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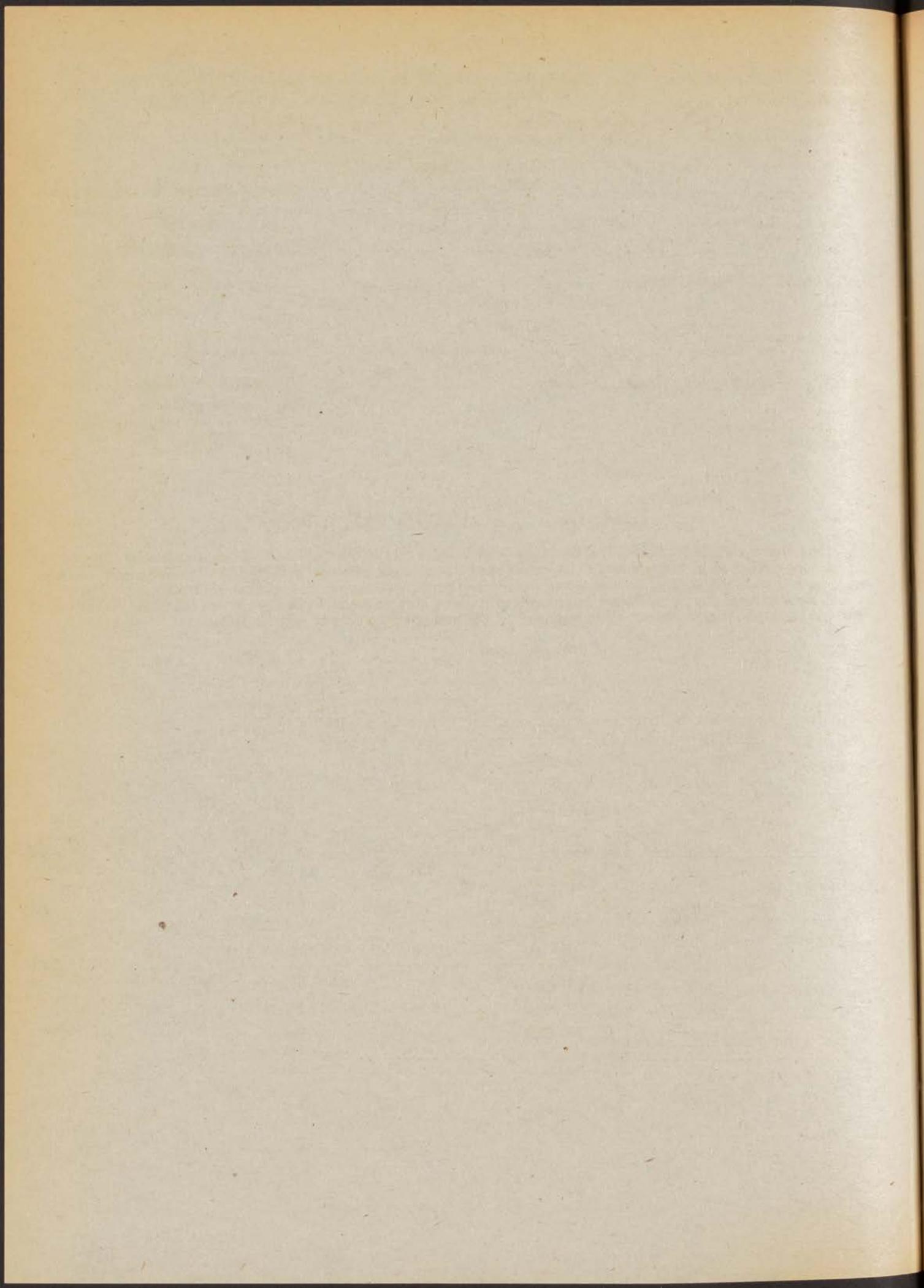
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The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices 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, 1972, and specifies how they are affected.

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Title 3—The President

PROCLAMATION 4103

Spokane International Exposition of 1974

By the President of the United States of America

A Proclamation

In May, 1974, a six-month International Exposition on the Environment will open in Spokane, Washington, inviting the nations of the world to think anew of man's relationship to Earth.

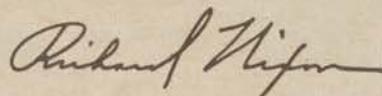
This Exposition, whose theme is "Progress Without Pollution", will not only mark the centennial of Spokane but will also provide a splendid setting in which to explore new ways to restore and preserve our natural surroundings.

Because of the opportunities which the Exposition offers for a deeper understanding of environmental issues and for stimulating trade and cultural exchange, this administration is moving to extend the fullest possible recognition to this event in accordance with Public Law 91-269. On October 15, 1971, I advised the Secretaries of State and Commerce that the Exposition warrants Federal recognition as provided by statute. On November 24, 1971, upon request of the United States, the Bureau of International Expositions in Paris officially recognized the event as a Special Category exposition by unanimous vote.

Also, in accordance with law, I shall appoint a United States Commissioner General to exercise the responsibility of the United States Government for fulfillment of the Convention Relating to International Expositions of November 22, 1928, as modified, and to invite the several States of the Union to participate.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, in further recognition of this international exposition, do hereby authorize and direct the Secretary of State to invite, on my behalf, such foreign countries as he may consider appropriate to participate in this event.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of January, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.



[FR Doc. 72-1664 Filed 2-1-72; 11:36 am]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that the positions of Special Assistant for Congressional Relations and Special Assistant to the Principal Deputy, Office of the Assistant Secretary of Defense (International Security Affairs) are excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (2-2-72), subparagraphs (42) and (43) are added to paragraph (a) of § 213.3306 as set out below.

§ 213.3306 Department of Defense.

(a) Office of the Secretary. * * *

(42) Special Assistant for Congressional Relations, Office of the Principal Deputy, Office of the Assistant Secretary of Defense (International Security Affairs).

(43) Special Assistant to the Principal Deputy, Office of the Assistant Secretary of Defense (International Security Affairs).

(5 U.S.C. secs. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc. 72-1613 Filed 2-1-72; 8:51 am]

Title 6—ECONOMIC STABILIZATION

Chapter I—Cost of Living Council PART 101—COVERAGE, EXEMPTIONS AND CLASSIFICATION OF ECONOMIC UNITS

Pay Adjustments of State and Local Government Employees

Correction

In F.R. Doc. 72-1315 appearing at page 1237 in the issue of Thursday, January 27, 1972, § 101.28 should read as follows:

§ 101.28 Pay adjustments of State and local government employees.

Notwithstanding the provisions of § 101.21, prenotification of category I pay adjustments which affect the employees of State and local governments need not be submitted to the Pay Board in accordance with the provisions of § 101.21. Such pay adjustments are, however, subject to the reporting requirements of § 101.23, except that such pay adjustments and other pay adjustments affecting the employees of State and local governments which would otherwise be subject to § 101.23, need not be submitted to the Pay Board when certification is submitted at the beginning of such government's fiscal year and each six months thereafter to the Pay Board in accordance with regulations issued by the Pay Board that such pay adjustments are not in excess of 5.5 percent. Approval, however, must be granted by the Pay Board for any pay adjustment in excess of 5.5 percent which affects the employees of State and local governments.

ance with the provisions of § 101.21. Such pay adjustments are, however, subject to the reporting requirements of § 101.23, except that such pay adjustments and other pay adjustments affecting the employees of State and local governments which would otherwise be subject to § 101.23, need not be submitted to the Pay Board when certification is submitted at the beginning of such government's fiscal year and each six months thereafter to the Pay Board in accordance with regulations issued by the Pay Board that such pay adjustments are not in excess of 5.5 percent. Approval, however, must be granted by the Pay Board for any pay adjustment in excess of 5.5 percent which affects the employees of State and local governments.

Title 7—AGRICULTURE

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

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAM

PART 706—NAVAL STORES CONSERVATION

Subpart G—1972

A proposal was published in the FEDERAL REGISTER on November 25, 1971 (36 F.R. 22583) to issue regulations governing the 1972 Naval Stores Conservation Program. Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed regulations.

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

Effective date. These regulations shall be effective upon publication in the FEDERAL REGISTER (2-2-72).

EARL L. BUTZ,
Secretary of Agriculture.

JANUARY 27, 1972.

Subpart G—1972

GENERAL PROVISIONS

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706.2	Required performance.
706.3	Double-headed nails requirement.
706.4	Fire protection.
706.5	Bark-bar requirement.
706.6	Inspection assistance.

CONSERVATION PRACTICES AND RATES OF FEDERAL COST-SHARES

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706.8	Practice 2: Working only 10 inch d.b.h. or larger trees.

Sec.	
706.9	Practice 3: Working only 11 inch d.b.h. or larger trees.
706.10	Practice 4: Working only 12 inch d.b.h. or larger trees.
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706.18	Increase in small Federal cost-shares.
706.19	Maintenance of practices.
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706.21	Federal cost-shares not subject to claims.
706.22	Assignments.
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APPLICATION FOR PAYMENT OF FEDERAL COST-SHARES

706.26	Persons eligible to file application for payment of Federal cost-shares.
706.27	Time and manner of filing applications and required information.

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AUTHORITY, AVAILABILITY OF FUNDS, APPLICABILITY, AND ADMINISTRATION

706.30	Authority.
706.31	Availability of funds.
706.32	Applicability.
706.33	Administration.

AUTHORITY: The provisions of this Subpart G issued under section 4, 49 Stat. 164, secs. 7-15, 16(a), and 17, 49 Stat. 1148, as amended; 16 U.S.C. 590d, 590g to 590o, 590p(a), and 590q.

GENERAL PROVISIONS

§ 706.1 Purposes and general requirements.

(a) *Purposes.* The purpose of the 1972 Naval Stores Conservation Program (referred to in this subpart as "this program") is to restrict turpentine to the most productive timber, to conserve the worked trees, to protect and permit undisturbed growth of the uncapped trees and to conserve the soil, water, and timber resources. Under this program the Federal Government will effectuate such purposes by sharing with turpentine farmers the cost of carrying out approved conservation practices in accordance with the provisions of the regulations in

this subpart and such modifications thereof as may hereafter be made. Cost-shares are predicated upon the economic use and conservation of soil and timber resources on turpentine farms, and computed on the faces in the tract or drift where an approved conservation practice is carried out. This program provides cost-sharing for conservation practices only on turpentine farms having tracts or drifts of faces which were installed during, or after, the 1968 season.

(b) *General requirements.* No tract or drift can qualify for cost-sharing under more than one conservation practice other than as provided for under practices specified in §§ 706.13, 706.14, and 706.15. In each of the practices except § 706.17, the faces are to be worked sufficiently to obtain at least one dipping of gum from the current year's working.

§ 706.2 Required performance.

(a) *Approved conservation practices.* Each participating producer shall carry out at least one of the approved conservation practices in every tract or drift of faces operated by him during the 1972 turpentine season. This requirement will not apply if the U.S. Forest Service or State Forest Agency determines that the condition of a particular tract or drift does not warrant carrying out approved conservation practices as a practical or economic matter, in which case the U.S. Forest Service or State Forest Agency may approve face installations made without carrying out a conservation practice. In cases where such approval is given for specific tracts or drifts of the turpentine farm, no cost will be shared for any faces in such tracts or drifts.

(b) *Practice components.* Cost-sharing may be approved under the 1972 program for only the component parts of the practices which are completed during the program year. The producer must complete all the remaining components of the practice in accordance with good forestry practices and all applicable requirements of this program to be eligible for cost-sharing under a subsequent program. Separate rates of cost-sharing have been established for each component part of each practice.

(c) *First year working.* The cost-share for this component is applicable to tracts or drifts having only eligible virgin working faces, i.e., faces installed for the first working during the 1972 season. If faces have been installed contrary to the requirements for eligible faces, the cups and tins for such faces shall be removed within 60 days after the producer is notified by the U.S. Forest Service or State Forest Agency, or the tract or drift will be considered only for qualification for cost-shares under the practice with the next lower rate of payment.

(d) *Second, third, fourth, or fifth year working.* The cost-shares for working of faces for second, third, fourth, or fifth years are applicable under the 1972 program to faces which were installed and met the eligible face requirements during the 1968, 1969, 1970, or 1971 season.

Such cost-shares may also be allowed to new participating producers working tracts or drifts which had some undersized trees from which cups have been removed by the time of first elevation. New faces installed in 1972 and those installed in 1972 or prior years contrary to the requirements for eligible faces will disqualify the tracts or drifts for cost-sharing, unless the cups and tins on such faces shall be removed within 60 days after the producer is notified by the U.S. Forest Service or State Forest Agency. If such faces are not removed within the 60-day period, there may be withheld or required to be refunded the entire cost-shares for the tract or drift previously paid to the producer who installed the improper faces.

(e) *Practices under § 706.7, 706.8, 706.9, 706.10, 706.11, 706.12, 706.13, or 706.16 which require more than 1 year for completion.* Cost-shares may be approved under this program for the completion of a component of a practice only on the condition that the producer agrees in writing to complete the remaining components of the practice according to program provisions and within the time prescribed by the U.S. Forest Service, unless prevented from doing so by reasons beyond his control, or to refund the cost-shares paid to him. The extension of the period for completion of the components shall not constitute a commitment to approve cost-shares therefor under a subsequent program. Approval of cost-sharing for other practices under a subsequent program may also be denied until the remaining components are completed.

§ 706.3 Double-headed nails requirement.

Use of double-headed nails is required in the elevation of all cups and tins.

§ 706.4 Fire protection.

Each producer shall during the 1972 turpentine season cooperate with any existing cooperative fire control system serving the general area where his turpentine farm is located, unless he is otherwise following approved forest fire protection on his turpentine farm.

§ 706.5 Bark-bar requirement.

No back face shall be worked on any tree unless a live bark-bar on each side of the back face is provided and maintained throughout the 1972 turpentine season, the total of the two bark-bars being not less than 7 inches in width, measured horizontally along the bark surface at the narrowest point: *Provided, however,* That the restriction with respect to the width of the bark-bar shall not apply to any tree which has on it two or more old faces, including any back face installed prior to 1972. Faces having bark-bars totaling less than 7 inches shall not be worked in a manner that will result in leaving bark-bars less than those of former workings measured at the narrowest point.

§ 706.6 Inspection assistance.

Each producer shall assist representatives of the U.S. Forest Service or State

Forest Agency in the administration of this program by:

(a) Giving them free access to his turpentine farm or farms;

(b) Counting all faces and reporting separately thereon by tracts and drifts to the local inspector;

(c) Furnishing information on burned areas, cutting operations, and interests in other turpentine farms as requested;

(d) Furnishing competent labor to assist the local inspector in counting faces;

(e) Submitting an application for payment of Federal cost-shares (Form 3200-3) and other prescribed forms;

(f) Notifying the U.S. Forest Service or State Forest Agency promptly of any change in ownership, control, or number of faces worked; and

(g) Otherwise facilitating the work of the local inspector in checking compliance with the terms and conditions of this program.

CONSERVATION PRACTICES AND RATES OF FEDERAL COST-SHARES

§ 706.7 Practice 1: Working only 9-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 9-inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 9 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first-year working of 9-inch d.b.h. or larger trees; 4 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 1 cent per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the trees; 1 cent per face. This component is not applicable where § 706.13 is used.

§ 706.8 Practice 2: Working only 10-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 10-inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 10 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and the rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of 10-inch d.b.h. or larger trees; 9 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 6 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the trees; 1 cent per face. This component is not applicable where § 706.13 is used.

§ 706.9 Practice 3: Working only 11-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 11-inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 11 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of 11-inch d.b.h. or larger trees; 10 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 6 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; 1 cent per face. This component is not applicable where § 706.13 is used.

§ 706.10 Practice 4: Working only 12-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 12-inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 12 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of 12-inch d.b.h. or larger trees; 11 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 6 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the trees; 1 cent per face. This component is not applicable where § 706.13 is used.

§ 706.11 Practice 5: Restricting turpentine to previously worked trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins over a period of 2 to 5 years only on trees having a previously worked face.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces on round trees.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of faces on previously worked trees; 12 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 6 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; 1 cent per face. This component is not applicable where § 706.13 is used.

§ 706.12 Practice 6: Working only selectively marked trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on selectively marked trees over a period of 2 to 5 years.

(b) *Eligible faces.* Only trees 9 inches or more d.b.h. which should be removed to improve the timber stand may be cupped and there shall be only one face on trees less than 14 inches d.b.h. Cupping shall be limited to trees selectively marked in advance in accordance with good, approved timber management practices to insure production of larger diameter class timber or to provide other stand improvement measures as approved by the U.S. Forest Service: *Provided*, That the number of remaining uncupped trees per acre shall average at least the minimum number per acre specified by the U.S. Forest Service in its Minimum Stocking Guide issued June 4, 1956, as amended, and be well distributed over the area.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of selectively marked trees; 12 cents per face. If faces have been installed contrary to the requirements for eligible faces, the area will be considered only for qualification for cost-shares under one of the diameter cupping practices, specified in §§ 706.7, 706.8, 706.9, or 706.10.

(2) Working of faces for second, third, fourth, or fifth year; 6 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; 1 cent per face. This component is not applicable where § 706.13 is used.

§ 706.13 Practice 7: Initial use of spiral gutters or Varn aprons and double-headed nails.

(a) *Purpose.* The purpose of this practice is to minimize damage to the tree in installing faces for the virgin year or in the first elevation and to conserve the worked portion of the tree.

(b) *Description of practice.* This practice consists of using spiral gutter or Varn aprons attached with double-head-

ed nails when cups and tins are initially installed on the face or when cups and tins are elevated for the first time.

(c) *Eligible faces.* Faces on trees installed to meet the requirements of §§ 706.7, 706.8, 706.9, 706.10, 706.11, 706.12, and 706.16 may qualify for this practice, the cost-share for which is in addition to the aforesaid sections.

(d) *Rate of cost-sharing.* The rate of cost-sharing for this practice is 4 cents per face.

(e) *Cost-sharing limited to virgin working faces.* This practice is limited to tracts or drifts having only virgin working faces, i.e., faces installed for the first working during the 1972 season or faces upon which the cups and tins are elevated for the first time during the 1972 season. On accepting cost-sharing for this practice the producer agrees to use the spiral gutter or Varn apron and double-headed nails to attach the tins in all subsequent raisings and attachment of tins to the face.

(f) *Installation of cups and tins.* Cups and tins shall be installed in a manner that will minimize the loss of gum and restrict amount of damage to the tree. Spiral gutters or Varn aprons shall be used and the tins shall be attached to the tree with double-headed nails. In smoothing the tree and seating the cup for virgin installation, exposure of wood shall be limited to areas on the tree having burls, ridges, or other deformities.

§ 706.14 Practice 8: Use of disposable paper bags.

(a) *Purpose.* The purpose of this practice is to encourage producers to use paper bags to improve the quality of gum, keep the butt section of the tree available for other uses and to promote greater productivity from the woods laborers.

(b) *Description of practice.* This practice consists of using disposable paper bags instead of spiral gutters or Varn aprons and metal or clay cups.

(c) *Eligible faces.* Faces on trees installed to meet the requirements of §§ 706.7, 706.8, 706.9, 706.10, 706.11, 706.12, and 706.16 may qualify for this practice, the cost-share for which is in addition to the aforesaid sections.

(d) *Rate of cost-sharing.* The rate of cost-sharing for this practice is 9 cents per face.

(e) *Use of paper bags.* On accepting cost-sharing for this practice the producer agrees to use paper bags attached with wire staples in combination with a bark jump streak in lieu of metal gutters or tins. Once installed, the producer agrees to continue the use of paper bags throughout the 1972 season. Paper bags will be installed in a manner that will minimize the loss of gum and restrict the amount of damage to the tree. In smoothing the tree and seating the bag for virgin installation, exposure of wood shall be limited to areas on the tree having burls, ridges, or other deformities.

§ 706.15 Practice 9: Removal of cups and tins from faces on small trees.

(a) *Purpose.* The purpose of this practice is to encourage producers who have

not participated in the 1970 or 1971 programs to discontinue working small unproductive trees, to promote improved naval stores and forestry practices, and to improve productivity of the woodland.

(b) *Description of practice.* This practice consists of removing the cups and tins and discontinuing the working of small unproductive timber and meeting all other requirements for participation in this program.

(c) *Eligible faces.* All faces installed for the first working in 1972 on trees under 9 inches d.b.h. and all but one face on trees between 9 and 14 inches d.b.h. having two or more faces shall be eligible. Working of faces shall be discontinued and cups and tins removed by tracts or drifts within 60 days after the producer is notified by the U.S. Forest Service or State Forest Agency to meet the eligible face requirements of § 706.7. Only producers who did not participate in the 1970 or 1971 programs are eligible for cost-sharing under this practice.

(d) *Rate of cost-sharing.* The rate of cost-sharing for this practice is 10 cents per face. (The cost-share is applicable to faces discontinued by removal of cups and tins to permit the tract or drift to meet the eligible face requirements of § 706.7.)

§ 706.16 Practice 10: Pilot plant tests of new methods and equipment.

(a) *Purpose.* The purpose of this practice is to conduct controlled demonstrations or experiments to test values of management practices, new methods and equipment for gum production.

(b) *Description of practice.* This practice consists of carrying out practical demonstrations or tests of management practices, new methods or equipment according to requirements of the U.S. Forest Service.

(c) *Eligible faces.* Only faces or check trees in selected tracts used in controlled demonstrations or tests carried out in accordance with provisions prescribed by the U.S. Forest Service are eligible for cost-sharing.

(d) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof are 15 cents per face for faces meeting the requirements of §§ 706.7, 706.8, 706.9, 706.10, 706.11, and 706.12.

§ 706.17 Practice 11: Planting of superior trees.

(a) *Purpose.* The purpose of this practice is to improve the stocking of depleted forest land with trees of proven increased oleoresin yield and faster wood growth. Such trees will produce more crude gum, pulpwood, sawtimber, plywood, poles, and other forest products.

(b) *Description of practice.* This practice consists of planting certified genetically superior high gum yielding slash pine seedlings, developed from the Olustee strain, on properly prepared sites and at spacings specified by the U.S. Forest Service.

(c) *Eligible acres.* Only land owned by a participant which is selected and planted in accordance with provisions

prescribed by the U.S. Forest Service are eligible for cost-sharing.

(d) *Rate of cost-sharing.* The rate of cost-sharing for this practice is 80 percent of the actual cost not to exceed \$20 per acre.

GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

§ 706.18 Increase in small Federal cost-shares.

The total of the payment computed for any producer with respect to his turpentine farm under the Naval Stores Conservation Program and the cost-share computed for him on the same farm under the Rural Environmental Assistance Program for practices other than practice F-4 (§ 701.75(d) of this chapter) shall be increased as follows: (a) Any Federal cost-sharing amounting to 71 cents or less shall be increased to \$1; (b) any Federal cost-sharing amounting to more than 71 cents but less than \$1 shall be increased by 40 percent; (c) any Federal cost-sharing amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of cost-shares computed:	Increase in cost-shares
\$1.00 to \$1.99	\$0.40
\$2.00 to \$2.99	.80
\$3.00 to \$3.99	1.20
\$4.00 to \$4.99	1.60
\$5.00 to \$5.99	2.00
\$6.00 to \$6.99	2.40
\$7.00 to \$7.99	2.80
\$8.00 to \$8.99	3.20
\$9.00 to \$9.99	3.60
\$10.00 to \$10.99	4.00
\$11.00 to \$11.99	4.40
\$12.00 to \$12.99	4.80
\$13.00 to \$13.99	5.20
\$14.00 to \$14.99	5.60
\$15.00 to \$15.99	6.00
\$16.00 to \$16.99	6.40
\$17.00 to \$17.99	6.80
\$18.00 to \$18.99	7.20
\$19.00 to \$19.99	7.60
\$20.00 to \$20.99	8.00
\$21.00 to \$21.99	8.20
\$22.00 to \$22.99	8.40
\$23.00 to \$23.99	8.60
\$24.00 to \$24.99	8.80
\$25.00 to \$25.99	9.00
\$26.00 to \$26.99	9.20
\$27.00 to \$27.99	9.40
\$28.00 to \$28.99	9.60
\$29.00 to \$29.99	9.80
\$30.00 to \$30.99	10.00
\$31.00 to \$31.99	10.20
\$32.00 to \$32.99	10.40
\$33.00 to \$33.99	10.60
\$34.00 to \$34.99	10.80
\$35.00 to \$35.99	11.00
\$36.00 to \$36.99	11.20
\$37.00 to \$37.99	11.40
\$38.00 to \$38.99	11.60
\$39.00 to \$39.99	11.80
\$40.00 to \$40.99	12.00
\$41.00 to \$41.99	12.10
\$42.00 to \$42.99	12.20
\$43.00 to \$43.99	12.30
\$44.00 to \$44.99	12.40
\$45.00 to \$45.99	12.50
\$46.00 to \$46.99	12.60
\$47.00 to \$47.99	12.70
\$48.00 to \$48.99	12.80
\$49.00 to \$49.99	12.90
\$50.00 to \$50.99	13.00
\$51.00 to \$51.99	13.10
\$52.00 to \$52.99	13.20
\$53.00 to \$53.99	13.30

Amount of cost-shares computed:	Increase in cost-shares
\$54.00 to \$54.99	13.40
\$55.00 to \$55.99	13.50
\$56.00 to \$56.99	13.60
\$57.00 to \$57.99	13.70
\$58.00 to \$58.99	13.80
\$59.00 to \$59.99	13.90
\$60.00 to \$185.99	14.00
\$186.00 to \$199.99	(¹)
\$200.00 and over	(²)

¹ Increase to \$200.

² No increase.

§ 706.19 Maintenance of practices.

The sharing of costs by the Federal Government for performance of approved practices included in this program will be subject to the condition that the producer with whom the costs are shared will maintain such practices in accordance with good forestry practices as long as the timber remains under his control. There may be withheld or required to be refunded all cost-shares under this program or previous programs on tracts or drifts in which failure to maintain any or all practices occurs, except as modified by this section or § 706.2(d). The producer shall not be expected to maintain and complete the practice when prevented by destruction of the timber by fire, weather, insects, diseases, or other conditions beyond his control. Measures which will be considered as failure to maintain practices in accordance with good forestry practices shall include, but are not restricted to the following:

(a) *The cutting contrary to good forestry practices of turpentine trees in tracts or drifts (including current non-working areas) on which costs have been or would be shared under this program or the 1968, 1969, 1970, or 1971 program.* There may be withheld or required to be refunded the amount previously paid for each face for which costs were shared in 1968, 1969, 1970, 1971, or 1972 in the tracts or drifts in which such cutting occurs. Conformity to the following rules shall be considered good cutting practices:

(1) When turpentine trees are cut for thinnings at least the minimum number of trees per acre specified in the Minimum Stocking Guide issued by the U.S. Forest Service June 4, 1956, as amended, shall be left uncut and undamaged and well distributed over the cutting area.

(2) When turpentine trees are cut in a harvest cutting, at least 400 turpentine trees per acre shall be left uncut and undamaged and well distributed over the cutting area, or a minimum of the following number or combination of numbers of thrifty turpentine seed trees per acre: 9 inches d.b.h.—six trees, 8 inches d.b.h.—nine trees, or 7 inches d.b.h.—12 trees, shall be left uncut and undamaged, or if clearcut, artificial planting of at least 500 trees per acre will be accomplished prior to April 1, 1975.

(b) *Raising cups and tins without double-headed nails.* There may be withheld or required to be refunded all of the cost-shares earned under this or previous programs on the tracts or drifts

in which such improper raising occurs.

(c) *Picking up additional faces after the first year's working will disqualify the tract or drift for any further cost-sharing, unless the hardware is removed to limit the working to one age class of faces.* Such removal must be accomplished within 60 days of notification by the U.S. Forest Service or State Forest Agency.

