets.* (a) The salt spray cabinet consists of the basic chamber, an air saturator tower, a salt solution reservior, atomizing nozzles, specimen supports, provisions for heating the chamber, and suitable controls for maintaining the desired temperature.

(b) Accessories such as a suitable adjustable baffle or central fog tower, automatic level control for the salt reservoir, and automatic level control for the air saturator tower are pertinent parts of the apparatus.

(c) The cabinet is of sufficient size to test adequately the desired number of parts without overcrowding (i.e. no less than 15 cubic feet capacity).

(d) The chamber may be made of inert materials such as plastic, glass, or stone, but most preferably is constructed of metal and lined with impervious plastics, rubber, or epoxy type materials or equivalent.

2. *Temperature control.* (a) The maintenance of temperature within the salt chamber can be accomplished by several methods. It is desirable to control the temperature of the surroundings of the salt spray chamber and to maintain it as stable as possible. This may be accomplished by placing the apparatus in a constant temperature room, or by surrounding the basic chamber by a jacket containing water or air at a controlled temperature.

(b) The use of immersion heaters in an internal salt solution reservoir or of heaters within the chamber is detrimental where heat losses are appreciable, because of solution evaporation and radiant heat on the specimens.

(c) All piping which contacts the salt solution or spray must be of inert materials such as plastic. Vent piping should be of sufficient size so that a minimum of back pressure exists and should be installed so that no solution is trapped. The exposed end of the vent pipe should be shielded from extreme air currents that may cause fluctuation of pressure or vacuum in the cabinet.

3. *Spray nozzles.* (a) Satisfactory nozzles may be made of hard rubber, plastic, or other inert materials. The most commonly used type is made of plastic. Nozzles calibrated for air consumption and solution atomized are available. The operating characteristics of a typical nozzle are given in Table A.

Table A.—Operating Characteristics of Typical Spray Nozzle

Siphon height, in.	Air flow, liters per min.				Solution consumption, ml per hr.			
	Air pressure, p.s.i.				Air pressure, p.s.i.			
	5	10	15	20	5	10	15	20
4	19	26.5	31.5	36	2100	3840	4584	5256
8	19	26.5	31.5	36	636	2760	3720	4320
12	19	26.5	31.5	36	0	1380	3000	3710
16	19	26.5	31.5	36	0	780	2124	2904

(b) Air consumption is relatively stable at the pressures normally used, but a marked reduction in solution sprayed occurs if the level of the solution is allowed to drop appreciably during the test. Thus, the level of the solution in the salt reservoir must be maintained automatically to insure uniform fog delivery during the test.

(c) If the nozzle selected does not atomize the salt solution into uniform droplets, direct the spray at a baffle or wall to pick up the larger drops and prevent them from impinging on the test specimens. The nozzle selected shall produce the desired condition when operated at the air pressure selected. Nozzles are not necessarily located at one end, but may be placed in the center and can also be directed vertically up through a suitable tower.

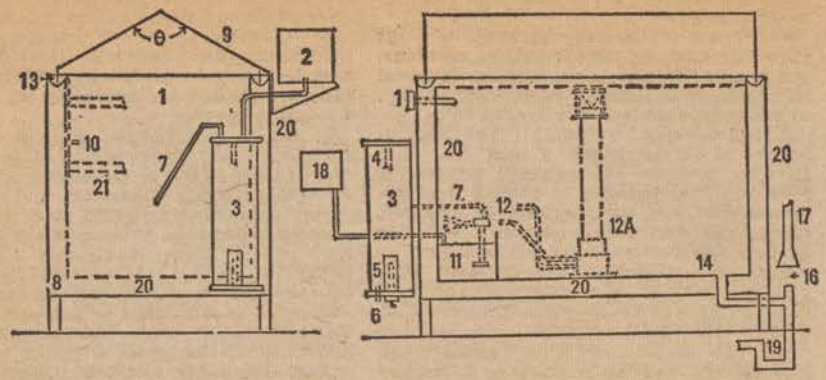
4. *Air for atomization.* (a) The air used for atomization must be free of grease, oil, and dirt before use by passing through well-maintained filters. Room air may be compressed, heated, humidified, and washed in a water sealed rotary pump, if the temperature of the water is suitably controlled. Otherwise cleaned air may be introduced into the bottom of a tower filled with water, through a porous stone or multiple nozzles. The level of the water must be maintained automatically to insure adequate humidification. A chamber operated according to this method will have a relative humidity between 95 and 98 percent. Since salt solutions from 2 to 6 percent will give the same results (though for uniformity the limits are set at 4 to 6 percent), it is preferable to saturate the air at a temperature well above the chamber temperature as insurance of a wet fog. Table B shows the temperature, at different pressures, that are required to offset the cooling effect of expansion to atmospheric pressure.

Table B.—Temperature and Pressure Requirements for Operation of Test at 95° F.

	Air pressure, p.s.i.			
	12	14	16	18
Temperature, degree fahrenheit	114	117	119	121

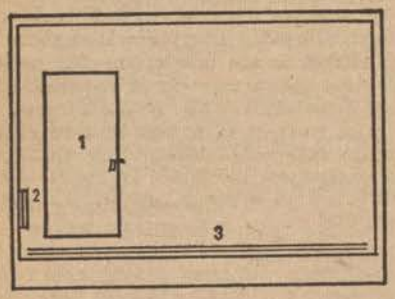
(b) Experience has shown that most uniform spray chamber atmospheres are obtained by increasing the atomizing air temperature sufficiently to offset heat losses, except those that can be replaced otherwise at very low temperature gradients.

5. *Types of construction.* A modern laboratory cabinet is shown in Fig. 1. Walk-in chambers are not usually constructed with a sloping ceiling due to their size and location. Suitably located and directed spray nozzles avoid ceiling accumulation and drip. Nozzles may be located at the ceiling, or 3 feet from the floor directed upward at 30° to 60° over a passageway. The number of nozzles depends on type and capacity and is related to the area of the test space. A 3- to 5-gallon reservoir is required within the chamber, with the level controlled. The major features of a walk-in type cabinet, which differs significantly from the laboratory type, are illustrated in Figure 2. Construction of a plastic nozzle, is shown in Figure 3.



0 - Angle of lid, 90 to 125 deg
1 - Thermometer and thermostat for controlling heater (Item No. 8) in base
2 - Automatic water leveling device
3 - Humidifying tower
4 - Automatic temperature regulator for controlling heater (Item No. 5)
5 - Immersion heater, non-rusting
6 - Air inlet, mulitple openings
7 - Air tube to spray nozzle
8 - Strip heater in base
9 - Hinged top, hydraulically operated, or counterbalanced
10 - Brackets for rods supporting specimens, or test table
11 - Internal reservoir
12 - Spray nozzle above reservoir, suitably, located anf baffled
12A - Spray nozzle housed in idspersion tower located preferably in center of cabinet
13 - Water Seal
14 - Combination drain and exhaust. Exhaust at oppsite side of test space from spray nozzle (Item 12), but preferably in combination with drain, waste trap, and force draft waste pipe (Items 16, 17, and 19).
16 - Complete separation between forced draft waste pipe (Item 17) and combination drain and exhaust (Items 14 and 19) to avoid undersirable suction or back pressure.
17 - Forced draft waste pipe.
18 - Automatic levelling device for reservoir
19 - Waste trap
20 - Air space or water jacket
21 - Test table or rack, well below roof area

Fig. 1.-Typical Salt Spray Cabinet



NOTE.-The controls are the same, in general, as for the laboratory cabinet (Fig1), but are sized to care for the larger cube. The chamber has the following features:
(1) Heavy insulation,
(2) Regrigeration door with drip rail, or pressure door with drip rail, inward sloping sill,
(3) Low temperature auxilliary heater, and
(4) Duck boards on floorm with floor sloped to combination drain and air exhaust.

Fig. 2.-Walk-in Chamber, 5 by 8 ft and Upward in Overall Size

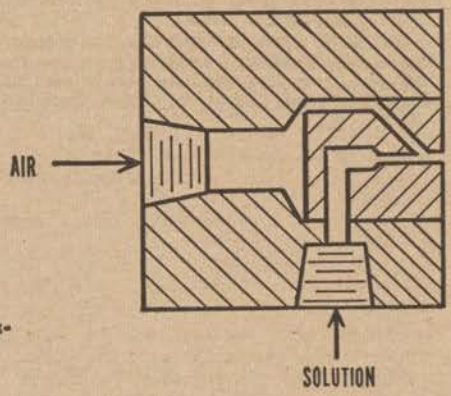


FIG. 3.—TYPICAL SPRAY NOZZLE.

[FR Doc.71-4181 Filed 3-29-71; 8:45 am]

Office of Pipeline Safety

[49 CFR Part 192]

[Notice 71-15; Docket No. OPS-3]

MINIMUM FEDERAL SAFETY STANDARDS FOR GAS PIPELINES

Initial Determination of Class Location and Confirmation or Revision of Maximum Allowable Operating Pressure; Notice of Public Hearing

The Minimum Federal Safety Standards for the Transportation of Natural and Other Gas by Pipeline were issued on August 11, 1970 (35 F.R. 13248). At that time, it was stated in the preamble that—

* * * a new § 192.607 contains requirements for the initial determination of class location and confirmation or establishment of maximum allowable operating pressure. Each operator is required to complete before April 15, 1971, a study to determine (for pipelines operated at more than 40 percent of SMYS) the present class location of all of the pipeline in its system, and whether the maximum allowable operating pressure for each segment of pipeline is commensurate with the present class location. The operator is then required to confirm or revise, in accordance with § 192.611, the maximum allowable operating pressure of the affected segment of pipeline so that at least 50 percent of the affected pipeline is confirmed or revised before January 1, 1972, and the remainder before January 1, 1973.

In view of * * * the diversity of views as to how much time is needed for confirmation or revision of pressures after a change has been discovered, * * * the impact of § 192.607 will not be known until April 1971, when the required studies are completed. These studies may show that the existing pipelines are, for the most part, already in compliance with the new class locations, so that there will be little difficulty in meeting the schedule for adjusting operating pressure. On the other hand, the studies may reveal a problem of such magnitude as to raise serious question as the practicality of the schedule.

The Office of Pipeline Safety plans to hold a public hearing in late April 1971 to get the results of the required studies and to give all interested parties an opportunity to present their recommendations on any adjustment which may be required in the schedule for adjusting operating pressures.

In order to afford ample time to prepare the data resulting from the studies for presentation at the hearing, the Office of Pipeline Safety will not hold the hearing referred to above until the middle of May. As a result of the hearing, the Office of Pipeline Safety hopes to develop a comprehensive picture of the situation of the industry as a whole in this regard, as well as detailed information concerning each individual company faced with special problems in complying with § 192.607. The information desired should cover such specifics as the contemplated methods of scheduling tests (including the length of time for required shutdown); the effects of testing and of revision of maximum allowable operating pressures on throughput (including

percentage of system likely to be affected, effect on storage, effect on customers, both interruptible and noninterruptible, and capability of interchange with the operator's other lines or lines of other operators); cost data; total length of time to confirm or revise operating pressures; etc.

Accordingly, the Office of Pipeline Safety will conduct a public hearing at 10 a.m. on Wednesday, May 12, and if necessary, on Thursday, May 13, in Room 2230, 400 Seventh Street SW., Washington, DC. The hearing will be an informal one. It will not be a judicial or evidentiary type of hearing. There will be no cross-examination of persons presenting statements. A staff member of the Office of Pipeline Safety will make an opening statement outlining the problem. Interested persons will then have an opportunity to present their initial oral statements. After all initial statements have been completed, those persons who wish to make rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures for the conduct of the hearing will be announced at the hearing.

Interested persons are invited to attend the hearing and present oral or written statements on the matters set for hearing. These statements will be made a part of the record of the hearing, the transcript of which will be a matter of public record. Any person who wishes to make oral statements at the hearing should notify the Director, Office of Pipeline Safety, before May 6, 1971, stating the amount of time required for his initial statement. All communications concerning the hearing should be addressed to the Director, Office of Pipeline Safety, Department of Transportation, 400 Sixth Street SW., Washington, DC 20590.

This notice is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. sec. 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 March 24, 1971.

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

[FR Doc.71-4355 Filed 3-29-71;8:48 am]

ENVIRONMENTAL PROTECTION AGENCY

[42 CFR Part 410]

NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS

Notice of Proposed Standard for Sulfur Oxides

On January 30, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 1502) setting forth proposed national primary and secondary ambient air quality standards for sulfur oxides and five other types of air pollutants. National secondary ambient air quality standards must, under section 109 of the Clean Air Act, as amended (sec. 4, Public Law 91-604; 84 Stat. 1679), define levels of air quality which the Administrator judges necessary, based on applicable air quality criteria, to protect the public welfare from any known or anticipated adverse effects of an air pollutant. Upon further examination of the air quality criteria for sulfur oxides issued February 11, 1969 (34 F.R. 1988), it has been determined that protection of the public welfare from adverse effects associated with short-term exposure to sulfur oxide requires promulgation of an additional secondary standard, as proposed below. The pararosaniline measurement method, as described in Appendix A of the January 30, 1971, notice would be applicable to this additional secondary standard.

Interested persons may submit written comments in triplicate to the Office of the Acting Commissioner, Air Pollution Control Office, Environmental Protection Agency, Parklawn Building, Room 17-59, 5600 Fishers Lane, Rockville, MD 20852. All relevant comments received not later than 21 days after the publication of this proposal will be considered. The standard, modified as the Administrator deems appropriate after consideration of comments, will be promulgated no later than April 30, 1971.

This notice of proposed rule making is issued under the authority of section 4, Public Law 91-604, 84 Stat. 1679.

Dated: March 24, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator.

In the new Part 410 proposed to be added to Chapter IV, Title 42, Code of Federal Regulations, on January 30, 1971 (36 F.R. 1502), a new § 410.5(c) would be added, as follows:

§ 410.5 National secondary ambient air quality standards for sulfur oxides (sulfur dioxide).

* * * * *

(c) 1,300 micrograms per cubic meter—maximum 3-hour concentration not to be exceeded more than once per year.

[FR Doc.71-4314 Filed 3-29-71;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Ch. V]

[No. 71-284]

DISTRICT OF COLUMBIA SAVINGS AND LOAN ASSOCIATIONS AND BRANCH OFFICES

Service Corporations and Certain Pension Trusts

MARCH 18, 1971.

Resolved, that the Federal Home Loan Bank Board considers it advisable to amend Subchapter E of Chapter V of Title 12 of the Code of Federal Regulations to implement the authority contained in section 913 of Public Law 91-609, which amended section 8 of the Home Owners' Loan Act of 1933 to grant the Board regulatory authority over certain District of Columbia institutions. Accordingly, for the purposes of allowing such institutions to invest in service corporations and act as trustees for certain pension trusts to the same extent permitted Federal savings and loan associations, the Federal Home Loan Bank Board proposes to amend said subchapter by: (1) Revising the caption thereof; (2) adding a new § 581.6 to Part 581—Definitions; and (3) adding a new Part 582a—Operations of District of Columbia Associations, to read as follows:

SUBCHAPTER E—DISTRICT OF COLUMBIA SAVINGS AND LOAN ASSOCIATIONS AND BRANCH OFFICES

1. The caption of Subchapter E is revised as set forth above.

PART 581—DEFINITIONS

2. A new § 581.6 is added to read as follows:

§ 581.6 District of Columbia association.

The term "District of Columbia association" means an association which is incorporated or organized under the laws of the District of Columbia and which has its principal office located therein.

PART 582a—OPERATIONS OF DISTRICT OF COLUMBIA ASSOCIATIONS

3. A new Part 582a is added to read as follows:

§ 582a.1 Miscellaneous activities.

Any District of Columbia association may, if not inconsistent with the terms of its charter, certificate or articles of incorporation, constitution, or bylaws, to the same extent as it could if it were a Federal savings and loan association:

(a) Invest in a service corporation, pursuant to the provisions of § 545.9-1 of this chapter; and

(b) Act as a trustee of any trust forming part of a stock bonus, pension, or profit-sharing plan, pursuant to the provisions of § 545.17-1 of this chapter.

(Sec. 8, 48 Stat. 132, as added by sec. 913, Public Law 91-609, 84 Stat. 1815. Reorganization Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, DC 20552, by April 19, 1971, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

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

[FR Doc.71-4375 Filed 3-29-71;8:50 am]

Notices

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1970 Rev., Supp. No. 10]

GLENS FALLS INSURANCE COMPANY, FIDELITY-PHENIX INSURANCE COMPANY, AND THE GLENS FALLS INSURANCE COMPANY

Termination as Surety on Federal Bonds; Change of Name and Replacement of Certificate of Authority

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to Glens Falls Insurance Company, Glens Falls, N.Y., under sections 6 to 13 of title 6 of the United States Code to qualify as an acceptable surety on Federal bonds, is hereby terminated effective December 31, 1970, because of its merger into The Continental Insurance Company as outlined below.

The Continental Insurance Company, New York, N.Y., a New York corporation, holds a Certificate of Authority from the Secretary of the Treasury as an acceptable surety on bonds in favor of the United States. Pursuant to an Agreement of Merger approved by the Superintendent of Insurance of New York on November 17, 1970 and effective January 1, 1971, Glens Falls Insurance Company was merged into The Continental Insurance Company, the surviving company. A copy of the merger agreement, as approved, has been received and filed in the Treasury. The Continental Insurance Company acquired all the business and assets, and assumed all the liabilities of the Glens Falls Insurance Company, which ceased to exist as a separate entity. There has been no change in the underwriting limitation of $54,192,000 established for The Continental Insurance Company as of July 1, 1970.