(d) *Failure to meet bark-bar requirement.* There may be withheld or required to be refunded all or any part of cost-shares earned under this program on the tracts or drifts in which such improper chipping occurs.

(e) *The burning by the producer on any tract or drift of his turpentine farm which will destroy natural reforestation on land which is not fully stocked with turpentine trees or which will result in damage to established turpentine tree reproduction.* There may be withheld or required to be refunded all or any part of cost-shares earned under this program on the tracts or drifts in which such improper burning occurs.

(f) *The installation of new faces on round trees less than 9 inches d.b.h. or more than one face on round trees between 9 and 14 inches d.b.h. in tracts or drifts having working faces installed during or prior to the 1967 turpentine season.* There may be withheld or required to be refunded 2 cents per face for each working face installed during or prior to 1967 in the tracts or drifts in which such installation occurs.

§ 706.20 Practices defeating purposes of programs.

If the U.S. Forest Service or State Forest Agency finds that any producer has adopted or participated in any practice which tends to defeat the purposes of this program or previous programs, it may withhold or require to be refunded all or any part of any cost-share which has been or otherwise would be made to such producer under this program, except as modified by § 706.2(d) or § 706.19.

§ 706.21 Federal cost-shares not subject to claims.

Any Federal cost-share, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law; without deduction of claims for advances except as provided in § 706.22; and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor. The regulations issued by the Secretary governing setoffs and withholdings, part 13 of this title, as amended, shall be applicable to the program.

§ 706.22 Assignments.

Any producer who may be entitled to any Federal cost-share under the 1972 program may assign his right thereto, in whole or in part, in accordance with the regulations governing the assignment of payments, Part 709 of this chapter, as amended.

§ 706.23 Death, incompetency, or disappearance of producer.

In case of the death, incompetency, or disappearance of any producer, the cost-share due him shall be paid to his successor, as determined in accordance with the regulations in Part 707 of this chapter, as amended.

§ 706.24 Maximum Federal cost-share limitation.

For practices other than practice F-4 (§ 701.75(d)) of this chapter, the total of all Federal cost-shares under this program and the 1972 Rural Environmental Assistance Program to any person with respect to farms, ranching units, and turpentine places in the United States, Puerto Rico, and the Virgin Islands for approved practices which are not carried out under pooling agreements shall not exceed the sum of \$2,500, and for all approved practices, including those carried out under pooling agreements, shall not exceed the sum of \$10,000. The rules for applying the maximum Federal cost-share limitation contained in the regulations governing the Rural Environmental Assistance Program, Part 701 of this chapter, as amended, shall be applicable to this program.

§ 706.25 Evasion.

All or any part of any Federal cost-share which has been or otherwise would be made to any producer participating in this program may be withheld or required to be refunded if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means which was designed to evade the provisions of § 706.24.

APPLICATION FOR PAYMENT OF FEDERAL COST-SHARES

§ 706.26 Persons eligible to file application for payment of Federal cost-shares.

An application for payment of Federal cost-shares may be filed by any producer who contributed to the performance of any approved Naval Stores Conservation practice and is working faces for the production of gum naval stores, during the 1972 turpentine season, which were installed during or after the 1968 season. If it is determined that two or more producers contributed to carrying out the practice, the Federal cost-shares shall be divided among such producers in the proportion which the Program Supervisor determines they contributed to carrying out the practice. In making this determination, the Program Supervisor shall take into consideration the value of the labor, equipment, or material contributed by each person toward the carrying out of each practice on a particular acreage, and shall assume that each contributed equally unless it is established to the satisfaction of the Program Supervisor that their respective contributions thereto were not in equal proportion. The furnishing of land, trees, or the right to use water will not be

considered as a contribution to the carrying out of any practice.

§ 706.27 Time and manner of filing applications and required information.

Payment of Federal cost-shares will be made only when a report of performance is submitted to the U.S. Forest Service or State Forest Agency on or before December 31, 1972, on the prescribed Form (3200-3) Application for Payment. Payment of Federal cost-shares may be withheld from any producer who fails to file any form or furnish any information required with respect to any turpentine farm which is being operated by him.

§ 706.28 Appeals.

Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the Southeastern Area Director in writing to review the recommendation or determination of the Program Supervisor in any matter affecting the right to or the amount of his Federal cost-shares with respect to the producer's turpentine farm. The Southeastern Area Director shall notify the producer of his decision in writing within 60 days after the submission of the appeal. If the producer is dissatisfied with the decision of the Southeastern Area Director he may, within 15 days after the decision is forwarded to or made available to him, request the Chief of the U.S. Forest Service to review the case and render his decision, which shall be final.

DEFINITIONS

§ 706.29 Definitions.

(a) *Gum naval stores.* Crude gum (oleoresin), gum turpentine, and gum rosin produced from living trees.

(b) *Producer or turpentine farmer.* Any person, firm, partnership, corporation, or other business enterprise doing business as a single legal entity, producing gum naval stores from turpentine trees controlled through fee ownership, cash lease, percentage lease, share lease, or other form of control.

(c) *Turpentine tree.* Any tree of either of the two species, longleaf pine (*Pinus palustris*) or slash pine (*Pinus elliottii* engelm.).

(d) *Turpentine farm.* This includes (1) land growing turpentine trees, owned or leased by a producer in one general locality, which are currently being worked for gum naval stores, herein referred to as a working area; and (2) all commercially valuable or potentially valuable forest land, owned by a producer on which turpentine trees are growing and which are not being currently worked for gum naval stores, herein referred to as a non-working area.

(e) *Tract.* A portion of a working area having a continuous stand of trees supporting faces of one age class or intermingled age classes.

(f) *Drift.* A portion or subdivision of a tract set apart for convenience of operation or administration.

(g) *Turpentine season.* The entire calendar year, or, if a farm is operated less than the full calendar year, that period

within the calendar year during which a producer is operating his turpentine farm for the production of gum naval stores.

(h) *Face*. The whole wound or aggregate of streaks made by chipping, streaking, or pulling the live tree to stimulate the flow of crude gum (oleoresin) herein referred to as gum.

(i) *Cup*. A container made of metal, clay, or other material hung on or below the face to accumulate the flow of gum.

(j) *Tins*. The gutters or aprons, made of sheet metal or other material, used to conduct the gum from a face into a cup.

(k) *D.b.h.* Diameter breast height, i.e., diameter of tree measured 4½ feet from the ground.

(l) *Round tree*. Any tree which has not been faced or scarred.

(m) *Scarred tree*. A tree having an idle face not over 36 inches in vertical measurement from the shoulder of the first streak to the shoulder of the last streak.

(n) *Worked-out face*. Any idle face which is 60 inches or more in vertical measurement between the shoulder of the first streak and the shoulder of the last streak, or dry face.

(o) *Back face*. A face placed on a tree having a previously worked face.

(p) *Spiral gutter*. A curved gutter that follows a spiral path around the tree.

(q) *Varn apron*. A curved two-piece adjustable apron with tacking flange.

(r) *Double-headed nail*. A nail with two heads meeting minimum specifications as follows: The overall length shall be 1½ inches; distance between heads a minimum of one-fourth inch; its wire gauge no smaller than 13; the driving head shall be of flat "Common Nail" type with diameter between five-thirtyseconds and one-fourth inch and diameter of clinching head one-fourth inch. (Double-headed nails specially designed for naval stores use are produced commercially by several manufacturers. Experience has shown that the use of double-headed nails meeting these specifications is satisfactory and meets the requirements for any type of installation and easy removal from the trees.)

(s) *Disposable paper bag*. A paper bag meeting the following minimum specifications: The bag shall be fabricated from 50-pound, wet-strength, Kraft paper laminated to a plastic film. Dimensions of the bag shall be approximately 16 inches wide laterally, 9½ inches high overall, with 3½ inch gussets, and an outside from 8½ inches high.

(t) *Staples for attaching paper bags*. Staples manufactured of soft iron, one-half to nine-sixteenths inch in length, averaging 16 to 21 staples per inch of clip, are satisfactory.

(u) *Virgin streak*. The first chipping of the tree following initial installation of the face.

(v) *Hardware*. All gutters, aprons, or metal strips of any kind whatsoever together with nails used to support same and nails used to support cups for the collection of raw gum resin.

(w) *State Forest Agency*. State Forester or comparable State official who has entered into a cooperative agree-

ment with the U.S. Forest Service to provide technical assistance in carrying out this program.

AUTHORITY, AVAILABILITY OF FUNDS, APPLICABILITY, AND ADMINISTRATION

§ 706.30 Authority.

This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 15, 16(a), and 17 of the Soil Conservation and Domestic Allotment Act, as amended.

§ 706.31 Availability of funds.

(a) The provisions of this program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares herein provided for is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation and by the extent of participation in this program.

(b) The funds provided for this program will not be available for the payment of applications filed after December 31, 1973.

(c) If the total estimated cost-shares under the Naval Stores Conservation Program exceed the total funds available for cost-sharing, such cost-shares will be reduced equitably.

(d) The regulations in Part 796 of this chapter prohibiting the making of payments to program participants who, after August 10, 1971, harvest or knowingly permit to be harvested for illegal use marijuana or other such prohibited drug-producing plants on any part of the lands owned or controlled by them are applicable to this program.

§ 706.32 Applicability.

(a) The provisions of this program are not applicable to any turpentine operations within the public domain of the United States, including the lands and timber owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership (such lands include, but are not limited to lands owned by the United States which are administered by the U.S. Forest Service of the Department of Agriculture or by the U.S. Fish and Wildlife Service of the Department of the Interior).

(b) This program is applicable to:

(1) Turpentine farms on privately owned lands;

(2) Lands owned by a State or political subdivision or agency thereof; or

(3) Lands owned by corporations which are either partly or wholly owned by the United States provided such lands are temporarily under such Government or corporation ownership and are not acquired or reserved for conservation purposes. (These include lands administered by the Farmers Home Administration, the Federal Farm Mortgage Corporation, a Production Credit Association, or the U.S. Department of Defense,

and lands administered by any other agency complying with all of the foregoing provisions for eligibility.)

§ 706.33 Administration.

The U.S. Forest Service shall have charge of the administration of this program and is hereby authorized to prepare and to issue such bulletins, instructions and forms, and to make such determinations, as may be required to administer this program pursuant to the provisions of the regulations in this subpart. The field work shall be administered by the U.S. Forest Service through the office of the Southeastern Area Director, U.S. Forest Service, 1720 Peachtree Road NW., Atlanta, GA 30309. Information concerning this program may be secured from the U.S. Forest Service, Post Office Box 1625, Valdosta, GA 31601, its representatives, or from State Forest Agency offices in Alabama, Florida, Georgia, and Mississippi.

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SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 726—BURLEY TOBACCO

Proclamations, Determinations and Announcements of National Marketing Quotas and Referendum Results

Basis and purpose. Section 726.11 is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, hereinafter referred to as the "Act", to determine and announce for burley tobacco the amounts of the national marketing quota and the national reserve, and the national factor for the 1972-73 marketing year.

Section 319(c) of the Act provides that the national marketing quota determined under such section for burley tobacco for any marketing year shall be the amount produced in the United States which the Secretary estimates will be utilized in the United States and will be exported during such marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 5 per centum of such estimated utilization and exports. For each marketing year for which marketing quotas are in the effect under this section, the Secretary in his discretion may establish a reserve (hereinafter referred to as the "national reserve") from the national marketing quota in an amount not in excess of 1 per centum of the national marketing quota to be available for making corrections and adjusting inequities in farm marketing quotas, and for establishing marketing quotas for new farms.

Section 319(e) provides, in part, that the 1972 farm marketing quota shall be determined by multiplying the previous year's farm marketing quota by a national factor obtained by dividing the

national marketing quota (less the national reserve) by the sum of the farm marketing quotas for the immediately preceding year for all farms for which burley tobacco marketing quotas will be determined for 1972: *Provided*, That such national factor shall not be less than 95 per centum: *Provided further*, That for 1972 the farm marketing quota for any farm shall not be less than the smaller of (1) one-half acre times the farm yield times one-half the sum of the figure 1 and the national factor for 1972 or (2) the farm marketing quota for the immediately preceding marketing year times one-half the sum of the figure 1 and the national factor for the current year.

The reserve supply level is defined in the Act as 105 percent of the normal supply. The normal supply is defined in the Act as a normal year's domestic consumption and exports, plus 175 percent of a normal year's domestic consumption and 65 percent of a normal year's exports. A normal year's domestic consumption is defined in the Act as the yearly average quantity produced in the United States and consumed in the United States during the 10 marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A normal year's exports is defined in the Act as the yearly average quantity produced in the United States which was exported from the United States during the 10 marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports.

The reserve supply level is 1,582 million pounds, based upon a normal year's domestic consumption of 515 million pounds and a normal year's exports of 55 million pounds. The average domestic usage for the past 10 marketing years amounts to 529 million pounds. Domestic use has averaged 523 million pounds during the past 5 marketing years and is expected to be about 500 million pounds for the 1971-72 marketing year. The 10-year average exports amounted to 55 million pounds. Exports have averaged 56 million pounds during the past 3 marketing years and are expected to be about 55 million pounds during the 1971-72 marketing year. In view of these data and estimates, a reserve supply level of 1,582 million pounds appears reasonable.

The total supply of 1,849 million pounds for the 1971-72 marketing year exceeds the reserve supply level by 267 million pounds. The estimated total disappearance of 560 million pounds during the 1972-73 marketing year with the maximum downward adjustment permitted by section 319(c) of the act, 28 million pounds, results in a quota of 532 million pounds for the 1972-73 marketing year. The sum of the preliminary farm marketing quotas for the 1972-73 marketing year is 554,553,993 pounds. The quota of 532 million pounds, less a national reserve of 1,461,372 pounds results in a national factor of 0.95 after allowing for the minimum requirement for small farms.

Public notice was given (36 F.R. 20762) that the Secretary was preparing to determine a national marketing quota for burley tobacco for the marketing year beginning October 1, 1972. Due consideration has been given to views and recommendations received pursuant to the notice.

In view of the fact that farmers are preparing for the production of the 1972 burley crop and need to know as soon as possible the 1972 farm marketing quotas for their farms, it is hereby determined that compliance with the 30-day effective date provision of 5 U.S.C. 553 is impracticable and contrary to the public interest. Therefore, this document shall be effective upon filing with the Director, Office of the Federal Register.

**DETERMINATIONS AND ANNOUNCEMENTS—
1972-73 MARKETING YEAR**

§ 726.11 Burley tobacco.

(a) *National marketing quota.* A national marketing quota for burley tobacco on a poundage basis for the marketing year beginning October 1, 1972, is hereby determined and announced in the amount of 532 million pounds, calculated, as provided in the Act, by adjusting the estimated disappearance of 560 million pounds downward by 28 million pounds.

(b) *National factor.* The national factor determined to be necessary to apportion the 1972 national quota to farms as provided in section 319(e) of the Act, is 0.95, except that the farm marketing quota for any farm for 1972 shall not be less than the smaller of (1) one-half acre times the farm yield times one-half the sum of the figure one and the national factor for 1972 or (2) the farm marketing quota for the farm for the 1971-72 marketing year times one-half the sum of the figure one and the 1972 national factor.

(c) *National reserve.* The national reserve for making corrections and adjusting inequities in old farm quotas and for establishing quotas for new farms is 1,461,372 pounds.

(Secs. 301, 319, 375, 52 Stat. 38, as amended, 85 Stat. 23, 52 Stat. 66, as amended; 7 U.S.C. 1301, 1314e, 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on January 27, 1972.

EARL L. BUTZ,
Secretary.

[FR Doc.72-1460 Filed 1-28-72;9:32 am]

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

[Milk Order 65]

PART 1065—MILK IN NEBRASKA-WESTERN IOWA MARKETING AREA

Order Suspending Certain Provisions

This suspension order is issued pursuant to the provisions of the Agricul-

tural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Nebraska-Western Iowa marketing area.

Notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 743) concerning a proposed suspension of certain provisions of the order. Interested persons were afforded opportunity to file written data, views, and arguments thereon. None were filed in opposition.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that for the months of January through June 1972 the following provisions of the order do not tend to effectuate the declared policy of the Act and are therefore suspended:

1. In paragraph (c)(1) of § 1065.14 *Producer milk*, "The aggregate quantity of producer milk so diverted for the month, however, shall not exceed 15 percent of the cooperative handler's total member-producer milk receipts at all pool plants during the month"; and

2. In paragraph (c)(2) of § 1065.14 *Producer milk*, "The aggregate quantity of producer milk so diverted for the month, however, shall not exceed 15 percent of the milk of all such producers received at his pool plant(s) exclusive of that milk received from producer-members of a cooperative association";.

STATEMENT OF CONSIDERATION

This suspension removes for the months of January through June 1972 the percentage limitation (15 percent) for milk that may be diverted by a cooperative association or by a handler operating a pool plant.

Under existing provisions without suspension a cooperative association may divert as producer milk to nonpool plants not in excess of 15 percent of its member-producer milk received at all pool plants during the month. A pool plant operator, not a cooperative association, may divert as producer milk the milk of nonmember producers not in excess of 15 percent of the milk of all such producers received at his pool plant(s) during the month. Milk diverted in excess of the 15 percent limitation does not qualify as producer milk. In order for the milk of a producer to be eligible for diversion his milk must be received at a pool plant(s) for at least 3 days during the month.

The suspension was requested by Mid America Dairymen, Inc., a milk producer cooperative association representing a majority of producers on the market. This organization handles the largest share of the reserve milk supplies for the market.

The increased level of milk production relative to Class I sales in the market has required that the cooperative association divert milk in excess of the 15 percent limit in December 1971. The need to divert more milk than permitted under the 15 percent limitation is expected to

continue in January 1972 and the ensuing months through June 1972.

This suspension action is necessary to permit efficient handling of the increased reserve milk supplies as producer milk while moved directly from farms to non-pool manufacturing plants. It thus allows continuing producer status during the January-June 1972 period for dairy farmers regularly associated with the fluid market.

The petitioner requested also suspension of the requirement that a producer's milk be received at a pool plant(s) for at least 3 days of the month to qualify his milk for diversion. Suspension of such requirement is denied.

Under current circumstances in the market, eligibility for diversion should be limited to milk of dairy farmers who are actually supplying pool plants. Under the order provisions as modified by this action, more than 80 percent of a producer's milk may be diverted. The action here taken will allow adequate flexibility in the handling of reserve milk.

The cooperative association has stated its intention to petition for an early hearing on proposals to revise the diversion provisions in the order.

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

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that it is the only practical means of rendering the provisions inoperative for the period designated.

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

(c) Notice of proposed rule making was given interested parties and they were afforded opportunity to file written data, views, or arguments concerning this suspension.

Therefore, good cause exists for making this order effective with respect to producer milk deliveries during January through June 1972.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended to be effective with respect to producer milk deliveries during January through June 1972.

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

Effective date. Upon publication in the FEDERAL REGISTER (2-2-72).

Signed at Washington, D.C., on January 31, 1972.

RICHARD E. LYNG,
Assistant Secretary.

[FR Doc.72-1601 Filed 2-1-72;8:52 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Animal and Plant Health Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 82—EXOTIC NEWCASTLE DISEASE; AND PSITTACOSIS OR ORNITHOSIS IN POULTRY

Areas Quarantined

Pursuant to the provisions of sections 1, 2, 3, and 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, sections 4, 5, 6, and 7 of the Act of May 29, 1884, as amended, and sections 3 and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 115, 117, 120, 123, 124, 125, 126, 134b, 134f), Part 82, Title 9, Code of Federal Regulations, is hereby amended in the following respects:

In § 82.3, in paragraph (a) (1) relating to the State of California, subdivision (i) relating to San Bernardino County is amended to read:

§ 82.3 Areas quarantined.

(a) * * *

(1) *California.* (i) The adjoining portions of San Bernardino and Riverside Counties bounded by a line beginning at the junction of U.S. Highway 66 (also Foot Hill Boulevard) and Haven Avenue in San Bernardino County; thence, following U.S. Highway 66 (also Foot Hill Boulevard) in an easterly direction to Cactus Avenue; thence following Cactus Avenue in a southerly direction to the San Bernardino-Riverside County line; thence, following the San Bernardino-Riverside County line in a westerly direction to Valley Armstrong Road in Riverside County; thence, following Valley Armstrong Road in a southwesterly direction to Soto Street; thence, following Soto Street in a southerly direction to Jurupa Road; thence, following Jurupa Road in a southwesterly direction to Van Buren Boulevard; thence, following Van Buren Boulevard in a northwesterly direction to Mission Boulevard; thence, following Mission Boulevard in a northwesterly direction to Milliken Avenue in San Bernardino County; thence, following Milliken Avenue in a northerly direction to Interstate Highway 10; thence, following Interstate Highway 10 in a westerly direction to Haven Avenue; thence, following Haven Avenue in a northerly direction to its junction with U.S. Highway 66 (also Foot Hill Boulevard) in San Bernardino County.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; Secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended, 36 F.R. 20707)

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

The amendment quarantines portions of San Bernardino and Riverside Counties in California because of the existence of exotic Newcastle disease. The amendment imposes certain restrictions necessary to prevent the interstate spread of exotic Newcastle disease, a communicable disease of poultry, and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 27th day of January 1972.

F. J. MULHERN,
Administrator, Animal and
Plant Health Service.

[FR Doc.72-1499 Filed 2-1-72;8:48 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 71-WE-27-AD, Amdt. 39-1387]

PART 39—AIRWORTHINESS DIRECTIVE

Boeing Model 727 Series Airplanes

Amendment 39-1362 (36 F.R. 24113), AD 71-26-1, provides for inspection and rework or replacement of the main landing gear actuator beam support link shaft P/N 69-19167.

The preamble to Amendment 39-1362 provided for the submission of comments by the industry prior to the effectivity of the adopted rule. The Air Transport Association furnished a comment summarizing the service experience, scheduling problems, and parts availability schedule limitations of several operators with large Boeing 727 fleets. The ATA proposal included a request for 1,500 landings as a reasonable time for the accomplishment of the initial inspection rather than 500 landings per the airworthiness directive. The agency concurs in part with the comment. The agency is amending the AD to provide for an additional 500 landings on or after January 25, 1972, within which the initial inspection may be accomplished; the repetitive inspection interval is not being amended.

This AD, as amended, while allowing less than the number of landings requested in the ATA comment, still allows operators a sufficient number of landings within which to schedule the initial inspection. After issuing Amendment 39-1362, the agency has determined that the initial inspection time can be extended without affecting the operational safety

of the airplane. Therefore, the AD is being amended to provide a compliance time of 1,000 landings from January 25, 1972 (the effective date of the AD).

Since this amendment relieves a restriction, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment to AD 71-26-1 may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of the Federal Aviation Regulations, Amendment 39-1362 (36 F.R. 24113), AD 71-26-1, is amended as follows:

Amend paragraph (a) to read:

(a) For all shafts which have accumulated 12,000 or more landing cycles on or after January 25, 1972, inspect the shaft within the next 1,000 landings after January 25, 1972, unless already accomplished within the last 1,000 landings, and thereafter at intervals not to exceed 2,000 landings since the last inspection, per (b) below, until the shaft is replaced or reworked per (c) and (d) below.

This amendment becomes effective February 4, 1972.

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

Issued in Los Angeles, Calif., on January 25, 1972.

ROBERT C. BLANCHARD,
Acting Director,
FAA Western Region.

[FR Doc.72-1480 Filed 2-1-72; 8:47 am]

[Airspace Docket No. 71-WE-65]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter Restricted Area R-2502 Fort Irwin, Calif., by redesignating it as two separate restricted areas and to change the designated using agency.

These actions are taken to facilitate coordination of joint-use procedures to minimize the impact of restricted airspace on other flight operations. The change in using agency is editorial in nature. The Department of the Army has concurred in these changes.

Since this amendment is minor and editorial in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary, and good cause exists for making this amendment effective on less than 30-days notice.

In consideration of the foregoing, Part 73 of the Federal Regulations is amended, effective upon publication in the FEDERAL REGISTER as hereinafter set forth.

1. Section 73.25 (37 F.R. 2338) is amended as follows:

(a) "R-2502 Fort Irwin, Calif." is revoked.

(b) "R-2502N Fort Irwin, Calif." is added:

R-2502N FORT IRWIN, CALIF.

Boundaries: Beginning at latitude 35°37'45" N., longitude 116°29'40" W.; to latitude 35°34'30" N., longitude 116°29'40" W.; to latitude 35°34'30" N., longitude 116°23'30" W.; to latitude 35°28'35" N., longitude 116°18'45" W.; to latitude 35°10'25" N., longitude 116°42'15" W.; to latitude 35°08'50" N., longitude 116°48'40" W.; to latitude 35°10'00" N., longitude 116°49'00" W.; to latitude 35°19'00" N., longitude 116°49'00" W.; to latitude 35°19'00" N., longitude 116°55'20" W.; to latitude 35°37'45" N., longitude 116°55'20" W.; to point of beginning.

Designated Altitudes. Unlimited.

Time of Designation. Continuous.

Controlling Agency. Federal Aviation Administration, Los Angeles, ARTC Center.

Using Agency. Commanding Officer, Fort MacArthur, Calif.

(c) "R-2502E Fort Irwin, Calif." is added:

R-2502E FORT IRWIN, CALIF.

Boundaries: Beginning at latitude 35°28'35" N., longitude 116°18'45" W.; to latitude 35°18'45" N., longitude 116°18'45" W.; to latitude 35°07'00" N., longitude 116°34'00" W.; to latitude 35°07'00" N., longitude 116°47'45" W.; to latitude 35°08'50" N., longitude 116°48'40" W.; to latitude 35°10'25" N., longitude 116°42'15" W.; to point of beginning.

Designated Altitudes. Unlimited.

Time of Designation. Continuous.

Controlling Agency. Federal Aviation Administration, Los Angeles, ARTC Center.

Using Agency. Commanding Officer, Fort MacArthur, Calif.

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

Issued in Washington, D.C., on January 26, 1972.

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

[FR Doc.72-1485 Filed 2-1-72; 8:47 am]

[Airspace Docket No. 71-SO-138]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Jet Route Segment

On November 19, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 22072) stating that the Federal Aviation Administration was considering an amendment to Part 75 of the Federal Aviation Regulations that would realign Jet Route No. 53 segment between Jacksonville, Fla., and Augusta, Ga.

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

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 30, 1972, as hereinafter set forth.

In § 75.100 (37 F.R. 2382) Jet Route No. 53 text is amended by deleting all between "Jacksonville, Fla.;" and "Spartanburg, S.C.;" and substituting "Augusta, Ga.;" therefor.

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

Issued in Washington, D.C., on January 27, 1972.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-1481 Filed 2-1-72; 8:47 am]

[Airspace Docket No. 71-SW-53]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration and Extension of Jet Routes, and Area High Routes

On January 15, 1972, F.R. Doc. 72-601 was published in the FEDERAL REGISTER (37 F.R. 667) effective March 2, 1972.

This document amended Part 75 of the Federal Aviation Regulations in part by realigning Jet Route Nos. 8 and 96. The description of J-8 failed to reflect use of the Las Vegas, N. Mex., VORTAC, and in the description of J-96, the use of the Gallup, N. Mex., VORTAC 246° radial, as proposed in the notice. Accordingly, action is taken herein to amend the descriptions of J-8 and J-96 to reflect these changes.

Since this amendment is minor in nature and no substantive change in the regulation effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, effective upon publication in the FEDERAL REGISTER, F.R. Doc. 72-601 (37 F.R. 667) is amended as hereinafter set forth.

1. Item b. is amended to read:

In Jet Route No. 8 caption "Amarillo, Tex." is deleted and "Needles, CA." is substituted therefor, and in the text all before "Springfield, Okla.;" is deleted and "From Needles, Calif., via Winslow, Ariz.; Gallup, N. Mex.; Las Vegas, N. Mex.; Borger, Tex.; INT Borger 095° and Kingfisher, Okla., 261° radials; Kingfisher;" is substituted therefor.