At the same time, Fidelity-Phenix Insurance Company, New York, N.Y., a New York corporation, formally changed its name to The Glens Falls Insurance Company, effective January 1, 1971. A copy of the Certificate of Amendment of the Restated Certificate of Incorporation of Fidelity-Phenix Insurance Company, approved by the Insurance Department of the State of New York on November 17, 1970, changing the name of Fidelity-Phenix Insurance Company to The Glens Falls Insurance Company, has been received and filed in the Treasury.

A new Certificate of Authority as an acceptable surety on Federal bonds, dated January 1, 1971, has been issued by the Secretary of the Treasury to the Glens Falls Insurance Company, New York, N.Y., to replace the Certificate issued July 1, 1970, to the Company under its former name, Fidelity-Phenix Insurance Company. The underwriting limitation of $358,000 previously established for the Company remains unchanged.

In view of the foregoing, no action need be taken by bond-approving officers by reason of the merger of the Glens Falls Insurance Company into The Continental Insurance Company and the change of name of the Fidelity-Phenix Insurance Company to The Glens Falls Insurance Company with respect to any bond or other obligation in favor of the United States, or in which the United States has an interest, direct or indirect, issued prior to January 1, 1971, by the Glens Falls Insurance Company or Fidelity-Phenix Insurance Company pursuant to the Certificates of Authority issued to the companies by the Secretary of the Treasury.

Certificates of Authority expire on June 30 each year unless sooner revoked and new Certificates are issued on July 1, so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1, in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated: March 24, 1971.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc.71-4345 Filed 3-29-71;8:48 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska, effective at 10 a.m., April 15, 1971.

COPPER RIVER MERIDIAN, ALASKA

T. 2 S., R. 3 E.,
Sec. 1, lots 1 through 6, S½NW¼, SW¼, W½SE¼;
Sec. 2, lots 1, 2, 3, 4, S½N½, S½;
Sec. 3, lots 1, 2, 3, 4, S½N½, S½;
Sec. 4, lots 1 through 6, S½N½, NE¼SW¼, SE¼;
Sec. 5, lots 1 through 5;
Sec. 6, lots 1 through 9, SE¼SW¼;
Sec. 7, lots 1 through 6, NW¼NE¼, S½NE¼, E½NW¼, N½SE¼;
Sec. 8, lots 1 through 5, SW¼SW¼;
Sec. 9, lots 1, 2, 3, 4;
Sec. 10, lots 1, 2, 3, 4, NE¼, N½NW¼, SE¼NW¼, N½SE¼, SE¼SE¼;
Sec. 11, all;
Sec. 12, all;
Sec. 13, lots 1, 2, 3, 4, N½, N½S½;
Sec. 14, lots 1, 2, 3, 4, NE¼;
Sec. 16, lots 1 through 8, S½NW¼, E½SW¼, SW¼SE¼;
Sec. 17, lots 1 through 7, NE¼;
Sec. 18, lot 1;
Sec. 21, lots 1, 2, 3, 4, N½NE¼;
Sec. 22, lots 1 through 9, SW¼NW¼, N½S½;
Sec. 23, lots 1 through 5, S½SW¼, SW¼SE¼;
Sec. 24, lots 1, 2, 3, 4;
Sec. 25, lots 1 through 5, NW¼NE¼, S½NE¼, N½NW¼;
Sec. 26, lots 1 through 5;
Sec. 27, lot 1.
Containing 8,130.45 acres.

T. 2 S., R. 4 E.,
Sec. 6, lot 1;
Sec. 7, lots 1 through 9, SE¼SW¼, S½SE¼;
Sec. 8, lots 1, 2, 3, 4, S½SW¼;
Sec. 17, lots 1, 2, 3, 4, W½E½, W½;
Sec. 18, lots 1, 2, 3, 4, E½W½, E½;
Sec. 19, lots 1 through 5;
Sec. 20, lots 1 and 2, W½NE¼, W½, SE¼;
Sec. 21, lots 1 through 6, S½SW¼;
Sec. 22, lots 1 and 2;
Sec. 26, lots 1 through 5, W½SW¼, SE¼SW¼;
Sec. 27, lots 1 through 5, S½NE¼, NW¼, N½S½, SW¼SW¼;
Sec. 28, lots 1 and 2, N½, N½S½, S½SE¼;
Sec. 29, lots 1, 2, 3, 4, N½;
Sec. 30, lots 1 through 8, S½NE¼, SE¼NW¼;
Sec. 33, lots 1, 2, 3;
Sec. 34, lots 1 through 6;
Sec. 35, lots 1 through 5, N½NW¼, SE¼NW¼.
Containing 5,174.24 acres.

2. The lands are situated upstream from the confluence of the Copper and Tonsina Rivers, and approximately 11 miles east from the junction of the Richardson and Edgerton Highways toward Chitina, Alaska. It is mostly high mesa land with dense stands of heavy spruce and aspen interspersed with dense willow brush. The river margins and bottom land are covered with stands of heavy spruce and cottonwood between dense willow and alder brush.

The Edgerton Highway traverses sections 20, 27, 28, 29, and 34 of T. 2 S., R. 4 E.

3. Two land withdrawals by the Federal Power Commission, Power Projects 2138 and 2215, reserved under the provisions of section 24 of the Federal Power Act of June 10, 1920, as amended, embrace, in part, the following described lands:

COPPER RIVER MERIDIAN, ALASKA

T. 2 S., R. 3 E.,
Sec. 1, lots 1 through 6, S½NW¼, W½SE¼, and NE¼SW¼;
Sec. 2, lot 1;
Sec. 12, E½NE¼, SW¼NE¼, and NE¼SE¼;
Sec. 16, lots 6 and 7, and SE¼SW¼;
Sec. 17, lots 1 through 7, and S½NE¼;
Sec. 21, lots 1, 2, 3, 4, and NW¼NE¼;

Sec. 22, lots 6, 7, 8, 9, and NW¼SW¼;
Sec. 23, SW¼SW¼;
Sec. 25, lots 2, 3, 4, 5, and S½NE¼;
Sec. 26, lots 1 through 5;
Sec. 27, lot 1.
T. 2 S., R. 4 E.,
Sec. 6, lot 1;
Sec. 7, lots 1 through 8, and S½SE¼;
Sec. 8, lots 1, 2, 3, 4, and S½SW¼;
Sec. 17, lots 1, 2, 3, 4, W½NE¼, NE¼NW¼, S½NW¼, W½SE¼, E½SW¼, and NW¼SW¼;
Sec. 18, SE¼NE¼;
Sec. 20, lots 1 and 2, and W½NE¼;
Sec. 21, lots 1 through 6;
Sec. 22, lots 1 and 2;
Sec. 26, lots 1 through 5, S½SW¼, and NW¼SW¼;
Sec. 27, lots 1 through 5, S½NE¼, N½NW¼, SE¼NW¼, N½SE¼, NE¼SW¼, and SW¼SW¼;
Sec. 28, lots 1 and 2, SE¼, and N½SW¼;
Sec. 29, lots 1, 2, 3, 4, S½NE¼, and S½NW¼;
Sec. 30, lots 4 through 8, and SE¼NW¼;
Sec. 33, lots 1, 2, 3;
Sec. 34, lots 1 through 6;
Sec. 35, lots 1 through 5, N½NW¼, and SE¼NW¼.

4. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, including Public Land Order 4582 dated January 17, 1969, as modified and amended by Public Land Order 4962 dated December 11, 1970, and the requirements of applicable law, rules, and regulations.

5. Inquiries concerning the lands should be addressed to the Manager, Anchorage Land Office, 555 Cordova Street, Anchorage, AK 99501.

NEIL R. BASSETT,
Acting Manager, Land Office.

[FR Doc.71-4340 Filed 3-29-71;8:47 am]

[Serials Nos. N-1128, 2421, 4180, 4690]

NEVADA

Notice of Public Sale; Correction

MARCH 22, 1971.

In F.R. Doc. 70-16817 appearing on page 18987 of the issue for Tuesday, December 15, 1970, Parcel 1 is shown to have an appraised value of $600. This is corrected to show an appraised value of $200.

ROBERT T. WEBB,
Acting Manager,
Nevada Land Office.

[FR Doc.71-4321 Filed 3-29-71;8:45 am]

National Park Service

AMISTAD RECREATION AREA, TEX.

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20) public notice is hereby given that 30 days after the date of publication of this notice, the Department of the Interior through the Superintendent, Amistad Recreation Area, proposes to issue a concession permit to Rough Canyon Marina, Inc., authorizing it to provide marina and boating services for the public at the Rough Canyon site, Amistad Recreation Area for a period of 2 years from April 1, 1971 through March 31, 1973.

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

Interested parties should contact the Superintendent, Amistad Recreation Area, Post Office Box 1463, Del Rio, TX 78840, for information as to the requirements of the proposed permit.

BYRON A. HAZELTINE,
Acting Superintendent,
Amistad Recreation Area.

[FR Doc.71-4325 Filed 3-29-71;8:46 am]

DEPARTMENT OF AGRICULTURE

Forest Service

AGUA TIBIA WILDERNESS PROPOSAL

Notice of Public Hearing

Notice is hereby given in accordance with the provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m. on May 18, 1971, in the American Legion Hall, 230 East Park Avenue, Escondido, CA, on a proposal for a recommendation to be made by the Secretary of Agriculture to the President of the United States that a recommendation be submitted to Congress for the establishment of the Agua Tibia Wilderness. The proposed Agua Tibia Wilderness is located within the Cleveland National Forest, Riverside and San Diego Counties, State of California.

A brochure containing a map and information about the proposed Wilderness may be obtained from the Forest Supervisor, Cleveland National Forest, 3211 Fifth Avenue, San Diego, CA 92103, or the Regional Forester, Appraiser's Building, 630 Sansome Street, San Francisco, CA 94111.

Individuals and organizations are invited to express their views by appearing at the hearing or may submit written comments for inclusion in the official record to the Regional Forester, Appraiser's Building, 630 Sansome Street, San Francisco, CA 94111, by June 17, 1971.

EDWARD P. CLIFF,
Chief, Forest Service.

[FR Doc.71-4363 Filed 3-29-71;8:49 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

A. E. STALEY MANUFACTURING CO.

Notice of Filing of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1B2649) has been filed by A. E. Staley Manufacturing Co., 2200 Eldorado Street, Decatur, IL 62525, proposing that § 121.2520 *Adhesives* (21 CFR 121.2520) be amended to provide for the safe use of starch reacted with formaldehyde in the presence of urea, or with a methylol urea derived from urea-formaldehyde concentrate, as a component of food-packaging adhesives.

Dated: March 19, 1971.

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

[FR Doc. 71-4338 Filed 3-29-71;8:47 am]

E. F. HOUGHTON & CO.

Notice of Filing of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1B2647) has been filed by E. F. Houghton & Co., 308 West Lehigh Avenue, Philadelphia, PA 19133, proposing that § 121.2531 *Surface lubricants used in the manufacture of metallic articles* (21 CFR 121.2531) be amended to provide for the safe use of acetate esters of fatty alcohols as components of surface lubricants used in the manufacture of metallic articles that contact food.

Dated: March 19, 1971.

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

[FR Doc.71-4335 Filed 3-29-71;8:47 am]

M&T CHEMICALS, INC.

Notice of Filing of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1B2651) has been filed by M&T Chemicals, Inc., subsidiary of American Can Co., Rahway, N.J. 07065, proposing that § 121.2602 *Octyltin stabilizers in vinyl chloride plastics* (21 CFR 121.2602) be amended to provide for the additional safe use of di(*n*-octyl)tin *S,S'*-bis(isooctylmercaptoacetate) and di(*n*-octyl)

tin maleate polymers as stabilizers in the manufacture of vinyl chloride-ethylene copolymers (complying with § 121.2609) intended to contact food.

Dated: March 22, 1971.

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

[FR Doc.71-4336 Filed 3-29-71;8:47 am]

SCIENTIFIC SUPPLY CO., INC.

Notice of Filing of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1H2590) has been filed by Scientific Supply Co., Inc., Post Office Box 5231, Terminal Annex, Denver, CO 80217, proposing that § 121.2547 *Sanitizing solutions* (21 CFR 121.2547) be amended to provide for the safe use of a mixture of methyl dodecyl benzyl trimethyl ammonium chloride, methyl dodecyl xylylene bis-(trimethyl ammonium chloride), and an alkyl aryl polyether alcohol as a sanitizing solution on food-processing equipment and utensils and on other food-contact articles.

Dated: March 19, 1971.

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

[FR Doc.71-4337 Filed 3-29-71;8:47 am]

SWIFT & CO.

Notice of Withdrawal of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued.

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Swift & Co., 1919 Swift Drive, Oak Brook, IL 60521, has withdrawn its petition (FAP 9A2388), notice of which was published in the FEDERAL REGISTER of February 8, 1969 (34 F.R. 1917), proposing the issuance of a regulation to provide for the safe use of nicotinic acid to promote color retention in frozen red meats.

Dated: March 19, 1971.

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

[FR Doc.71-4339 Filed 3-29-71;8:47 am]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-379, 50-380, 50-381]

GENERAL DYNAMICS CORP.

Notice of Receipt of Applications for Facility Licenses

The General Dynamics Corporation, Convair Aerospace Division, Fort Worth, Tex., and the National Aeronautics and Space Administration (NASA), Washington, D.C., have filed applications dated December 7, 1970, and March 1, 1971, respectively, for licenses pursuant to the Atomic Energy Act of 1954, as amended (the Act), to possess and operate the three reactors owned by the U.S. Air Force and located at the Air Force's Plant No. 4 Nuclear Aerospace Reactor Facility (NARF) in Fort Worth, Tarrant County, Tex. The reactors were constructed and have been operated by General Dynamics under contract with the Air Force pursuant to Section 91b of the Act.

The Air Force has granted a permit to the National Aeronautics and Space Administration (NASA) for the use of the NARF reactors. NASA in turn will enter into a contract with General Dynamics for operation of the reactors to conduct research and development programs for the Space Nuclear Propulsion Office and others. NASA's application is to acquire and possess, but not to operate, the reactors and General Dynamic's application is to acquire, possess and operate.

The reactors making up the NARF are referred to as the Ground Test Reactor—GTR, the Reactivity Test Assembly—RTA, and the Aerospace Systems Test Reactor—ASTR. The GTR and ASTR are 10 MW(t) light-water moderated reactors which have been operating since 1953 and 1956, respectively, and the RTA is a 1 kW(t) critical experiment facility which has been operating since 1961.

A copy of each application which gives further details is available for public inspection in the U.S. Atomic Energy Commission's Public Document Room at 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., this 19th day of March 1971.

For the Atomic Energy Commission.

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

[FR Doc.71-4316 Filed 3-29-71;8:45 am]

[Docket No. 50-365]

GULF OIL CORP.

Notice of Issuance of Facility Export License

Please take notice that no request for a formal hearing having been filed following publication of notice of proposed action in the FEDERAL REGISTER on August 22, 1970 (35 F.R. 13482), the Atomic Energy Commission has issued License No. XR-74 to Gulf Oil Corp., authorizing the export of a 250 kilowatt thermal TRIGA Mark I nuclear research reactor to Imperial Chemical Industries, Ltd., London, England. The license is being issued as proposed except that, Gulf General Atomic, Inc., having being merged into Gulf Oil Corp. and the application having been accordingly amended, the licensee is Gulf Oil Corp. The export of the reactor to England is within the purview of the present agreement for cooperation between the Governments of the United States and the United Kingdom.

Dated at Bethesda, Md., this 15th day of March 1971.

For the Atomic Energy Commission.

EBER R. PRICE,
Director, Division of State and Licensee Relations.

[FR Doc.71-4315 Filed 3-29-71;8:45 am]

[Docket No. 50-4]

NAVAL RESEARCH LABORATORY

License Termination Order

The Atomic Energy Commission ("the Commission") has found that the Naval Research Laboratory's (NRL) pool reactor located in Washington, D.C., has been dismantled and decontaminated, and that disposition has been made of the component parts, fuel and other special nuclear material (pursuant to the Commission's order dated July 29, 1970), in accordance with the Commission's regulations in 10 CFR Chapter I, and in a manner not inimical to the common defense and security or to the health and safety of the public. The small amount of radioactive material contained in the region formerly occupied by the reactor core has been adequately shielded and posted, and possession of this material by NRL is authorized by the existing Byproduct Material License No. 08-01393-02 held by NRL. Therefore, pursuant to the application by NRL dated June 17, 1970, and supplements thereto dated December 21 and 31, 1970, and February 26, 1971, Facility License No. R-5 is hereby terminated as of the date of this order.

Also, Indemnity Agreement No. D-6 between the Naval Research Laboratory and the Atomic Energy Commission dated December 20, 1962, as amended, is hereby terminated as of the date of this order and concurrently Amendment No. 4 to Indemnity Agreement No. D-6 is being executed.

Dated at Bethesda, Md., this 18th day of March 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director, Division of Reactor Licensing.

[FR Doc.71-4317 Filed 3-29-71;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 22628; Order 71-3-95]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fare Matters

Issued under delegated authority March 17, 1971.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to fare matters; Docket 22628, Agreement CAB 22223.

By Order 71-2-91, dated February 22, 1971, action was deferred, with a view

toward eventual approval, on a resolution adopted by Traffic Conference 1 of the International Air Transport Association (IATA). The agreement, which has been assigned the above-designated CAB agreement number, would permit the establishment of 8-day group inclusive tour (GIT) fares from points in the United States to Panama City for 15 or more passengers purchasing at least $70 in ground accommodations.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period and the tentative conclusions in Order 71–2–91 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 22223 be and hereby is approved, provided that approval shall be subject to the following conditions:

(a) The provision which at departure would permit a lesser number of passengers than that prescribed by the resolution to travel shall not be limited to situations caused by circumstances beyond the control of the passengers dropping out of the group and the balance of the group may travel at no added costs.