2. Item g. is amended to read:

In Jet Route No. 96 text "Winslow, Ariz.; Gallup, N. Mex.;" is deleted and "INT Prescott 084° and Gallup, N. Mex., 246° radials; Gallup;" is substituted therefor.

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

Issued in Washington, D.C., on January 27, 1972.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-1482 Filed 2-1-72; 8:47 am]

[Airspace Docket No. 71-WA-2]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Routes

On August 21, 1971, F.R. Doc. 71-12233 was published in the FEDERAL REGISTER (36 F.R. 16505) with an effective date of October 14, 1971.

RULES AND REGULATIONS

This document amended Part 75 of the Federal Aviation Regulations, in part, by establishing area navigation routes J821R, J822R, J825R, J832R, J833R, J835R, J837R, and J884R, serving parts of the north central and northeastern United States.

New area high route, J825R, between Chicago, Ill., and St. Louis, Mo., listed Lafayette, Ind., as the reference facility for the "Roberts, Ill." waypoint. Subsequent flight check data indicates that "Capital, Ill." VORTAC would provide improved signal coverage on the segment of J825R involved; therefore, the reference facility for "Roberts" waypoint should be changed from "Lafayette, Ind.," to "Capital, Ill." Action is taken herein to reflect this change.

Since this amendment is minor in nature with no substantive change in the regulation, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, F.R. Doc. 71-12233 (36 F.R. 16505) is amended, effective 0901 G.m.t., March 30, 1972, as hereinafter set forth.

In J825R delete first waypoint information "Roberts, Ill., 40°34'54"/88°09'51", Lafayette, Ind." and substitute "Roberts, Ill., 40°34'54"/88°09'51", Capital, Ill." therefor.

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

Issued in Washington, D.C., on January 27, 1972.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-1483 Filed 2-1-72; 8:47 am]

[Airspace Docket No. 71-WA-8A]

PART 75—ESTABLISHMENT OF JET ROUTES, AND AREA HIGH ROUTES

Designation of Area High Routes

On March 12, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 4790) stating that the Federal Aviation Administration was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate (22) area high routes in the United States.

Two of the routes, J935R and J939R are designated, effective January 6, 1972. Eight additional routes (J918R, J923R, J927R, J931R, J932R, J936R, J937R, J938R) have been successfully flight inspected and are being designated in this rule. Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

To provide improved navigational guidance, some of the waypoints and reference facilities have been changed from those proposed in the notice of proposed rule making without changing the

alignment of the routes. The last waypoint proposed in J927R is omitted herein to make this route compatible with terminal procedures at Fort Worth, Tex. Four of the routes, J921R, J922R, J930R, and J943R, described in the notice of proposed rule making are hereby withdrawn because they are duplicated by other routes. Since these changes are minor in nature, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 30, 1972, as hereinafter set forth.

In § 75.400 (37 F.R. 2400) the following area high routes are added:

Waypoint name	N. Lat./W. Long	Reference facility
J918R HOUSTON, TEX., TO NEW ORLEANS, LA.		
Humble, Tex.....	29°57'24"/95°20'44"	Houston, Tex.
Gueydan, La.....	30°01'21"/92°28'52"	Alexandria, La.
New Orleans, La.	30°01'47"/90°10'20"	New Orleans, La.
J923R ALBUQUERQUE, N. MEX., TO DENVER, COLO.		
Albuquerque, N. Mex.....	35°02'38"/106°48'57"	Socorro, N. Mex.
Sanford, Colo.....	37°19'13"/105°48'11"	Alamosa, Colo.
Terryal, Colo.....	38°32'20"/105°10'50"	Pueblo, Colo.
Monument, Colo.....	39°16'40"/104°47'29"	Do.
J927R CHICAGO, ILL., TO DALLAS, TEX.		
Roberts, Ill.....	40°34'54"/88°09'51"	Capital, Ill.
West Plains, Mo.....	36°47'42"/91°59'03"	Springfield, Mo.
Waldron, Ark.....	34°58'58"/94°18'50"	Tulsa, Okla.
Blue Ridge, Tex.....	33°15'59"/96°21'53"	Ardmore, Okla.
J931R SALT LAKE CITY, UTAH, TO SAN FRANCISCO, CALIF.		
Fairfield, Utah.....	40°16'30"/111°50'23"	Delta, Utah.
Fool Creek, Utah.....	39°38'15"/112°18'42"	Do.
Connors Pass, Nev.....	38°57'44"/114°44'17"	Wilson Creek, Nev.
Coaldale, Nev.....	38°00'12"/117°46'10"	Coaldale, Nev.
J932R NEW ORLEANS, LA., TO MEMPHIS, TENN.		
New Orleans, La.	30°01'47"/90°10'20"	New Orleans, La.
Jackson, Miss.....	32°30'28"/90°10'03"	Meridian, Miss.
Memphis, Tenn.....	34°56'34"/89°57'35"	Walnut Ridge, Ark.
J936R PHOENIX, ARIZ., TO CHICAGO, ILL.		
Phoenix, Ariz.....	33°25'53"/111°53'17"	Phoenix, Ariz.
Fence, N. Mex.....	34°33'12"/108°27'05"	Gallup, N. Mex.
Albuquerque, N. Mex.....	35°02'38"/106°48'57"	Socorro, N. Mex.
Mora, N. Mex.....	35°52'40"/105°18'54"	Las Vegas, Nev.
Holcomb, Kans.....	38°08'16"/100°52'42"	Garden City, Kans.
Seneca, Nebr.....	39°55'09"/96°02'40"	Pawnee City, Nebr.
Lamoni, Iowa.....	40°35'48"/93°58'03"	Kirksville, Mo.
Warren, Ill.....	41°48'38"/88°16'07"	Joliet, Ill.

Waypoint name	N. Lat./W. Long.	Reference facility
J937R GATEWAY MAPLE, CALIF., TO CHICAGO, ILL.		
Maple, Calif.....	37°48'13"/125°49'57"	Ukiah, Calif.
Sawmill, Calif.....	38°37'27"/123°04'28"	Ukiah, Calif.
Reno, Nev.....	39°31'53"/119°39'18"	Reno, Nev.
Tenabo, Nev.....	40°06'20"/116°46'26"	Battle Mountain, Nev.
Booneville, Utah.....	40°43'34"/113°45'24"	Booneville, Utah.
Woods, Utah.....	40°58'05"/112°06'09"	Malad City, Idaho.
Quealy, Wyo.....	41°25'15"/108°58'31"	Rock Springs, Wyo.
Slater, Wyo.....	41°53'12"/104°53'16"	Cheyenne, Wyo.
Berea, Nebr.....	42°02'38"/103°07'04"	Sidney, Nebr.
Dry Creek, Nebr.....	42°20'04"/98°25'33"	Wolbach, Nebr.
Kamrar, Iowa.....	42°25'43"/93°38'52"	Des Moines, Iowa.
Scales Mound, Ill.....	42°22'53"/90°24'00"	Iowa City, Iowa.
Lakewood, Ill.....	42°12'21"/88°18'53"	Milwaukee, Wis.

J938R CHICAGO, ILL., TO GATEWAY MAPLE, CALIF.

Morrison, Ill.....	41°55'53"/89°47'00"	Bradford, Ill.
Bertram, Iowa.....	41°59'43"/91°35'23"	Iowa City, Iowa.
Ute, Iowa.....	42°02'05"/95°44'37"	Omaha, Nebr.
Cumminsville, Nebr.....	41°59'41"/98°22'59"	Wolbach, Nebr.
Angora, Nebr.....	41°47'19"/103°03'32"	Sidney, Nebr.
Bordeau, Wyo.....	41°39'48"/104°50'04"	Cheyenne, Wyo.
Vermillion, Wyo.....	41°16'13"/108°57'02"	Rock Springs, Wyo.
Magna, Utah.....	40°52'19"/112°05'03"	Fairfield, Utah.
Arimosa, Utah.....	40°37'37"/113°43'47"	Booneville, Utah.
Tenabo, Nev.....	40°06'20"/116°46'26"	Battle Mountain, Nev.
Reno, Nev.....	39°31'53"/119°39'18"	Reno, Nev.
Sawmill, Calif.....	38°37'27"/123°04'28"	Ukiah, Calif.
Maple, Calif.....	37°48'13"/125°49'57"	Ukiah, Calif.

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

Issued in Washington, D.C., on January 26, 1972.

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

[FR Doc.72-1484 Filed 2-1-72; 8:47 am]

[Docket No. 11432, Amtd. 121-83]

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Aircraft Security; Screening System

The purpose of this amendment is to require certain air carriers and commercial operators operating large aircraft (other than helicopters), to adopt and put into use, within 72 hours after the amendment becomes effective, a screening system acceptable to the Administrator, to prevent or deter the carriage abroad its aircraft of sabotage devices or weapons in carry-on baggage or on or about the persons of passengers.

Notice 71-29 was issued on September 28, 1971, and published in the FEDERAL REGISTER on September 29, 1971 (36 F.R. 19172), proposing the issue of regulations to provide aviation security

standards for the air carriers and commercial operators affected by this amendment. That proposal would require, among other things, that each of these operators prepare in writing and submit for approval by the Administrator its security program showing the procedures, facilities, or screening system, or a combination thereof, that it uses or intends to use for the purposes here involved. The closing date for comments was December 29, 1971, and due consideration has been given to all comments presented in response to that notice.

As proposed, the certificate holder would have a 90-day period in which to submit its security program to the FAA for approval. However, because of alarmingly increased hijackings including extortion of large sums of money that have occurred recently, the Administrator is of the opinion that an emergency requiring immediate action exists in respect of safety in air commerce, and that this amendment is essential in the interest of safety in air commerce, particularly in air transportation, to meet that emergency. Accordingly, as issued, this amendment requires the certificate holder to adopt and put into use a passenger and baggage screening system acceptable to the Administrator within 3 days after the effective date of the amendment. It should be noted that a simple and inexpensive screening system has been highly effective, where used. The FAA is of the opinion that a majority of the air piracies occurring recently would have been prevented had the system been used to the fullest extent possible.

It is anticipated that further rule making action will be taken in the near future to implement the remainder of the proposals made in Notice 71-29.

Because of the emergency nature of the threat to the safety of persons and property carried in air commerce due to hijacking, I find that further notice and public procedure on this amendment are impracticable and contrary to the public interest, and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, a new § 121.538 is inserted after § 121.537 of Part 121 of the Federal Aviation Regulations, effective February 2, 1972, to read as follows:

§ 121.538 Aircraft security.

(a) For purposes of this section, "certificate holder" means an air carrier as defined in § 121.1(a) (1) or (2) and a commercial operator engaging in intrastate common carriage covered by § 121.7.

(b) Each certificate holder shall, before February 6, 1972, adopt and put into use a screening system, acceptable to the Administrator, to prevent or deter the carriage aboard its aircraft of any sabotage device or weapon in carry-on baggage or on or about the persons of passengers, except as provided in § 121.585.

(Secs. 313(a), 601, 604, 1005, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1424, 1485; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on January 31, 1972.

J. H. SHAFFER,
Administrator.

[FR Doc.72-1538 Filed 2-1-72; 10:00 am]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-722, Amdt. 38]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Filing of Monthly Interim Financial Reports

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 19th day of January 1972.

By EDR-207, dated July 6, 1971,¹ the Board proposed to amend Part 241 of its economic regulations (14 CFR Part 241), so as to require the filing with the Board of (1) a balance sheet and an income statement on a monthly basis, and (2) a copy of any financial statement released to the public reflecting a financial position or operating results for dates or reporting periods not covered by reports on file with the Board.

As part of Form 41, all certificated air carriers are presently required to submit, on a quarterly basis, a balance sheet and income statement. In addition, CAB Form T-107, Interim Summary Income Statement, has for some time been filed voluntarily by route air carriers on a monthly basis, and certain supplemental air carriers have been filing monthly balance sheets and income statements pursuant to requests of the Director, Bureau of Accounts and Statistics, under § 385.17 (j) of this chapter.

Comments in response to the notice were filed by 12 carrier.² The basic thrust of the comments opposing the proposed monthly report may be briefly summarized as follows: (1) Monthly reports do not provide a reliable indication of business trends and may be subject to misinterpretation; (2) generally, the proposed reporting requirements would be unduly burdensome and, in particular, a requirement of reporting on an entity basis would be burdensome since internal management reports are prepared on a system basis; (3) a 40-day reporting deadline would be more realistic than the proposed 30-day deadline. With respect to the proposed requirement that information released to the public be submitted also to the Board, the general consensus appears to regard the proposal as reasonable.

Upon consideration, we have determined to adopt the rule as proposed, but with the modifications discussed herein.

¹ 36 F.R. 12990, July 10, 1971.

² American Airlines, Inc., Delta Air Lines, Inc., The Flying Tiger Line Inc., Hawaiian Airlines, Inc., Mohawk Airlines, Inc., National Airlines, Inc., Northeast Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Universal Airlines, Inc., Western Air Lines, Inc., and World Airways, Inc.

We think there is merit to the claim that, since the carriers' own interim financial statements are prepared on a system basis, it would be burdensome to require that the monthly income statements be filed on an entity basis. Moreover, the burden appears to be unnecessary, since filing of the reports on a system basis will adequately serve the intended purposes of the rule. We have therefore modified our proposed rule accordingly.

In view of this modification, it is not necessary for us to adopt the suggestion that 40 days be allowed for the submission of the reports. Since most of the carriers prepare this information on a system basis for their own management purposes, a 30-day period for reporting should be ample.

The Board recognizes the validity of comments to the effect that monthly data may not provide a completely satisfactory basis for short-range evaluation with respect to individual carriers, and that such data may be subject to misinterpretation. However, we are of the belief that the usefulness of such up-to-date data outweighs these objections, particularly in view of the fact that we are providing for confidential treatment of the data except in limited circumstances.

We have also decided to accept the suggestion that supplemental air carriers should not be subject to this rule's requirement of filing monthly balance sheets and income statements.³ However, supplementals will be subject to the requirement of filing a copy of any financial statement released to the public reflecting a financial position or operating results for dates or reporting periods not covered by reports on file with the Board.

In view of the amendments being adopted herein, there will no longer be any need for us to request submission of CAB Form T-107, Interim Summary Income Statement.

This rule is being made effective immediately, so that, although the first monthly report will not be due until 30 days after the end of January 1972, it will encompass information dating from January 1, 1972. Since, as noted above, the monthly reports required hereunder relate to information which the carriers are presently required to maintain for preparation of their quarterly Form 41 reports, application of this rule to such data from January 1, 1972, will impose no significant burden upon any person.

In consideration of the foregoing, the Board hereby amends Part 241 of its economic regulations (14 CFR Part 241), effective February 1, 1972, as follows:

1. Amend section 22 by modifying paragraphs (a) and (b) and by adding a new paragraph (j) as follows:

Section 22—General Reporting Instructions

(a) The CAB Form 41 * * *

³ It should be noted that although this monthly reporting requirement will not apply to supplemental air carriers, the Director, Bureau of Accounts and Statistics, will continue to have authority under § 385.17(j) to require such monthly statements to be filed by individual supplementals on a case-by-case basis, as the Director has been doing.

Schedule No.		Filing	
		Frequency	Postmark interval (days)
A-1	Status of Accounting Plans Required to be Filed	Annually	40
B-1	Balance Sheet	Monthly	30
B-2	Notes to Balance Sheet	Quarterly	40
P-1.2	Income Statement—Group II and Group III Air Carriers	Quarterly	40
P-1(a)	Interim Income Statement	Monthly	30
P-2	Notes to Income Statement	Quarterly	40

(b) Each air carrier shall file the schedules of the CAB Form 41 reports with the Civil Aeronautics Board in accordance with the above instructions, except that B and P report schedules for the final quarter of each calendar year may be extended to 90 days following the year's end: *Provided*, That preliminary schedules B-1 and P-1(a) are submitted within the standard prescribed 30-day filing period; and that preliminary schedules P-1.1 or P-1.2, P-3, and P-3(a) are submitted within the standard prescribed 40-day filing period. For the third month of any calendar quarter, schedule P.1(a) need not be filed, provided that schedule P-1.1 or P-1.2 for the quarter is submitted within 30 days rather than the standard prescribed 40-day filing period. Reports on schedules B-1 and P-1(a) for each month shall be withheld from public disclosure, subject to the same exceptions as those set forth in section 19-6, until such time as (1) the quarterly financial reports are due, (2) the quarterly financial reports are filed or (3) information covered by monthly reports is publicly released by the carrier concerned, whichever first occurs. At the request of an air carrier, and upon a showing by such air carrier that public disclosure of its preliminary year-end report would adversely affect its interests and would not be in the public interest, the Board will withhold such preliminary year-end report from public disclosure until such time as (1) the final report is filed, (2) the final report is due or (3) information covered by the preliminary report is publicly released by the carrier concerned, whichever first occurs.

(j) All financial statements released by carriers to the public reflecting a financial position or operating results for dates or reporting periods not covered by reports on file with the Board shall be filed with the Board simultaneously with their public release.

2. Amend section 23 by revising paragraph (b) of reporting instructions for Schedule B-1 Balance Sheet as follows:

Section 23—Certification and Balance Sheet Elements

Schedule B-1 Balance Sheet

(b) This schedule shall reflect the balances at the close of business on the last day of each calendar month for the overall or system operations of each air carrier in conformance with the provisions of sections 4, 5, and 6.

3. Amend section 24 to add instructions for new schedule P-1(a) Interim Income Statement as follows:

Section 24—Profit and Loss Elements

Schedule P-1(a) Interim Income Statement

(a) This schedule shall be filed by all route air carriers.
 (b) This schedule shall be filed for the overall or system operations of the air carrier.
 (c) Data reported on this schedule shall reflect the results of operations for the month covered by the report and shall conform to the instructions pertaining to profit and loss classifications within this Uniform System of Accounts and Reports.

4. Amend section 32 by adding paragraph (j) as follows:

Section 32—General Reporting Instructions

(j) All financial statements released by carriers to the public reflecting a financial position or operating results for dates or reporting periods not covered by reports on file with the Board shall be filed with the Board simultaneously with their public release.

5. Amend CAB Form 41 by adding a new schedule P-1(a) Interim Income Statement in the form attached hereto as an appendix and made a part hereof.¹

(Secs. 204(a) and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-1449 Filed 2-1-72; 8:45 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

Mingo National Wildlife Refuge, Mo.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (2-2-72).

¹ Filed as part of the original document.

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

MISSOURI

MINGO NATIONAL WILDLIFE REFUGE

Sport fishing on the Mingo National Wildlife Refuge, Mo., is permitted in all waters on the refuge. The waters comprise about 4,300 acres. Maps and information are 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 conditions:

(1) Open season: March 15, 1972, through September 30, 1972 daylight hours only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1972.

GERALD L. CLAWSON,
Refuge Manager, Mingo National Wildlife Refuge, Puxico, Mo.

JANUARY 25, 1972.

[FR Doc.72-1475 Filed 2-1-72; 8:46 am]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER A—GENERAL RULES
[Docket No. R-436, Order 448]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Policy Regarding Domestic Natural Gas Shortage

JANUARY 24, 1972.

Statement of policy determining that the natural domestic supply of gas is insufficient to meet the present and future requirements of the domestic economy and prescribing the accounting for the job development investment credit restored in the Revenue Act of 1971.

The Commission in response to the provisions of the Revenue Act of 1971, approved December 10, 1971 (Public Law 92-178, 85 Stat. 497), concerning the restoration of the investment tax credit therein known as the Job Development Investment Credit restates that "the natural domestic supply of the product" (natural gas) "is insufficient at this time to meet the present and future requirements of the domestic economy." The Commission has heretofore found on the basis of an evidentiary record and hearing that there is a natural gas shortage, Area Rate Proceedings (Southern Louisiana) Dockets Nos. AR61-2 et al., AR69-1; Opinions Nos. 598 and 598-A

(July 16, 1971, September 9, 1971, respectively). As indicated in Order No. 437A-4 issued November 29, 1971: "This Commission has been confronted with conclusive evidence demonstrating a gas supply shortage. Every indication is that such a shortage will continue into the near future." (Also see Opinions Nos. 595, 597, 586, 606, and 606A, 607; order granting application under limited-term certificate in Docket No. CI71-783; findings and order issuing certificates in Dockets Nos. CI71-879, CI71-882, CI71-889, CI72-48, CI72-97, CI72-136, CI71-878, CI72-151, CI72-137, CI67-248 and CI72-218, CP71-287, CP72-12, CP71-278, CP72-1, CP71-220, CP71-267; Orders Nos. 431, 435, and 437; order instituting area rate proceeding docket No. AR70-1.)

The Commission finds:

(1) The notice and hearing requirements of 5 U.S.C. 553 do not apply to this general statement of policy as herein amended.

(2) In addition, compliance with the notice, public procedure and effective date provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest.

(3) Good cause exists that the statement of policy herein ordered shall become effective immediately and to coincide with the relevant effective dates provided for in section 50(a) of the Revenue Act of 1971.

(4) "The natural domestic supply of the product" (natural gas) " * * * is insufficient to meet the present and future requirements of the domestic economy."

The Commission acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 4, 5, 8, 9, and 10 (52 Stat. 822, 823, 825, 826; 76 Stat. 72; 15 U.S.C. 717c, 717d, 717g, 717h, 717i) orders:

A. Part 2 General Policy and Interpretations, Subchapter A, Chapter I, Title 18, Code of Federal Regulations is amended by adding new § 2.67a immediately following § 2.67 *Calculation of taxes for property of pipeline companies constructed or acquired after January 1, 1970*, which reads as follows:

STATEMENTS OF GENERAL POLICY AND INTERPRETATIONS UNDER THE NATURAL GAS ACT

§ 2.67a Policy with respect to the natural gas shortage as it relates to the Revenue Act of 1971.

(a) The provisions of the Revenue Act of 1971, approved December 10, 1971 (Public Law 92-178, 85 Stat. 497), made reference to the rate treatment that will be accorded the investment credit by public utility taxpayers. Specifically the rate treatment is included in the Act under section 105. Regulated Companies, (e) Limitation in Case of Certain Regulated Companies. The various options are prescribed in section 105(e), (1) General Rules; (2) Special Rule for Ratable Flow-Through; and (3) Special Rule for Immediate Flow-Through in Certain Cases of the Act. Since the Act leaves to the regulatory agency the prescription

of necessary accounting, the book accounting to accommodate the above shall be as follows:

(1) (i) When the "General Rule" is applicable to a utility, other than a natural gas pipeline company, the amount of the investment credit allowed shall be debited to Account 411.3, Investment Tax Credit Adjustments, and credited to Account 255, Accumulated Deferred Investment Tax Credits. The amount in Account 255 shall be amortized to Account 420, Investment Tax Credits, ratably over the book service life of the related property. (Since Account 420, Investment Tax Credits, is not now provided for in the Uniform Systems of Accounts for Public Utilities and Licensees, concurrently with this Statement the Commission is issuing a notice of proposed rulemaking, Docket No. R-437 proposing to incorporate this account in said systems.)

(ii) Since the Commission has determined that there is a natural domestic supply of gas insufficient at this time to meet the present and future requirements, natural gas pipeline companies, at their option, may account for the investment credit by either debiting Account 411.3, Investment Tax Credit Adjustments, and crediting Account 420, or by debiting Account 411.3 and crediting Account 255 with amortization from Account 255 to Account 420 over a period of time as selected by the company.

(2) Under the "Special Rule for Ratable Flow-Through," the utility shall, where this option applies, debit Account 411.3 and credit Account 255. The amounts in Account 255 shall be amortized to Account 411.3 over the book service life of the related property.

(3) Under the "Special Rule for Immediate Flow-Through in Certain Cases," where the utility elects in the case of property to which section 167(1)(2)(C) of the Internal Revenue Code applies, the utility shall with respect to the investment credit related thereto apply the investment credit as a reduction of Account 409.1, Income Taxes, Utility Operating Income.

(4) A method once adopted by a utility company for any class of property must be consistently followed and the method may not be changed without prior Commission approval.

B. This statement of policy is effective immediately and to coincide with the relevant effective dates provided for in section 50(a) of the Revenue Act of 1971.

C. The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1464 Filed 2-1-72; 8:45 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Use of Impact-Resistant Lenses in Eyeglasses and Sunglasses

In the FEDERAL REGISTER of September 23, 1971 (36 F.R. 18871), a notice was published in which the Commissioner of Food and Drugs proposed that Part 3 be amended by revising the statement of general policy (21 CFR 3.84) regarding impact-resistant lenses in eyeglasses and sunglasses, to require that the total weight of the base plate and its rigidly attached fixtures be not less than 27 pounds, that an appropriate tube be used for lenses of small minimum diameter, that the neoprene gasket employed be securely bonded to the lens support, and that the lens fractures include a laminar layer, where present. Additionally it was proposed that raised ledge multifocal lenses, which are irreparably damaged by the drop ball test, be impact resistant, and drop ball tested only during initial design and not at the retail level. The Commissioner also proposed that provision be made for plastic prescription and nonprescription lenses to be tested at the point of original manufacture.

It was proposed that § 3.84(e) be revised to require that certain necessary business records of sale or distribution be kept and maintained for 3 years in lieu of coding which was found to be impracticably complex.

It was proposed that § 3.84(f) be revised to require all persons conducting tests in accordance with paragraph (d) keep and maintain test results for 3 years and make these results available to the Food and Drug Administration upon request.

It was proposed that § 3.84(g) be revised to assure that importers will make test data available to the Food and Drug Administration upon request.

It was also proposed, consistent with the statement in the proposal of November 6, 1970 (35 F.R. 17116), that § 3.84(h) be revised to clearly indicate that all lenses manufactured after December 31, 1971, must be impact resistant except where the physician or optometrist finds that such lenses will not fulfill the visual requirements of a particular patient.

Comments on this proposal were received. Several comments urged that the Commissioner of Food and Drugs reconsider his decision to require impact resistant lenses. The Commissioner has reviewed this matter and has concluded that this Statement of Policy and Interpretation should be adopted in order to protect the public from unsafe lenses.

A comment was submitted by the National Retail Merchants Association requesting clarification on the record-keeping provisions as applicable to non-prescription sunglasses. In order to

clarify this issue, a proviso has been added to § 3.84(e), that the name and address of a purchaser of nonprescription sunglasses is not required to be kept by the retailer.

A comment was submitted by the Public Interest Research Group, urging the May 15, 1971 language be retained in § 3.84(h) requiring that after December 31, 1971, all eyeglasses and sunglasses must be fitted with impact resistant lenses, except when the physician or optometrist finds that impact resistant lenses will not fulfill the visual requirements of a particular patient. Although the transition process in § 3.84(h) of the Food and Drug Administration's Statement of Policy of May 15, 1971 (36 F.R. 8939), commenced immediately, the Commissioner finds that an adequate supply of impact resistant lenses is not available to permit the May 15, 1971 language to be retained. He therefore finds that the date of manufacture shall control.

The comment of the Public Interest Research Group further recommended that § 3.84(e) also be amended, consistent with § 3.84(f), to permit the Food and Drug Administration to examine copies of invoices, shipping documents, and records of sale and distribution, of all impact resistant lenses (including finished eyeglasses and sunglasses) which are to be kept and maintained for a period of 3 years. The Commissioner finds this comment to be well taken, and has so ordered.

The Commissioner concludes that the proposed amendments will insure the necessary measure of protection to the consumer.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sections 502(j), 701(a), 52 Stat. 1051, 1055; 21 U.S.C. 352(j), 371(a)), and under authority delegated to the Commissioner (21 CFR 2.120), Part 3 is amended by revising § 3.84 to read as follows:

§ 3.84 Use of impact-resistant lenses in eyeglasses and sunglasses.

(a) Examination of data available on the frequency of eye injuries resulting from the shattering of ordinary crown glass lenses indicate that the use of such lenses constitutes an avoidable hazard to the eye of the wearer.

(b) The consensus of the ophthalmic community is that the number of eye injuries would be substantially reduced by the use in eyeglasses and sunglasses of either plastic lenses, heat-treated crown glass lenses, or lenses made impact-resistant by other methods.

(c) To protect the public more adequately from potential eye injury, eyeglasses and sunglasses must be fitted with impact-resistant lenses, except in those cases where the physician or optometrist finds that such lenses will not fulfill the visual requirements of the particular patient, directs in writing the use of other lenses and gives written notification thereof to the patient.

(d) The physician or optometrist shall

have the option of ordering heat-treated glass lenses, plastic lenses, laminated glass lenses, or glass lenses made impact resistant by other methods; however, all such lenses must be capable of withstanding an impact test in which a $\frac{3}{8}$ -inch steel ball weighing approximately 0.56 ounces is dropped from a height of 50 inches upon the horizontal upper surface of the lens. The ball shall strike within a $\frac{3}{8}$ -inch diameter circle located at the geometric center of the lens. The ball may be guided, but not restricted, in its fall by being dropped through a tube extending to within approximately 4 inches of the lens. In order to pass the test, the lens must not fracture (for the purpose of this section, a lens will be considered to have fractured if it cracks through its entire thickness, including a laminar layer, if any, and across a complete diameter into two or more separate pieces or if any lens material visible to the naked eye becomes detached from the ocular surface). The test shall be conducted with the lens supported by a tube (1-inch inside diameter, $1\frac{1}{4}$ -inch outside diameter, and approximately 1-inch high) affixed to a rigid iron or steel base plate. The total weight of the base plate and its rigidly attached fixtures shall be not less than 27 pounds. For lenses of small minimum diameter, a support tube having an outside diameter of less than $1\frac{1}{4}$ inches may be used. The support tube shall be made of rigid acrylic plastic, steel or other suitable substance and shall have securely bonded on the top edge a $\frac{1}{8}$ - by $\frac{1}{8}$ -inch neoprene gasket having a hardness of 40 ± 5 , as determined by ASTM Method D 1415; a minimum tensile strength of 1,200 pounds, as determined by ASTM Method D 412; and a minimum ultimate elongation of 400 percent, as determined by ASTM Method D 412. The diameter and/or contour of the lens support may be modified as necessary so that the $\frac{1}{8}$ - by $\frac{1}{8}$ -inch neoprene gasket supports the lens at its periphery. Each finished impact-resistant glass lens for prescription use shall be subjected to the impact test prescribed by this paragraph. Raised ledge multifocal lenses must be impact-resistant but need not be tested beyond initial design testing. To demonstrate that all other types of impact-resistant lenses (including impact-resistant laminated glass lenses) are capable of withstanding this impact test, the manufacturer of such lenses shall subject to the impact test a statistically significant sampling of lenses from each production batch, and the lenses so tested shall be representative of the finished forms as worn by the wearer (including finished forms that are of minimal lens thickness and have been subjected to any treatment used to impart impact resistance). Plastic prescription and all nonprescription lenses, tested on the basis of statistical significance, may be tested in uncut finished or semifinished form at the point of original manufacture. This statement of policy will be appropriately amended to provide for use of alternate methods of testing the impact resistance of lenses if

it can be shown that the alternate method is equal to or superior to the method prescribed in this paragraph.

(e) Copies of invoice(s), shipping document(s), and records of sale or distribution of all impact resistant lenses (including finished eyeglasses and sunglasses) shall be kept and maintained for a period of 3 years; however, the names and addresses of individuals purchasing nonprescription eyeglasses and sunglasses at the retail level need not be kept and maintained by the retailer. The records kept in compliance with this paragraph shall be made available, upon request at all reasonable hours by any officer or employee of the Food and Drug Administration or by any other officer or employee acting on behalf of the Secretary of Health, Education, and Welfare and such officer or employee shall be permitted to inspect and copy such records, to make such inventories of stock as he deems necessary, and otherwise to check the correctness of such inventories.

(f) In addition, those persons conducting impact tests in accordance with paragraph (d) of this section, shall keep and maintain the results thereof for a period of 3 years. Such records and results shall be made available, upon request at all reasonable hours by any officer or employee acting on behalf of the Secretary of Health, Education, and Welfare and shall permit such officer or employee to inspect and copy such records, to make such inventories of stock as he deems necessary, and otherwise to check the correctness of such inventories.

(g) For the purpose of this section, the term "manufacturer" includes an importer for resale. Such importer may have the tests required by paragraph (d) of this section conducted in the country of origin but must make the results thereof available, upon request, to the Food and Drug Administration, as soon as practicable.

(h) The transition to impact-resistant lenses must be completed as promptly as possible; however, to provide for the development of an adequate supply of impact-resistant lenses and to facilitate an orderly changeover to these lenses, all lenses manufactured after January 31, 1972, must be impact-resistant, except when the physician or optometrist finds that impact-resistant lenses will not fulfill the visual requirements of a particular patient.

(i) This statement of policy does not apply to contact lenses.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (2-2-72).

(Secs. 502(j), 701(a), 52 Stat. 1051, 1055; 21 U.S.C. 352(j), 371(a))

Dated: January 31, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 72-1607 Filed 2-1-72; 8:51 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

Chapter X—Federal Insurance Administration

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of Eligible Communities

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Arizona	Mohave	Kingman				Feb. 4, 1972
Colorado	Arapahoe	Unincorporated areas.				Do.
Do.	do.	Sheridan				Do.
Connecticut	New Haven	Derby				Do.
Do.	Fairfield	Greenwich				Do.
Do.	Middlesex	Middletown				Do.
Iowa	Scott	Bettendorf				Do.
Do.	Johnson	Iowa City				Do.
Missouri	Jackson	Lee's Summit				Do.
New Jersey	Somerset	Bernards Township.				Do.
Do.	do.	Warren Township				Do.
Do.	Hudson	Secaucus				Do.
New York	Erie	Cheektowaga				Do.
Do.	do.	Elma				Do.
Do.	Westchester	Larchmont				Do.
North Carolina	Dare	Kill Devil Hills				Do.
Ohio	Lake	Eastlake				Do.
Oregon	Multnomah	Unincorporated areas.				Do.
Do.	Umatilla	do.				Do.
Wyoming	Natrona	Casper				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: January 26, 1972.

[FR Doc.72-1412 Filed 2-1-72;8:45 am]

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

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

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Arizona	Mohave	Kingman				Feb. 4, 1972.
Colorado	Arapahoe	Unincorporated areas.				Do.
Do.	do.	Sheridan				Do.
Connecticut	New Haven	Derby				Do.
Do.	Fairfield	Greenwich				Do.
Do.	Middlesex	Middletown				Do.
Iowa	Scott	Bettendorf				Do.
Do.	Johnson	Iowa City				Do.
Missouri	Jackson	Lee's Summit				Do.
New Jersey	Somerset	Bernards Township.				Do.
Do.	do.	Warren Township				Do.
Do.	Hudson	Secaucus				Do.
New York	Erie	Cheektowaga				Do.
Do.	do.	Elma				Do.
Do.	Westchester	Larchmont				Do.
North Carolina	Dare	Kill Devil Hills				Do.
Ohio	Lake	Eastlake				Do.
Oregon	Multnomah	Unincorporated areas.				Do.
Do.	Umatilla	do.				Do.
Wyoming	Natrona	Casper				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: January 26, 1972.

[FR Doc.72-1413 Filed 2-1-72;8:45 am]

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Fort Hall Irrigation Project, Idaho

These final regulations are issued under the authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in section 15(a) of Secretarial Order 2508 (10 BIAM 2.1) and redelegated by the Commissioner to the Area Directors in 10 BIAM 3. The authority to issue regulations is vested in the Secretary of the Interior by sections 161, 463, and 465 of the Revised Statutes (5 U.S.C. 301; 25 U.S.C. 2 and 9).

Beginning on page 23221 of the FEDERAL REGISTER of December 7, 1971 (36 F.R. 234), there was published a notice of intention to modify § 221.32 of Title 25 of the Code of Federal Regulations relating to the Operation and Maintenance charges on assessable lands under the Fort Hall Irrigation Project. The regulations were proposed pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238) and pursuant to the Acts of March 1, 1907 and August 31, 1954 (34 Stat. 1024, 68 Stat. 1026).

Interested persons were given 30 days in which to submit written comments, views, or arguments regarding the proposed regulations.

During this period one objection was received and given due consideration. It has been determined that sufficient justification exists for modifying the rate for Fort Hall Project lands and the proposed regulations are hereby adopted without change and are set forth below.

The modified § 221.32 shall become effective 30 days after the date of publication in the FEDERAL REGISTER.

DALE M. BALDWIN,
Area Director.

JANUARY 25, 1972.

§ 221.32 Basic and other water charges.

(a) In compliance with the provisions of the Acts of March 1, 1907 (34 Stat. 1024), and August 31, 1954 (68 Stat. 1026), the annual basic water charges for the operation and maintenance of the lands in non-Indian ownership and Indian-owned lands leased to a non-Indian or a nonmember of the Shoshone Bannock Tribe of the Fort Hall Indian Reservation, Idaho, to which water can be delivered for irrigation are hereby fixed for the calendar year 1972 and subsequent years until further notice as follows:

	Per acre
(1) Fort Hall Project:	
Basic rate for all lands located within the boundaries of Fort Hall Reservation.....	\$7.75
Basic rate for all lands lying off the Fort Hall Reservation.....	6.50
(2) Michaud Division, Fort Hall Reservation:	
Basic rate for all lands except Deep Well Units.....	11.50
Basic rate for Deep Well Units.....	9.00
Additional rate for sprinkler irrigation when pressure is supplied by the project.....	3.00
(3) Minor Units, Fort Hall Reservation:	
Basic rate.....	4.75

(b) In addition to the foregoing charges, there shall be collected a minimum charge of \$5 for the first acre or fraction thereof on each tract of land for which operation and maintenance bills are prepared. The minimum bill issued for any area will, therefore, be the basic rate per acre plus \$5.

[FR Doc.72-1478 Filed 2-1-72;8:46 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7160]

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

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION

PART 301—PROCEDURE AND ADMINISTRATION

Automatic Extension of Time for Filing Individual Income Tax Returns

In order to revise the Income Tax Regulations (26 CFR Part 1) under section 6081 of the Internal Revenue Code of 1954, relating to extension of time for filing returns, and in order to revise the Regulations on Procedure and Administration (26 CFR Part 301) under section 6651 of the Internal Revenue Code of 1954, relating to failure to file tax return or to pay tax, such regulations are amended as follows:

PARAGRAPH 1. Paragraph (a) of § 1.6081-1 is amended to read as follows:

§ 1.6081-1 Extension of time for filing returns.

(a) *In general.* District directors and directors of service centers are authorized to grant a reasonable extension of time for filing any return, declaration, statement, or other document which relates to any tax imposed by subtitle A of

the Code and which is required under the provisions of subtitle A or F of the Code or the regulations thereunder. However, other than in the case of taxpayers who are abroad, such extensions of time shall not be granted for more than 6 months. Except as otherwise provided in § 1.6081-4(b), an extension of time for filing an income tax return shall operate to extend the time for the payment of the tax or any installment thereof unless specified to the contrary in the extension. For extension of time for filing of declarations of estimated tax, see § 1.6073-4. For rules relating to extension of time for paying tax, see § 1.6161-1.

PAR. 2. The following new section is added immediately after § 1.6081-3:

§ 1.6081-4 Automatic extension of time for filing individual income tax return.

(a) *In general.* (1) An individual who is required to file an income tax return on Form 1040 for any taxable year ending on or after December 31, 1971, shall be allowed an automatic 2-month extension of time to file such return after the date prescribed for filing of the return only if the requirements contained in subparagraphs (2), (3), and (4) of this paragraph are met.

(2) An application must be prepared in duplicate on Form 4868 "Application for Automatic Extension of Time to File U.S. Individual Income Tax Return," and must be signed by the taxpayer or other person duly authorized by the taxpayer to request such extension. Such other person must either be an attorney who is a member in good standing of the bar of the highest court of a State, possession, territory, commonwealth, or the District of Columbia; a certified public accountant duly qualified to practice in a State, possession, territory, commonwealth, or the District of Columbia; a person currently enrolled to practice before the Treasury Department; a duly authorized agent holding a power of attorney with respect to the filing of income tax returns; or a person standing in a close personal or business relationship to the taxpayer where such taxpayer is unable to sign the application because of illness, absence, or other good cause.

(3) The original of the application must be filed on or before the date prescribed for the filing of the return of the individual with the internal revenue officer with whom the individual is required to file his income tax return.

(4) Such application for extension must show the full amount properly estimated as tax for such taxpayer for such taxable year, and such application must be accompanied by the full remittance of the amount properly estimated as tax which is unpaid as of

the date prescribed for the filing of the return.

(5) Upon the timely filing of Form 4868, properly prepared, and accompanied by remittance of the full amount of the estimated unpaid tax liability, the 2-month extension shall be considered as allowed. The duplicate Form 4868 shall be attached to the face of the completed income tax return when filed as evidence of the extension. Except in undue hardship cases, no extension of time for filing an individual income tax return shall be granted under § 1.6081-1 until an individual has properly availed himself of the provisions of this paragraph.

(b) *Special rule for the extension of time for the payment of tax.* Notwithstanding the application of § 1.6081-1(a), any automatic extension of time for filing an individual income tax return granted under paragraph (a) of this section shall not operate to extend the time for the payment of any tax due on such return.

(c) *Termination of automatic extension.* The district director, including the Director of International Operations, or the director of a service center may, in his discretion, terminate at any time an automatic extension by mailing to the taxpayer, or the person who requested such extension for the taxpayer, a notice of termination. The notice shall be mailed at least 10 days prior to the termination date designated in such notice. The notice of termination shall be sufficient for all purposes when mailed to the taxpayer at his address shown on Form 4868 or to the person who requested such extension for the taxpayer at his last known address or last known place of business, even if such person is deceased or is under a legal disability.

PAR. 3. Paragraph (c) of § 301.6651-1 is amended by revising subparagraph (1) and by adding at the end thereof a new subparagraph (3). These amended and added provisions read as follows:

§ 301.6651-1 Failure to file tax return or to pay tax.

(c) *Showing of reasonable cause.* (1) Except as provided in subparagraph (3) of this paragraph, a taxpayer who wishes to avoid the addition to the tax for failure to file a tax return or pay tax must make an affirmative showing of all facts alleged as a reasonable cause for his failure to file such return or pay such tax on time in the form of a written statement containing a declaration that it is made under penalties of perjury. Such statement should be filed with the district director or the director of the service center with whom the return is required to be filed; provided, that, where special tax returns of liquor dealers are delivered to an internal revenue officer working under the supervision of the Assistant Regional Commissioner (Alcohol, Tobacco and Firearms) such statement may be delivered with the return. If the district director, the director of the service center, or, where applicable, the Assistant Regional Commissioner (Alcohol, Tobacco and Firearms) determines that

the delinquency was due to a reasonable cause and not to willful neglect, the addition to the tax will not be assessed. If the taxpayer exercised ordinary business care and prudence and was nevertheless unable to file the return within the prescribed time, then the delay is due to a reasonable cause. A failure to pay will be considered to be due to reasonable cause to the extent that the taxpayer has made a satisfactory showing that he exercised ordinary business care and prudence in providing for payment of his tax liability and was nevertheless either unable to pay the tax or would suffer an undue hardship (as described in § 1.6161-1 (b) of this chapter) if he paid on the due date. In determining whether the taxpayer was unable to pay the tax in spite of the exercise of ordinary business care and prudence in providing for payment of his tax liability, consideration will be given to all the facts and circumstances of the taxpayer's financial situation, including the amount and nature of the taxpayer's expenditures in light of the income (or other amounts) he could, at the time of such expenditures, reasonably expect to receive prior to the date prescribed for the payment of the tax. Thus, for example, a taxpayer who incurs lavish or extravagant living expenses in an amount such that the remainder of his assets and anticipated income will be insufficient to pay his tax, has not exercised ordinary business care and prudence in providing for the payment of his tax liability. Further, a taxpayer who invests funds in speculative or illiquid assets has not exercised ordinary business care and prudence in providing for the payment of his tax liability unless, at the time of the investment, the remainder of the taxpayer's assets and estimated income will be sufficient to pay his tax or it can be reasonably foreseen that the speculative or illiquid investment made by the taxpayer can be utilized (by sale or as security for a loan) to realize sufficient funds to satisfy the tax liability. A taxpayer will be considered to have exercised ordinary business care and prudence if he made reasonable efforts to conserve sufficient assets in marketable form to satisfy his tax liability and nevertheless was unable to pay all or a portion of the tax when it became due.

(3) If for a taxable year ending on or after December 31, 1971, an individual taxpayer satisfies the requirements of § 1.6081-4(a) (relating to an automatic extension of time for filing an individual income tax return), reasonable cause shall be presumed, for the period of the extension of time to file, with respect to any underpayment of tax if—

(i) The excess of the amount of tax shown on Form 1040 over, the amount of tax paid on or before the regular due date of the return by virtue of taxes withheld by the employer, payments pursuant to the declaration of estimated tax and the payment in full of estimated tax liability pursuant to § 1.6081-4, is no greater than 10 percent of the amount of tax shown on the individual's Form 1040, and

(ii) Any balance due shown on the Form 1040 is remitted with the return.

Because of the need for immediate guidance with respect to the provisions contained in this Treasury decision, and because it does not appear that the changes are adverse to persons concerned, it is found unnecessary and impracticable to issue this Treasury decision with notice and public procedure thereon under 5 U.S.C. 553(b), or subject to the effective date limitation of 5 U.S.C. 553(d).

(Sec. 7805, Internal Revenue Code of 1954, 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] JOHNNIE M. WALTERS,
Commissioner of Internal Revenue.

Approved: January 26, 1972.

EDWIN S. COHEN,
Assistant Secretary
of the Treasury.

[FR Doc.72-1472 Filed 2-1-72; 8:46 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5A—Federal Supply Service, General Services Administration

PART 5A-8—TERMINATION OF CONTRACTS

Dissemination of Contract Termination Actions

The table of contents of Part 5A-8 is amended to add the following new entry:

Sec.
5A-8.602-70 Dissemination of contract termination actions.

Subpart 5A-8.6—Termination for Default

Subpart 5A-8.6 is amended to add a new § 5A-8.602-70 as follows:

§ 5A-8.602-70 Dissemination of contract termination actions.

(a) The responsibility for national and zonal term contract information input to the Automated Delivery Order (ADO) system is assigned to the National Maintenance Center (NMC) at Region 10. Information which is loaded there is then transmitted to ADO files in all regions for use in machine preparation of delivery orders. It is important that complete and up-to-date contract information be available in the ADO files.

(b) Information made available to the ADO system through "buy-against" summaries does not always identify a contract termination action, particularly as to the extent of the termination. The routine distribution of contract termination notices within the Federal Supply Service to the Region 10 NMC should resolve this problem. Therefore, in view of the foregoing, contracting officers shall provide for a single copy distribution to Region 10 NMC (mailing symbol 10FXN) of all notices of termination issued pursuant to Subpart 5A-8.6. Copies

of recisions and/or modifications to notices of termination shall also be forwarded to the Region 10 NMC.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); 41 CFR 5-1.101(c))

Effective date. This regulation is effective 30 days after the date shown below.

Dated: January 25, 1972.

M. S. MEEKER,
Commissioner,
Federal Supply Service.

[FR Doc.72-1509 Filed 2-1-72;8:49 am]

Chapter 8—Veterans Administration
PART 8-14—INSPECTION AND ACCEPTANCE

PART 8-74—SPECIAL PROCUREMENT CONTROLS

Subsistence

Chapter 8 is amended as follows:

1. In § 8-14.105-51, paragraph (a) and that portion of paragraph (b) preceding subparagraph (1) are amended to read as follows:

§ 8-14.105-51 Inspection of subsistence.

(a) The contracting officer will determine at time of issuance of the

solicitation whether inspection for specification compliance will be made (1) prior to shipment by representatives of the Department of Agriculture or the Department of Commerce or, (2) at time of delivery by personnel of the purchasing activity. The place of inspection will be indicated in the solicitation.

(b) When either the Department of Agriculture or the Department of Commerce is indicated as the inspection activity, the solicitation will also provide that the contractor is responsible for:

2. In § 8-74.112-6, paragraph (b) is amended to read as follows:

§ 8-74.112-6 Frozen processed food products.

(b) All frozen processed food products procured, which contain fish or fish products, will be processed or prepared in plants operated under the supervision of the USDC (U.S. Department of Commerce). The products listed in USDC publication titled "Guide to Federally Inspected Fishery Products" are processed in plants under Federal inspection of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce. The inspected products

packed under various labels bearing the brand names are produced in accordance with current U.S. Grade Standards or official product specifications, packed under optimum hygienic conditions, and must meet Federal, State, and city sanitation and health regulations. Such brand label or USDC seal, affixed to a container, indicating compliance with USDC regulations will be accepted as evidence of compliance. In lieu thereof, the shipment may be lot inspected by the USDC and containers stamped to indicate acceptance or a Certification of Inspection issued to accompany the shipment. The product must bear a label complying with the Federal Food, Drug and Cosmetic Act which requires that all ingredients be listed according to the order of their predominance.

(Sec. 205(c), 63 Stat. 389, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

These regulations are effective February 28, 1972.

Approved: January 28, 1972.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[FR Doc.72-1514 Filed 2-1-72;8:49 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Parts 11, 134]

COUNTRY OF ORIGIN MARKING

Notice of Proposed Rule Making

Notice is hereby given that under the authority of R.S. 251, as amended, sections 304, 624, 46 Stat. 687, as amended, 759, 77A Stat. 14; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11), 1304 and 1624, it is proposed to revise the Customs regulations relating to country of origin marking of imported merchandise.

This revision is part of the general revision of the Customs regulations, and replaces the provisions of §§ 11.8, 11.10, and 11.11 with a new Part 134. This part follows a new format, and contains changes or additions in language to clarify the former provisions and to reflect current administrative practice and policy.

The principal changes in the requirements or procedures in proposed Part 134 from those set forth in §§ 11.8, 11.10, and 11.11, are as follows:

1. In Subpart A relating to the general provisions of country of origin marking:

Section 134.1 places definitions of commonly used terms in one convenient section.

Section 134.4 incorporates notice of criminal penalties as prescribed by 19 U.S.C. 1304(e).

2. In Subpart B relating to the rules for articles subject to country of origin marking:

Section 134.13 clarifies the country of origin marking requirements for imported articles which are repacked or manipulated.

3. Subpart C contains a reorganization of all materials pertaining to country of origin marking requirements and exceptions relating to containers and holders based primarily on current Customs regulations, § 11.8 (h), (i), and (j) and on administrative practice under General Headnote 6, Tariff Schedules of the United States, as amended 19 U.S.C. 1202.

4. In Subpart D which sets forth in one place all exceptions to country of origin marking requirements:

Section 134.32 incorporates the general statutory and administrative exceptions to country of origin marking requirements.

Section 134.33 incorporates the exceptions to country of origin marking requirements under 19 U.S.C. 1304(a) (3) (J). A listing of articles currently excepted is provided.

5. In Subpart E which rearranges the present requirements of the regulations pertaining to the methods and location

of country of origin marking of imported products:

Section 134.42 is added to reflect the authority to require the marking of imported merchandise by a specific method in accordance with 19 U.S.C. 1304(a) (1).

Section 134.43 sets forth the specific methods of marking required for certain articles. The listing of items is the same as that in current § 11.8(d) except that items which form natural continuous groupings under the Tariff Schedules have been consolidated; i.e., note items 545.31-545.37; 660.92-660.94; and 712.47 through 712.49. A cross reference to the special marking requirements on watches and watch movements was inserted here as section 11.9 of the current Customs regulations is not covered by this revision.

6. In Subpart F which sets forth the procedure relating to imported articles found not to be legally marked:

Section 134.52 incorporates and reflects current administrative practice with respect to the use of "certificates of marking," and gives notice of criminal penalties in cases where a false certificate of marking is filed with the district director.

Section 134.54 clarifies the procedures with respect to merchandise which is not legally marked, procedures for redelivery, demand for liquidated damages and consequences of the failure to petition for relief from liquidated damages.

Section 134.55 clarifies the provisions relating to compensation of Customs officers who supervise the marking, destruction or exportation of merchandise which is not legally marked. The fourth sentence in current § 11.8(m) relative to charges " * * * less than 50 cents * * *" has been omitted on authority of T.D. 51075.

There is included as part of the proposed revision a parallel reference table showing the relationship between the proposed provisions and those in 19 CFR Chapter I.

Accordingly, it is proposed to amend the Customs regulations as set forth below:

PART 134—COUNTRY OF ORIGIN MARKING

- | | |
|--------|--|
| Sec. | |
| 134.0 | Scope. |
| | Subpart A—General Provisions |
| 134.1 | Definitions. |
| 134.2 | Additional duties. |
| 134.3 | Delivery withheld until marked and redelivery order. |
| 134.4 | Penalties for removal, defacement, or alteration of marking. |
| | Subpart B—Articles Subject to Marking |
| 134.11 | Country of origin marking required. |
| 134.12 | Foreign articles reshipped from a U.S. possession. |
| 134.13 | Imported articles repacked or manipulated. |
| 134.14 | Articles usually combined. |

Subpart C—Marking of Containers or Holders

- | | |
|--------|---|
| Sec. | |
| 134.21 | Special marking. |
| 134.22 | General rules for marking of containers or holders. |
| 134.23 | Containers or holders designed for or capable of reuse. |
| 134.24 | Containers or holders not designed for or capable of reuse. |

Subpart D—Exceptions to Marking Requirements

- | | |
|--------|--|
| 134.31 | Requirements of other agencies. |
| 134.32 | General exceptions to marking requirements. |
| 134.33 | J-List exceptions. |
| 134.34 | Certain repacked articles. |
| 134.35 | Articles substantially changed by manufacture. |
| 134.36 | Inapplicability of exceptions. |

Subpart E—Method and Location of Marking Imported Articles

- | | |
|--------|--|
| 134.41 | Methods and manner of marking. |
| 134.42 | Specific method may be required. |
| 134.43 | Methods of marking specific articles. |
| 134.44 | Location and other acceptable methods of marking. |
| 134.45 | Approved markings of country name. |
| 134.46 | Marking when name of country or locality other than country of origin appears. |
| 134.47 | Souvenirs and articles marked with trademarks or trade names. |

Subpart F—Articles Found Not Legally Marked

- | | |
|--------|--|
| 134.51 | Procedure when importation found not legally marked. |
| 134.52 | Certificate of marking. |
| 134.53 | Examination packages. |
| 134.54 | Articles released from Customs custody. |
| 134.55 | Compensation of Customs officers and employees. |

AUTHORITY: The provisions of this Part 134 are issued under R.S. 251, as amended, secs. 304, 624, 46 Stat. 687, as amended, 759, 77A Stat. 14; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11), 1304, 1624.

§ 134.0 Scope.

This part sets forth regulations implementing the country of origin marking requirements and exceptions of section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), together with certain marking provisions of the Tariff Schedules of the United States (19 U.S.C. 1202). It also contains provisions regarding false or misleading markings as to the country of origin. The consequences and procedures to be followed when articles are not legally marked are also set forth. Special marking and labeling requirements are covered elsewhere.

Subpart A—General Provisions

§ 134.1 Definitions.

When used in this part, the following terms shall have the meaning indicated:

(a) *Country*. "Country" means the political entity known as a nation. Colonies, possessions, or protectorates outside the boundaries of the mother country are considered separate countries.