(b) In the event a passenger discontinues his journey en route for any reason, the amount of the fare paid may be applied as a credit toward the purchase of transportation at the applicable fare calculated from the original point of origin.

(c) Full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel.

(d) The amount of the forfeiture to be imposed in the event of cancellation by the group or member of the group at departure time for any reason shall not exceed 25 percent of the fare paid and after departure the forfeiture shall not exceed 25 percent of the excess of the price of the group-fare ticket over the cost of normal-fare transportation from point of origin to point of cancellation.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71–4370 Filed 3–29–71;8:50 am]

[Docket No. 22628; Order 71–3–116]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fare Matters

Issued under delegated authority March 19, 1971.

Agreement adopted by Joint Conference 3–1 of the International Air Transport Association relating to fare matters; Docket 22628, Agreement CAB 22133, Agreement CAB 22221.

By Order 71–3–19, dated March 2, 1971, action was deferred, with a view toward eventual approval, on resolutions adopted by Joint Conference 3–1 of the International Air Transport Association (IATA). The agreements, which have been assigned the above-designated CAB agreement numbers, would permit contract bulk inclusive tour (CBIT) fares to be combined with IATA-agreed fares within the Western Hemisphere, and clarify the minimum tour price for use in connection with South Pacific 35-day individual inclusive tour fares.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period and the tentative conclusions in order 71–3–19 will herein be made final.

Accordingly, it is ordered, That:

Agreements CAB 22133 and CAB 22221 be and hereby are approved.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71–4371 Filed 3–29–71;8:50 am]

[Docket No. 22628; Order 71–3–126]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Delayed Inaugural Flights

Issued under delegated authority March 23, 1971.

Agreement adopted by Joint Conference 1–2 of the International Air Transport Association relating to delayed inaugural flights; Docket 22628, Agreement CAB 22330.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1–2 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

The agreement permits Pan American World Airways, Inc., to postpone to dates not later than April 15, 1971, the performance of its inaugural flights between New York and Damascus.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that Resolution JT12(Mail 765)200h, which is incorporated in the above-designated agreement, is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Action on Agreement CAB 22330 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71–4372 Filed 3–29–71;8:50 am]

[Docket No. 22628; Order 71–3–127]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fare Matters

Issued under delegated authority March 23, 1971.

Agreement adopted by the Joint Conferences of the International Air Transport Association relating to fare matters; Docket 22628, Agreement CAB 22285.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1–2 and 1–2–3 of the International Air Transport Association (IATA) and adopted by mail vote. The agreement has been assigned the above-designated CAB agreement number.

The agreement amends an IATA resolution recently approved by the Board[1] as agreed upon at the 1970 Worldwide Passenger Fare Conference held in Honolulu, in that it would permit the combinability of normal fares in conjunction with group inclusive tour fares and that the stopover points covered by such normal fares shall not be counted for the purposes of determining the number of permissible stopovers under the group inclusive tour rules. As presently exists, stopovers resulting from the combination of normal fares with group inclusive tour fares are included in the number of permissible stopovers under the group inclusive tour rules.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that Agreement CAB 22285, JT12 (Mail 764) 084a and JT123 (Mail 664) 084a is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Action on Agreement CAB 22285 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71–4373 Filed 3–29–71;8:50 am]

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[1] Order 71–3–87, Mar. 16, 1971.

[Docket No. 22628; Order 71-3-147]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Passenger Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of March 1971.

Agreements adopted by the Traffic Conferences of the International Air Transport Association relating to passenger fares; Docket 22628, Agreement CAB 22185,[1] Agreement CAB 22222, R-7.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in resolutions of the Traffic Conferences of the International Air Transport Association (IATA), and adopted at meetings in Geneva following the Honolulu Worldwide Passenger Fare Conference. The agreements, which have been assigned the above-designated CAB Agreement numbers, are generally intended for a 1-year period of effectiveness commencing April 1, 1971.

The agreements encompass fares and related resolutions to apply between Europe/Africa/Middle East and Asia/Australasia, and the Board's primary interest in the agreements is confined to the extent they would apply to/from American Samoa, Guam, and Okinawa. In general terms, normal first-class and economy fares would be increased in the range of 3 to 5 percent, and promotional fare levels would accordingly be adjusted upward as a result of the fact that these are based on a percent discount from the applicable round-trip economy-class fare.

In view of their limited application in areas of "air transportation" where traffic is of a low-density nature, the Board concludes that approval of fare increases provided by the agreements would not be adverse to the public interest. Indeed, certain elements of the agreements, which would permit travel to/from Asia, e.g., London-Tokyo, via the Western Hemisphere at more favorable fare levels appear advantageous to this country insofar as they would help to stimulate traffic via the United States. The Board will, however, maintain its outstanding condition on the revalidated and amended student-fare resolution so as to preclude its application in air transportation. The Board has long held that special fares held to narrow segments of the traveling public and based on the characteristics of the user are unjustly discriminatory. In the same vein, we will also preclude, by condition, the application in air transportation of resolutions which would permit group fares for ships' crews and individual fares for seamen, since the carriers have submitted no justification in support of the fares in air transportation.

[1] Agreement CAB 22185, R-5; R-18; R-21 through R-26; R-30 through R-33; R-40; R-63; R-64; R-68; R-71; R-72; R-75; R-85; R-88; R-91; R-93; R-104; R-113; R-114; R-117; R-118; R-120.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board does not find the following resolutions, incorporated in the agreement indicated, to be adverse to the public interest or in violation of the Act, provided that fares shall not be applicable in air transportation:

Agreement CAB	IATA No.	Title	Application
22185:			
R-68	077	JT23 Group Fares for Ships Crews (Revalidating and Amending).	2/3.
R-71	077k	Individual Fares for Seamen (NEW)	2/3; 1/2/3.
R-104	092	Student Fares (Revalidating and Amending)	2/3; 1/2/3.

2. The Board does not find the following resolutions, incorporated in the agreement indicated, to be adverse to the public interest or in violation of the Act:

Agreement CAB	IATA No.	Title	Application
22185:			
R-5	002e	Standard Revalidation Resolution	2/3.
R-18	050	First Class Conditions of Service (Revalidating and Amending)	2; 2/3.
R-21	055	Joint Conference 2/3 First Class Fares	2/3.
R-22	057	First Class Fares-TC2-TC2 (Australasia) Via TC1 (Except Polar).	1/2/3.
R-23	058	First Class Polar Fares	1/2/3.
R-24	059	First Class Fares TC2-TC3 (Asia) Via TC1 (Except Polar) (NEW).	1/2/3.
R-25	060	Economy Class Conditions of Service (Revalidating and Amending).	2; 2/3; 1/2/3.
R-26	060a	Mixed Class Aircraft (Revalidating and Amending)	2; 2/3; 1/2/3.
22222:			
R-7	060a	Mixed Class Aircraft (Revalidating and Amending)	1/2; 1/2/3 (South Atlantic).
22185:			
R-30	065	Joint Conference 2/3 Economy Class Fares	2/3.
R-31	067	Economy Class Fares-TC2-TC3 (Australasia) Via TC1 (Except Polar).	1/2/3.
R-32	068	Economy Class Polar Fares	1/2/3.
R-33	069	Economy Class Fares-TC2-TC3 (Asia) Via TC1 (Except Polar) (NEW).	1/2/3.
R-40	071j	JT23 10 Day Excursion Fares-TC3 to Shiraz (NEW)	2/3.
R-63	076d	JT23 Affinity Group Fares (Revalidating and Amending)	2/3.
R-64	076g	TC2-TC3 Via TC1 Affinity Group Fares (Revalidating and Amending).	1/2/3.
R-72	079b	Europe-Japan and Okinawa Contract Bulk Inclusive Tour Rules (Revalidating and Amending).	2/3; 1/2/3.
R-75	080h	JT23 and JT123 30, 45 and 60 Day Individual Inclusive Tour Fares (Revalidating and Amending).	2/3; 1/2/3.
R-85	081i	JT23 and JT123 30, 35, 45 and 60 Day Group Inclusive Tour Fares-TC2 to Far East (Revalidating and Amending).	2/3; 1/2/3.
R-88	081n	JT23 and JT123 30, 35 and 60 Day Group Inclusive Tour Fares-Far East to TC2 (Revalidating and Amending).	2/3; 1/2/3.
R-91	081t	45 and 60 Day Group Inclusive Tour Fares From Australasia to TC2 (NEW).	2/3; 1/2/3.
22185:			
R-93	084g	30 Day Group Inclusive Tour Fares, Europe-Japan/Okinawa/Hong Kong/Manila (Revalidating and Amending).	2/3; 1/2/3.
R-113	150a	Fares for Round Trip (Revalidating)	2; 2/3.
R-114	151a	Circle Trip Discount (Revalidating and Amending)	2; 2/3.
R-117	310	Free Baggage Allowance (Revalidating and Amending)	2; 2/3; 1/2/3.
R-118	311	Baggage Excess Weight Charges (Revalidating and Amending)	2; 2/3.
R-120	311b	Charges for Snow Skiing Equipment (Revalidating and Amending).	2; 2/3.

Accordingly, it is ordered, That:

1. Those portions of Agreement CAB 22185 as set forth in finding paragraph 1 above be and hereby are approved, subject to the condition stated therein; and

2. Those portions of Agreements CAB 22185 and 22222 as set forth in finding paragraph 2 above be and hereby are approved.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-4374 Filed 3-29-71;8:50 am]

[Docket No. 22508 etc.]

MAINLAND-PONCE SERVICE INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding will be held before the undersigned examiner in Ponce, P.R., on May 11, 1971, at 10 a.m. (local time), in the Intercontinental Hotel, at which time and place the evidence of all parties to the proceeding will be received.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the report and supplemental report of prehearing conference and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., March 25, 1971.

[SEAL] HYMAN GOLDBERG,
Hearing Examiner.

[FR Doc.71-4369 Filed 3-29-71;8:50 am]

FEDERAL MARITIME COMMISSION

HAPAG-LLOYD AKTIENGESELLSCHAFT ET AL.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Hapag-Lloyd Aktiengesellschaft, Compagnie Generale and Transatlantique, and N.V. Nederlandsch-Amerikaansche Stoomvaart Maatschappij.

Notice of agreement filed by:

F. Conger Fawcett, Esq., Graham & James, 310 Sansome Street, San Francisco, CA 94104.

Agreement No. 9902–1 modifies the basic agreement as necessary to reflect the addition of Holland-America Line to membership in the joint service. It also provides that the joint service will be known as "Euro-Pacific."

Dated: March 25, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71–4365 Filed 3–29–71;8:49 am]

LA CENTRO AMERICANA DE NAVEGACION S.A. AND ROYAL NETHERLANDS STEAMSHIP CO.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Elliot B. Nixon, Esq., Burlingham, Underwood, Wright, White, & Lord, 25 Broadway, New York, NY 10004.

Agreement No. 9937, a memorandum of understanding between La Centro Americana de Navegacion S.A. (CADENA) and Royal Netherlands Steamship Co. (RNSS), establishes a Cooperative Working Arrangement, whereby RNSS vessels will no longer call at the Western Venezuelan port of Maracaibo and ports on Lake Maracaibo to load or discharge cargo in the northbound and southbound trades between such ports and the United States ports of New York, Philadelphia, Baltimore, and Savannah, and that such trades shall be serviced by CADENA vessels. However, this shall not prevent RNSS from transporting cargo in these trades on particular occasions with the consent of CADENA. RNSS shall support CADENA's application to become a joint member of the United States Atlantic & Gulf-Venezuela and Netherlands Antilles Conference (Agreement No. 6190).

Dated: March 25, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71–4366 Filed 3–29–71;8:49 am]

TRADE-LANES SHIPPING CORP. AND FRANOREN SHIPPING CORP.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street, NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

W. Coletti, Trade-Lanes Shipping Corp., 140 Cedar Street, New York, NY 10006.

Agreement No. FF 71–2 between Trade-Lanes Shipping Corp. (Trade-Lanes), and Franoren Shipping Corp. (Franoren) is intended to secure Federal Maritime Commission approval for an agreement whereby Trade-Lanes will refer all forwarding accounts handled by it to Franoren. Employees of Trade-Lanes are offered employment by Franoren. According to the agreement Trade-Lanes will not engage in the business of ocean freight forwarding after its current shipments have been completed.

Commencing with February 1, 1971, and continuing for a period of 10 years thereafter, Franoren will pay Trade-Lanes 10 percent of its gross operating income from all of its accounts. Gross operating income, for the purposes of the agreement, is defined as the sum of forwarding fees and brokerage earned less amounts paid to other (outport) forwarders.

Dated: March 25, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71–4367 Filed 3–29–71;8:49 am]

[Docket No. 71–24]

MID-PACIFIC FREIGHT FORWARDERS

Increases in Freight Rates in U.S. Pacific Coast/Hawaii Trade; Order of Investigation and Suspension

Mid-Pacific Freight Forwarders has filed with the Federal Maritime Com-

mission Supplement No. 2 to its Tariff FMC–F No. 2 to become effective April 1, 1971. This supplement increases the rate on Freight, All Kinds, between U.S. Pacific Coast ports and Hawaiian ports.

Upon consideration of said tariff supplement, the Commission is of the opinion that the above-designated tariff matter should be made the subject of a public investigation and hearing to determine whether it is unjust, unreasonable or otherwise unlawful under section 18(a) of the Shipping Act, 1916, and/or sections 3 and 4 of the Intercoastal Shipping Act, 1933, and good cause appearing therefore:

It is ordered, That pursuant to the authority of section 22 of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933, an investigation is hereby instituted into the lawfulness of said increased rates and charges with a view to making such findings and orders in the premises as the facts and circumstances warrant. In the event the matter hereby placed under investigation is further changed, amended or reissued, such matter will be included in this investigation;

It is further ordered, That pursuant to section 3, Intercoastal Shipping Act, 1933, Supplement No. 2 to Tariff FMC–F No. 2 is suspended and the use thereof deferred to and including July 31, 1971, unless otherwise ordered by this Commission;

It is further ordered, That there shall be filed immediately with the Commission by Mid-Pacific Freight Forwarders, a consecutively numbered supplement to the aforesaid tariff which supplement shall bear no effective date, shall reproduce the portion of this order wherein the suspended matter is described and shall state that the aforesaid matter is suspended and may not be used until August 1, 1971, unless otherwise authorized by the Commission; and the rates and charges, heretofore in effect, and which were to be changed by the suspended matter shall remain in effect during the period of suspension, and neither the matter suspended, nor the matter which is continued in effect as a result of such suspension, may be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission;

It is further ordered, That copies of this order shall be filed with the said tariff schedules in the Bureau of Compliance of the Federal Maritime Commission;

It is further ordered, That the provisions of Rule 12 of the Commission's rules of practice and procedure which require leave of the Commission to take testimony by deposition or by written interrogatory if notice thereof is served within 20 days of the commencement of the proceeding, are hereby waived for this proceeding inasmuch as the expeditious conduct of business so requires. The provision of Rule 12(h) which requires leave of the Commission to request admissions of fact and genuineness of documents if notice thereof is served within ten days of commencement of the proceeding, is similarly waived;

It is further ordered, That Mid-Pacific Freight Forwarders be named as respondent in this proceeding;

It is further ordered, That this proceeding be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners and that the hearing be held at a date and a place to be determined and announced by the presiding examiner;

It is further ordered, That (I) a copy of this order shall forthwith be served on the respondent herein and published in the FEDERAL REGISTER; and (II) the said respondent be duly served with notice of time and place of the hearing.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) of the Commission's rules of practice and procedure (46 CFR 502.72) with a copy to all parties to this proceeding.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-4364 Filed 3-29-71;8:49 am]

FEDERAL POWER COMMISSION

[Docket No. RI71-836, etc.]

AUSTRAL OIL CO., INC., ET AL.