(b) *Country of origin.* "Country of origin" means the country of manufacture, production, or growth of any article of foreign origin entering the United States. Further work or material added to an article in another country must effect a substantial transformation in order to render such other country the "country of origin" within the meaning of this part.

(c) *Foreign origin.* "Foreign origin" refers to a country of origin other than the United States, as defined in paragraph (e) of this section, or its possessions and territories.

(d) *Ultimate purchaser.* The "ultimate purchaser" is generally the last person in the United States who will receive the article in the form in which it was imported. It is not feasible to state who will be the "ultimate purchaser" in every circumstance. The following examples may be helpful:

(1) If an imported article will be used in manufacture, the manufacturer may be the "ultimate purchaser" if he subjects the imported article to a process which results in a substantial transformation of the article, even though the process may not result in a new or different article.

(2) If the manufacturing process is merely a minor one which leaves the identity of the imported article intact, the consumer or user of the article, who obtains the article after the processing, will be regarded as the "ultimate purchaser."

(3) If an article is to be sold at retail in its imported form, the purchaser at retail is the "ultimate purchaser."

(4) If the imported article is distributed as a gift the recipient is the "ultimate purchaser."

(e) *United States.* "United States" includes all territories and possessions of the United States, except the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam.

(f) *Customs territory of the United States.* "Customs territory of the United States," as used in this chapter includes the States, the District of Columbia, and the Commonwealth of Puerto Rico.

§ 134.2 Additional duties.

Articles not marked as required by this part shall be subject to additional duties of 10 percent of the final appraised value unless exported or destroyed under Customs supervision prior to liquidation of the entry, as provided in paragraph (c) of section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304(c)). The 10 percent additional duty is assessable for failure either to mark the article (or container) to indicate the English name of the country of origin of the article or to include words or symbols required to prevent deception or mistake.

§ 134.3 Delivery withheld until marked and redelivery order.

Until every article (or its container) previously released and all imported articles held in Customs custody for inspection, examination or appraisal are marked, or until the estimated duties

payable under 19 U.S.C. 1304(c) have been deposited, articles held in Customs custody shall not be delivered and redelivery to Customs custody may be ordered of all articles previously released. Nothing in this part shall be construed as excepting any article (or its container) from the particular requirements of marking provided for in any other provision of law.

§ 134.4 Penalties for removal, defacement, or alteration of marking.

Any intentional removal, defacement, destruction, or alteration of a marking of the country of origin required by section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304), and this part in order to conceal this information may result in criminal penalties of up to \$5,000 and/or imprisonment for 1 year, as provided in section 304(e), Tariff Act of 1930, as amended (19 U.S.C. 1304(e)).

Subpart B—Articles Subject to Marking

§ 134.11 Country of origin marking required.

Unless excepted by law, section 304, Tariff Act of 1930, as amended (19 U.S.C. 1304), requires that every article of foreign origin (or its container) imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or container) will permit, in such manner as to indicate to an ultimate purchaser in the United States the English name of the country of origin of the article, at the time of importation into the Customs territory of the United States. Containers of articles excepted from marking shall be marked with the name of the country of origin of the article unless the container is also excepted from marking.

§ 134.12 Foreign articles reshipped from a U.S. possession.

Articles of foreign origin imported into any possession of the United States outside its Customs territory and reshipped to the United States are subject to all marking requirements applicable to like articles of foreign origin imported directly from a foreign country to the United States.

§ 134.13 Imported articles repacked or manipulated.

(a) *Marking requirement.* An article within the provisions of this section shall be marked with the name of the country of origin at the time the article is withdrawn for consumption unless the article and its container are exempted from marking under provisions of Subpart D of this part at the time of importation.

(b) *Applicability.* The provisions of this section are applicable to the following articles:

(1) Articles repacked in a bonded warehouse under § 19.8 of this chapter;

(2) Articles manipulated under section 562, Tariff Act of 1930, as amended (19 U.S.C. 1562), and § 19.11 of this chapter;

(3) Articles manipulated, but not manufactured, in a foreign-trade zone under § 146.32 of this chapter.

§ 134.14 Articles usually combined.

(a) *Articles combined before delivery to purchaser.* When an imported article is of a kind which is usually combined with another article after importation but before delivery to an ultimate purchaser and the name indicating the country of origin of the article appears in a place on the article so that the name will be visible after such combining, the marking shall include, in addition to the name of the country of origin, words or symbols which shall clearly show that the origin indicated is that of the imported article only and not that of any other article with which the imported article may be combined after importation.

(b) *Example.* Labels and similar articles so marked that the name of the country of origin of the label or article is visible after it is affixed to another article in this country shall be marked with additional descriptive words such as "Label made (or printed) in (name of country)" or words of similar meaning. See Subpart C of this part for marking of bottles, drums, or other containers.

(c) *Applicability.* This section shall not apply to articles of a kind which are ordinarily so substantially changed in the United States that the articles in their changed condition become products of the United States. An article excepted from marking under Subpart D of this part is not within the scope of section 304(a)(2), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(2)), and is not subject to the requirements of this section.

Subpart C—Marking of Containers or Holders

§ 134.21 Special marking.

This subpart includes only country of origin marking requirements and exceptions under section 304(b), Tariff Act of 1930, as amended (19 U.S.C. 1304(b)), for containers or holders. Special marking may be required by the Internal Revenue Service on alcoholic beverage bottles and other requirements may be imposed by reason of the nature of the contents by other Government agencies.

§ 134.22 General rules for marking of containers or holders.

(a) *Contents excepted from marking.* When an article is excepted from the marking requirements by Subpart D of this part, the outermost container or holder in which the article ordinarily reaches the ultimate purchaser shall be marked to indicate the country of origin of the article whether or not the article is marked to indicate its country of origin.

(b) *Containers or holders treated as imported articles.* Containers or holders for imported merchandise subject to treatment as imported articles within the purview of general headnote 6, Tariff Schedules of the United States (19 U.S.C. 1202), shall be marked to indicate clearly the country of their own origin in addition to any marking which may be required to show the country of origin of their contents.

(c) *Containers or holders bearing a U.S. address.* Containers or holders of imported merchandise bearing the name and address of an importer, distributor, or other person or company in the United States shall be marked in close proximity to the U.S. address to indicate clearly the country of origin of the contents with a marking such as "Contents made in France" or "Contents Product of Spain."

(d) *Exceptions.* Containers or holders of imported articles are not required to be marked if:

(1) *Excepted articles.* They are containers or holders of articles within the exceptions set forth in paragraph (f), (g), or (h) in § 134.32.

(2) *Excepted containers or holders.* The container or holder itself is within an exception set forth in Subpart D of this part.

(3) *To be filled by the importer.* The container or holder is within the exception set forth in § 134.24(c).

§ 134.23 Containers or holders designed for or capable of reuse.

(a) *Usual and ordinary reusable containers or holders.* Containers or holders designed for or capable of reuse after the contents have been consumed, whether imported full or empty, must be individually marked to indicate the country of their own origin with a marking such as, "Container Made in (name of country)." Examples of the containers or holders contemplated are heavy duty steel drums, tanks, and other similar shipping, storage, transportation containers or holders capable of reuse. These containers or holders are subject to the treatment specified in headnote 6(b) (ii), Tariff Schedules of the United States (19 U.S.C. 1202).

(b) *Other reusable containers or holders.* Containers or holders within the purview of headnote 6(b) (iii), Tariff Schedules of the United States (19 U.S.C. 1202), must be individually marked to clearly indicate their own origin with a marking such as, "Container made in (name of country)." Examples of the containers contemplated are mustard jars reusable as beer mugs; shaving soap containers reusable as shaving mugs; fancy cologne bottles reusable as flower vases, and other containers which have a lasting value or decorative use.

§ 134.24 Containers or holders not designed for or capable of reuse.

(a) *Containers ordinarily discarded after use.* Disposable containers or holders subject to the provisions of this section are the usual ordinary types of containers or holders, including cans, bottles, paper or polyethylene bags, paperboard boxes, and similar containers or holders which are ordinarily discarded after the contents have been consumed.

(b) *Imported empty.* Disposable containers or holders imported for distribution or sale are subject to treatment as imported articles in accordance with general headnote 6(a), Tariff Schedules of the United States (19 U.S.C. 1202), and shall be marked to indicate clearly the

country of their own origin. However, when the containers are packed and sold in multiple units (dozens, gross, etc.), this requirement ordinarily may be met by marking the outermost container which reaches the ultimate purchaser.

(c) *Imported to be filled—(1) If unmarked.* When disposable containers or holders are imported by persons or firms who fill or package them with various products which they sell, these persons or firms are the "ultimate purchasers" of these containers or holders and they may be excepted from individual marking pursuant to 19 U.S.C. 1304(a) (3) (D). The outside wrappings or packages containing the containers shall be clearly marked to indicate the country of origin.

(2) *If marked.* If the disposable containers or holders are marked with the country of origin at the time of importation and the marking will be visible after they are filled, the marking shall clearly indicate that the container only and not the contents were made in the named country. For example, bottles, drums, or other containers imported empty, to be filled in the United States, shall be marked with such words as "Bottle (or container) made in (name of country)."

(d) *Imported full—(1) When contents are excepted from marking.* Usual disposable containers in use as such at the time of importation shall not be required to be marked to show the country of their own origin, but shall be marked to indicate the origin of their contents regardless of the fact that the contents are excepted from marking requirements.

(2) *Sealed containers or holders.* Disposable containers or holders of imported merchandise, which are sold without normally being opened by the ultimate purchaser (e.g., individually wrapped soap bars or tennis balls in a vacuum sealed can), shall be marked to indicate the country of origin of their contents.

(3) *Unsealed containers.* Unsealed disposable containers of imported merchandise normally unopened by the ultimate purchaser, may be excepted from marking if the article is so marked that the country of origin is clearly visible without unpacking the container. However, if the container is normally opened by the ultimate purchaser prior to purchase, only the article need be marked.

Subpart D—Exceptions to Marking Requirements

§ 134.31 Requirements of other agencies.

Nothing in this subpart shall be construed as excepting any article (or its container) from the particular requirements of marking provided for in any other provision of any law, such as those of the Federal Trade Commission, Food and Drug Administration, and other agencies.

§ 134.32 General exceptions to marking requirements.

The articles described or meeting the specified conditions set forth below are excepted from marking requirements

(see Subpart C of this part for marking of the containers):

(a) Articles that are incapable of being marked;

(b) Articles that cannot be marked prior to shipment to the United States without injury;

(c) Articles that cannot be marked prior to shipment to the United States except at an expense economically prohibitive of its importation;

(d) Articles for which the marking of the containers will reasonably indicate the origin of the articles;

(e) Articles which are crude substances;

(f) Articles imported for use by the importer and not intended for sale in their imported or any other form;

(g) Articles to be processed in the United States by the importer or for his account otherwise than for the purpose of concealing the origin of such articles and in such manner that any mark contemplated by this part would necessarily be obliterated, destroyed, or permanently concealed;

(h) Articles for which the ultimate purchaser must necessarily know the country of origin by reason of the circumstances of their importation or by reason of the character of the articles even though they are not marked to indicate their origin;

(i) Articles which were produced more than 20 years prior to their importation into the United States;

(j) Articles entered or withdrawn from warehouse for immediate exportation or for transportation and exportation;

(k) Products of American fisheries which are free of duty;

(l) Products of possessions of the United States;

(m) Products of the United States exported or returned;

(n) Articles exempt from duty under § 8.3 or 9.6 of this chapter; and

(o) Articles which cannot be marked after importation except at an expense that would be economically prohibitive unless the importer, producer, seller, or shipper failed to mark the articles before importation to avoid meeting the requirements of the law.

§ 134.33 J-List exceptions.

Articles of a class or kind listed below are excepted from the requirement of country of origin marking in accordance with the provisions of section 304(a) (3) (J), Tariff Act of 1930, as amended (19 U.S.C. 1304(a) (3) (J)). However, in the case of any article described in this list which is imported in a container, the outermost container in which the article ordinarily reaches the ultimate purchaser is required to be marked to indicate the origin of its contents in accordance with the requirements of Subpart C of this part. All articles are listed in Treasury Decisions 49690, 49835, and 49896. A reference different from the foregoing indicates an amendment.

Articles	References	Articles	References
Art. works of.		Natural products, such as vegetables, fruits, nuts, berries, and live or dead animals, fish and birds; all the foregoing which are in their natural state or not advanced in any manner further than is necessary for their safe transportation.	
Articles classifiable under items 850.40, 850.70, 851.30, and 853.30, Tariff Schedules of the United States.	T.D. 66-153.	Nets, bottle, wire.	
Articles entered in good faith as antiques and rejected as unauthentic.		Paper, newsprint.	
Bagging, waste.		Paper, stencil.	
Bags, jute.		Paper, stock.	
Bands, steel.		Parchment and vellum.	
Beads, unstrung.		Parts for machines imported from same country as parts.	
Bearings, ball, $\frac{5}{8}$ -inch or less in diameter.		Pickets (wood).	
Blanks, metal, to be plated.		Pins, tuning.	T.D. 71-89.
Bodies, harvest hat.		Pipes, iron or steel, and pipe fittings of cast or malleable iron (except cast iron soil pipe and fittings).	
Bolts, nuts, and washers.		Plants, shrubs and other nursery stock.	
Briarwood in blocks.		Plugs, tie.	
Briquettes, coal or coke.		Poles, bamboo.	
Buckles, 1 inch or less in greatest dimension.		Posts (wood), fence.	
Burlap.		Pulpwood.	
Buttons.		Rags (including wiping rags).	
Cards, playing.		Rails, joint bars, and tie plates covered by item 610.20 through 610.26, Tariff Schedules of the United States.	
Cellophane and celluloid in sheets, bands, or strips.		Ribbon.	
Chemicals, drugs, medicinal, and similar substances, when imported in capsules, pills, tablets, lozenges, or troches.		Rivets.	
Cigars and cigarettes.		Rope, including wire rope; cordage; cords; twines, threads, and yarns.	
Covers, straw bottle.		Scrap and waste.	
Dies, diamond wire, unmounted.		Screws.	
Dowels, wooden.		Shims, track.	
Effects, theatrical.		Shingles (wood), bundles of (except bundles of red-cedar shingles).	T.D. 49750.
Eggs.		Skins, fur, dressed or dyed.	
Feathers.		Skins, raw fur.	
Firewood.		Sponges.	
Flooring, not further manufactured than planed, tongued and grooved.	T.D.s 49750; 50366(6).	Springs, watch.	
Flowers, artificial, except bunches.		Stamps, postage and revenue, and other articles covered in item 274.40, Tariff Schedules of the United States.	T.D. 66-153.
Flowers, cut.		Staves (wood), barrel.	
Glass, cut to shape and size for use in clocks, hand, pocket, and purse mirrors, and other glass of similar shapes and sizes, not including lenses or watch crystals.		Steel, hoop.	
Glides, furniture, except glides with prongs.		Sugar, maple.	
Hairnets.		Ties (wood), railroad.	
Hides, raw.		Tiles, not over 1 inch in greatest dimension.	
Hooks, fish. (except snelled fish hooks)	T.D. 50205(3).	Timbers, sawed.	
Hoops (wood), barrel.		Tips, penholder.	
Laths.		Trees, Christmas.	
Leather, except finished.		Weights, analytical and precision in sets.	T.D.s 49750; 51802.
Livestock.		Wicking, candle.	
Lumber, sawed.	T.D.s 49750; 50366(6).	Wire, except barbed.	
Metal bars, except concrete reinforcement bars; billets, blocks, blooms; ingots; pigs; plates; sheets; except galvanized sheets; shafting; slabs; and metal in similar forms.			
Mica not further manufactured than cut or stamped to dimensions, shape or form.			
Monuments.			
Nails, spikes, and staples.			

of the articles to an ultimate purchaser in the United States.

(2) The importer arranges for supervision of the marking of the containers by Customs officers at the importer's expense or secures such verification, as may be necessary, by certification and the submission of a sample or otherwise, of the marking prior to the liquidation of the entry.

(b) *Liquidation of entries.* The liquidation of such entries may be deferred for a period of not more than 60 days from the date that a request for repacking is granted. Extensions of the 60-day deferral period may be granted by the district director in his discretion upon written application by the importer.

§ 134.35 Articles substantially changed by manufacture.

An article used in the United States in manufacture which results in an article having a name, character, or use differing from that of the imported article, will be within the principle of the decision in the case of *United States v. Gibson-Thomsen Co., Inc.*, 27 C.C.P.A. 267 (C.A.D. 98). Under this principle, the manufacturer or processor in the United States who converts or combines the imported article into the different article will be considered the "ultimate purchaser" of the imported article within the contemplation of section 304(a), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)), and the article shall be excepted from marking. The outermost containers of the imported articles shall be marked in accord with this part.

§ 134.36 Inapplicability of exceptions.

(a) *Processed articles capable of marking.* An article which is to be processed in the United States by the importer or for his account shall not be considered to be within the specifications of section 304(a)(3)(G), of the Tariff Act of 1930, as amended (19 U.S.C. 1304(a)(3)(G)), if there is a reasonable method of marking which will not be obliterated, destroyed, or permanently concealed by such processing.

(b) *Articles or container bearing misleading markings.* An exception from marking shall not apply to any article or retail container bearing any words, letters, names, or symbols described in § 134.46 or 134.47 which imply that an article was made or produced in a country other than the actual country of origin.

Subpart E—Method and Location of Marking Imported Articles

§ 134.41 Methods and manner of marking.

(a) *Suggested methods of marking.* Section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), requires that the marking of the country of origin be legible, indelible, and permanent. Definite methods of marking are prescribed only for articles provided for in § 134.43 and for articles which are the objects of special rulings by the Commissioner of Customs. As a general rule, marking requirements are best met by marking

§ 134.34 Certain repacked articles.

(a) *Exception for repacked articles.* An exception under § 134.32(d) may be authorized in the discretion of the district director for imported articles which are to be repacked after release from Customs custody under the following conditions:

(1) The containers in which the articles are repacked will indicate the origin

worked into the article at the time of manufacture. For example, it is suggested that the country of origin on metal articles be die sunk, molded in or etched; on earthenware or chinaware be glazed on in the process of firing; and on paper articles be imprinted.

(b) *Degree of permanence and visibility.* The degree of permanence should be at least sufficient to insure that in any reasonably foreseeable circumstance, the marking shall remain on the article (or its container) until it reaches the ultimate purchaser unless it is deliberately removed. The marking must survive normal store handling. The ultimate purchaser in the United States must be able to find the marking easily and read it without strain.

§ 134.42 Specific method may be required.

Marking merchandise by specific methods, such as die stamping, cast-in-the-mold lettering, etching, or engraving, or cloth labels may be required by the Commissioner of Customs in accordance with section 304(a), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)). Notices of such rulings shall be published in the FEDERAL REGISTER and the Customs Bulletin.

§ 134.43 Methods of marking specific articles.

(a) *Marking required by certain provisions of the Tariff Act of 1930.* Articles such as knives, clippers, shears, safety razors, surgical instruments, scientific and laboratory instruments, pliers, pinners, vacuum containers, and parts thereof shall be marked legibly and conspicuously by die stamping, cast-in-the-mold lettering, etching (acid or electrolytic), engraving, or by means of metal plates which bear the prescribed marking and which are securely attached to the article in a conspicuous place by welding, screws, or rivets. The articles such as those referred to are classifiable under the following items of the Tariff Schedules of the United States:

545.31-545.37	683.40	710.50
648.63	683.95	710.60
648.71	684.40	710.61
648.73	686.70	710.63
648.75	708.78	710.76
648.81	708.82	710.80
648.85	709.7	711.08
648.91	709.13	711.25
649.71-650.49	709.15	711.42
650.61-650.75	709.19-709.27	711.45
650.79-650.91	709.56	711.88
651.13	710.04	712.15
660.92-660.94	710.08	712.20
661.70	710.12	712.47-712.49
661.90	710.36	726.10
661.95	710.42	

(b) *Watch, clock, and timing apparatus.* The country of origin marking requirements on watches, clocks, and timing apparatus are intensive and require special methods. (See § 11.9 of this chapter and schedule 7, part 2, subpart E, headnotes 4 and 5 of the Tariff Schedules of the United States (19 U.S.C. 1202)).

§ 134.44 Location and other acceptable methods of marking.

(a) *Other acceptable methods.* Except for articles classifiable under an item specified in § 134.43 of this part or the subject of a ruling by the Commissioner of Customs, any method of marking at any location insuring that country of origin will conspicuously appear on the article shall be acceptable. Such marking must be legible and sufficiently permanent so that it will remain on the article (or its container when the container and not the article is required to be marked) until it reaches the ultimate purchaser unless deliberately removed.

(b) *Articles marked with paper sticker labels.* If paper sticker or pressure sensitive labels are used, they must be affixed in a conspicuous place and so securely that unless deliberately removed they will remain on the article while it is in storage or on display and until it is delivered to the ultimate purchaser.

(c) *Articles marked with tags.* When tags are used, they must be attached in a conspicuous place and in a manner which assures that unless deliberately removed they will remain on the article until it reaches the ultimate purchaser.

§ 134.45 Approved markings of country name.

(a) *English language.* The markings required by this part shall include the English name of the country of origin, unless other marking to indicate the English name of the country of origin is specifically authorized by the Commissioner of Customs. Notice of acceptable markings other than the English name of the country of origin shall be published in the FEDERAL REGISTER and the Customs Bulletin.

(b) *Abbreviations and variant spellings.* Abbreviations which unmistakably indicate the name of a country, such as "Gt. Britain" for "Great Britain" or "Luxemb" and "Luxembg" for "Luxembourg" are acceptable. Variant spellings which clearly indicate the English name of the country of origin, such as "Brasil" for "Brazil" and "Italie" for "Italy," are acceptable.

(c) *Adjectival form.* The adjectival form of the name of a country shall be accepted as a proper indication of the name of the country of origin of imported merchandise provided the adjectival form of the name does not appear with other words so as to refer to a kind or species of product. For example, such terms as "English walnuts" or "Brazil nuts" are unacceptable.

(d) *Colonies, possessions, or protectorates.* The name of a colony, possession, or protectorate outside the boundaries of the mother country shall usually be considered acceptable marking. When the Commissioner of Customs finds that the name is not sufficiently well known to insure that the ultimate purchasers will be fully informed of the country of origin, or where the name appearing alone may cause confusion, deception, or mistake, clarifying words shall be required. In such cases, the Commissioner of Customs shall specify in decisions

published in the FEDERAL REGISTER and the Customs Bulletin the additional wording to be used in conjunction with the name of the colony, possession, or protectorate.

§ 134.46 Marking when name of country or locality other than country of origin appears.

In any case in which the words "United States," or "American," the letters "U.S.A.," any variation of such words or letters, or the name of any city or locality in the United States, or the name of any foreign country or locality other than the country or locality in which the article was manufactured or produced, appear on an imported article or its container, there shall appear, legibly and permanently, in close proximity to such words, letters or name, and in at least a comparable size, the name of the country of origin preceded by "Made in," "Product of," or other words of similar meaning.

§ 134.47 Souvenirs and articles marked with trademarks or trade names.

When as part of a trademark or trade name or as part of a souvenir marking, the name of a location in the United States or "United States" or "America" appear, the article shall be legibly, conspicuously, and permanently marked to indicate the name of the country of origin of the article preceded by "Made in," "Product of," or other similar words, in close proximity or in some other conspicuous location.

Subpart F—Articles Found Not Legally Marked

§ 134.51 Procedure when importation found not legally marked.

(a) *Notice to mark.* When articles or containers are found upon examination not to be legally marked, the district director shall notify the importer on Customs Form 4647 to arrange with the district director's office to properly mark the articles or containers, or to return all released articles to Customs custody for marking, exportation, or destruction.

(b) *Identification of articles.* When an imported article which is not legally marked is to be exported, destroyed, or marked under Customs supervision, the identity of the imported article shall be established to the satisfaction of the district director.

(c) *Supervision.* Verification of marking, exportation, or destruction of articles found not to be legally marked shall be at the expense of the importer and shall be performed under Customs supervision unless the district director accepts a certificate of marking as provided for in § 134.52 in lieu of marking under Customs supervision.

§ 134.52 Certificate of marking.

(a) *Applicability.* District directors may accept certificates of marking supported by samples of articles required to be marked, for which Customs Form 4647 was issued, from importers or from actual owners complying with the provision of § 8.18(d) of this chapter, to certify that marking of the country of origin

on imported articles as required by this part has been accomplished.

(b) *Filing of certificates of marking.* The certificates of marking shall be filed in duplicate with the district director, and a sample of the marked merchandise shall accompany the certificate. The district director may waive the production of the marked sample when he is satisfied that the submission of such sample is impracticable.

(c) *Notice of acceptance.* The district director shall notify the importer or actual owner when the certificate of marking is accepted. Such notice of acceptance may be granted on the duplicate copy of the certificate of marking by use of a stamped notation of acceptance. The district director is authorized to spot check the marking of articles on which a certificate has been filed. If a spot check is performed, the approved copy of the certificate, if approval is granted, shall be returned to the importer or actual owner after the spot check is completed.

(d) *Filing of false certificate of marking.* If a false certificate of marking is filed with the district director indicating that goods have been properly marked when in fact they have not been so marked, a seizure shall be made or claim for forfeiture value reported under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592). In addition, in cases involving willful deceit, a criminal case report may be made charging a violation of section 1001, title 18, United States Code, which provides for a fine up to \$10,000 and/or imprisonment up to 5 years for anyone who willfully conceals a material fact or uses any document knowing the same to contain any false or fraudulent statement in connection with any matter within the jurisdiction of an agency of the United States.

(e) *Authority to require physical supervision when deemed necessary.* The district director may require physical supervision of marking as specified in § 134.51(c) in those cases in which he determines that such action is necessary to insure compliance with this part. In such cases the expenses of the Customs officer shall be reimbursed to the Government as provided for in § 134.55.

§ 134.53 Examination packages.

(a) *Site of marking.*—(1) *Customs custody.* Articles (or containers) in examination packages may be marked by the importer at the place where they have been discharged from the importing or bonded carrier or in the public stores.

(2) *Importer's premises or elsewhere.* If it is impracticable to mark the articles (or containers) in examination packages as provided in subparagraph (1) of this paragraph, the merchandise may be turned over to the importer after the amount of duty estimated to be payable under 19 U.S.C. 1304(c) has been deposited to insure compliance with the marking requirements and the payment of any additional expense which will be incurred on account of Customs supervision. (See § 134.55.)

(b) *Failure to export, destroy, or properly mark merchandise in examina-*

tion packages. If the articles (or containers) in examination packages are not exported, destroyed, or properly marked by the importer within a reasonable time (not more than 30 days), they shall be sent to general-order stores for disposition in accordance with Part 20 of this chapter, unless covered by a warehouse entry. If covered by a warehouse entry, they shall be sent to the warehouse containing the rest of the shipment for marking prior to withdrawal.

§ 134.54 Articles released from Customs custody.

(a) *Order for redelivery.* When articles subject to marking have been released from Customs custody and are found on examination to be not legally marked, the district director shall issue a notice of redelivery (Customs Form 4647) ordering the importer to mark or to redeliver to Customs custody for exportation or destruction of all merchandise released to the importer.

(b) *Demand for liquidated damages.* If within 30 days from the date of the notice of redelivery the importer does not redeliver or properly mark all merchandise previously released to him, the district director shall demand payment of liquidated damages incurred under the bond in an amount equal to the entered value of the articles not returned, plus any estimated duty thereon as determined at the time of entry.