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

MARCH 19, 1971.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

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

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

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

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

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI71-836	Austral Oil Co., Inc., Agent for Oil Participations, Inc.	9	12	United Fuel Gas Co. (Thornwell Field, Jefferson Davis, and Cameron Parishes Southern Louisiana).	$25,500	2-19-71		4-6-71	[1] 21.1	[2] [1] 22.375	RI64-187.
	do	23	10	do	191,250	2-19-71		4-6-71	[1] 22.1	[2] [1] 22.375	RI71-607.
RI71-837	General American Oil Co. of Texas.	37	[1] [11] 21	United Gas Pipe Line Co. (Valentine Field, Lafourche Parish) (Southern Louisiana).	2,114	2-19-71		4-6-71	[9] [11] 22.502850	[2] [1] 23.275	RI71-684.
	do	40	[1] [11] 9	Transcontinental Gas Pipe Line Corp. (Johnson's Bayou Field) (Cameron Parish) (Southern Louisiana).	7,105	2-19-71		4-6-71	[1] 23.55	[2] [1] 26.0	
RI71-838	Sun Oil Co	287	[7] 15	Transcontinental Gas Pipe Line Corp. (South Mineral Field, Bee County, Tex. RR. District No. 2).		2-19-71	3-22-71	[10] Accepted			
	do	287	[6] 16	do	28,298	2-19-71	4-22-71		[3] 11.0 [4] 12.0 [5] [10] 13.0	[3] 19.0	
RI71-839	Cabot Corp	102	2	Michigan Wisconsin Pipe Line Co. (Eugene Island Block 285) (Offshore Louisiana).	198,000	2-19-71		4-6-71	17.0 [1] 18.5	[2] [1] 26.0	
RI71-840	Kerr-McGee Corp	112	2	do	281,250	2-19-71		4-6-71	[1] 18.5	[2] [1] 26.0	
RI71-841	Felmont Oil Corp	18	2	do	112,500	2-19-71		4-6-71	[1] 18.5	[2] [1] 26.0	
RI71-842	Trice Production Co. et al.[12]	4	12	Michigan Wisconsin Pipe Line Co. (Welsh Field, Jeff Davis Parish, Southern Louisiana).	18,270	2-19-71		4-6-71	[1] 19.75	[2] [1] 22.375	
RI71-843	Pennzoil Producing Co. et al.[17]	234	[13] [13] [18] 11	United Gas Pipe Line Co. (Gibson Field, Terrebonne Parish) (Southern Louisiana).	106,762	2-17-71		4-4-71	[1] 22.375	[2] [1] 25.30	RI71-685.
RI71-844	Cities Service Oil Co	186	[14] [15] [16] 23	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Grand Isle Block 47 Field) (Offshore Louisiana) (Disputed).	17,493	2-16-71		4-3-71	[1] 22.375	[2] [1] 23.5	RI71-677.
RI71-845	Trice Production Co.[12]	5	6	United Gas Pipe Line Co. (East Bell City Field, Calcasieu Parish) (Southern Louisiana).	3,825	2-19-71		4-6-71	[1] 20.25	[2] [1] 22.375	
RI71-846	Trice Production Co. et al.[12]	19	[20] 7	Trunkline Gas Co. (Riceville Field, Vermilion Parish) (Southern Louisiana).	11,020	2-19-71		4-6-71	[1] 20.0	[2] [1] 22.375	
RI71-847	Don Chemical Co	1	1	Michigan Wisconsin Pipe Line Co. (Southwest Lake Arthur Field, Cameron Parish) (Southern Louisiana).	29,200	2-22-71		4-9-71	[1] 20.625	[2] [1] 21.625	
RI71-848	Lamar Hunt	10	5	South Texas Natural Gas Gathering Co. (May Field, Kleberg County, Tex. RR. District No. 4).	422	2-24-71		4-27-71	17.3147	18.3184	RI70-818.
RI71-849	Sun Oil Co	6	[21] [22] [24] 21	Transcontinental Gas Pipe Line Corp. (Various Fields Starr County, Tex., RR. District No. 4).	50,000	2-17-71		4-20-71	[23] 13.04875	21.0	
RI71-850	Ashland Oil, Inc	201	[20] 1	Southern Natural Gas Co. (Fish Island Field, Iberia Parish, Southern Louisiana).	988	2-25-71		4-12-71	[24] [1] 20.1143	[2] [1] 21.25	
RI71-851	Humble Oil & Refining Co.	137	7	Natural Gas Pipeline Co. of America (Ramerina, Southwest Field, Live Oak County, Tex., RR. District No. 2).	14,363	2-25-71		5-2-71	16.5619	17.5656	RI70-870.
RI71-852	Shell Oil Co. et al.	132	14	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Chesterville Field, Colorado County, Tex., RR. District No. 3).	6,150	2-22-71		4-25-71	[26] 15.5	[26] 16.5	RI66-313.
RI71-853	Mobile Oil Corp. et al.	320	[27] 24	Natural Gas Pipeline Co. of America (La Gloria Field, Jim Wells and Brooks Counties, Tex., RR. District No. 4).	15,976	2-19-71		4-22-71	16.0	16.7295	
RI71-854	Mobil Oil Corp	417	[28] 17	do	536	2-19-71		4-22-71	16.0	16.7338	
RI71-855	Sun Oil Co	486	2	Michigan Wisconsin Pipe Line Co. (Eugene Island Area Block 285) (Offshore Louisiana).	54,000	2-19-71		4-6-71	[1] 18.5	[2] [1] 26.0	
RI71-856	Petroleum Corp. of Texas et al.	5	[29] 3	Coastal States Gas Producing Co.[29] (Donna Field, Hidalgo County Tex., RR. District No. 4).	860	2-18-71		3-22-71	13.7860	14.9815	RI71-129.
		7	[29] 4		5,740	2-18-71		3-22-71	13.7860	14.9815	RI71-129.
	do	8	[29] 3	do	1,705	2-24-71		3-28-71	12.51	12.8695	RI71-129.
	do	9	[29] 4	do	145	2-24-71		3-28-71	12.5148	12.8695	RI71-129.
	do	10	[29] 4	do	250	2-22-71		3-26-71	13.5282	13.8829	RI71-129.
	do	12	[29] 4	do	3,190	2-22-71		3-26-71	13.5282	13.8829	RI71-129.
	do	13	[29] 3	do	125	2-24-71		3-28-71	12.5148	12.8695	RI71-129.
	do	14	[29] 3	do	425	2-24-71		3-28-71	12.5148	12.8695	RI71-129.
	do	15	[29] 3	do	1,420	2-24-71		3-28-71	12.5148	12.8695	RI71-129.
	do	16	[30] 3	do	2,990	2-18-71		3-22-71	13.7860	14.9815	RI71-129.
RI71-857	George R. Brown	3	10	Texas Eastern Transmission Corp. (Lochridge Field, Brazoria County, Tex., RR. District No. 3).		2-25-71		5-1-71	16.8735	17.0743	RI71-294.
RI71-858	John B. Rich, Trustee, Agent for Trusts U/D Donaldson Brown, et al.	1	[33] 9	Transcontinental Gas Pipe Line Corp. (Orcones Field, Duval County Tex., RR. District No. 4).		2-19-71	3-22-71	[43] Accepted			
	do	1	10	do	4,320	2-19-71		4-22-71	13.0	[33] 16.0	

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-386..	Southern Union Production Co.	1	[34] 1 to 26	El Paso Natural Gas Co. (acreage in San Juan County, N. Mex., San Juan Basin and La Plata Company, Colo.).	7,281	2-22-71	3-25-71	[47] Accepted	[34 35 51] 15.0636	[34 51] 15.2886	RI69-386.
		5	1 to 14	El Paso Natural Gas Co. (acreage in San Juan County, N. Mex., San Juan Basin).	1,052	2-22-71	3-25-71	[47] Accepted	[34 51] 15.0619	[34 51] 15.2869	RI69-386.
RI69-627..	Jerome P. McHugh et al.	[37] 9	[38] 4	El Paso Natural Gas Co. (leases in Rio Arriba County, N. Mex., San Juan Basin).	3,711	2-25-71	3-25-71	[49] Accepted	[51] 13.0	[51] 15.0619	
RI69-379..	Aztec Oil & Gas Co...	1	1 to 7	El Paso Natural Gas Co. (Mesa Verde Formation, Rio Arriba, and San Juan Counties, N. Mex., San Juan Basin).	2,981	2-25-71	3-25-71	[47] Accepted	[34 51] 15.0593	[34 51] 15.2886	RI69-379.
RI71-859..	Consolidated Production Corp.	4	2	Arkansas Louisiana Gas Co. (Hill Unit, Le Flore County, Oklahoma Other Area).	5,786	2-25-71	.....	[40] 4-28-71	[39] 15.0	[39] 16.015	
RI71-860..	Humble Oil & Refining Co.	111	10	Mississippi River Transmission Corp. (Woodlawn Field, Harrison County, Tex., RR. District No. 6).	383	2-25-71	.....	[46] 5-2-71	[39] 15.2003	[39] 15.7069	RI68-2.
RI71-861..	L. L. Robinson.....	2	8	Texas Eastern Transmission Corp. (Greenwood-Waskom Field, Caddo Parish, Northern Louisiana).	369	2-22-71	.....	[40] 4-25-71	[41 42 51] 15.8007	[42 51] 17.8519	
RI71-862..	Lamar Hunt et al.....	13	1	Arkansas Louisiana Gas Co. (Sugar Creek Field, Claiborne Parish, Northern Louisiana).	360	2-24-71	.....	[40] 4-27-71	[51] 18.75	[40 51] 19.0	
RI71-863..	Galaxy Oil Co.....	1	[44] 3	Arkansas Louisiana Gas Co. (Arkoma Area, Le Flore et al. Counties, Oklahoma Other Area and Franklin et al. Counties) (Arkansas).	822	2-18-71	.....	[40] 4-21-71	[39] 15.0	[39] 16.015	
RI71-864..	R. M. Mora i et al...	[45]	[46]	El Paso Natural Gas Co. (Tubb Field, Lea County, N. Mex., Permian Basin).	1,857	2-25-71	.....	4-28-71	14.50	17.50	

*Unless otherwise stated, the pressure base is 14.65 p.s.i.a.
[1] Applicable only to the Bigen 3-X and the 5168' Stray Sand Reservoirs, inadvertenly omitted in the filings submitted on Nov. 23, 1970.
[2] Increase resulting from termination of moratorium in Southern Louisiana pursuant to Order No. 413 issued Oct. 27, 1970.
[3] For gas not requiring compression or compressed by buyer.
[4] For gas compressed by buyer if seller assumes operation of compressors.
[5] For gas requiring compression if seller elects to install and operate compressors.
[6] For gas discovered prior to Sept. 28, 1960.
[7] Agreement dated Dec. 31, 1970, provides among other things for a extension of contract term until Apr. 1, 1981, and for renegotiated rates specified therein, or any higher area rate.
[8] Based on the assumption that all gas is sold from the 13-cent rate which may or may not be the case.
[9] Includes upward B.t.u. adjustment.
[10] Subject to a 0.21931-cent dehydration charge deducted by buyer.
[11] Submitted as a correction to an earlier increased rate filing.
[12] Changed name to Oleum, Inc., but filings have not yet bee i received to reflect such change.
[13] As corrected by letter dated Feb. 23, 1971.
[14] Pertains to gas sold from the "KD" and "KJ" Sand Reservoirs and to gas previously shown to qualify for third vintage prices per Opinion 567.
[15] Includes documents required by Opinion No. 567 establishing the discovery dates of new reservoirs identified therein.
[16] Not used.
[17] Both buyer and seller are wholly owned subsidiaries of Pennzoil United, Inc.
[18] Applicable to gas sold from the 15,200' Sand Reservoir which was discovered on Dec. 25, 1970, and thus qualifying for third vintage price.
[19] As corrected by filings transmitted by letter date Feb. 22, 1971.
[20] As corrected.
[21] Applicable only to gas sold from reservoirs discovered after Sept. 28, 1960, and prior to June 17, 1970.
[22] Increase to 19 cents suspended in Docket No. RI71-530. (Applicable to gas sold from reservoirs discovered prior to Sept. 28, 1960.)
[23] Includes letters between Sun & Transco showing a break down of the prices for reservoirs by fields.
[24] As corrected by filing transmitted by letter dated Mar. 1, 1971.
[25] Includes Upward B.t.u. price adjustment.
[26] Subject to a 0.21931-cent dehydration charge deducted by buyer.
[27] Applicable to additional gas added by Supplement No. 24.
[28] Applicable to additional gas added by Supplement No. 16.
[29] Includes letter from the buyer dated Feb. 9, 1971 showing the prices to which Petroleum Corp. is entitled.
[30] Coastal State resells the subject gas to Trunkline Gas Co. under its R/S No. 1 at an effective rate of 15.6576 cents ESR in Docket No. RI70-1548.
[31] Not used.
[32] Inclusive of a 3 compression charge paid to seller by buyer.
[33] Agreement dated Feb. 1, 1971 provides among other things, for a renegotiated rate of 16 cents.
[34] Includes 1 cent per Mcf minimum guarantee for liquids.
[35] Tax portion of rate applicable only to New Mexico sales.
[36] Applicable to New Mexico sales only.
[37] Partial succession to Thomas A. Dugan Rate Schedule No. 4 and Occidental Petroleum Corp., Rate Schedule No. 1.
[38] Pertains only to sales from acreage acquired from Occidental Petroleum Corp.
[39] Base rate subject to Downward B.t.u. adjustment.
[40] Pursuant to Order No. 423.
[41] Rate of 16.8263 cents currently suspended in Docket No. RI68-686, never made effective.
[42] Includes 1.75-cent tax reimbursement.
[43] Filing from initial certificated rate to initial contract rate.
[44] Applicable only to acreage added by Supplement No. 1.
[45] Small producer certificate holder in Docket No. CS71-131.
[46] Related contract dated Apr. 1, 1953.
[47] Accepted, subject to existing suspension proceedings in Docket No. RI69-386 and RI69-379 to be effective as of the expiration of statutory notice period, the date shown in the "Effective Date" column.
[48] Accepted, for filing subject to the existing suspension proceeding in Docket No. RI69-627, to be effective 61 days from date of filing, the date shown in the "Effective Date" column.
[49] Accepted to become effective on the dates shown in the "Effective Date" column.
[50] Accepted to become effective on the dates shown in the "Effective Date" column, subject to the conditions prescribed elsewhere in this order.
[51] Pressure base is 15.025 p.s.i.a.

Under the provisions of the Commission's order issued October 27, 1970, in Docket No. AR69-1, producers in the Southern Louisiana area were able to file for higher contractually authorized rates within 30 days from such order (by November 27, 1970) and were permitted to collect such increased rates subject to refund after 75 days had passed (as of January 10, 1971). The 75-day period applies to those filings made by producers within 30 days of the issuance of the October 27, 1970 order. Producer filing made after November 27, 1970, however, were to be subject to normal Commission suspension procedures. The order, however, left open the question of the appropriate suspension period for filings made after November 27, 1970.

The increases involved here were filed after the November 27, 1970 deadline. In view of the action taken in the procedural order in Docket No. AR69-1 accompanying Order No. 413, we believe it appropriate to suspend and permit an increase filed after November 27, 1970, to become effective subject to refund on the date from January 10, 1971 that corresponds to the number of days that the filing was made after November 27, 1970. This order so provides.

The agreement filed by Sun Oil Co. in addition to providing for the proposed increased rate of Transcontinental Gas Pipe Line Corp. also provides for future escalations to any higher area ceiling or settlement rate prescribed by the Commission. The provisions relating to the area rate do not conform with § 154.93(b-1) of the Commission's regulations. Consistent with Commission action taken on similar filings not in conformity with § 154.93(b-1), the agreement is accepted for filing upon expiration of statutory notice with the condition that the provision relating to the area rate will only apply upon the Commission's approval of a just and reasonable rate, or settlement rate, in an applicable area rate proceeding, for gas of comparable quality and vintage. Additionally, the agreement of Sun Oil Co. limits the gas reserves committed to such contracts. Neither the basic contracts nor the related certificates were previously limited in this manner. Therefore, such agreements are accepted for filing only insofar as they pertain to the reserves specified therein and the increases are limited only to gas produced from such reserves. Also, Respondent is advised that the acceptance of such agreements does not constitute any authorization to abandon any

acreage covered by the original contracts which is not covered by these agreements.

Petroleum Corporation of Texas is proposing increases with respect to gas sold to Coastal States Gas Producing Co. from leases in various fields in Hidalgo County, Tex., R.R. District No. 4. Coastal resells the subject gas to Trunkline Gas Co., at a currently effective rate of 15.6576 cents being collected subject to refund in Docket No. RI70-1548 pursuant to its Rate Schedule No. 1. Petroleum's proposed increases are based on the revenue-sharing provisions of Petroleum's contracts and therefore the proposed rates are directly related to Coastal's rate which is being collected subject to refund. In these circumstances the proposed rates should be suspended for 1 day from the expiration of the statutory notice period.

The proposed increases, except for Petroleum's increases and those relating to tax increases and those relating to sales in Southern Louisiana, are suspended for a period ending 61 days from the date of filing thus according them the same treatment as will be accorded those producers filing pursuant to Order No. 423.

Certain respondents request effective dates for which adequate notice was not given. Additionally, certain respondents request waiver of the notice requirements, still certain respondents request that the suspension period be limited to 1 day. Good cause has not been shown for granting these requests and they are denied.

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

[FR Doc.71-4238 Filed 3-29-71;8:45 am]

FEDERAL RESERVE SYSTEM

BARNETT BANKS OF FLORIDA, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Barnett Banks of Florida, Inc., which is a bank holding company located in Jacksonville, Fla., for prior approval by the Board of Governors of the acquisition by Applicant of 80 percent or more of the voting shares of Hollywood Bank and Trust Company, Hollywood, Fla.

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 or 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 in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

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

Not later than 30 days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors, March 24, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-4319 Filed 3-29-71;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

BETHLEHEM MINES CORP. AND EASTERN COAL CORP.

Applications for Renewal Permits; Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Interim Mandatory Dust Standard (3.0 mg/m^3) have been received as follows:

(1) ICP Docket No. 10989, Bethlehem Mines Corp., Brookdale Mine No. 77, USBM ID NO. 36 00843 0, Mineral Point, Cambria County, Pa., Section ID No. 006 (3 Panel Main).

(2) ICP Docket No. 10843, Eastern Coal Corp., Stone Mine, USBM ID No. 15 02096 0, Stone, Pike County, Ky., Section ID No. 001 (Section 14), Section ID No. 004 (Section 18), Section ID No. 005 (Section 24), Section ID No. 006 (Section 25), Section ID No. 008 (Section 29), Section ID No. 009 (Section 31), Section ID No. 010 (Section 32).

In accordance with the provisions of section 202(b)(4) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the Panel on request.

A copy of the application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Suite 800 1730 K Street NW., Washington, DC 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

MARCH 24, 1971.

[FR Doc.71-4354 Filed 3-29-71;8:48 am]

RENEGOTIATION BOARD

PERSONS HOLDING PRIME CONTRACTS OR SUBCONTRACTS FOR TRANSPORTATION BY WATER AS COMMON CARRIER

Extension of Time for Filing Financial Statements

Every person who held a prime contract or subcontract for transportation by water as a common carrier at any time during the calendar year 1970 is hereby granted an extension of time until September 1, 1971, for filing a financial statement for such year pursuant to section 105(e)(1) of the Renegotiation Act of 1951, as amended.

Dated: March 23, 1971.

LAWRENCE E. HARTWIG,
Chairman.

[FR Doc.71-4331 Filed 3-29-71;8:46 am]

SECURITIES AND EXCHANGE COMMISSION

[70-5002]

GENERAL PUBLIC UTILITIES CORP.

Notice of Proposed Issue and Sale of Shares of Common Stock Pursuant to Rights Offering

MARCH 23, 1971.

Notice is hereby given that General Public Utilities Corp. (GPU), 80 Pine Street, New York, NY 10005, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a), 7, and 12(c) of the Act and Rules 42 and 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

GPU proposes to offer up to 3 million authorized but unissued shares of its common stock (additional common stock) for subscription by the holders of its outstanding shares of common stock on the basis of one share of the additional common stock of each ten (10) shares of common stock held on the record date. The offering of the common stock will not be underwritten. The record date will be May 6, 1971, or such later date as GPU's registration statement under the Securities Act of 1933 may become effective. The subscription price, to be determined by GPU's Board of Directors on the record date, will be not more than the closing price of GPU commonstock on the New York Stock Exchange on the day prior to the record date and not less than 85 percent thereof. The subscription period will expire May 28, 1971, unless the record date should be later than May 7, 1971, in which event the expiration date will be specified by amendment.

Rights to subscribe to the additional common stock will be evidenced by

transferable subscription warrants which will be issued to all record holders of GPU common stock as promptly as practicable after the record date. No fractional shares will be issued; however, any holder with more than 10 shares, but not in exact multiples thereof, may purchase, at the subscription price, one extra share of additional common stock. A stockholder with less than 10 shares of common stock will be entitled to purchase, at the subscription price, one full share of additional common stock. In addition, each holder of a warrant or warrants who exercises such warrant or warrants in full will be given the privilege of subscribing, subject to allotment, at the same subscription price, for shares of additional common stock not subscribed to pursuant to rights. GPU intends to take such action as is appropriate on its part to effect the admission of the warrants to dealing on the New York Stock Exchange. A commercial bank will be used as subscription agent in connection with the rights offering. GPU proposes to utilize the services of securities dealers in soliciting the exercise by the initial record holders of original issue warrants of the subscription privileges represented thereby and in disposing of the shares of additional common stock available to GPU for such disposition. GPU will pay compensation to the securities dealers, in an amount to be determined by the GPU Board of Directors at a later time and to be supplied by amendment, for the successful solicitation of the exercise of original issue warrants by the initial record holders thereof and in connection with the purchase of additional common stock by such dealers from GPU. The fee payable with respect to any single beneficial owner will not exceed $250.

No warrants will be mailed to stockholders with registered addresses outside the United States, Bermuda, Canada, and Mexico. Such stockholders will be informed in advance by GPU of their rights. Any of such warrants as to which no instructions have been received before the close of business on the second business day preceding the expiration date of the warrants will be sold for cash, and the pro rata portions of such proceeds will be delivered to, or held for 2 years for the account of, such stockholders, after which such proceeds will become the property of GPU.

In connection with the rights offering, GPU may effect stabilization transactions in its common stock or warrants up to a maximum net long position equivalent to 300,000 shares.

GPU will utilize the net proceeds realized from the sale of the common stock for additional investments in its subsidiary companies or to pay a portion of its promissory notes then outstanding, the proceeds of which have been or will be used for such investments.

The fees and expenses to be incurred by GPU will be supplied by amendment. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than April 23, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[FR Doc.71-4342 Filed 3-29-71;8:47 am]

[File No. 500-1]

LONG ISLAND PLASTICS CORP.

Order Suspending Trading

MARCH 23, 1971.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Long Island Plastics Corp. (a New York corporation) and all other securities of Long Island Plastics Corp., 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 March 23, 1971, 11 a.m., e.s.t., through April 1, 1971.

By the Commission.

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[FR Doc.71-4343 Filed 3-29-71;8:47 am]

[31-706]

NATIONAL UTILITIES & INDUSTRIES CORP.

Notice of Filing and Order for Hearing Regarding Application for Exemption

MARCH 23, 1971.

Notice is hereby given that National Utilities & Industries Corp. (National), One Elizabethtown Plaza, Elizabeth, NJ 07207, has filed an application and an amendment thereto for an order exempting National from all provisions of the Public Utility Holding Company Act of 1935 (Act) except section 9(a)(2) thereof. The application is made under section 3(a)(1) of the Act.

National claimed an exemption as of June 13, 1969 from the registration requirements of the Act pursuant to the provisions of Rule 2 promulgated thereunder, Pursuant to Rule 6 National was advised by the Commission by letter of December 18, 1970, that a question exists as to whether its exemption from the registration requirements of the Act may be detrimental to the public interest or the interest of investors or consumers. The present application was filed January 27, 1971. All interested persons are referred to the application, which is summarized below:

National, a New Jersey corporation, is a holding company as defined in section 2(a)(7)(A) of the Act. One of its subsidiary companies, Elizabethtown Gas Co. (Elizabethtown), also a New Jersey corporation, is a public-utility company as defined by the Act.

National was organized on February 28, 1969. Shortly thereafter it became a holding company when, pursuant to an exchange offer, it acquired all the outstanding voting shares of the common stock of Elizabethtown. National bases this application on the fact that it and Elizabethtown are predominately intrastate in character and carry on their business substantially in the State of New Jersey. As at September 30, 1970, National had consolidated total assets of $78,490,388 and for the year then ended it had consolidated net income of $3,478,240.

Elizabethtown is engaged in the retail distribution of natural gas in 68 municipalities located in parts of Hunterdon, Mercer, Middlesex, Morris, Sussex, Union, and Warren Counties in New Jersey. For the year ended September 30, 1970, Elizabethtown had operating revenues of $40,431,271 and net income of $3,641,332. At September 30, 1970, Elizabethtown's utility plant account was stated at original cost of $81,385,945, less accumulated depreciation of $18,299,715. As of the same date, Elizabethtown had long-term debt (less current maturities) of $30,220,000 and total stockholders' equity of $33,394,362.

Elizabethtown has four wholly-owned nonutility subsidiary companies, all organized under the laws of New Jersey: (1) Utility Propane Co. (Propane) distributes propane gas at retail in enclosed, portable containers throughout

northern New Jersey and, to a limited degree, in adjacent parts of eastern Pennsylvania. It sells propane gas in bulk at wholesale and also sells gas appliances at retail. Propane supplies Elizabethtown with propane it uses for peak shaving purposes. For the year ended September 30, 1970, Propane had operating revenues of $601,644 and net income of $37,012; (2) Elizabethtown Sales Associates is engaged primarily in the wholesale distribution of appliances and equipment related to the gas industry. Its principal customers are utility companies, builders and dealers located in New Jersey. Its sales territory also includes the New England area, New York and Pennsylvania. For the year ended September 30, 1970, this subsidiary company had operating revenues of $1,312,306 and net income of $41,372; (3) Achter Kol Corp. (Achter Kol) owns real estate in certain of the territories in which Elizabethtown distributes natural gas. For the year ended September 30, 1970, Achter Kol had operating revenues of $16,430 and a net loss of $4,245. Achter Kol also has a New Jersey subsidiary company, Panther Valley Energy Co., which operates a natural gas total energy installation. For the year ended September 30, 1970, it had operating revenues of $35,968 and a net loss of $45,404; and (4) on December 31, 1970, Elizabethtown acquired Caroli Travel, Inc. (Caroli), since renamed E-Town Travel, Inc., a travel agency located in Plainfield, N.J. Elizabethtown made a loan of $32,000 to the travel agency in connection with this transaction. The purchase price was $90,000 subject to possible downward adjustment depending on operating results.

Since its organization National has also acquired all of the outstanding capital stock of National Computer Utility Co. (Computil), National Exploration Co. (Exploration) and National Energy Leasing Co. (Energy), all New Jersey corporations. All of the companies were organized by National during 1969.

Computil offers computer software services which include systems design, programing, and information systems and provides data handling services through the use of leased computers. For the year ended September 30, 1970, Computil had operating revenues of $287,622 and a let loss of $6,851.

Exploration is a gas and oil exploration and producing company authorized to do business in Texas and Louisiana. Exploration was established to develop natural gas reserves for Elizabethtown. For the year ended September 30, 1970, Exploration had operating revenues of $5,935 and a net loss of $94,168. Exploration has a subsidiary company, National Gas Gathering Co., a New Jersey corporation. The stated purpose of this subsidiary company is to arrange for the transportation and marketing of hydrocarbons that Exploration and others associated with it in any particular drilling venture may find.

Energy is the owner of, among other things, two steam generators which produce steam for sale to one industrial customer. In addition, Energy has purchased at an approximate cost of $435,000 an aircraft which it leased through National to Executive Airlines, Inc. (Executive), discussed below, for a term of 8 years on a net lease basis. For the year ended September 30, 1970, Energy had operating revenues of $57,583 and net income of $3,134.

In April 1970, National entered into an agreement with the major shareholders of Executive to acquire 51 percent of the outstanding common stock of Executive during 1971 in exchange for 27,778 shares of National's common stock, subject to upward adjustment depending upon Executive's earnings for the calendar years 1971 and 1972. Under the agreement, National is obligated to loan Executive a minimum of $1,000,000 at the prime bank interest rate, to be secured by 5-year convertible subordinated notes. On September 30, 1970, $1,400,000 had been advanced to Executive. The unaudited financial statements of Executive for the 9 months ended September 30, 1970, reflect a substantial net loss, which, it is stated, was anticipated. The agreement may be terminated by National at its option if certain specified financial results were not attained by the end of 1970; according to the application, it appears that these results have not been attained.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to the application; that the stockholders of National and other interested persons be afforded an opportunity to be heard at such hearing with respect to the application; and that the application should not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing be held at the office of the Securities and Exchange Commission, 500 North Capitol Street NW., Washington, DC 20549, at a date to be specified by the Secretary of the Commission. On such date, the hearing room clerk will advise as to the room in which the hearing will be held.

It is further ordered, That a Hearing Examiner, hereafter to be designated, shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18(c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the application and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether National and every subsidiary company thereof which is a public-utility company from which National derives, directly or indirectly, any material part of its income, are predominantly intrastate in character and carry on their business substantially in a single state in which National and every such subsidiary company thereof are organized.

(2) Whether, and, if so, to what extent, the granting of the exemption would be detrimental to the public interest or the interest of investors or consumers.

(3) Whether National's application for exemption should be denied or, if granted, whether such exemption should extend to all or only some provisions of the Act.

(4) Whether the granting of any exemption under section 3(a) should be subject to terms and conditions.

It is further ordered, That any person, other than applicant, desiring to be heard in connection with this proceeding or proposing to intervene therein shall file with the Secretary of the Commission, on or before May 3, 1971, a written request relative thereto as provided in Rule 9 of the Commission's rules of practice. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Persons filing an application to participate or be heard will receive notice of the date of hearing or any adjournment thereof as well as other actions of the Commission involving the subject matter of these proceedings.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid by mailing copies of this Notice and Order by certified mail to National, the New Jersey Board of Public Utility Commissioners, the Federal Power Commission and the U.S. Department of Justice; that National shall mail copies of this Notice and Order, not later than April 8, 1971, to the stockholders of record of National; and that notice to all other interested persons shall be given by a general release of the Commission and by publication of this Notice and Order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[FR Doc.71-4344 Filed 3-29-71;8:47 am]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 4.4 for Designated Disasters, Amdt. 1]

REGIONAL DIRECTORS

Delegation of Financial Assistance

Delegation of Authority No. 4.4 for Designated Disasters (36 F.R. 1297), published January 27, 1971, is hereby amended by revising Items A.a., A.c., A.d., A.e., A.f., A.g., A.h., B.a., B.c., B.d., B.e., B.f., B.g., B.h., C.a., C.c., C.d., C.e., C.f., C.g., C.h., and by adding Items A.i., A.j., B.i., B.j., C.i., and C.j., to read as follows:

A. * * *

a. Regional Director, Region II, for the following disasters:

(1) New York, Broome, Deleware, Tompkins, and Schuyler, Disaster No. 779.

(2) Puerto Rico, San Juan, Disaster No. 776.

(3) Puerto Rico, Island of Puerto Rico, Disaster No. 791.

(4) New York, Malone area, Disaster No. 804.

* * * * *

c. Regional Director, Region IV, for the following disasters:

(1) Alabama, all areas affected, Disaster No. 734.

(2) Florida, all areas affected, Disaster No. 734.

(3) Florida, Santa Rosa, Escambia, Disaster No. 773.

(4) Florida, Bay, Disaster No. 793.

(5) Georgia, Chatham, Disaster No. 784.

(6) Mississippi, all areas affected, Disaster No. 734.

(7) Florida, Santa Rosa and adjacent areas, Disaster No. 803.

(8) Mississippi, Town of Ecru, Disaster No. 796.

(9) Mississippi, all areas affected, Disaster No. 807.

(10) Tennessee, McNairy and adjacent areas, Disaster No. 807.

(11) North Carolina, Cumberland and adjacent areas, Disaster No. 808.

d. Regional Director, Region V, for the following disasters:

(1) Illinois, Crescent City, Disaster No. 777.

(2) Minnesota, St. Louis, Disaster No. 774.

(3) Minnesota, Douglas, Disaster No. 782.

(4) Illinois, all areas affected, Disaster No. 810.

(5) Minnesota, Miracle Mile Shopping Center in Rochester, Disaster No. 811.

e. Regional Director, Region VI, for the following disasters:

(1) Arkansas, Washington, Disaster No. 775.

(2) Louisiana, Beauregard, Calcasieu, Jefferson Davis, Allen, Disaster No. 795.

(3) New Mexico, Bernalillo, Disaster No. 781.

(4) Oklahoma, Oklahoma, Disaster No. 770.

(5) Oklahoma, Lincoln, Pottawatomie, Disaster No. 790.

(6) Oklahoma, Murray, Disaster No. 792.

(7) Texas, Lubbock, Disaster No. 767.

(8) Texas, all areas affected, Disaster No. 636.

(9) Texas, Hays, Disaster No. 768.

(10) Louisiana, Calcasieu and adjacent areas, Disaster No. 805.

f. Regional Director, Region VII, for the following disasters:

(1) Iowa, all areas affected, Disaster No. 787.

(2) Iowa, Fort Dodge area, Disaster No. 797.

(3) Nebraska, all areas affected, Disaster No. 809.

g. Regional Director, Region VIII, for the following disasters:

(1) Colorado, La Plata, Disaster No. 794.

(2) North Dakota, Ransom, Disaster No. 771.

(3) Utah, Davis, Disaster No. 772.

(4) Utah, Sevier, Disaster No. 785.

h. Regional Director, Region IX, for the following disasters:

(1) Arizona, Maricopa and adjacent areas; also Navajo, Disaster No. 786.

(2) California, Alameda, Disaster No. 788.

(3) California, all areas affected, Disaster No. 789.

(4) Hawaii, Islands of Oahu, Hawaii, and Maui, Disaster No. 799.

(5) California, Los Angeles and adjacent areas, Disaster No. 802.

i. Regional Director, Region I, for the following disasters:

(1) New Hampshire, Winchester area, Disaster No. 798.

(2) Massachusetts, Area of Salem and North Margin Streets in Boston, Disaster No. 801.

j. Regional Director, Region X, for the following disasters:

(1) Alaska, city of Fairbanks, town of Nenana, Disaster No. 634.

(2) Washington, Lewis, Grays Harbor, Thurston, and Whatcom, Disaster No. 800.

(3) Oregon, Clatsop, Tillamook, Disaster No. 806.

B. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices:

a. Regional Director, Region II, for the following disasters:

(1) New York, Broome, Delaware, Tompkins, and Schuyler, Disaster No. 779.

(2) Puerto Rico, San Juan, Disaster No. 776.

(3) Puerto Rico, Island of Puerto Rico, Disaster No. 791.

(4) New York, Malone area, Disaster No. 804.

* * * * *

c. Regional Director, Region IV, for the following disasters:

(1) Alabama, all areas affected, Disaster No. 734.

(2) Florida, all areas affected, Disaster No. 734.

(3) Florida, Santa Rosa, Escambia, Disaster No. 773.

(4) Florida, May, Disaster No. 793.

(5) Georgia, Chatham, Disaster No. 784.

(6) Mississippi, all areas affected, Disaster No. 734.

(7) Florida, Santa Rosa and adjacent areas, Disaster No. 803.

(8) Mississippi, town of Ecru, Disaster No. 796.

(9) Mississippi, all areas affected, Disaster No. 807.

(10) Tennessee, McNairy and adjacent areas, Disaster No. 807.

(11) North Carolina, Cumberland and adjacent areas, Disaster No. 808.

d. Regional Director, Region V, for the following disasters:

(1) Illinois, Crescent City, Disaster No. 777.

(2) Minnesota, St. Louis, Disaster No. 774.

(3) Minnesota, Douglas, Disaster No. 782.

(4) Illinois, all areas affected, Disaster No. 810.