(c) *Failure to petition for relief.* A written petition addressed to the Commissioner of Customs for relief from the payment of liquidated damages may be filed with the district director in accord with Part 172 of this chapter. If a petition for relief from the payment of liquidated damages is not filed or payment of the liquidated damages is not made within a period of 60 days after the demand for payment, or if the liquidated damages are not paid within 60 days after the denial of the petition for relief, the district director shall in accord with Part 172 of this chapter report the matter to the U.S. attorney for prosecution.

(d) *Relief from full liquidated damages.* Any relief from the payment of the full liquidated damages incurred will be contingent upon the deposit of the marking duty required by section 304(c) of the Tariff Act of 1930, as amended (19 U.S.C. 1304(c)), and the satisfaction of the district director that the importer was not guilty of negligence or bad faith in permitting the illegally marked articles to be distributed, has been diligent in attempting to secure compliance with the marking requirements, and has attempted by all reasonable means to effect redelivery of the merchandise.

§ 134.55 Compensation of Customs officers and employees.

(a) *Time for which compensation is charged.* The time for which compensation is charged shall include all periods devoted to supervision and all periods during which Customs officers or employees are away from their regular posts of duty by reason of such assignment and for which compensation to such officers and employees is provided for by law.

(b) *Applicability.*—(1) *Official hours.* The compensation of Customs officers and employees assigned to supervise the exportation, destruction, or marking of articles so as to exempt them from the application of marking duties shall be computed in accordance with § 19.5(b) of this chapter when such supervision is performed during a regularly scheduled tour of duty.

(2) *Overtime.* When such supervision is performed by a Customs officer or employee in an overtime status, the compensation with respect to the overtime shall be computed in accordance with § 24.16 of this chapter.

(c) *Expenses included.* In formulating charges for expenses pertaining to supervision of exportation, destruction, or marking, there shall be included all expenses of transportation, per diem allowance in lieu of subsistence, and all other expenses incurred by reason of such supervision from the time the Customs officer leaves his official station until he returns thereto.

(d) *Services rendered for more than one importer.* If the importations of more than one importer are concurrently supervised, the service rendered for each importer shall be regarded as a separate assignment, but the total amount of the compensation, and any expenses properly applicable to more than one importer, shall be equitably apportioned among the importers concerned.

Prior to the adoption of the revision, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Washington, D.C. 20226, and received not later than 60 days from the date of publication of this notice in the FEDERAL REGISTER.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.3(b) of the Customs regulations (19 CFR 103.3(b)), at the Division of Regulations, Bureau of Customs, Washington, D.C., during regular business hours.

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved: January 21, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary
of the Treasury.

PARALLEL REFERENCE TABLE

(This table shows the relation of sections in proposed Part 134 to 19 CFR Part 11)

Proposed part	19 CFR section
134 section:	
134.0	None
134.1(a)	11.8(a)
134.1(b)	11.8(c)
134.1(c)	None
134.1(d)	11.8(e)
134.1(e)	None
134.1(f)	None
134.2	11.8(k)
134.3	None
134.4	None
134.11	None
134.12	11.8(f)
134.13	11.8(l)
134.14(a)-(c)	11.8(g)
134.21	None

Proposed part 134 section:	19 CFR section
134.22(a) -----	11.8(h)&(l)
134.22(b) -----	11.8(j)
134.22(c) -----	None
134.22(d) -----	11.8(i)
134.23(a) -----	None
134.23(b) -----	None
134.24(a) -----	None
134.24(b) -----	11.8(j)
134.24(c) (1) -----	None
134.24(c) (2) -----	11.8(g)
134.24(d) (1)-(3) -----	None
134.31 -----	None
134.32 -----	11.10(a)&(b)
134.33 -----	11.10(a)
134.34(a)&(b) -----	11.10(a)
134.35 -----	11.8(e)
134.36(a)&(b) -----	11.10(a)
134.41(a) -----	11.8(a)&(d)
134.41(b) -----	11.8(d)
134.42 -----	None
134.43(a) -----	11.8(d)
134.43(b) -----	11.9
134.44(a)-(c) -----	11.8(d)
134.45(a)-(c) -----	11.8(b)
134.45(d) -----	11.8(a)
134.46 -----	11.8(a) (1&2)
134.47 -----	11.8(a) (3)
134.51(a) -----	11.11(a)
134.51(b) -----	11.8(k)
134.51(c) -----	11.11(a)
134.52(a)-(e) -----	None
134.53(a) (1)-(2) -----	11.11(b)
134.53(b) -----	11.11(b)
134.54(a) -----	11.11(a)
134.54(b) -----	11.11(c)
134.54(c)&(d) -----	11.11(c)&(d)
134.55(a)-(d) -----	11.8(m)

[FR Doc.72-1554 Filed 2-1-72; 8:52 am]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 982]

FILBERTS GROWN IN OREGON AND WASHINGTON

Transfer of Excess Restricted Credits

Notice is hereby given of a proposal to amend Subpart—Administrative Rules and Regulations (7 CFR 982.432-982.471) operative pursuant to the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982; 37 F.R. 588), regulating the handling of filberts grown in Oregon and Washington (hereinafter referred to collectively as the "order"). The order is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal is based on a unanimous recommendation of the Filbert Control Board.

Recent amendment of the order added a new paragraph (d) to § 982.52. This paragraph provides, in part, that handlers who dispose of a quantity of merchantable filberts, in restricted outlets, in excess of their restricted obligation, may transfer such excess credits to another handler or handlers. That paragraph also provides for the Board, with the approval of the Secretary, to establish rules and regulations for the transfer of excess restricted credits. The proposal is to include a new § 982.460 in the administrative rules and regulations pre-

scribing procedural rules and regulations for such transfer.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than 7 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

A new section, § 982.460 is added to Subpart—Administrative Rules and Regulations (7 CFR 982.432-982.471) to read:

§ 982.460 Transfer of excess restricted credits.

(a) *Notification.* Each handler having excess restricted credits who wants to transfer all or a portion thereof to another handler or handlers, may notify the Board accordingly. The Board shall make available to all handlers such information on a weekly basis.

(b) *Application.* Each handler who has excess restricted credits which he desires to transfer to another handler may submit such a request to the Board on FCB Form 10. This form shall include: (1) The name and signature of the handler requesting the transfer; (2) the name and signature of the designated handler to whom the transfer is to be made; (3) the amount of excess restricted credits to be transferred; and (4) such other information as may be needed by the Board to enable the Board to effect the requested transfer of the excess restricted credits.

(c) *Transfer.* The Board shall transfer the requested amount of the excess restricted credits from one handler to a designated handler upon receipt of a completed FCB Form 10 together with such information as may be required by this section.

Dated: January 27, 1972.

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

[FR Doc.72-1501 Filed 2-1-72; 8:48 am]

[7 CFR Part 993]

DRIED PRUNES PRODUCED IN CALIFORNIA

Proposed Nominations for Membership

Notice is hereby given of a proposal to revise paragraph (a) of § 993.128 of Subpart—Administrative Rules and Regulations (7 CFR 993.101-993.174). The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing

Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposal was recommended by the Prune Administrative Committee and would revise the description of the boundaries of six of the seven independent producer election districts set forth in said paragraph (a). The boundaries of these districts are being changed so that the districts will have, insofar as practicable, equal representation by number of independent producers and production of dried prunes by such producers, as required by § 993.28.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than 7 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is to revise paragraph (a) of § 993.128 of Subpart—Administrative Rules and Regulations (7 CFR 993.101-993.174) to read as follows:

§ 993.128 Nominations for membership.

(a) *Districts.* In accordance with the provisions of § 993.28, the districts referred to therein are described as follows:

District No. 1. That portion of Sutter County south of a line extending along Nuestro Road, easterly to the Yuba County line and westerly to the Colusa County line.

District No. 2. The county of Butte, and all that portion of Sutter County not included in District No. 1.

District No. 3. The counties of Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, Siskiyou, Sonoma, and Trinity.

District No. 4. The counties of Alameda, Contra Costa, San Francisco, San Mateo, Santa Cruz, Solano, and that portion of Santa Clara County north of a straight line extending along Miramonte Avenue, northeasterly to the Stanislaus County line, and southwesterly to the Santa Cruz County line.

District No. 5. The counties of Monterey, San Benito, and all that portion of Santa Clara County not included in District No. 4.

District No. 6. The counties of Amador, Fresno, Merced, Placer, Sacramento, San Joaquin, San Luis Obispo, Stanislaus, Tulare, Yuba, and all the counties in the area not included in Districts Nos. 1 through 5, inclusive, and in District No. 7.

District No. 7. The counties of Colusa, Glenn, Shasta, Tehama, and Yolo.

* * * * *

Dated: January 27, 1972.

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

[FR Doc.72-1502 Filed 2-1-72; 8:49 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[50 CFR Part 280]

YELLOWFIN TUNA

Eastern Pacific Tuna Fisheries

The resolution adopted by the Inter-American Tropical Tuna Commission at its annual meeting January 6-13, 1972, in Tokyo, Japan, recommends to continue in 1972 the fishing program in effect during 1971.

Experience gained since the adoption of the yellowfin tuna regulations effective May 7, 1971 (36 F.R. 8515-8519), subsequently amended on June 12, 1971 (36 F.R. 11441), prescribing the restrictions on the taking of yellowfin tuna from a defined area of the eastern Pacific Ocean, has demonstrated, however, a need for additions to make them more effective in implementing the yellowfin conservation measures recommended by the Commission. These additions are in the form of new or modified radio reporting and inspection requirements appearing in §§ 280.6 and 280.7 of the proposed regulations presented below.

The Commission's resolution for 1972, as in 1971, allows vessels of less than 400 short tons carrying capacity to fish for yellowfin tuna within the regulatory area during the closed season under such restrictions as may be necessary to limit the catch of yellowfin by such vessels to 6,000 short tons during 1972.

To assure that the special allocation for each vessel category under 400 short tons carrying capacity is not overutilized, it is proposed that the original catch limitations of 1971 for such vessels in each group shall again apply for 1972. The proposed yellowfin tuna incidental catch limitation for each vessel group is as follows:

(1) Purse seiners of 301 to 400 short tons carrying capacity; 40 percent by round weight of each vessel's total catch.

(2) Purse seiners of 300 short tons carrying capacity or less; 50 percent by round weight of each vessel's total catch.

(3) Bait and jig boats; 50 percent by round weight of each vessel's established short ton carrying capacity.

In the past few years, the total carrying capacity for purse seiners of 301 to 400 tons capacity and for seiners of less than 300 tons capacity has decreased significantly. It is, therefore, proposed that the 6,000 short ton allotment for vessels less than 400 tons carrying capacity shall be redistributed for 1972. The proposed allocation for each vessel group is as follows:

(1) Purse seiners of 301 to 400 short tons carrying capacity; 900 short tons.

(2) Purse seiners of 300 short tons carrying capacity or less; 3,100 short tons.

(3) Bait and jig boats; 2,000 short tons.

In addition to the proposed amendments and small boat limitations noted above, numerous editorial changes have been made throughout the 1971 regula-

tions to present them in an orderly sequence and to clarify their meaning for use in 1972. The regulations have, therefore, been redrafted in their entirety and are presented below;

Before final adoption of amendments, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Regional Director, Pacific Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, CA 90731, within the period of 14 days from the date of publication of this notice in the FEDERAL REGISTER. Interested persons will also be afforded an opportunity to comment orally on the proposed amendments at a public hearing to be held in the United Portuguese Club, 2818 Addison Street, San Diego, CA, beginning at 9:30 a.m., February 15, 1972. Any person who intends to present views orally at this hearing is requested to furnish in writing his name and the name of the organization he represents, if any, to the said Regional Director.

The proposed amendments are issued under the authority contained in subsection (c) of section 6 of the Tuna Conventions Act of 1950 as amended (16 U.S.C. 955(e)) as modified by Reorganization Plan No. 4, effective October 3, 1970 (35 F.R. 15627).

Issued at Washington, D.C., and dated February 2, 1972.

PHILIP M. ROEDEL,
Director,

National Marine Fisheries Service.

PART 280—YELLOWFIN TUNA

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280.1	Definitions.
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AUTHORITY: The provisions of this Part 280 issued under 64 Stat. 777, as amended, 16 U.S.C. 951, as modified by Reorganization Plan No. 4, effective Oct. 3, 1970 (35 F.R. 15627).

§ 280.1 Definitions.

For the purposes of this part, the following terms shall be understood to mean:

(a) *United States.* All areas under the sovereignty of the United States, the Trust Territory of the Pacific Islands, and the Canal Zone.

(b) *Convention.* The Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, D.C., May 31, 1949, by the

United States of America and the Republic of Costa Rica (1 U.S.C. 230).

(c) *Commission.* The Inter-American Tropical Tuna Commission established pursuant to the Convention.

(d) *Director of Investigations.* The Director of Investigations, Inter-American Tropical Tuna Commission, La Jolla, Calif.

(e) *Service Director.* The Director of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce.

(f) *Regional Director.* The Regional Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, CA, telephone number, area code 213, 831-9281, Extension 575.

(g) *Regulatory area.* All waters of the eastern Pacific Ocean bounded by the mainland of the Americas and the following lines: Beginning at a point on the mainland where the parallel of 40° north latitude intersects the coast; thence due west to the meridian of 125° west longitude; thence due south to the parallel of 20° north latitude; thence due east to the meridian of 120° west longitude; thence due south to the parallel of 5° north latitude; thence due east to the meridian of 110° west longitude; thence due south to the parallel of 10° south latitude; thence due east to the meridian of 90° west longitude; thence due south to the parallel of 30° south latitude; thence due east to a point on the mainland where the parallel of 30° south latitude intersects the coast.

(h) *Yellowfin tuna.* No other fishes except the species *Thunnus albacares*.

(i) *Mingled species.* (1) Any species of billfish or shark.

(2) No other species of the family Scombridae except: Skipjack (*Euthynnus pelamis*), bigeye (*Thunnus obesus*), bluefin (*Thunnus thynnus*), albacore (*Thunnus alalunga*), or bonito (*Sarda chiliensis*).

(j) *Fishing vessel.* All watercraft subject to the jurisdiction of the United States which are used for catching or processing fish, except purse seine skiffs.

(k) *Fishing voyage.* The period between the date a fishing vessel departs from any port to carry out fishing operations and the date such vessel unloads any of its catch or the date such vessel returns to any port for the express purpose of receiving an inspection by a designated agent of the National Marine Fisheries Service.

(l) *Cargo vessel.* All watercraft which are used for transporting fish or fish products, except fishing vessels.

(m) *Person.* Individual, association, corporation, or partnership subject to the jurisdiction of the United States.

(n) *Open season.* The time during which yellowfin tuna may lawfully be captured without limitation by any fishing vessel operating within the regulatory area.

(o) *Closed season.* The time during which yellowfin tuna may not be captured in the regulatory area, except in limited quantities as an incident to fishing for species with which yellowfin may be mingled.

§ 280.2 Basis and purpose.

(a) At a special meeting held at Long Beach, Calif., on September 14, 1961, the Commission recommended to the Governments of Costa Rica, Ecuador, Panama, and the United States of America, parties to the Convention, that they take joint action to limit the annual catch of yellowfin tuna from the eastern Pacific Ocean by fishermen of all nations during the calendar year 1962. This recommendation was made pursuant to paragraph 5 of Article II of the Convention on the basis of scientific investigations conducted by the Commission over a period of time dating from 1951. The most recent years of this period were marked by a substantial increase in fishing effort directed toward the yellowfin tuna stocks, resulting in a rate of exploitation of these stocks greater than that at which the maximum sustainable yield may be obtained. The Commission's recommendation for joint action by the parties to regulate the yellowfin tuna fishery has as its objective the restoration of these stocks to a level of abundance, which will permit maximum sustainable catch and the maintenance of the stocks in that condition in the future.

(b) At each annual meeting held since 1962, the Commission affirmed its conclusions regarding the need for regulating the yellowfin tuna fishery in the eastern Pacific Ocean and at each meeting recommended to the parties to the Convention that they take joint action to:

(1) Establish a prescribed tonnage limit on the total catch of yellowfin tuna by the fishermen of all nations during each calendar year from an area of the eastern Pacific Ocean defined by the Commission;

(2) Establish open and closed seasons for yellowfin tuna under prescribed conditions;

(3) Permit the landing of an incidental catch by weight of yellowfin tuna, when landed with one or more of the following fishes usually caught mingled with yellowfin tuna, that are taken on a fishing trip begun after the close of the yellowfin tuna fishing season: Skipjack tuna, bigeye tuna, bluefin tuna, albacore tuna, bonito, the billfishes, and the sharks; and

(4) Obtain from governments not parties to the Convention, but having vessels which operate in the fishery, cooperation in effecting the recommended conservation measures.

(c) The regulations in this part are designed to implement the Commission's recommendations for the conservation of yellowfin tuna so far as they affect vessels and persons subject to the jurisdiction of the United States.

§ 280.3 Catch limits.

The annual limitation on the quantity of yellowfin tuna permitted to be taken from the regulatory area by the fishing vessels of all nations participating in the fishery will be fixed and determined on the basis of recommendations made by the Commission pursuant to paragraph 5 of Article II of the Convention. Upon approval by the Secretary of State

and the Secretary of Commerce of the recommended catch limit, announcement of the catch limit thus established shall be made by the Service Director through publication of a suitable notice in the FEDERAL REGISTER. The Service Director, in like manner, shall announce any revision or modification of an approved annual catch limit which may subsequently enter into force.

§ 280.4 Open season.

The open season for yellowfin tuna fishing shall begin annually at 0001 hours on the first day of January and terminate at 0001 hours on a date to be announced as provided in § 280.5. Time in hours shall refer to local time in the area affected.

§ 280.5 Closed season.

Pursuant to authority granted by the Commission, the Director of Investigations will determine the date on which he deemed that the yellowfin fishing season should close and will promptly notify the service Director of such date. The Service Director shall then announce the season closure date thus established by publication of a notice in the FEDERAL REGISTER. The closure date so announced shall be final except that if it shall at any time become evident to the Director of Investigations that the closure date initially determined had been affected by changed circumstances, he may substitute another date which shall be announced by the Service Director in like manner as provided for the date originally determined.

§ 280.6 Open season restrictions applicable to fishing vessels.

(a) During the open yellowfin tuna season, every fishing vessel operating within the regulatory area shall transmit once each calendar week a message between 0900 and 2400 hours local California time. The message shall be transmitted directly to the Director of Investigations through the shore representative of the fishing vessel and shall state: the name of the reporting vessel and the tonnage by species of fish aboard. The above reporting procedure shall go into effect on a date to be announced by the Service Director through publication of a notice in the FEDERAL REGISTER.

(b) During the open yellowfin tuna season, every fishing vessel operating in the Pacific Ocean, but outside the regulatory area, shall transmit daily a message between 0800 and 1000 hours local California time. The message shall be transmitted directly to Coast Guard Radio New Orleans (NMG) on frequency 16,565.0, 12,421.0, or 8,281.2 KHz and shall state: "This message is being transmitted in compliance with the U.S. eastern tropical Pacific yellowfin tuna regulations, and confirms that the vessel (name of reporting vessel) is fishing in the Pacific Ocean, but outside the regulatory area as of this date (give date)." After a date to be announced by the Service Director through publication of a notice in the FEDERAL REGISTER, transmissions required under this paragraph (b) shall be sent to Coast Guard Radio San Francisco

(NMC) on frequency 16,565.0, 12,421.0, or 8,281.2 KHz.

§ 280.7 Closed season restrictions applicable to fishing vessels.

Except as otherwise provided in this section, after notice has been published in the FEDERAL REGISTER announcing closure of the yellowfin season, it shall be unlawful for any person or fishing vessel to land yellowfin tuna captured from within the regulatory area in any port or place until the season reopens on the following January 1.

(a) Any fishing vessel which has departed port to engage in tuna fishing, prior to the date of closure of the yellowfin season, may continue to capture yellowfin tuna within the regulatory area without restriction until the fishing voyage has been completed.

(1) In addition, for 1972 only, any fishing vessel which has completed a voyage in the regulatory area during the open season, and is in port on the date of the season closure, will be allowed one additional unrestricted fishing voyage provided that departure is made within 30 days thereafter.

(2) For the purpose of the above, departure refers to the date a vessel leaves port prepared to carry out fishing operations. A stopover at a single intermediate port, not exceeding 48 hours, may, however, be made to meet deficiencies in outfitting, supplying, fueling, provisioning or manning needs for a fishing voyage. Remaining in excess of 48 hours shall constitute a new fishing voyage corresponding to the delayed departure date.

(b) Any fishing vessel which departs port on a fishing voyage after closure of the yellowfin season, except as provided in paragraph (a) of this section, may land yellowfin tuna captured from within the regulatory area in any port or place in limited quantities as provided in subparagraphs (1) to (4) of this paragraph as an incident to fishing for species with which yellowfin may be mingled. The Service Director may, however, through publication of a notice in the FEDERAL REGISTER adjust the incidental catch limitations to assure that the special allotments designated for vessels under 400 short tons carrying capacity are not underutilized and the 15 percent overall incidental catch for the entire tuna fleet is not exceeded. Any quantity of yellowfin tuna landed in excess of the limitations provided in subparagraphs (1) to (4) of this paragraph shall be subject to seizure and forfeiture pursuant to the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951-961).

(1) Purse seiners over 400 short tons carrying capacity may land in any port or place yellowfin tuna captured from within the regulatory area as an incident to fishing for species with which yellowfin may be mingled, but in no event shall any such vessel be permitted to land yellowfin tuna in excess of 15 percent by round weight of its total catch.

(2) Purse seiners of 301 to 400 short tons carrying capacity may land in any port or place yellowfin tuna captured from within the regulatory area as an incident to fishing for species with which

yellowfin may be mingled, but in no event shall any such vessel be permitted to land yellowfin tuna in excess of 40 percent by round weight of its total catch. When the catch of yellowfin tuna by purse seiners of 301 to 400 short tons capacity reaches 900 short tons, the amount of yellowfin tuna which any such vessel may lawfully land will revert to 15 percent by round weight of its total catch. After a date to be announced through publication of a notice in the FEDERAL REGISTER by the Service Director, any vessel departing on a fishing voyage shall be subject to this reversion limitation of 15 percent.

(3) Purse seiners of 300 short tons carrying capacity or less may land in any port or place yellowfin tuna captured from within the regulatory area as an incident to fishing for species with which yellowfin may be mingled, but in no event shall any such vessel be permitted to land yellowfin tuna in excess of 50 percent by round weight of its total catch. *Provided however*, That local wetfish seiners may accumulate the 50 percent allowance by weight for the separate period from the date of closure of the yellowfin fishing season until the end of that month, and for each separate period consisting of 1 calendar month thereafter provided such vessels have not landed any yellowfin tuna during the open season and make deliveries only on a daily basis. When the catch of yellowfin tuna by purse seiners of 300 short tons capacity or less reaches 3,100 short tons, the amount of yellowfin tuna which any such vessel may lawfully land will revert to 15 percent by round weight of its total catch. After a date to be announced through publication of a notice in the FEDERAL REGISTER by the Service Director, any vessel departing on a fishing voyage shall be subject to this reversion limitation of 15 percent.

(4) Bait and jig boats may land in any port or place yellowfin tuna captured from within the regulatory area, but in no event shall any such vessel be permitted to land yellowfin tuna in excess of 50 percent by round weight of its short ton carrying capacity once established in accordance with subparagraph (5) of this paragraph. When the catch of yellowfin tuna by bait and jig boats collectively reaches 2,000 short tons, the amount of yellowfin tuna which any such vessel may lawfully land will revert to 15 percent by round weight of its total catch. After a date to be announced through publication of a notice in the FEDERAL REGISTER by the Service Director, any vessel departing on a fishing voyage shall be subject to this reversion limitation of 15 percent.

(5) The short ton capacity of vessels will be determined from tables prepared by the Commission which relate carrying capacity to registered tonnages and from official unloading records available to the National Marine Fisheries Service.

(1) Managing owners of purse seine vessels between 301 and 400 short tons carrying capacity will be notified by registered mail that their vessel is in this category and is subject to the provisions of subparagraph (2) of this paragraph.

(ii) Managing owners of vessels of 300 short tons carrying capacity or less will be notified by registered mail that their vessel is in this category and is subject to the provisions of subparagraph (3) of this paragraph.

(iii) Except as provided below for bait and jig boats, managing owners not receiving notification by registered mail can assume that their vessel is over 400 short tons carrying capacity and is subject to the provisions of subparagraph (1) of this paragraph.

(iv) To qualify for the bait and jig boat yellowfin allocation, managing owners of such vessels shall supply the Regional Director documentation concerning the gross and net tonnage of their vessels together with records of prior unloadings. This information will be used by the Regional Director to establish the short ton carrying capacity of each vessel. Failure to comply shall result in each such vessel being limited to 15 percent yellowfin tuna by round weight of its total catch. This 15 percent limitation shall remain in effect until the aforesaid documentation is furnished by the vessel's managing owner.

(c) Any fishing vessel operating within the regulatory area which began its fishing voyage during the closed season and is restricted to the catch limitations as provided in paragraph (b) of this section shall be subject to such limitation regardless of its arrival date in port. In addition, any vessel so restricted which discharges some but not all of its catch, shall be subject to the same restrictions upon completion of its next fishing voyage.

(d) Any fishing vessel electing to fish exclusively in the Pacific Ocean, but outside the regulatory area, shall report to the Regional Director, within 48 hours before leaving port, giving the name of the reporting vessel and the port of departure; within 24 hours before leaving the regulatory area, giving the latitude of departure and the approximate time of departure; and within 24 hours before returning to the regulatory area, giving the latitude of reentry, the approximate time of reentry and the tonnage by species of fish abroad.

(1) In addition, every fishing vessel operating in the Pacific Ocean, but outside the regulatory area, shall transmit daily a message between 0800 and 1000 hours local California time. The message shall be transmitted directly to Coast Guard Radio New Orleans (NMG) on frequency 16,565.0, 12,421.0, or 8,281.2 KHz and shall state: "This message is being transmitted in compliance with the U.S. eastern tropical Pacific yellowfin tuna regulations, and confirms that the vessel (name of reporting vessel) is fishing in the Pacific Ocean, but outside the regulatory area as of this date (give date)." Any vessel failing to receive acknowledgement from Coast Guard New Orleans, must transmit the same message on the following day. Should the vessel fail to receive acknowledgement within three consecutive days, the vessel's radio equipment shall be considered inoperative and the vessel shall return directly

to port without delay to unload or to receive an inspection by a designated agent of the National Marine Fisheries Service. After a date to be announced by the Service Director through publication of a notice in the FEDERAL REGISTER, transmissions required under this subparagraph (1) shall be sent to Coast Guard Radio San Francisco (NMC) on frequency 16,565.0, 12,421.0, or 8,281.2 KHz.

(2) Any vessel failing to file the reports and to follow the procedures of this paragraph, shall be restricted to the incidental catch limitations set forth in paragraph (b) of this section for its entire fishing voyage.

(e) Any fishing vessel electing to fish exclusively in the Pacific Ocean, but outside the regulatory area, shall proceed without delay to waters outside the regulatory area and upon reentering the regulatory area, shall proceed directly to port without delay.

(1) If a vessel must, however, make an emergency port call, it shall proceed directly to port without delay and shall notify the Regional Director, not less than 48 hours prior to arrival, giving the name of the port to be entered. If the vessel elects to resume fishing outside the regulatory area, it must follow the procedures required in paragraph (d) of this section and shall proceed without delay directly to waters outside the regulatory area.

(2) Any vessel failing to file the reports and to follow the procedures of this paragraph, shall be restricted to the incidental catch limitations set forth in paragraph (b) of this section for its entire fishing voyage.

(f) Any fishing vessel which on the same voyage operates within and outside the regulatory area shall be subject to the incidental catch limitations as set forth in paragraph (b) of this section, unless such vessel is made available for inspection as provided in this paragraph.