(5) Minnesota, Miracle Mile Shopping Center in Rochester, Disaster No. 811.

e. Regional Director, Region VI, for the following disasters:

(1) Arkansas, Washington, Disaster No. 775.

(2) Louisiana, Beauregard, Calcasieu, Jefferson Davis, Allen, Disaster No. 795.

(3) New Mexico, Bernalillo, Disaster No. 781.

(4) Oklahoma, Oklahoma, Disaster No. 770.

(5) Oklahoma, Lincoln, Pottawatomie, Disaster No. 790.

(6) Oklahoma, Murray, Disaster No. 792.

(7) Texas, Lubbock, Disaster No. 767.

(8) Texas, all areas affected, Disaster No. 636.

(9) Texas, Hays, Disaster No. 768.

(10) Louisiana, Calcasieu and adjacent areas, Disaster No. 805.

f. Regional Director, Region VII, for the following disasters:

(1) Iowa, all areas affected, Disaster No. 787.

(2) Iowa, Fort Dodge area, Disaster No. 797.

(3) Nebraska, all areas affected, Disaster No. 809.

g. Regional Director, Region VIII, for the following disasters:

(1) Colorado, La Plata, Disaster No. 794.

(2) North Dakota, Ransom, Disaster No. 771.

(3) Utah, Davis, Disaster No. 772.

(4) Utah, Sevier, Disaster No. 785.

h. Regional Director, Region IX, for the following disasters:

(1) Arizona, Maricopa and adjacent areas; also Navajo, Disaster No. 786.

(2) California, Alameda, Disaster No. 788.

(3) California, all areas affected, Disaster No. 789.

(4) Hawaii, Islands of Oahu, Hawaii, and Maui, Disaster No. 799.

(5) California, Los Angeles and adjacent areas, Disaster No. 802.

i. Regional Director, Region I, for the following disasters:

(1) New Hampshire, Winchester area, Disaster No. 798.

(2) Massachusetts, Area of Salem and North Margin Streets in Boston, Disaster No. 801.

j. Regional Director, Region X, for the following disasters:

(1) Alaska, city of Fairbanks, town of Nenana, Disaster No. 634.

(2) Washington, Lewis, Grays Harbor, Thurston and Whatcom, Disaster No. 800.

(3) Oregon, Clatsop, Tillamook, Disaster No. 806.

C. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired:

a. Regional Director, Region II, for the following disasters:

(1) New York, Broome, Delaware, Tompkins, and Schuyler, Disaster No. 779.

(2) Puerto Rico, San Juan, Disaster No. 776.

(3) Puerto Rico, Island of Puerto Rico, Disaster No. 791.

(4) New York, Malone area, Disaster No. 804.

* * * * *

c. Regional Director, Region IV, for the following disasters:

(1) Alabama, all areas affected, Disaster No. 734.

(2) Florida, all areas affected, Disaster No. 734.

(3) Florida, Santa Rosa, Escambia, Disaster No. 773.

(4) Florida, Bay, Disaster No. 793.

(5) Georgia, Chatham, Disaster No. 784.

(6) Mississippi, all areas affected, Disaster No. 734.

(7) Florida, Santa Rosa and adjacent areas, Disaster No. 803.

(8) Mississippi, town of Ecru, Disaster No. 796.

(9) Mississippi, all areas affected, Disaster No. 807.

(10) Tennessee, McNairy and adjacent areas, Disaster No. 807.

(11) North Carolina, Cumberland and adjacent areas, Disaster No. 808.

d. Regional Director, Region V, for the following disasters:

(1) Illinois, Crescent City, Disaster No. 777.

(2) Minnesota, St. Louis, Disaster No. 774.

(3) Minnesota, Douglas, Disaster No. 782.

(4) Illinois, all areas affected, Disaster No. 810.

(5) Minnesota, Miracle Mile Shopping Center in Rochester, Disaster No. 811.

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(1) Arkansas, Washington, Disaster No. 775.

(2) Louisiana, Beauregard, Calcasieu, Jefferson Davis, Allen, Disaster No. 795.

(3) New Mexico, Bernalillo, Disaster No. 781.

(4) Oklahoma, Oklahoma, Disaster No. 770.

(5) Oklahoma, Lincoln, Pottawatomie, Disaster No. 790.

(6) Oklahoma, Murray, Disaster No. 792.

(7) Texas, Lubbock, Disaster No. 767.

(8) Texas, all areas affected, Disaster No. 636.

(9) Texas, Hays, Disaster No. 768.

(10) Louisiana, Calcasieu and adjacent areas, Disaster No. 805.

f. Regional Director, Region VII, for the following disasters:

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(2) Iowa, Fort Dodge area, Disaster No. 797.

(3) Nebraska, all areas affected, Disaster No. 809.

g. Regional Director, Region VIII, for the following disasters:

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(2) North Dakota, Ransom, Disaster No. 771.

(3) Utah, Davis, Disaster No. 772.

(4) Utah, Sevier, Disaster No. 785.

h. Regional Director, Region IX, for the following disasters:

(1) Arizona, Maricopa and adjacent areas; also Navajo, Disaster No. 786.

(2) California, Alameda, Disaster No. 788.

(3) California, all areas affected, Disaster No. 789.

(4) Hawaii, Islands of Oahu, Hawaii, and Maui, Disaster No. 799.

(5) California, Los Angeles and adjacent areas, Disaster No. 802.

i. Regional Director, Region I, for the following disasters:

(1) New Hampshire, Winchester area, Disaster No. 798.

(2) Massachusetts, Area of Salem and North Margin Streets in Boston, Disaster No. 801.

j. Regional Director, Region X, for the following disasters:

(1) Alaska, city of Fairbanks, town of Nenana, Disaster No. 634.

(2) Washington, Lewis, Grays Harbor, Thurston, and Whatcom, Disaster No. 800.

(3) Oregon, Clatson, Tillamook, Disaster No. 806.

Effective date for:

1. Disaster Nos. 634, 636, 734, 771, 772, 767, 768, 770, 773, 774, 775, 776, 777, 779, 781, 784, 786, 787, 788, 782, 785, 789, 790, 791, 792, 793, 794, 795, 796, January 11, 1971.

2. Disaster Nos. 797 and 798, January 22, 1971.

3. Disaster Nos. 799, 800, and 802, February 9, 1971.

4. Disaster No. 801, February 8, 1971.

5. Disaster Nos. 803 and 804, February 16, 1971.

6. Disaster Nos. 805 and 806, February 18, 1971.

7. Disaster Nos. 807 and 808, February 24, 1971.

8. Disaster No. 809, February 25, 1971.

9. Disaster No. 810, March 1, 1971.

10. Disaster No. 811, March 3, 1971.

JACK EACHON, Jr.,
Associate Administrator for Financial Assistance.

[FR Doc.71-4328 Filed 3-29-71;8:46 am]

[Delegation of Authority No. 30 (Revision 13)]

REGIONAL DIRECTORS ET AL.

Delegation of Authority To Conduct Program Activities in Field Offices

Pursuant to statutory and delegated authority vested in the Administrator, the following authority is hereby delegated:

PART I—FINANCING PROGRAM

SECTION A. *Loan approval authority—*

1. *Small Business Act section 7(a) loans.* To approve or decline business loans not exceeding the following amounts (SBA share):

a. Regional Director	$350,000
b. Chief and Assistant Chief, Regional Financing Division	350,000
c. Regional Supervisory Loan Officer	50,000
d. District Director	350,000
e. Chief, District Financing Division	350,000
f. Branch Manager, Fairbanks, Alaska, Branch Office	350,000
g. Branch Manager, Gulfport, Miss., Branch Office	350,000
h. Branch Manager, Cincinnati, Ohio, Branch Office	100,000
i. Branch Manager, Springfield, Ill., Branch Office	100,000
j. Branch Manager, Buffalo, N.Y., Branch Office	50,000
k. Branch Manager, Marquette, Mich., Branch Office	50,000
l. Branch Manager, Milwaukee, Wis., Branch Office	50,000

2. *Economic opportunity (EO) loans.* To approve or decline economic opportunity loans not exceeding $25,000 (SBA share): All officials as shown in subparagraphs a. through l. of paragraph 1. of this section A.

3. *Displaced business and other economic injury loans.* a. To decline displaced business loans, coal mine health and safety loans, and economic injury disaster loans in connection with declarations made by the Secretary of Agriculture for natural disasters in any amount and to approve such loans up to the following amounts (SBA share):

(1) Regional Director	$1,000,000
(2) Chief and Assistant Chief, Regional Financing Division	350,000

b. To approve or decline displaced business loans, coal mine health and safety loans, and economic injury disaster loans in connection with declarations made by the Secretary of Agriculture for natural disasters up to the following amounts (SBA share):

(1) Regional Supervisory Loan Officer	$ 50,000
(2) District Director	350,000
(3) Chief, District Financing Division	350,000
(4) Branch Manager, Fairbanks, Alaska, Branch Office	350,000
(5) Branch Manager, Gulfport, Miss., Branch Office	350,000
(6) Branch Manager, Springfield, Ill., Branch Office	100,000
(7) Branch Manager, Cincinnati, Ohio, Branch Office	100,000
(8) Branch Manager, Buffalo, N.Y., Branch Office	50,000
(9) Branch Manager, Marquette, Mich., Branch Office	50,000
(10) Branch Manager, Milwaukee, Wis., Branch Office	50,000

SEC. B. *Other financing authority.* 1. a. To enter into business, economic opportunity, disaster, displaced business, and coal mine health and safety loan participation agreements with banks:

(1) Regional Director.
(2) Chief and Assistant Chief, Regional Financing Division.
(3) Regional Superivsory Loan Officer.

(4) District Director.
(5) Chief, District Financing Division.
(6) District Supervisory Loan Officer, if assigned.
(7) Branch Manager, Buffalo, N.Y., Branch Office.
(8) Branch Manager, Cincinnati, Ohio, Branch Office.
(9) Branch Manager, Fairbanks, Alaska, Branch Office.
(10) Branch Manager, Gulfport, Miss., Branch Office.
(11) Branch Manager, Marquette, Mich., Branch Office.
(12) Branch Manager, Milwaukee, Wis., Branch Office.
(13) Branch Manager, Springfield, Ill., Branch Office.
(14) Branch Supervisor Loan Officer, if assigned, Fairbanks, Alaska, Branch Office.

b. To enter into blanket loan guarantee agreements with banks: (1) Branch manager.

2. a. To execute loan authorizations for loans approved by higher authority and for loans personally approved under delegated authority:

(1) Regional Director.
(2) Chief and Assistant Chief, Regional Financing Division.
(3) Regional Supervisory Loan Officer.
(4) District Director.
(5) Chief, District Financing Division.
(6) District Supervisory Loan Officer, if assigned.
(7) Branch Manager, Buffalo, N.Y., Branch Office.
(8) Branch Manager, Cincinnati, Ohio, Branch Office.
(9) Branch Manager, Fairbanks, Alaska, Branch Office.
(10) Branch Manager, Gulfport, Miss., Branch Office.
(11) Branch Manager, Marquette, Mich., Branch Office.
(12) Branch Manager, Milwaukee, Wis., Branch Office.
(13) Branch Manager, Springfield, Ill., Branch Office.
(14) Branch Supervisory Loan Officer, if assigned, Fairbanks, Alaska, Branch Office.

b. The execution of loan authorizations shall be as follows:

(Name), Administrator,
By_____
(Name)
(Title of person signing)
(City, State)

3. To cancel, reinstate, modify, and amend authorizations:

a. For business, economic opportunity, disaster, displaced business, and coal mine health and safety loans:

(1) Regional Director.
(2) District Director.
(3) Branch Manager, Buffalo, N.Y., Branch Office.
(4) Branch Manager, Cincinnati, Ohio, Branch Office.
(5) Branch Manager, Fairbanks, Alaska, Branch Office.
(6) Branch Manager, Gulfport, Miss., Branch Office.
(7) Branch Manager, Springfield, Ill., Branch Office.

b. For fully undisbursed business, economic opportunity, disaster, displaced business, and coal mine health and safety loans:

(1) Chief and Assistant Chief, Regional Financing Division.
(2) Regional Supervisory Loan Officer.
(3) Chief, District Financing Division.
(4) District Supervisory Loan Officer, if assigned.
(5) Branch Manager, Milwaukee, Wis., Branch Office.
(6) Branch Supervisory Loan Officer, if assigned, Fairbanks, Alaska, Branch Office.

c. For business, economic opportunity, disaster, displaced business, and coal mine health and safety loans personally approved under delegated authority: (1) Branch Manager, Marquette, Mich., Branch Office.

4. To approve minor modifications in fully undisbursed loan authorization:

a. Loan Officer, Regional Financing Division.
b. Loan Officer, District Financing Division.

5. a. To extend the disbursement period on all loan authorizations:

(1) Regional Director.
(2) District Director.
(3) Branch Manager, Buffalo, N.Y., Branch Office.
(4) Branch Manager, Cincinnati, Ohio, Branch Office.
(5) Branch Manager, Fairbanks, Alaska, Branch Office.
(6) Branch Manager, Gulfport, Miss., Branch Office.
(7) Branch Manager, Marquette, Mich., Branch Office.
(8) Branch Manager, Springfield, Ill., Branch Office.

b. To extend the disbursement period on all loan authorizations on loans fully undisbursed:

(1) Chief and Assistant Chief, Regional Financing Division.
(2) Regional Supervisory Loan Officer.
(3) Loan Officer, Regional Financing Division.
(4) Chief, District Financing Division.
(5) District Supervisory Loan Officer, if assigned.
(6) Loan Officer, District Financing Division.
(7) Branch Manager, Milwaukee, Wis., Branch Office.
(8) Branch Supervisory Loan Officer, if assigned, Fairbanks, Alaska, Branch Office.

6. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing:

a. Regional Director.
b. Chief and Assistant Chief, Regional Financing Division.
c. Regional Supervisory Loan Officer.
d. District Director.
e. Chief, District Financing Division.
f. District Supervisory Loan Officer.
g. Branch Manager, Buffalo, N.Y., Branch Office.
h. Branch Manager, Cincinnati, Ohio, Branch Office.
i. Branch Manager, Fairbanks, Alaska, Branch Office.
j. Branch Manager, Gulfport, Miss., Branch Office.
k. Branch Manager, Marquette, Mich., Branch, Office.
l. Branch Manager, Milwaukee, Wis., Branch Office.
m. Branch Manager, Springfield, Ill., Branch Office.
n. Branch Supervisory Loan Officer, if assigned, Fairbanks, Alaska, Branch Office.

PART II—COMMUNITY ECONOMIC DEVELOPMENT (CED) PROGRAM

SECTION A. *Sections 501 and 502 loan approval authority.* 1. To approve or decline section 501 State development company loans:

a. Without dollar limitation: (1) Regional Director.

b. Up to the following amounts (SBA share) when project cost does not exceed $1 million, provided the official concurs in at least one prior recommendation:

(1) Chief, Regional CED Division_ $350,000

c. Up to the following amounts (SBA share) when project cost does not exceed $700,000, provided the official concurs in at least one prior recommendation:

(1) District Director_____ $350,000

2. To approve or decline section 502 local development company loans:

a. Up to the following amount (SBA share):

(1) Regional Director_____ $350,000

b. Up to the following amount (SBA share) when project cost does not exceed $1 million, provided the official concurs in at least one prior recommendation:

(1) Chief, Regional CED Division_ $350,000

c. Up to the following amount (SBA share) when project cost does not exceed $700,000, provided the official concurs in at least one prior recommendation:

(1) District Director_____ $350,000

SEC. B. *Other 501 and 502 authority.* 1. a. To extend the disbursement period on sections 501 and 502 loan authorizations:

(1) Regional Director.
(2) District Director.
(3) Branch Manager, Cincinnati, Ohio, Branch Office.
(4) Branch Manager, Springfield, Ill., Branch Office.

b. To extend the disbursement period on fully undisbursed sections 501 and 502 loans:

(1) Chief, Regional CED Division.
(2) Economic Development Specialists, Regional CED Division.
(3) Chief, District CED Division.
(4) Economic Development Specialists, District CED Division.
(5) Branch Manager, Milwaukee, Wis., Branch Office.

2. a. To execute sections 501 and 502 loan authorizations for loans approved by higher authority and for loans personally approved under delegated authority:

(1) Regional Director.
(2) Chief, Regional CED Division.
(3) District Director.
(4) Chief, District CED Division.

b. The execution of loan authorizations shall be as follows:

(Name), Administrator,
By _____
(Name)
(Title of person signing)
(City, State)

3. a. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans:

(1) Regional Director.
(2) District Director.
(3) Branch Manager, Cincinnati, Ohio, Branch Office.
(4) Branch Manager, Springfield, Ill. Branch Office.

b. To cancel, reinstate, modify, and amend authorizations for fully undisbursed sections 501 and 502 loans:

(1) Chief, Regional CED Division.
(2) Economic Development Specialists, Regional CED Division.
(3) Chief, Division CED Division.
(4) Economic Development Specialists, District CED Division.
(5) Branch Manager, Milwaukee, Wis., Branch Office.

4. To enter into section 502 loan participation agreements with banks:

a. Regional Director.
b. Chief, Regional CED Division.
c. Economic Development Specialists, Regional CED Division.
d. District Director.
e. Chief, District CED Division.
f. Economic Development Specialists, District CED Division.
g. Branch Manager, Cincinnati, Ohio, Branch Office.
h. Branch Manager, Milwaukee,Wis., Branch Office.
i. Branch Manager, Springfield, Ill., Branch Office.

SEC. C. *Lease guarantee approval authority.* 1. To approve or decline applications for the direct guarantee of payment of rent not to exceed the following amounts:

a. Regional Director	$1,000,000
b. Chief, Regional CED Division	500,000
c. District Director	500,000

SEC. D. *Other lease guarantee authority.* 1. a. To issue and modify commitment letters:

(1) Regional Director.
(2) Chief, Regional CED Division.
(3) District Director.
(4) Chief, District CED Division.

b. These issuances shall be as follows:

(*Name*), *Administrator*,
By _____
(Name)
(*Title of person signing*)
(City, State)

SEC. E. *EDA loan disbursement authority.* 1. To disburse approved EDA loans, as authorized:

a. Regional Director.
b. Chief, Regional CED Division.
c. Economic Development Specialists, Regional CED Division.
d. District Director.
e. Chief, District CED Division.
f. Economic Development Specialists, District CED Division.
g. Branch Manager, Cincinnati, Ohio, Branch Office.
h. Branch Manager, Milwaukee, Wis., Branch Office.
i. Branch Manager, Springfield, Ill., Branch Office.

a. Regional Director.
b. Chief, Regional CED Division.

PART III—LOAN ADMINISTRATION (LA) PROGRAM

SECTION A. *Loan administration, servicing, collection, and liquidation authority.* 1. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans, exclusive of matters in litigation, and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing, the assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator; the execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing; the approval of bank applications for use of liquidity privilege under the loan guaranty plan; and to advertise regarding the public sale of collateral in connection with the liquidation of loans, and acquired property,

a. EXCEPT: To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement:

(1) Regional Director.
(2) Chief and Assistant Chief, Regional LA Division.
(3) District Director.
(4) Branch Manager, Gulfport, Miss., Branch Office.

b. Except: To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement; to authorize the liquidation of a loan; and the cancellation of authority to liquidate:

(1) Supervisory Loan Officer, Regional LA Division.
(2) Chief, District LA Division.
(3) Supervisory Loan Officer, District LA Division, if assigned.

2. To take all necessary action in liquidating Economic Development Administration (EDA) loans, exclusive of matters in litigation, and acquired collateral, when and as authorized by EDA:

a. Regional Director.
b. Chief and Assistant Chief, Regional LA Division.
c. Supervisory Loan Officer, Regional LA Division.
d. District Director.
e. Chief, District LA Division.
f. Supervisory Loan Officer, District LA Division, if assigned.
g. Branch Manager, Gulfport, Miss., Branch Office.

SEC. B. *Authority to compromise on indebtedness owed to SBA.* 1. Regional claims review committee, consisting of the regional chief, LA Division, acting as chairman; regional counsel; and regional chief, Financing Division, are delegated the authority to take final action on compromise proposals of indebtedness owed to the Agency, as follows:

a. Claims not in excess of $5,000 (including CPC advances but excluding interest): (1) Regional Claims Review Committee upon majority vote.

b. Claims in excess of $5,000 but not exceeding $100,000 (including CPC advances but excluding interest): (1) Regional Claims Review Committee upon unanimous vote.

SEC. C. *Loan administration, servicing, and collection authority.* 1. To take all necessary actions in connection with the administration, servicing, and collection of all loans, other than those accounts classified as "in liquidation," and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing, the assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator; the execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing; and the approval of bank applications for use of liquidity privilege under the loan guaranty plan,

a. Except: To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement; to authorize the liquidation of a loan; and the cancellation of authority to liquidate.

(1) Branch Manager, Buffalo, N.Y., Branch Office.
(2) Branch Manager, Cincinnati, Ohio, Branch Office.

(3) Branch Manager, Fairbanks, Alaska, Branch Office.
(4) Branch Manager, Marquette, Mich., Branch Office.
(5) Branch Manager, Milwaukee, Wis., Branch Office.
(6) Branch Manager, Springfield, Ill., Branch Office.

2. To approve the following actions:

a. Use of such portions of the cash surrender value of assigned life insurance as are required to pay premiums due on the policy.

b. Release of dividends on assigned life insurance or consent to application of dividends against premiums due or to become due.

c. Minor modifications in the authorizations.

d. Extension of disbursement period on loans partially undisbursed.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of $500 and endorsement of such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.

(1) Concerning all current direct and participation loans and First Mortgage Plan 502 loans:

(a) Loan Officer, Regional LA Division.
(b) Loan Officer, District LA Division.

(2) Concerning all direct and participation loans:

(a) Loan Officer, Fairbanks, Alaska, Branch Office.

SEC. D. *Lease guarantee administration and servicing authority.* 1. a. To service claims arising under all lease insurance policies issued in the region, approving the payment, or recommending denial of such claims:

(1) Region Director.
(2) Chief and Assistant Chief, Regional LA Division.
(3) Supervisory Loan Officer, Regional LA Division.

b. To service claims arising under all lease insurance policies issued in the district, approving the payment, or recommending denial of such claims:

(1) District Director.
(2) Chief, District LA Division.
(3) Supervisory Loan Officer, District LA Division, if assigned.
(4) Branch Manager, Fairbanks, Alaska, Branch Office.

c. To service claims arising under all lease insurance policies issued in the branch office area, approving the payment or recommending denial of such claims.

(1) Branch Manager, Gulfport, Miss., Branch Office.

2. To take all actions necessary to mitigate losses from lease guarantees.

a. Regional Director.
b. Chief and Assistant Chief, Regional LA Division.
c. Supervisory Loan Officer, Regional LA Division.
d. District Director.
e. Chief, District LA Division.
f. Supervisory Loan Officer, District LA Division, if assigned.
g. Branch Manager, Fairbanks, Alaska, Branch Office.
h. Branch Manager, Gulfport, Miss., Branch Office.

PART IV—PROCUREMENT AND MANAGEMENT ASSISTANCE

SECTION A. *Certificate of competency approval authority.* 1. With the exception of rereferred cases, to approve applications for certificates of competency up to but not exceeding $250,000 bid value received from small business concerns located within the geographical jurisdiction of the following:

a. Regional Director.
b. District Director, Los Angeles District.

2. To deny an application for a certificate of competency when an adverse determination as to capacity or credit is concurred in:

a. Regional Director.
b. District Director, Los Angeles District.

SEC. B. *Section 8(a) contracting authority.* 1. To enter into contracts not exceeding $100,000, on behalf of the Small Business Administration with the U.S. Government and any department, agency, or officer thereof having procurement powers, obligating the Small Business Administration to furnish articles, equipment, supplies, or materials to the Government and agreeing as to the terms and conditions of such contracts:

a. Regional Director, Region IV.
b. Regional Director, Region IX.
c. Chief, Regional PMA Division, Region IX.

2. To arrange for the performance of such contracts by negotiating or otherwise letting subcontracts to small business concerns or others for the manufacture, supply, or assembly of such articles, equipment, supplies, or materials, or parts thereof, or servicing or processing in connection therewith, or such management services as may be necessary to enable the Small Business Administration to perform such contracts:

a. Regional Director, Region IV.
b. Regional Director, Region IX.
c. Chief, Regional PMA Division, Region IX.

3. To certify to any officer of the Government having procurement powers that the Small Business Administration is competent to perform any specific Government procurement contract, not exceeding $100,000, to be let by any such officer:

a. Regional Director, Region IV.
b. Regional Director, Region IX.
c. Chief, Regional PMA Division, Region IX.

SEC. C. *Section 406 contract management authority.* 1. To take all necessary actions in connection with the administration and management of grants, agreements, and contracts executed by the Associate Administrator for Procurement and Management Assistance under the authority granted in section 406 of the Economic Opportunity Amendments of 1967, except changes, amendments, modifications, or termination of the original grant, agreement, or contract.

a. Regional Director.
b. Chief, Regional PMA Division.

PART V—LEGAL SERVICES

SECTION A. *Authority to conduct litigation activities.* 1. To conduct all litigation activities, including SBIC matters, as assigned, and to take all action necessary in connection with matters in litigation; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator, as to all matters in litigation.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing, as to all matters in litigation.

(1) Except: To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement:

(a) Regional Director.
(b) Regional Counsel.
(c) District Director.
(d) Branch Manager, Gulfport, Miss., Branch Office.

(2) Except: To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement; to authorize the liquidation of a loan; and the cancellation of authority to liquidate:

(a) District Counsel.
(b) Branch Manager, Fairbanks, Alaska, Branch Office.
(c) Branch Attorney, Fairbanks, Alaska, Branch Office.

2. To conduct all litigation activities, including SBIC matters, as assigned, and to take all action necessary in connection with matters in litigation; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, with the exception of the following, which are reserved to regional and district counsel:

a. The assignment, endorsement, transfer and delivery of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator, as to all matters in litigation.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing, as to all matters in litigation:

(1) Regional Attorneys.
(2) District Attorneys.
(3) Branch Manager, Springfield, Ill., Branch Office.
(4) Branch Attorney, Springfield, Ill., Branch Office.

3. To take all necessary action in liquidating Economic Development Administration (EDA) loans having litigative aspects, when and as authorized by EDA:

a. Regional Director.
b. Regional Counsel.
c. Regional Attorneys.
d. District Director.
e. District Counsel.
f. District Attorneys.
g. Branch Manager, Fairbanks, Alaska, Branch Office.
h. Branch Manager, Gulfport, Miss., Branch Office.
i. Branch Manager, Springfield, Ill., Branch Office.
j. Branch Attorney, Fairbanks, Alaska, Branch Office.
k. Branch Attorney, Springfield, Ill., Branch Office.

SEC. B. *Loan closing authority.* 1. To close and disburse approved SBA loans and rehabilitation loans for Department of Housing and Urban Development:

a. Regional Director.
b. Regional Counsel.
c. Regional Attorneys.
d. District Director.
e. District Counsel.
f. District Attorneys.
g. Branch Manager, Fairbanks, Alaska, Branch Office.
h. Branch Manager, Gulfport, Miss., Branch Office.
i. Branch Manager, Springfield, Ill., Branch Office.
j. Branch Attorney, Fairbanks, Alaska, Branch Office.
k. Branch Attorney, Springfield, Ill., Branch Office.

2. To close and disburse approved SBA loans:

a. Branch Manager, Buffalo, New York, Branch Office.

3. To close approved EDA loans, as authorized:

a. Regional Director.
b. Regional Counsel.
c. Regional Attorneys.
d. District Director.
e. District Counsel.
f. District Attorneys.
g. Branch Manager, Fairbanks, Alaska, Branch Office.
h. Branch Manager, Springfield, Ill., Branch Office.
i. Branch Attorney, Fairbanks, Alaska, Branch Office.
j. Branch Attorney, Springfield, Ill., Branch Office.

4. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization:

a. Regional Director.
b. Regional Counsel.
c. Regional Attorneys.
d. District Director.
e. District Counsel.
f. District Attorneys.
g. Branch Manager, Buffalo, N.Y., Branch Office.
h. Branch Manager, Fairbanks, Alaska, Branch Office.
i. Branch Manager, Gulfport, Miss., Branch Office.
j. Branch Manager, Springfield, Ill., Branch Office.
k. Branch Attorney, Fairbanks, Alaska, Branch Office.
l. Branch Attorney, Springfield, Ill., Branch Office.

PART VI—ADMINISTRATIVE

SECTION A. *Authority to purchase, rent, or contract for equipment, services, and supplies.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases:

a. Regional Director.
b. Chief, Regional Administrative Division.
c. District Director.
d. Chief, District Administrative Division.
e. Branch Manager, Fairbanks, Alaska, Branch Office.
f. Branch Manager, Gulfport, Miss., Branch Office.

2. To purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; contract for repair and maintenance of equipment and furnishings; contract for services required in setting up and dismantling and moving SBA exhibits; and issue Government bills of lading:

a. Regional Director.
b. Chief, Regional Administrative Division.
c. Regional Office Services Manager or Office Services Assistant.
d. District Director.
e. Chief, District Administrative Division.
f. District Office Services Manager or Office Services Assistant.
g. Branch Manager, Fairbanks, Alaska, Branch Office.
h. Branch Manager, Gulfport, Miss., Branch Office.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration:

a. Regional Director.
b. Chief, Regional Administrative Division.
c. Regional Office Services Manager or Office Services Assistant.
d. District Director.
e. Chief, District Administrative Division.
f. District Office Services Manager or Office Services.
g. Branch Manager, Fairbanks, Alaska, Branch Office.
h. Branch Manager, Gulfport, Miss., Branch Office.

SEC. B. *Authority to obligate SBA for reimbursement of rent.* 1. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space:

a. Regional Director.
b. Chief, Regional Administrative Division.
c. District Director.
d. Chief, District Administrative Division.
e. Branch Manager, Fairbanks, Alaska, Branch Office.

PART VII—ELIGIBILITY AND SIZE DETERMINATIONS

SECTION A. *Eligibility Determinations.* 1. a. In accordance with Small Business Administration standards and policies, to determine eligibility of applicants for assistance under any program of the Agency,

(1) Except: The SBIC program:

(a) Regional Director.
(b) District Director.
(c) Branch Manager, Cincinnati, Ohio, Branch Office.
(d) Branch Manager, Milwaukee, Wis., Branch Office.
(e) Branch Manager, Springfield Ill., Branch Office.

(2) Except: The SBIC and community economic development programs:

(a) Chief and Assistant Chief, Regional Financing Division.
(b) Chief, District Financing Division.
(c) Branch Manager, Buffalo, N.Y., Branch Office.
(d) Branch Manager, Fairbanks, Alaska, Branch Office.
(e) Branch Manager, Gulfport, Miss., Branch Office.
(f) Branch Manager, Marquette, Mich., Branch Office.

b. In accordance with Small Business Administration standards and policies, to determine eligibility of applicants for assistance under the sections 501 and 502 programs of the Agency:

(1) Chief, Regional Community Economic Development Division.

c. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in § 120.2(e) of SBA Loan Policy Regulations: All officials as shown in subparagraphs a and b of paragraph 1 of this section A.

SEC. B. *Size determinations.* 1. a. To make initial size determinations in all cases within the meaning of the Small

Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only:

(1) Regional Director.

b. To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financing purposes only:

(1) District Director.
(2) Branch Manager, Cincinnati, Ohio, Branch Office.
(3) Branch Manager, Milwaukee, Wis., Branch Office.
(4) Branch Manager, Springfield, Ill., Branch Office.

c. To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans, and further, to make product classification decisions for financing purposes only:

(1) Chief and Assistant Chief, Regional Financing Division.
(2) Chief, District Financing Division.
(3) Branch Manager, Buffalo, N.Y., Branch Office.
(4) Branch Manager, Fairbanks, Alaska, Branch Office.
(5) Branch Manager, Gulfport, Miss., Branch Office.
(6) Branch Manager, Marquette, Mich., Branch Office.

d. To make initial size determinations in all sections 501 and 502 loans within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for sections 501 and 502 loans only.

(1) Chief, Regional CED Division.

e. Product classification decisions for procurement purposes are made by contracting officers.

PART VIII—EXERCISE OF AUTHORITY BY OFFICIAL IN AN ACTING CAPACITY

The authority delegated herein to a specific position may be exercised by an SBA employee designated as acting in that position.

PART IX—RESCISSION OF AUTHORITY

All authority previously delegated by the Administrator to Regional Directors, Regions I through X, and redelegated by the regional directors to positions under their jurisdiction is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to effective date hereof.

Effective date: March 19, 1971.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.71-4329 Filed 3-29-71;8:46 am]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 25, 1971.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT-HAUL

FSA No. 42159—*Returned Shipments of Beet or Cane Sugar from Points in Louisiana.* Filed by Southwestern Freight Bureau, Agent (No. B-219), for interested rail carriers. Rates on sugar, beet or cane, in bulk in covered hopper cars, in carloads, as described in the application, from specified points in Louisiana, to Austin and Minneapolis, Minn., also returned shipments in the reverse direction.

Grounds for relief—Market competition, rate relationship, and returned movement of commodities.

Tariff—Supplement 75 to Southern Freight Association, Agent, tariff I.C.C. S-772.

FSA No. 42160—*Urea to Points in WTL Territory.* Filed by Western Trunk Line Committee, Agent (No. A-2639), for interested rail carriers. Rates on urea, in carloads, as described in the application, from Courtright and Port Robinson, Ontario, Canada, to specified points in western trunkline territory.

Grounds for relief—Rate relationship, modified short-line distance formula and grouping.

Tariff—Canadian Freight Association tariff I.C.C. 342.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-4360 Filed 3-29-71;8:49 am]

[Notice 269]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 25, 1971.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (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 field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 7640 (Sub-No. 26 TA), filed March 22, 1971. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Wilson, NC 27893. Applicant's representative: C. T. Harris (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Wood, fiberboard, wood fiberboard faced or finished with decorative and/or protective material and accessories and supplies used in installation thereof* (except commodities in bulk), from Moncure, N.C., to points in Connecticut, Georgia, New Jersey, South Carolina, and Virginia, for 180 days. Supporting shipper: Allen K. Penttila, Corporate Director of Traffic and Transportation, Evans Products Co., 2200 East Devon Avenue, Des Plaines, IL 60018. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 26896, Raleigh, NC 27611.