(1) Any fishing vessel electing to change fishing areas, without having that portion of its catch taken outside the regulatory area restricted to such incidental catch limitations, shall request inspection services from the Regional Director. Vessels within the regulatory area shall report not less than 48 hours prior to electing to leave the area, stating their intention and requesting the designation of an inspection port. Vessels outside the area shall report within 24 hours before returning to the regulatory area, stating their intention, requesting the designation of an inspection port, and giving the latitude of reentry, the approximate time of reentry and the tonnage by species of fish aboard. Upon notification by the Regional Director of the availability of an inspection port, each vessel shall proceed directly without delay to such port for inspection by a designated agent of the National Marine Fisheries Service. Official seals will be affixed to wells containing fish captured within or outside the regulatory area, as appropriate, and the same will be noted in the vessel's log. Upon arrival at point of sale or delivery, the

official seals will be removed by a designated agent of the National Marine Fisheries Service.

(2) Any vessel failing to file the reports and to follow the procedures of this paragraph, tampering with or removing an official seal or altering the vessel's log, shall be restricted to the incidental catch limitations set forth in paragraph (b) of this section for its entire fishing voyage.

(g) All fishing vessels, except vessels proceeding directly to Puerto Rico or to any other U.S. port for unloading, shall notify the Regional Director not less than 48 hours prior to leaving the regulatory area via the Panama Canal. In addition, all fishing vessels, except vessels without fish aboard, shall notify the Regional Director not less than 48 hours prior to entering the regulatory area via the Panama Canal. Each report shall include the name of the reporting vessel, the tonnage by species of fish aboard and whether the fish were caught in or outside the regulatory area in Pacific waters or from Atlantic waters. Any vessel failing to file the reports and to follow the procedures of this paragraph, shall be restricted to the incidental catch limitations set forth in paragraph (b) of this section for its entire fishing voyage, regardless of its arrival date in port.

(h) All fishing vessels shall notify the Regional Director not less than 48 hours prior to any sale or delivery in a foreign country, of fish caught in the Pacific Ocean from within or outside the regulatory area. Such reports shall include the tonnage by species unloaded and whether such fish were caught in or out of the regulatory area. Vessels that are permanently based in a foreign country, and routinely unload in that country, are required to make such reports only when unloading in a country other than that in which they are based.

(i) All fishing vessels shall notify the Regional Director not less than 48 hours prior to transferring fish caught in the Pacific Ocean from within or outside the regulatory area to another vessel for the purpose of transshipment. Such reports shall include the date and place of unloading, name and destination of the on-carrying vessel, tonnage by species of fish transferred and whether the transferred fish were caught in or outside the regulatory area.

(j) All reports required in paragraphs (d) to (i) of this section, except messages transmitted directly to Coast Guard Radio New Orleans, shall be telephoned to area code 714, telephone number 233-5511. Such reports, which must be delivered within the time limits specified, may be made by prepaid commercial radio message or relayed through the shore representative of the reporting vessel.

§ 280.8 Emergency action by Service Director.

If during the closed yellowfin season, the Service Director finds that the provisions relating to fishing outside the regulatory area are inadequate to insure that the recommendations of the Com-

mission are met, he shall announce such findings through publication of a notice in the FEDERAL REGISTER and immediately thereafter:

(a) Every fishing vessel at sea, having yellowfin tuna aboard in excess of the incidental catch limitations as provided in § 280.7(b) which is claimed to have been captured outside the regulatory area, but in the Pacific Ocean, shall return directly without delay to its home port or port of departure to unload or to receive an inspection by a designated agent of the National Marine Fisheries Service. Any vessel failing to comply with the above requirements, shall be restricted to the incidental catch limitations set forth in § 280.7(b) for its entire fishing voyage.

(b) Any fishing vessel which has operated in the regulatory area at any time during the calendar year and which departs on any fishing voyage within the Pacific Ocean after the notice described in this section is published in the FEDERAL REGISTER, shall be restricted to the incidental catch limitations as provided in § 280.7(b).

§ 280.9 Restrictions applicable to cargo vessels.

(a) Any fishing vessel shall be deemed to have completed a fishing voyage whenever any part of its catch is transferred to a cargo vessel in conformity with the requirements of this section.

(b) In keeping with the provisions of section 251, title 46, United States Code, no foreign-flag vessel, whether documented as cargo vessel or otherwise, is permitted to land in a port of the United States any fish or fish products taken on board such vessel on the high seas.

(c) The transfer of fish from a fishing vessel to a cargo vessel while in a foreign country or in waters over which such country has recognized jurisdiction is subject to the applicable laws and regulations of such foreign country.

(d) During the closed yellowfin tuna season, no fishing vessel shall transfer on the high seas any part of its catch to a cargo vessel documented under the laws of the United States and no such cargo vessel shall receive, possess, or bring to any place in the United States, fish taken on board on the high seas from a fishing vessel unless the cargo vessel shall hold a permit issued in conformity with paragraph (e) of this section.

(e) Upon written application made to him, the Regional Director may issue a permit authorizing a cargo vessel documented under the laws of the United States to receive, possess, and transport to the United States, fish transferred from fishing vessels on the high seas during the closed yellowfin tuna season. Such permit may authorize the possession and transportation of yellowfin tuna by a cargo vessel without regard to the quantities of fish received, but it shall contain restrictions, as the Regional Director shall determine to be necessary, to achieve compliance with the regulations in this part and the objectives of the yellowfin tuna conservation program.

§ 280.10 Restrictions applicable to purchasers.

(a) Except as provided in paragraphs (b) and (d) of this section, it shall be unlawful for any person knowingly to receive, purchase, sell, offer for sale, import, export, or have in custody, possession, or control any yellowfin tuna taken or retained by a fishing vessel in violation of the regulations in this part.

(b) In view of the perishable nature of yellowfin tuna when not processed otherwise than by chilling or freezing, any person authorized to enforce the regulations in this part may cause to be sold, and any person may purchase, for not less than its reasonable market value such quantities of perishable yellowfin tuna as may be seized and forfeited pursuant to the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951-956).

(c) The proceeds of any sale made pursuant to paragraph (b) of this section after deducting the reasonable costs of the sale, if any, shall be remitted by the purchaser to the Regional Director for deposit and retention in the Suspense Account of the National Marine Fisheries Service (Account No. 14X6875(17)) pending judgment of the court or other disposition of the case.

(d) If a duly constituted official acting under authority and in behalf of a State of the United States, of the Commonwealth of Puerto Rico, or of American Samoa seizes any yellowfin tuna under the applicable laws or regulations of such government, such yellowfin tuna may be forfeited and sold or otherwise disposed of pursuant to such laws or regulations. Any yellowfin tuna so seized by an official of a State, the Commonwealth of Puerto Rico or American Samoa shall not be seized by an officer or employee of the Federal Government unless it is voluntarily turned over to him to be processed against under applicable Federal laws or regulations.

§ 280.11 Recordkeeping and written reports.

(a) The master or other person in charge of a tuna vessel or such person as may be authorized in writing to serve as the agent of either of such persons shall throughout the open and closed yellowfin tuna fishing seasons:

(1) Keep an accurate log of all operations conducted from the vessel entering therein for each day the date, noon position (stated in latitude and longitude or in relation to known physical features), and the tonnage of fish aboard by species. The record and bridge log maintained at the request of the Commission shall be sufficient to comply with this paragraph provided the items of information specified herein are fully and accurately entered in such log.

(2) Furnish on a form obtainable from the Regional Director, following the sale or delivery of a catch of fish made by such vessel, a report, certified to be correct as to facts within the knowledge of the reporting individual, giving the name and official number of the fishing vessel, the dates of beginning and ending of the fishing voyage, the port of departure, and a listing separately by

species of the round weight quantities (pounds or short tons) of fish sold or delivered. At the option of the vessel master or other person in charge, a copy of the fish ticket, weighout slip, settlement sheet, or similar record issued by the fish dealer or his agent may, however, be used for reporting purposes in lieu of the form obtainable from the Regional Director, if such alternate record is similarly certified and contains all items of information required by this paragraph. In addition, any vessel landing its catch in California and reporting by means of a copy of the California fish ticket, the California Fish and Game boat number may be indicated in lieu of the vessel's official number. Such sale and delivery reports shall be delivered or mailed to the Regional Director within 72 hours after the weighout has been completed.

(b) Any person authorized to carry out enforcement activities under the regulations in this part and any person authorized by the Commission shall have power, without warrant or other process to inspect, at any reasonable time, log books, catch reports, statistical records, or other reports as required by the regulations in this part to be made, kept or furnished.

§ 280.12 Persons and vessels exempted.

Nothing contained in §§ 280.2 to 280.11 shall apply to:

(a) Any person or vessel authorized by the Commission, the Service Director, or any State of the United States to engage in fishing for research purposes.

(b) Any person or vessel engaged in sport fishing for personal use.

§ 280.13 National Oceanic and Atmospheric Administration employees designated as enforcement agents.

Any employee of the National Oceanic and Atmospheric Administration duly appointed and authorized to enforce Federal laws and regulations administered by the National Oceanic and Atmospheric Administration is authorized and empowered to carry out enforcement activities under the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951-961).

§ 280.14 State officers designated as enforcement agents.

Any officer or employee of a State of the United States, of the Commonwealth of Puerto Rico or of American Samoa who has been duly designated by the Service Director or his delegate with the consent of the Government concerned, is authorized to function as a Federal law enforcement agent and to carry out enforcement activities under the Tuna Conventions Act of 1950, as amended (16 U.S.C. 951-961).

[FR Doc.72-1505 Filed 2-1-72; 8:49 am]

Patent Office

[37 CFR Part 1]

FORMULA AND TABLE FORMAT

Proposed Submission Requirements

Notice is hereby given that, pursuant to the authority contained in section 6

of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6), the Patent Office proposes to amend Title 37 of the Code of Federal Regulations by revising § 1.52 and by adding a new § 1.58.

All persons are invited to present their views, objections, recommendations, or suggestions in connection with the proposed changes to the Commissioner of patents, Washington, D.C. 20231, before April 30, 1972. No oral hearing will be held. Any written comments or suggestions may be inspected by any person upon written request a reasonable time after the closing date for submitting comments.

These proposed rule changes are intended to facilitate the examination, microfilming, and printing of patent applications and patents.

When patents are printed, all complex chemical and mathematical formulas and tables appearing in the text must be specially hand set and then inserted into a space left on the composed page. The hand setting is expensive and results in many errors which must later be corrected by Certificates of Correction. The use of submitted camera copy for printing would be inexpensive and error free. Members of both the legal and scientific communities have indicated that errors in printing formulas and tables are a problem.

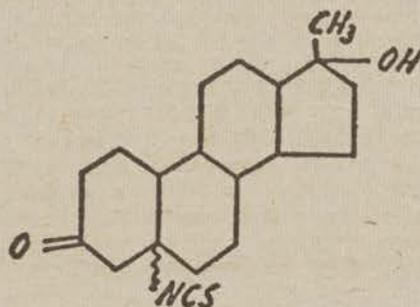
Under the proposed rules the applicant would furnish a copy of all tables and complex formulas, each having an identifying number, on bristolboard sheets or the like in a form suitable for use as camera copy for printing. The submitted specification would contain at the appropriate location either a copy of the insert plus its identifying number or the identifying number and a blank space. Although the applications would be submitted with the formulas and tables on sheets separate from the specification texts, the patents would continue to be printed with the formulas in the text.

The formulas and tables could be corrected and amended in the same manner as drawings.

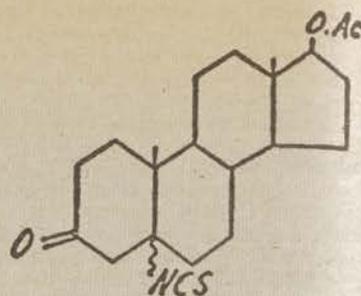
The following is an example of how a sheet of inserts might appear.

Chemical Composition
John Doe
Docket #123
1 sheet

Insert (1):



Insert (2):



Insert (3):

Inside of example	10/E speed	Gamma	Fog	Density	Printing rate
1.....	1.45	2.10	0.01	3.71	-38
3.....	2.7	2.46	.01	3.41	-6
4.....	1.8	2.02	.01	3.55	-20
5.....	3.15	2.38	.22	3.67	-6
6.....	2.10	2.00	.01	3.92	-18
7.....	1.95	2.22	.01	3.63	-26
9.....	2.2	2.10	.01	3.63	-18
10.....	1.85	1.78	.01	3.25	-38
11.....	1.85	2.06	.01	3.57	-29
12.....	2.95	2.36	.01	3.57	-6

Insert (4):

$$\frac{d}{dx}(\text{arc vers } v) = \frac{dv}{2v - v^2}$$

Section 1.52, if amended as proposed, would require application papers in a form that would permit readily legible reproductions to be made and certified for use in foreign priority filings, court proceedings and 37 CFR 1.60 continuing applications.

The proposed changes are as follows:

1. Section 1.52 is revised to read as follows:

§ 1.52 Language, paper, writing, margins.

(a) The specification and oath or declaration must be in the English language. All papers which are to become a part of the permanent records of the Patent Office must be legibly written or printed in permanent ink or its equivalent in quality. All of the application papers must be presented in a form which has sufficient contrast between paper and ink and of sufficient clarity to permit the production of readily legible copies in any number by photography, electrostatic processes, photo offset, and microfilming. Substitute typewritten or printed papers and inserts (see § 1.58) may be required if the papers and inserts originally filed are not of the required quality.

(b) The application papers (specification and claims, oath, declaration, papers as provided for in §§ 1.42, 1.43, 1.47, etc.) and also papers subsequently filed, must be plainly written on but one side of the paper. A wide margin must be reserved on the left-hand side and on the top of each page and the lines must not be crowded too closely together. The size of the sheets of paper should be 8 to 8½ by 12½ to 13 inches (20.3 to 21.6 cm. by 31.8 to 33.0 cm.), or international A4 (21 cm. x 29.7 cm.). Use of typewritten and double spaced lines with margins of 1½ inches on the left-hand side and top

is deemed preferable. The pages of the specification, including those containing claims, should be numbered consecutively, starting with 1, the numbers being placed in the center of the bottom margins.

(c) Any interlineation, erasure, or cancellation or other alteration must have been made before the application was signed and sworn to or declaration made, and should be clearly referred to in a marginal note or footnote on the same sheet of paper, dated and initialed or signed by the applicant to indicate such fact. No such alterations are permissible after execution of the application papers. (See § 1.56)

2. A new § 1.58 is added to read as follows:

§ 1.58 Chemical and mathematical formulas and tables.

(a) The specification, including the claims, and the abstract may contain chemical and mathematical formulas, but shall not contain drawings or flow diagrams. The description portion of the specification and the abstract may contain tables; a claim may contain tables only if necessary to conform to 35 U.S.C. 112.

(b) In the application specification, one-line formulas composed of normal sized Roman and Greek letters and Arabic numerals with one level of superiors and inferiors may appear in the text. All other tables and chemical and mathematical formulas must be presented separately from the specification on pure white paper as defined in § 1.84 (a), for use as camera copy for insertion in the specification when printing any patent which may issue.

(c) The size of the separate insert sheets must be 8½ inches wide (21.6 cm.) by not more than 14 inches (35.6 cm.) or less than 10 inches (25.4 cm.) high. A space of at least 1 inch (2.54 cm.) in height must be left at the top of the sheet (the narrow dimension) for marking and fastening. The sheets may contain holes as defined in § 1.84(b) and identifying indicia as defined in § 1.84(1). Amendments may be made as provided for in § 1.123.

(d) All formulas and tables on the separate insert sheets should be consecutively numbered in the order in which they appear in the specification, and labeled at their upper left-hand corners with the word "Insert" before the number within parentheses (for example, "Insert (3)"). Formulas or tables which are to appear consecutively in a patent may be grouped and designated as a single insert. The location in the originally submitted specification where an insert is to appear in the printed patent should be indicated by a wide space and the appropriate insert designation.

(e) The width of such formulas and tables on the separate insert sheets should be limited normally to 5 inches (12.7 cm.). If it is not possible to limit the width of a formula or table to 5 inches (12.7 cm.), it is permissible to present the formula or table with a maximum width of 10¾ inches (27.3 cm.)

and to place it sideways on the insert sheet, if necessary, in which case the insert will appear printed across both columns of the page in the printed patent. The characters used in such formulas and tables must be from a type font having capital letters which are at least 0.086 inches (2.2 mm.) high (elite type). On the separate insert sheets a space at least three-eighths inch (9.5 mm.) high should be provided between the numbered inserts.

(f) In addition to the separate insert sheets, reproduction copies of the formulas and tables may be placed in the specification at the locations where they are to be printed. Such copies should, however, be labeled with an insert designation as provided in paragraph (d) of this section.

§ 1.75 [Amended]

3. Section 1.75 is amended by adding at the end of paragraph (d) (1) the expression, "(See § 1.58(a).)"

ROBERT GOTTSCHALK,
Acting Commissioner of Patents.

Approved: January 19, 1972.

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

[FR Doc.72-1394 Filed 2-1-72;8:45 am]

**DEPARTMENT OF
TRANSPORTATION**

**Coast Guard
[33 CFR Part 117]**

[CGFR 72-17]

BEAR CREEK, MD.

**Proposed Drawbridge Operation
Regulations**

The Coast Guard is considering revising the regulations for the Baltimore County Revenue Authority highway bridges across Bear Creek between Dundalk and Sparrows Point, miles 1.3 and 1.8, to require that the draws open on signal from 8 a.m. to 8 p.m. from March 1 through November 30. At all other times the draws shall open on signal if at least 12 hours' notice has been given. Present regulations require that the draws open on signal, except that from 12 midnight to 8 a.m. from April 16 through November 15, except Saturdays, Sundays, and national and State legal holidays, the draw shall open on signal if at least one-half hours' notice has been given. A decrease in vessel passage is the reason this change is being considered.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, VA 23705. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all

written communications received will be available for examination by interested persons at the office of the Commander, Fifth Coast Guard District.

The Commander, Fifth Coast Guard District, will forward any comments received before March 7, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.245(f)(5) to read as follows:

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

* * * * *

(f) * * *

(5) Bear Creek, Md.; The Baltimore County Revenue Authority highway bridges between Dundalk and Sparrows Point, miles 1.3 and 1.8. The draws shall open on signal from 8 a.m. to 8 p.m. from March 1 through November 30. At all other times the draws shall open on signal if at least 12 hours' notice has been given.

* * * * *

(Sec. 5, Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Dated: January 28, 1972.

J. M. AUSTIN,
*Captain, U.S. Coast Guard, Act-
ing Chief, Office of Marine
Environment and Systems.*

[FR Doc.72-1552 Filed 2-1-72;8:52 am]

[33 CFR Part 117]

[CGFR 72-15]

**ATLANTIC INTRACOASTAL
WATERWAY, BEAUFORT RIVER, S.C.**

**Proposed Drawbridge Operation
Regulations**

The Coast Guard is considering revising the regulations for the Ladies Island drawbridge across the Beaufort River, AIWW, Beaufort, S.C., to permit closed periods from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m., Monday through Saturday, except legal holidays. Public vessels of the United States, commercial tows, and vessels in distress would still be passed through the draw at any time. This revision is being considered because of an increase in vehicular traffic.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Seventh Coast Guard District, Room 1018, Federal Building, 51 Southwest First Avenue, Miami, FL

33136. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

The Commander, Seventh Coast Guard District, will forward any comments received before March 7, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by adding § 117.245(h) (9-a) to read as follows:

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

(h) * * *

(9-a) Ladies Island drawbridge, Beaufort River, AIWW, S.C.; The draw need not open from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.; Monday through Saturday, except legal holidays. However, public vessels of the United States, commercial tows and vessels in distress shall be passed at any time upon sounding 4 blasts of a whistle or horn or by shouting.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1(c) (4))

Dated: January 28, 1972.

J. M. AUSTIN,
Captain, U.S. Coast Guard, Acting Chief, Office of Marine Environment and Systems.

[FR Doc.72-1550 Filed 2-1-72; 8:51 am]

[33 CFR Part 117]

[CGFR 72-16]

OGDEN SLIP, CHICAGO, ILL.

Proposed Drawbridge Operation Regulations

The Coast Guard is considering amending the regulations for the drawbridge across Ogden Slip at Outer Drive to permit the draw to remain closed to the passage of vessels. This draw was last opened for the passage of a vessel on January 1, 1966.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Ninth Coast Guard District, 1240 East Ninth Street, Cleveland, OH 44199. Each person submitting comments should include his

name and address, identify the bridge; and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Ninth Coast Guard District.

The Commander, Ninth Coast Guard District, will forward any comments received before March 7, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by:

1. Revising § 117.633 by deleting reference to the Ogden Slip from the heading and from paragraph (a) (2) and revising the heading to read as follows:

§ 117.633 The Chicago River and its tributaries, except Ogden Slip.

(a) * * *

(2) Across the main river and across the South Branch of the Chicago River from its junction with the main river south to and including West Roosevelt Road, and across the North Branch of the Chicago River at West Kinzie Street and at the Northwest Expressway Feeder Bridge, between the hours of 7:30 a.m. and 10 a.m. and, on any day excepting Saturday, between the hours of 4 p.m. and 6:30 p.m. and on Saturdays between the hours of 12:30 p.m. and 2 p.m. and between 5 p.m. and 6 p.m.; *Provided, however,* That the Outer Link bridge across the main river shall be opened to permit the passage of passenger boats operating on a fixed schedule between 9:45 a.m. and 10 a.m.

2. Adding a new § 117.664 immediately after § 117.663 to read as follows:

§ 117.664 Ogden Slip, Chicago, Ill.

The draw need not open for the passage of vessels. The operating machinery need not be maintained.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1(c) (4))

Dated: January 28, 1972.

J. M. AUSTIN,
Captain, U.S. Coast Guard, Acting Chief, Office of Marine Environment and Systems.

[FR Doc.72-1551 Filed 2-1-72; 8:51 am]

[33 CFR Part 117]

[CGFR 72-18]

SAGINAW RIVER, MICH.

Proposed Drawbridge Operation Regulations

The Coast Guard is considering revising the regulations for the Belinda

Street Bridge across the Saginaw River at Bay City and for the Johnson Street and Genesee Avenue Bridges across the Saginaw River at Saginaw, to permit additional periods during which the draw of the Belinda Street Bridge may remain closed to the passage of pleasure craft and to require 3 hours' notice at all times for the Johnson Street and Genesee Avenue Bridges. The present regulations governing the Belinda Street Bridge permit the draw to remain closed to all vessels under 50 gross tons from 6:30 a.m. to 8:30 a.m. and 3:30 p.m. to 5:30 p.m. except Sundays and to all downbound vessels over 50 gross tons between 7:30 a.m. and 8:30 a.m. and 4:30 p.m. and 5:30 p.m. except Sundays and legal holidays observed in the locality. The proposed regulation would, in addition, permit the Belinda Street Bridge draw to remain closed to pleasure craft from 8 a.m. to 8 p.m. on weekends and holidays except from 3 minutes before through 3 minutes after the hour and half hour. The Johnson Street and Genesee Avenue Bridges are presently required to open upon signal from April 1 through November 15, from 7 a.m. to 11 p.m. The draws shall open on signal if at least 3 hours' notice has been given from 11 p.m. to 7 a.m. from April 1 through November 15 and from November 16 through March 31. The proposed regulation would require that the draws open on signal if at least 3 hours' notice has been given at all times. This change is being considered because of the limited number of vessels that request the opening of the draw of these bridges.

The changes to this section reflect the removal of the Cass Avenue Bridge at Bay City, delete reference to outdated telephone numbers which were used for advance notice as specified since the current numbers are required to be posted at the bridges affected, and include each bridge affected by closed periods.

An editorial revision of § 117.700 for the purpose of clarification, including a change in signals is proposed as well.

Interested parties may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Ninth Coast Guard District, 1240 East Ninth Street, Cleveland, OH 44199. Each person submitting comments should include his name and address, identify the bridge and give specific reasons for any recommended changes in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Ninth Coast Guard District.

The Commander, Ninth Coast Guard District, will forward any comments received before March 7, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, Washington, D.C., who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in light of the comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the

Code of Federal Regulations be amended by revising § 117.700 to read as follows:

§ 117.700 Saginaw River, Mich.; bridges.

(a) The owner of or agencies controlling each bridge shall provide the necessary drawtenders and the proper mechanical appliances for the safe, prompt opening of the draw for the passage of vessels.

(b) From March 16 through December 15 the draw of railroad bridges shall open as soon as possible, however passage of a vessel shall not be delayed for more than 15 minutes.

(c) Sound signals: These signals may be made by a whistle, horn, or other sound producing device or by shouting.

(1) The opening signal from a vessel is one long blast followed by one short blast.

(2) The acknowledging signal from the drawtender when the draw shall open is one long blast followed by one short blast.

(3) The acknowledging signal from the drawtender when the draw cannot open is four short, rapid blasts.

(d) Visual signals shall be used in conjunction with sound signals when sound signals cannot be heard.

(1) The vessel shall signal for an opening of the draw with a white flag by day or a green light at night, swung in full circles at arm's length in full sight of the bridge and facing the draw.

(2) When the draw will open, the drawtender shall acknowledge with a white flag by day or a green light at night swung up and down vertically.

(3) When the draw cannot open, the drawtender shall acknowledge with a red flag by day or a red light at night, swung to and fro horizontally in full sight of the vessel until answered from the vessel by the same signal. In lieu of this procedure the drawtender may have two red lights mounted 30 inches between centers, horizontally, in an elevated position above the bridge and visible both upstream and downstream which will flash alternately when the draw cannot open.

(e) Public vessels of the United States, vessels in distress, and State or local government vessels used for public safety shall be passed through the draw of these bridges as soon as possible at any time, even though closed periods be in effect. Four short blasts shall be the opening signal from these vessels.

(f) Trains and vehicles shall not be stopped on a bridge for the purpose of delaying its opening, nor shall vessels be handled so as to hinder or delay the operation of the draw. All passages across or through a bridge shall be prompt to prevent unnecessary delay to either land or water traffic.

(g) The draw need not open to provide additional clearance for appurtenances unessential for navigation of the vessel, or for appurtenances essential for navigation but which may be altered by hinging, telescoping, collapsing, or otherwise, so as to require no greater clearance than the highest fixed and essentially unalterable point of the vessel.

(h) Bay City highway and railroad bridges:

(1) From December 16 through March 15 the draws of the highway bridges shall open on signal if at least 12 hours' notice has been given to the Dispatcher, Police Department, Bay City.

(2) From March 16 through December 15 the draws of the Belinda Street, Third Street, Veterans Memorial and Lafayette Street Bridges shall open on signal, except that:

(i) From 6:30 a.m. to 8:30 a.m. and 3:30 p.m. to 5:30 p.m., the draws need not open for the passage of vessels of less than 50 gross tons, except on Sundays, and

(ii) From 7:30 a.m. to 8:30 a.m. and 4:30 p.m. to 5:30 p.m., the draws need not open for the passage downbound of vessels of over 50 gross tons, except on Sundays and legal holidays observed in the locality, and

(iii) From 8 a.m. to 8 p.m. the draw of the Belinda Street Bridge need not open on Saturdays, Sundays, and legal holidays observed in the locality except from 3 minutes before to 3 minutes after the hour and half hour.

(3) The draws of the Detroit and Mackinac, and the Penn Central railroad bridges shall open on signal from March 16 through December 15.

(i) The draws shall open on signal from December 16 through March 15 if at least 12 hours' notice has been given.

(1) I-75 highway bridge at Zilwaukee:
(1) The draw shall open on signal from December 16 through March 15 if at least 12 hours' notice has been given.

(2) The draw shall open on signal from March 16 through December 15. However, vessels should schedule passages through the draw during other than peak vehicular traffic periods as determined by the Michigan State Highway Department.