No. MC 30837 (Sub-No. 430 TA), filed March 19, 1971. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Post Office Box 160, 53141, Kenosha, WI 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: *Folding tent campers,* designed to be drawn by passenger automobiles, in truckaway service, from Middlebury, Ind., to points in the United States (except Alaska and Hawaii) and the *return of damaged and rejected folding tent campers,* from points in the United States (except Alaska and Hawaii) to Middlebury, Ind., for 180 days. Supporting shipper: Viking Boat Co., Inc., Post Office Box 319, Middlebury, IN 46540 (R. A. Mooth, Business Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 51146 (Sub-No. 202 TA), filed March 22, 1971. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., Post Office Box 2298, 817 McDonald Street (54033), Green Bay, WI 54306. Applicant's representative: D. F. Martin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from South Bend, Ind., to points in Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas, for 180 days. Supporting shipper: Weyer Haeuser Co., Paper Division, 545 Westminster Street, Fitchburg, MA 01420 (Frederick E. L'Ecuyer, Manager, Transportation). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 60186 (Sub-No. 41 TA), filed March 23, 1971. Applicant: NELSON FREIGHTWAYS, INC., 47 East Street, Rockville, CT 06066. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition flooring or facing and materials and supplies used in the installation thereof*, from Lisbon, Maine, to points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin and, on return, *materials, equipment and supplies* used in the manufacture and distribution of the commodities above from the above named destination States to Lisbon, Maine, for 180 days. Supporting shipper: Robbins Flooring, Division of Cook Industries, Inc., Lisbon Road, Lisbon, ME 04250. Send protests to: District Supervisor David J. Kiernan, Bureau of Operations, Interstate Commerce Commission, 324 U.S. Post Office Building, 135 High Street, Hartford, CT 06101.

No. MC 100449 (Sub-No. 21 TA), filed March 23, 1971. Applicant: MALLINGER TRUCK LINE, INC., Otho, Iowa 50569. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, and lumber*, when moving in mixed shipments with pallets, from the plantsites of Disposal Systems of America near Armstrong, Iowa, to Fulton, Ill., and points in Illinois in the Davenport, Iowa, Rock Island and Moline, Ill., commercial zone, for 150 days. Supporting shipper: Disposal Systems of America, Armstrong, Iowa 50514. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 102971 (Sub-No. 3 TA), filed March 23, 1971. Applicant: LYTLE'S TRANSFER & STORAGE, INC., 2309 Union Avenue, Altoona, PA 16601. Applicant's representative: S. Berne Smith, 100 Pine Street, Post Office Box 1166, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between Altoona, Pa., on the one hand, and, on the other, points in Adams, Bedford, Berks, Blair, Centre, Clinton, Cumberland Dauphin, Franklin, Fulton, Huntingdon Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Montour, Northumberland, Perry, Potter, Schuylkill, Snyder Union, and York Counties, Pa. Restriction: The operations authorized herein are subject to the following conditions: (1) Said operations are restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and (2) said operations are restricted to the performance of pickup and delivery service in connection with packing, crating and containerization or unpacking, uncrating and decontainerization of such traffic, for 180 days. Supporting shippers: Ward Trucking Corp., Ward Tower, Altoona, PA 16603, and Ralph A. Raible, doing business as Raible's Commercial Warehouse, Post Office Box 109, Altoona, PA 16603. Send protests to: Frank L. Calvary, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 106398 (Sub-No. 535 TA), filed March 23, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 51096, Dawson Station, Tulsa, OK 74151. Applicant's representative: Irvin Tull (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Modular housing transporters*, from the plantsite of Lakeside Manufacturing Corp. at Honeoye, N.Y., to points in the United States east of the Mississippi River, for 180 days. Supporting shipper: Lakeside Manufacturing Corp., Dale E. Kipner, President, 39 East Main Street, Honeoye, NY 14471. 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, OK 73102.

No. MC 106398 (Sub-No. 536 TA), filed March 23, 1971. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Box 51096, Dawson Station, Tulsa, OK 74151. Applicant's representative: Irvin Tull (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from the plantsite of Fleetwood Homes of Wisconsin, Inc., at Portage, Wis., to points in Minnesota and Iowa, for 180 days. Supporting shipper: Fleetwood Homes of Wisconsin, Inc., John Heiser, Sales Manager, 2400 West Wisconsin Service Road, Post Office Box 443, Portage, WI 53901. 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, OK 73102.

No. MC 107295 (Sub-No. 493 TA), filed March 23, 1971. Applicant: PRE-FAB TRANSIT CO. (a corporation), 100 South Main Street, Post Office Box 146, Farmer City, IL 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel fencing, fence posts, gates and woven fabric*, with all necessary fittings therefor, from the plantsite and storage facilities of Hurricane Industries at Houston, Tex., to points in Alabama, Arkansas, California, Colorado, Florida, Georgia, Kansas, Louisiana, Nevada, New Mexico, North Carolina, Tennessee, and Washington, for 180 days. Supporting shipper: Hurricane Industries, Houston, Tex. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, IL 62704.

No. MC 107515 (Sub-No. 743 TA), filed March 22, 1971. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, GA 30050. Applicant's representative: Alan E. Serby, Suite 1600, First Federal Building, Atlanta, GA 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid varnish or resin polyester*, in vehicles equipped with mechanical refrigeration (except in bulk in tank vehicles), from North Kansas City, Mo., to points in Florida, for 180 days. Supporting shipper: Cook Paint and Varnish Co., Post Office Box 389, Kansas City, MO 64141. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, GA 30309.

No. MC 108449 (Sub-No. 322 TA), filed March 19, 1971. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, MN 55113. Applicant's representative: W. A. Myllenbeck (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from La Crosse, Wis., to points in Minnesota, Illinois, Iowa, Wisconsin, and Upper Peninsula of Michigan, for 180 days. Supporting shipper: Dundee Cement Co., Clarksville, Mo. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 111401 (Sub-No. 325 TA), filed March 23, 1971. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, OK 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as

a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from the Texas Sulphur Products Sneed Plant near Stinnett, Tex., to Oral, S. Dak., for 60 days. Supporting shipper: Texas Sulphur Products Co., Inc., 1502 Primrose Lane, Borger, TX 79007. 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, OK 73102.

No. MC 114789 (Sub-No. 34 TA), filed March 23, 1971. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, MN 55359. Applicant's representative: M. James Levitus (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores, from the plantsites and storage facilities of Interstate Stores Payment Corp. at Secaucus, New Brunswick and Wayne, N.J.; Yonkers and New York City, N.Y.; Bridgeport, Conn.; Philadelphia, Pa., and Beltsville, Md., to retail department stores owned and operated by Interstate Stores Payment Corp. located at points in Illinois, Indiana, Kentucky, Ohio, Wisconsin, Iowa, and Michigan and in Baltimore and Beltsville, Md.; Buffalo and Rochester, N.Y.; and Williamsport, Glenolden and Levittown, Pa., for 180 days. Supporting shipper: Interstate Stores Payment Corp., 111 Eighth Avenue, New York, NY. 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, MN 55401.

No. MC 115821 (Sub-No. 13 TA), filed March 23, 1971. Applicant: FRANK BELMAN, JR., St. Libory, Ill. 62282. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, in bulk, from points in Ste. Genevieve County, Mo., to points in Williamson County, Ill., for 180 days. Supporting shipper: Peabody Coal Co., 301 North Memorial Drive, St. Louis Mo. 63102. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, IL 62704.

No. MC 119641 (Sub-No. 100 TA), filed March 19, 1971. Applicant: RINGLE EXPRESS, INC., 450 East Ninth Street, Post Office Box 471, Fowler, IN 47944. Applicant's representative: Leo Maciolek, Box 335, Moline, IL 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), *equipment*, designed for use in conjunction with tractors, *agricultural, industrial, and construction machinery and equipment, trailers* designed for the transportation of the above-described commodities, (except those trailers designed to be drawn by passenger automobiles), *attachments* for the above-described commodities, *internal combustion engines and parts* of the above-described commodities when moving in mixed loads with such commodities, from the ports of entry on the international boundary line between the United States and Canada, located at or near Detroit and Port Huron, Mich., to points in Michigan. Restriction: The above authority restricted to the transportation of shipments originating at the facilities of Deere & Co. located in Ontario, for 150 days. Supporting shipper: Deere & Co., Moline, IL 61265. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 119777 (Sub-No. 205 TA) (Correction), filed March 10, 1971, published in FEDERAL REGISTER issue of March 20, 1971, and republished in part as corrected this issue. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, KY 42431. Applicant's representative: Fred F. Bradley, Suite 202–204, Court Square Office Building, Frankfort, KY 40601. NOTE: The purpose of this partial republication is to include the number of days (180) which was inadvertently omitted in previous publication, the rest of the application remains the same.

No. MC 126489 (Sub-No. 8 TA) (Correction) filed February 10, 1971, published FEDERAL REGISTER issue of February 20, 1971, and republished in part as corrected this issue. Applicant: GASTON FEED TRANSPORTS, INC., 1203 West Fourth Street, Post Office Box 1066, Hutchinson, KS 67501. NOTE: The purpose of this partial republication is to redescribe the territory description to read as follows: From Sylvia and Pretty Prairie, Kans., to points in Oklahoma, Texas (except Houston), Arkansas, and Louisiana. The rest of the application remains the same.

No. MC 133259 (Sub-No. 3 TA) filed March 19, 1971. Applicant: ALLIED AIR FREIGHT CORPORATION, Municipal Airport, Burlington, VT 05401. Applicant's representative: Francis P. Barrett, 60 Adams Street, Post Office Box 238, Milton (Boston), MA 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, (1) Irregular routes: Between points in Addison, Chittendon, Caledonia, Franklin, Grand Isle, Lamoille, Orange, Orleans, Rutland, and Washington Counties, Vt., on the one hand, and, on the other, Albany County Airport, Albany, N.Y., restricted to traffic having a prior or subsequent movement by air, and

(2) Regular routes: (1) Between Burlington, Vt., and Highgate Center, Vt., serving Winooski, Colchester, Milton, Georgia, St. Albans City, St. Albans Town, Swanton, Highgate Falls, and Essex Junction, from Burlington over U.S. Highway 7 to Winooski, thence over U.S. Highway 7 to Colchester (also over Vermont Highway 15 to Essex Junction, thence over Vermont Highway 2A to Colchester), thence over U.S. Highway 7 to Swanton, thence over Vermont Highway 78 to Highgate Center, and return over the same routes; (2) between Highgate Center, Vt., and Fairfield, Vt., serving East Highgate, Sheldon Springs, and Sheldon Junction, from Highgate Center over Vermont Highway 78 to Sheldon Junction, thence over unnumbered highway to Fairfield and return over the same routes; (3) between North Sheldon, Vt., and East Franklin, Vt., serving Franklin, from North Sheldon over Vermont Highway 120 to East Franklin and return over the same route; (4) between St. Albans, Vt., and Richford, Vt., serving Sheldon Springs, East Highgate, Sheldon Junction, North Sheldon, Enosburg Falls, and East Berkshire, from St. Albans over Vermont Highway 105 to Richford and return over the same route; (5) between St. Albans, Vt., and East Franklin, Vt., serving Fairfield, East Fairfield, Bakersfield, West Enosburg, Enosburg Falls, from St. Albans over Vermont Highway 36 to Bakersfield, thence over Vermont Highway 108 to West Berkshire, thence over Vermont Highway 120 to East Franklin and return over the same routes, (6) between West Berkshire, Vt., and Montgomery Center, Vt., serving Berkshire, East Berkshire, and Montgomery, from West Berkshire over unnumbered highway to Vermont Highway 118 at East Berkshire, thence over Vermont Highway 118 to Montgomery Center and return over the same routes and (7) between Burlington, Vt., and St. Albans, Vt., serving Essex Junction, Westford, and Fairfax, from Burlington over Vermont Highway 15 to Essex Junction, thence over Vermont Highway 128 to junction Vermont Highway 104, thence over Vermont Highway 104 to St. Albans (also from junction Vermont Highway 128 and 104, over Vermont Highway 104 to junction Vermont Highway 104A, thence over Vermont Highway 104A to U.S. Highway 7, thence over U.S. Highway 7 to St. Albans), and return over the same routes, for 180 days.

Supporting shippers: Emery Air Freight Corp., Lakeside Office Building, North Avenue, Wakefield, Mass. 01880; Hazelett Strip-Casting Corp., Malletts Bay, Winooski, Vt. 05404; Sprague Electric Co., North Adams, Mass. 01247; Standard Packaging Corp., Missisquoi Specialty Board Division, Sheldon Springs, Vt. 05485; Haveg Industries, Inc., Super Temp Wire Division, Winooski, Vt. 05404; Union Carbide Corp., Consumer Products Division, Post Office Box 2837, Rocky River, Ohio 44116, and The Standard Register Co., York, Pa. 17405. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

No. MC 134631 (Sub-No. 6 TA), filed March 22, 1971. Applicant: SCHULTZ

TRANSIT, INC., Post Office Box 503, 323 Bridge Street, Winona, MN 55987. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, in crates or cases, from Arcadia, Wis., to points in Colorado, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: Ashley Furniture Corp., Chicago, Ill. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 135283 (Sub-No. 2 TA), filed March 22, 1971. Applicant: GRAND ISLAND MOVING & STORAGE CO., INC., East Highway 30, Grand Island, Nebr. 68801. Applicant's representative: John K. Walker, Post Office Box 1665, Grand Island, NE 68801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, from the plantsite and storage facilities of Swift & Co. at or near Grand Island, Nebr., to Burlington, Montpelier, Rutland, St. Johnsbury, and White River Junction, Vt., for 150 days. Supporting shipper: Swift Fresh Meat Co., Division of Swift & Co., 115 West Jackson Boulevard, Chicago, IL 60604. Send protests to: District Supervisor Max H. Johnston, Interstate Commerce Commission, Bureau of Operations, 320 Federal Building & U.S. Courthouse, Lincoln, NE 68508.

No. MC 135417 TA, filed March 22, 1971. Applicant: FARO TRUCKING CORP., 310 North Seventh Street, Brooklyn, NY 11211. Applicant's representative: Samuel B. Zinder, Station Plaza East, Great Neck, N.Y. 11021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Shoes, boots, footwear, and handbags*, under continuing contract with Lujan, Inc., Di Leon, Ltd., and Di Leon Western, Ltd., from points in New Jersey and New York within the Port of New York Harbor as defined by the Interstate Commerce Commission, to Hicksville, N.Y., restricted to shipments having a prior movement by water, for 150 days. Supporting shippers: Lujan, Inc., Di Leon Ltd., Di Leon Western Ltd.; 55 East 34th Street, New York, NY 10016. Send protests to: Marvin Kampel, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

MOTOR CARRIER OF PASSENGERS

No. MC 135408 TA, filed March 19, 1971. Applicant: WHITE PLAINS BUS COMPANY, INC., 91 Fulton Street, White Plains, NY 10602. Applicant's representative: Garrison R. Corwin, Jr., 35 Hillcrest Road, Hartsdale, NY 10530. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, in special operations, from White Plains Railroad Station (Harlem Division, Penn Central Railroad) along Depot Plaza, Bronx Street then Hamilton Avenue to Central Avenue, thence along the Cross Westchester Expressway (Route I 287) to I 684, along I 684 to King Street (Route 120) to the American Can Lane and discharge at American Can Company Building. Return route in the reverse of the foregoing, for 180 days. Supporting shipper: American Can Co., Attention: Mr. Arthur H. Stoddard, American Lane, Greenwich, Conn. 06830. Send protests to: Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, NY 10007.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-4358 Filed 3-29-71;8:49 am]

[Notice 671]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 25, 1971.

Synopses of orders entered pursuant to section 212(b) of the 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 seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) 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 petitioners must be specified in their petitions with particularity.

No. MC-FC-72709. By order of March 22, 1971, the Motor Carrier Board approved the transfer to William M. Wilson, doing business as Wilson Truck Service, Rocky Ford, Colo., of certificate of registration No. MC-120626 (Sub-No. 1) issued November 3, 1967, to Eddie Wilson, doing business as Wilson Truck Service, Rocky Ford, Colo., evidencing a right to engage in transportation in interstate commerce as described in Certificate No. 1025 dated February 28, 1939, issued by The Public Utilities Commission of Colorado. Cover Mendenhall, 915 Railroad Avenue, Rocky Ford, CO 81067, attorney for applicants.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-4359 Filed 3-29-71;8:49 am]

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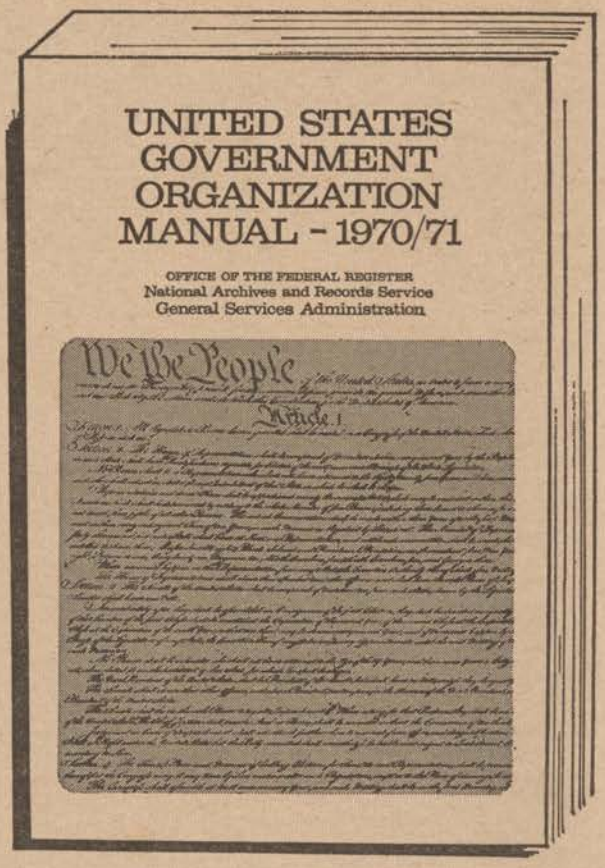

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