(j) Bridges at Saginaw:

(1) Sixth Avenue: The draw shall open on signal from 7 a.m. to 11 p.m. from April 1 through November 15. At all other times the draw shall open on signal if at least 3 hours' notice has been given.

(2) The draws of all bridges above the Sixth Avenue bridge shall open on signal if at least 3 hours' notice has been given.

(3) Advance notice as required by this paragraph shall be given to the Bridge Operations Officer, Police Department, Saginaw.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 49, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Dated: January 28, 1972.

J. M. AUSTIN,
Captain, U.S. Coast Guard, Acting
Chief, Office of Marine
Environment and Systems.

[FR Doc.72-1553 Filed 2-1-72;8:52 am]

Federal Aviation Administration

[14 CFR Parts 61, 67, 121, 127, 183]

[Docket No. 11434; Notice 71-31A]

MEDICAL CERTIFICATION AND SURVEILLANCE: AIR CARRIER FLIGHT CREWMEMBERS

Extension of Comment Period

The Federal Aviation Administration proposed in Notice 71-31, published on October 5, 1971 (36 F.R. 19393), to amend Parts 61, 67, 121, 127, and 183 of the Federal Aviation Regulations to provide for the medical certification and surveillance of air carrier flight crewmembers by designated air carrier physicians, without disturbing the reconsideration and review rights now available to applicants who are denied medical certificates. The notice stated that consideration would be given to all comments received on or before February 2, 1972.

The Air Line Pilots Association, International (ALPA) has requested an extension of time for comments on this proposed regulatory action until August 2, 1972. ALPA indicates that the proposed amendments raise a number of complex and difficult problems requiring a substantial additional period of time for proper analysis. These problems are a possible impact on existing collective bargaining agreements, present negotiations, and ALPA's efforts to develop a new preventive health program for pilots, and an asserted need to research certain legal issues.

While the FAA recognizes that ALPA may face problems referred to in the petition, the petitioner has nevertheless not shown good cause for a full 6-month extension of the comment period. Moreover, in view of the considerations underlying the issue of Notice 71-31, a grant of extension for the requested length of time would not be appropriate. On the other hand, the FAA considers that the comment period on Notice 71-31 should be extended until March 2, 1972 in order to allow further analysis by the petitioner before submitting its comments on the proposed rule.

I find that the petitioner has shown a substantive interest in the proposed rule, that good cause exists for an extension of the comment period until March 2, 1972, and that the extension is in the public interest.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 11.45), the time within which comments on Notice 71-31 will be received is extended to March 2, 1972.

Issued in Washington, D.C., on January 28, 1972.

GORDON K. NORWOOD,
Acting Federal Air Surgeon.

[FR Doc.72-1559 Filed 2-1-72;8:52 am]

[14 CFR Part 71]

[Airspace Docket No. 72-SW-4]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation regulations to designate a 700-foot transition area at Frederick, Okla.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Forth Worth, TX 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation regulations as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the following transition area is added:

FREDERICK, OKLA.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Frederick, Okla., Municipal Airport (latitude 34°21'09" N., longitude 98°59'21" W.) and within 3.5 miles each side of a 001° bearing (351° M) from the Frederick, Okla., RBN (latitude 34°23'35" N., longitude 98°59'19" W.) extending from the 6-mile-radius area to 11.5 miles north of the RBN.

Designation of the Frederick, Okla., 700-foot transition area will provide controlled airspace to accommodate the instrument approach procedure planned at Welsh Municipal Airport.

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

ment of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on January 24, 1972.

R. V. REYNOLDS,
Acting Director, Southwest Region.
[FR Doc.72-1488 Filed 2-1-72;8:47 am]

FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR Part 73]

[Docket No. 19331]

TABLE OF ASSIGNMENTS IN
JACKSONVILLE, N.C.Order Extending Time for Filing Reply
Comments

In the matter of amendment of 73.202, *Table of Assignments*, FM broadcast stations. (Jacksonville, N.C.), Docket No. 19331, RM-1698.

1. The notice of proposed rule making in the above-entitled proceeding was adopted October 14, 1971, released October 19, 1971, and published in the FEDERAL REGISTER on October 23, 1971, 36 F.R. 20535. The date for filing comments has expired and the date presently designated for filing reply comments is January 28, 1972.

2. On January 24, 1972, Onslow Broadcasting Corp. (Onslow), licensee of Stations WJNC and WRCM(FM), Jacksonville, N.C., by its attorney, filed a request for an extension of time to and including February 11, 1972, in which to file reply comments. Counsel for Onslow states the additional time is necessary due to the press of prior professional commitments before the Commission plus the fact that the engineering statement of Brown Broadcasting Co., Inc. (proponent in this proceeding), must be fully analyzed by Onslow's consulting engineer in order to prepare a responsive statement.

3. We are of the view that the requested extension of time is warranted and would serve the public interest. Accordingly, it is ordered, That the time for filing reply comments in the above docket, RM-1698, is extended to and including February 11, 1972.

4. This action is taken pursuant to authority found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d) (8) of the Commission's rules and regulations.

Adopted: January 26, 1972.

Released: January 27, 1972.

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.72-1512 Filed 2-1-72;8:49 am]

[Docket No. 19360]

[47 CFR Part 81]

STATIONS ON LAND IN MARITIME
SERVICESOrder Extending Time For Filing
Comments

In the matter of amendment of Part 81 of the rules concerning the duplication of service by Public Coast Stations; to require justification for assignment of more than one working frequency to Public and Limited Coast Stations; and to require listening watches by Limited Coast Stations on working frequencies.

1. The above-captioned notice of proposed rule making (FCC 71-1232) which was released December 10, 1971, provided for the filing of comments on or before January 24, 1972, and reply comments on or before February 3, 1972.

2. The Central Committee on Communications Facilities of the American Petroleum Institute has requested an extension of time in which to file comments to February 7, 1972, and for filing reply comments to February 17, 1972. The petitioner requests the extensions because of the Christmas and New Year's holidays during which " * * * the time permitted for filing comments was effectively compressed * * *" and the petitioner could not conclude "all the exchange of correspondence required to develop meaningful comments" from its membership which is numerous and widely dispersed throughout the nation.

3. The Commission is mindful of the problems associated with preparing and coordinating comments from the membership of such an association especially in cases, such as this, which require a detailed examination of possible effects on those affected. The requested extension of about 15 days will not unduly delay this proceeding, and the additional time appears warranted.

4. In view of the foregoing: *It is ordered*, That the time for filing comments in this proceeding is extended to February 7, 1972, and the time for filing reply comments is extended to February 17, 1972.

5. This action is taken pursuant to authority contained in sections 4(i) and 5(d) (1) of the Communications Act of 1934, as amended, and § 0.331(b) (4) of the Commission's rules.

Adopted: January 24, 1972.

Released: January 27, 1972.

[SEAL] JAMES E. BARR,
Chief, Safety and Special
Radio Services Bureau.

[FR Doc.72-1513 Filed 2-1-72;8:49 am]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

BHT (BUTYLATED HYDROXYTOLUENE) FROM JAPAN

Notice of Discontinuance of Antidumping Investigation

On December 15, 1971, there was published in the FEDERAL REGISTER a "Notice of Intent to Discontinue Antidumping Investigation" of BHT (butylated hydroxytoluene) (2,6-di-tert-butyl-p-cresol), including technical (nonfood) grade and nontechnical (food) grade, from Japan.

The statement of reasons for intending to discontinue this investigation was published in the above-mentioned notice, and interested parties were afforded an opportunity to make written submissions and to present oral views in connection with the intended action.

No written submissions or requests having been received and for the reasons stated in the "Notice of Intent to Discontinue Antidumping Investigation," I hereby discontinue the antidumping investigation of BHT (butylated hydroxytoluene) from Japan.

This "Notice of Discontinuance of Antidumping Investigation" is published pursuant to § 153.15(b) of the Customs regulations (19 CFR 153.15(b)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

JANUARY 26, 1972.

[FR Doc.72-1555 Filed 2-1-72; 8:52 am]

DEPARTMENT OF DEFENSE

Department of the Army, Corps of
Engineers

ENVIRONMENTAL STATEMENTS

Engineer Regulations on Preparation and Coordination

In order to facilitate and promote compliance with their requirements of the National Environmental Policy Act of 1969 (83 Stat. 852), and particularly section 102(2) thereof (42 U.S.C. 4332); Guidelines for Statements on Proposed Federal Actions Affecting the Environment, Council on Environmental Quality (36 F.R. 7724, April 23, 1971); and Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970 (35 F.R. 4247, March 7, 1970), particularly section 2(b) thereof regarding the preparation and coordination of environmental statements, the Office, Chief of Engineers has prepared and issued an Engineer regulation to be used by all elements of the Corps of En-

gineers with civil works responsibilities in preparing and processing environmental statements as required by the Act. This Engineer regulation is effective as of January 3, 1972.

A proposed Engineer regulation was published in the FEDERAL REGISTER for public comment on June 11, 1971 (36 F.R. 11309, June 11, 1971) and circulated to the other Federal agencies for comment. All comments received have been considered in revising and issuing this Engineer regulation. Single copies of the Engineer regulation may be obtained by writing to the Office, Chief of Engineers, Attention: DAEN-CWP-V, 1000 Independence Avenue SW., Forrestal Building, Department of the Army, Washington, DC 20314. Single copies may also be obtained by writing one of the Division Engineers (see listing at end of regulation).

The Engineer regulation on preparation and coordination of environmental statements reads as follows:

1. *Purpose.* This regulation provides guidance for preparation and coordination of Environmental Statements as required by section 102(2)(C) of the National Environmental Policy Act of 1969 (Public Law 91-190), reference paragraph 3b, and in accordance with the Council on Environmental Quality Guidelines for Statements on Proposed Federal Actions Affecting the Environment, dated April 23, 1971, reference paragraph 3d, and with section 122 of the River and Harbor Act of 1970 (Public Law 91-611), reference paragraph 3g, for which guidelines will be issued separately at a later date.

2. *Applicability.* This regulation applies to all elements of the Corps of Engineers with civil works responsibilities for planning, development, management, and regulation of water resource developments and is applicable to both preauthorization and postauthorization project activities.

3. *References.* a. ER 1165-2-500, "Environmental Guidelines for the Civil Works Program of the Corps of Engineers."

b. National Environmental Policy Act of 1969 (Public Law 91-190; 83 Stat. 852).

c. Executive Order 11514, "Protection and Enhancement of Environmental Quality," March 5, 1970 (35 F.R. 4247, March 7, 1970) (inclosed as Appendix A).

d. Guidelines for Statements on Proposed Federal Actions Affecting the Environment, Council on Environmental Quality (36 F.R. 7724, April 23, 1971) (inclosed as Appendix B).

e. Section 309 of the Clean Air Amendments of 1970 (Public Law 91-604; 83 Stat. 853).

f. Freedom of Information Act (5 U.S.C. 552).

g. Section 122 of the River and Harbor Act of 1970 (Public Law 91-611; 84 Stat. 1818).

4. *Policy.* In formulating plans for Federal water resource development or management activities, impact on the environment will be fully considered from the initiation of preauthorization planning through post-authorization planning and design, construction, and operation and management. Early and continuing coordination with appropriate local, State, and Federal agencies and the interested public, will be accomplished to

develop, analyze, and consider all reasonable and feasible alternatives and measures which will enhance, protect, preserve, and restore the quality of the environment or, at least, minimize and mitigate to the extent possible unavoidable deleterious effects and to analyze and study the environment together with technical, economic, social, and other considerations to insure balanced decision making in the total public interest. Preparation of the environmental statement required by section 102(2)(C) of the Act will constitute an integral part of the interdisciplinary planning process and will serve as a summation and evaluation of the effects that alternative actions would have on the environment and as an explanation and objective evaluation of the finally recommended plan.

a. *Systematic review.* The Act requires an environmental statement in those instances where a major Federal Action has a significant impact upon the environment. To fully support the spirit of the Act a systematic review of all Corps of Engineers projects will be conducted and environmental statements prepared for all such projects, whether or not required by the Act, unless the environmental impacts of the project are found to be too insignificant to warrant the cost and delay involved in preparing a statement. If the District or Division Engineer is in doubt as to whether or not a statement should be prepared, further guidance must be requested in accordance with d below.

b. *Planning.* During Corps of Engineers project planning and the related decision making process, a systematic and interdisciplinary approach will be utilized to insure that proper weighing and balancing has been made of environmental impacts together with the technical, economic, and social aspects as well as all other considerations affecting the total public interest. See sections 102(2)(A) and (B) of NEPA and section 122 of the River and Harbor Act of 1970 (Public Law 91-611).

c. *Compliance and review.* Prior to forwarding environmental statements (including comments and views of agencies, groups, and the public) will be carefully reviewed by District and Division Engineers to insure that:

(1) The statement fully satisfies the requirements of this regulation and the references cited herein.

(2) The project or proposal described in the statement is fully consistent with the policies enunciated in the National Environmental Policy Act, ER 1165-2-500, and other pertinent directives that have implemented the Act.

d. *Further guidance.* If after taking all measures within his authority, the District or Division Engineer is unable to satisfy the requirements of c above, Compliance and Review, he will report the matter to HQDA (DAEN-CWZ-C) WASH DC 20314, and request the necessary authority or guidance.

5. *Agency actions requiring statements.* Listed below are types of Corps of Engineers actions that require the preparation of an environmental statement by reporting officers. For actions not identified in this paragraph, reporting officers should request further guidance from HQDA (DAEN-CWZ-C) WASH DC 20314. Where environmental statements have been previously filed and are older than 3 years or significant changes of fact have occurred in the period since filing affecting the proposal, action

being initiated, or in the associated environment, the statement will be updated, coordinated, and transmitted to the CEQ.

a. *Legislation.* Recommendations or reports to the Congress on proposals for legislation affecting Corps of Engineers programs (including proposals to authorize projects (survey, review, and comprehensive reports) and other legislation.

b. *Proposals under continuing authorities.* Recommendations or reports on proposals for authorization of projects by the Chief of Engineers or the Secretary of the Army under special authorities, including reports recommending approval of projects under the following special continuing authorities:

(1) Section 205, 1948 FCA, as amended (33 U.S.C. 701s).

(2) Section 107, 1960 R&HA, as amended (33 U.S.C. 577).

(3) Section 103, 1962 R&HA, as amended (33 U.S.C. 426g).

(4) Section 2, 1937 FCA, as amended by section 208, 1954 FCA (33 U.S.C. 701g).

(5) Section 3, 1945 R&HA (33 U.S.C. 603a).

(6) 1909 R&HA, as amended (33 U.S.C. 5).

c. *Construction or land acquisition not started.* Initiation of construction or land acquisition on projects not yet started but for which funds have been appropriated or are provided by the current FY Appropriation Act.

d. *Requests for initiation of construction or land acquisition.* Budget submissions requesting funds for the initiation of construction or land acquisition on authorized projects.

e. *Continuing construction and land acquisition.* Statements for projects in continuing construction or land acquisition status will be submitted in accordance with the criteria and the schedule established in compliance with j below.

f. *Operation, maintenance, and management.* Statements for projects which are in an operation, maintenance, and management status will be submitted in accordance with the criteria and the schedule established in compliance with j below.

(1) Certain administrative actions regarding utilization of project resources have the potential of significantly affecting the environment. These actions are normally initiated by outside parties and involve a lease, license, permit, easement, or other entitlement for use. These actions are normally included under the overall project statement but separate environmental statements may be required for certain actions not covered in the project statement such as: leasing of project lands for industrial uses, airports, etc.; requests for rights-of-way for overhead utilities, pipelines, roads and highways; mineral extractions such as sand, gravel, rock, etc.; or any other proposed use of project resources that are determined by the District Engineer to degrade significantly the quality of the environment or have a significant effect on future land or resource use. Where any such action is proposed and is not covered in the overall project statement but an environmental statement is deemed not necessary because there will be no significant adverse effects, or where the environmental impacts are found to be too insignificant to warrant the cost and delay involved in preparing a statement, a finding to that effect will be included in the transmitting report to higher authority.

(2) *Operation and Maintenance Exceptions:*

(a) Completed projects turned over to local interests for operation and maintenance.

(b) Projects where only infrequent periodic maintenance is performed. Statements may be deferred until request of funds for maintenance.

g. *Regulatory permits.* Subject to the considerations contained in the specific regula-

tions applicable to the particular activity, issuance of permits for structures, discharges, deposits, or other actions in navigable waters of the United States whenever any of the Federal, State, or local agencies which are authorized to develop and enforce environmental standards certify, and the District Engineer determines, as a matter of record that the proposed action would have a significant and adverse effect on the quality of the environment. Any disclosure or release of information to the public will be in accordance with the Freedom of Information Act (5 U.S.C. 552) protecting trade secrets and commercial or financial information. This requirement does not apply:

(1) In areas of continuing programs or activities where an overall statement has been filed with CEQ on the general program or activity ("umbrella statement"); however, this reason shall be cited by the District Engineer in the written record of his determination in each case;

(2) With respect to environmental statements for fixed or anchored structures or artificial islands on Outer Continental Shelf lands under mineral lease from the Department of the Interior. Corps permits for such fixed or anchored structures or artificial islands are confined to findings on the effect of these activities on navigation and on national security, and inquiries concerning environmental considerations will be referred to the Department of the Interior;

(3) Where, consistent with CEQ guidelines, another Federal agency is acting as the lead agency in the preparation of an environmental statement and where the effects of the proposed work on the environment are addressed fully in the statement.

h. *Non-Federal construction of authorized projects.* Where the non-Federal agency cooperating with the Corps of Engineers will accomplish the construction, a final environmental statement will be filed by the Corps with CEQ prior to advertisement of the work. The final statement will be prepared by the District Engineer, following the guidance provided by this regulation. In the event the non-Federal agency desires to prepare a draft environmental statement, copies will be furnished the District Engineer, who will review the draft and, if it is suitable, proceed with coordination and further processing.

i. *Disposal of lands for port and industrial uses.* For disposal of surplus project lands for development of port and industrial facilities pursuant to section 108 of River and Harbor Act of 1960 (Public Law 86-645) (74 Stat. 487) (33 U.S.C. 578), the District Engineer will prepare an environmental statement and process it with the proposed action to higher authority.

j. *Three-year schedule.* Statements on projects in a continuing construction or operation and maintenance status will be submitted in order of priority over a 3-year period. Those projects having the greatest impact upon the environment and those projects where proposed actions are such as to preclude the possible adoption of alternative plans will be considered highest in priority. A project shall be exempt from this 3-year schedule requirement if a statement has already been filed that is less than 3 years old by the time of the President's budget submission and a written determination is made that no significant changes of fact have taken place affecting either the proposal or the associated environment.

k. *Exclusions.* Specifically excluded from the required preparation of environmental statements are the emergency protection and disaster recovery actions performed by the Corps of Engineers pursuant to its statutory authority under Public Law 99-84 (69 Stat. 186); Emergency Bank Protection for Highways, Highway Bridge Approaches and Public Works (Sec. 14, 1946 Flood Control Act) (60

Stat. 641) (33 U.S.C. 701r); emergency snagging and clearing accomplished under section 3 of the 1945 R&HA, as amended (33 U.S.C. 603a) except where disposal of sedimentation and dredged materials are involved; or as directed by the Office of Emergency Preparedness under the provisions of 91-606 (84 Stat. 1744).

7. *General considerations.* The environmental statement is a summary of the direct and indirect environmental impacts of a proposed water resources development project or other proposal, taking into consideration the detailed appraisal and analysis of Federal and State agencies with jurisdiction by law or special expertise with respect to environmental impacts and public concerns, particularly as expressed by conservationist and environmental action groups. Environmental statements will be based on the considerations discussed below, the CEQ "Guidelines," Appendix B, and the guidance contained in Appendix C, with the understanding that they are public documents and may receive broad exposure in the news media and intense public scrutiny. Statements will:

a. Describe the proposed action using simple and concise terms; any technical terms must be adequately defined. Describe the environmental impacts sufficiently to permit a careful assessment, evaluation, and independent appraisal of the favorable and adverse environmental effects of the recommended proposal and each considered alternative. In no case will possible adverse effects be ignored or slighted in an attempt to justify an action previously recommended or currently supported. Conversely, care must be taken to avoid overstating either favorable or unfavorable effects. Project maps will be included and photographs used where appropriate.

b. Discuss significant relationships between the proposal and other existing and anticipated developments. This should include not only Corps proposals but actions by others, either public or private, which may be affected by the project. Consideration should be given to both specific proposals and general trends in the region of influence.

c. Discuss the significance of the regional and national environmental impact of the project, as applicable, supported by information indicating the relative scarcity or abundance of the environmental resources in question and other regional and national factors.

d. Be submitted as a separate document not as an inclosure or appendix to other documents such as preauthorization survey reports or design memoranda. The statement should accompany the report during review and processing whenever possible. However, the statement will bring together and summarize the various findings of other documents with respect to environmental considerations. The statement will summarize information and cite sources of overall appraisals and responsible judgments of complex environmental matters and inter-relationships (e.g., water quality by EPA, fish and wildlife resources by the Bureau of Sports Fisheries and Wildlife or other authoritative sources). The statement should be based upon data and information contained in the report. Cite references whenever possible where supporting data may be found in the report rather than append material to the statement.

e. Contain objective analyses. Normally, the use of detailed project cost figures should be avoided but general cost comparisons may be used to illustrate the environmental, economic, or social trade-offs necessary to achieve objectives.

f. Summarize comments and/or recommendations of an environmental nature submitted by appropriate governmental agencies as well as formal views and recommendations

received from organizations and individuals with an environmental resource interest. Presentation will be in a subsection under "Coordination With Others."

g. Contain the comments of the Environmental Protection Agency with respect to water quality aspects of the proposed action, which have been previously certified by the appropriate State or interstate organization as being in substantial compliance with applicable water quality standards.

h. Be prepared in coordination with and be reviewed by District Counsel.

i. Discuss any existing State or Federal legislation, program, or study that concerns the study area or would have an effect upon it. Examples of such legislation and studies are those dealing with Wild and Scenic Roads, Wilderness or Wild Areas, National Recreation Areas, or preservation of natural areas.

j. Contain (1) a sentence indicating that the National Register of Historic Places has been consulted and that no National Register properties will be affected by the project or (2) a listing of the properties to be affected, an analysis of the nature of the effects, a discussion of the ways in which the effects were taken into account, and an account of steps taken to assure compliance with section 106 of the National Historic Preservation Act of 1966 (80 Stat. 915) in accordance with procedures of the Advisory Council on Historic Preservation as they appear in the FEDERAL REGISTER, February 20, 1971. In the case of properties under the control or jurisdiction of the U.S. Government, the statement should include a discussion of steps taken to comply with section 2(b) of Executive Order 11593 of May 13, 1971. The statement should contain evidence of contact with the State Liaison Officer for historic preservation for the State involved and a copy of his comments concerning the effect of the undertaking upon historical and archeological resources.

8. *Budget submission data.* The time requirements for the filing of final environmental statements, prepared and coordinated in accordance with section 102(2)(C) of the Act, have been established with a view to meeting, to the maximum extent, the requirements specified by the Council on Environmental Quality. (See paragraph 10(c) of the CEQ "Guidelines".)

a. *Requests for initiation of construction and land acquisition.* For budget recommendations in this category, final environmental statements must have been filed with the CEQ prior to 1 September of the calendar year in which the budget is being submitted by Division and District Engineers.

b. *Requests for continuing construction and land acquisition and operation and maintenance activities.* With reference to paragraphs 5e and 5f, on those projects selected for which environmental statements are to be submitted under the first year of the 3-year schedule, final statements must be filed with CEQ not later than February 1, 1972, with the statements scheduled for the second and third years being filed by September 1, 1972 and 1973, respectively.

c. *Expression of capability for construction.* Prior to the expression of any construction or land acquisition only capability on a project, a final environmental statement should be on file with the CEQ. If not, the expression of capability will be qualified as being subject to submission of a fully coordinated environmental statement to the CEQ prior to start of construction or land acquisition.

d. *Listings.* The annual budget recommendations of Division Engineers will provide a listing of projects recommended in each budget category indicating the time of actual

or scheduled submission of the final environmental statements to the CEQ.

9. *Coordination.* Existing coordination procedures will be utilized to the maximum in obtaining the views of Federal, State, and local agencies on review of preliminary draft and draft environmental statements.

a. *Time Limits.* Reporting Officers should establish time limits of not less than 45 days for reply, after which and in the absence of a specific request for an extension of time, a lack of response may be presumed to indicate that the agency consulted has no comment to make. In an exceptional case, where time is a very critical factor, a time limit of 30 days may be established. To the fullest extent possible, no administrative action will be taken, regarding the proposal, sooner than 90 days after a draft environmental statement has been circulated for comment, or sooner than 30 days after a final environmental statement has been made available to CEQ. Administrative actions are defined for this purpose to include report transmittals, budget recommendations, project approval, initial land acquisition, construction contract advertising, permit approval, and the like.

b. *Expedited filing.* In certain exceptional cases where the work must be performed within critical time restraints, but does not fall within the emergency actions listed in paragraph 6 or where permits must be issued to meet critical time restraints, an expedited filing process may be recommended. In such cases, Reporting Officers will provide all information and facts to HQDA (DAEN-CWZ-C) WASH DC 20314, and request the necessary authority and guidance. At the same time, the Reporting Officer should initiate informal coordination with the appropriate Federal, State, and local agencies to insure prompt and accelerated review of the environmental statement.

c. *Federal agencies.* (1) Appendix B, CEQ "Guidelines," will be used to determine the Federal agencies with jurisdiction by law or special expertise to whom the statement is to be sent for comment on the environmental impacts. See Appendix F for special coordination requirements of individual Federal agencies.

(2) Section 8 of CEQ "Guidelines," requires that, in addition to normal coordination procedures, the following rules apply to coordination with the Environmental Protection Agency (EPA):

(a) Comments of the Administrator or his designated representative will accompany each final statement on matters related to air or water quality, noise control, solid waste disposal, radiation criteria and standards, or other provisions of the authority of EPA.

(b) Copies of basic proposals (studies, proposed legislation, rules, leases, permits, etc.) will be furnished to EPA with each statement. For actions for which statements are not being prepared but which involve the authority of EPA, EPA will be informed that no statement will be prepared and that comments are requested on the proposal.

(c) A period of 45 days will be allowed for EPA review of statements and/or proposals; however, it will be presumed that the agency has no comments to make only when the impacts or matters related to the authorities of EPA are minor, or the agency has indicated that it does not desire to comment.

d. *State and local agencies.* Coordination of the environmental statement with State and local agencies authorized to develop and enforce environmental standards may be obtained directly with the agencies and with the appropriate State, regional, or metropolitan clearinghouse unless the Governor has designated some other source for obtaining this review. For additional guidance, see ER 1120-2-112, "Coordination of Investigations and Reports with Clearinghouses."

10. *Availability of Environmental Statements.* Draft and final environmental statements including comments received during review will be made available to the public to the greatest extent practicable in accordance with paragraph 12 of this regulation, section 2(b) of Executive Order 11514, "Protection and Enhancement of Environmental Quality," and paragraph 10 of the CEQ "Guidelines" as follows:

a. *Draft environmental statements.* The District Engineer will furnish copies of draft environmental statements in response to requests from the public and will furnish public information file copies to the Division office and the appropriate State, regional and metropolitan clearinghouses. Copies will also be on file in the Office of the Chief of Engineers.

b. *Final environmental statements.* After the final environmental statement has been filed with CEQ, the District Engineer will furnish copies, including comments, in response to requests from the public and furnish, on an expedited basis, public information file copies to the appropriate State, regional, and metropolitan clearinghouses. Information copies will also be provided to all Federal, State, and local agencies and conservation/environmental groups with which the statements were coordinated. This is to enable the public or Government agency to comment on the final statement to CEQ, if they so desire, within the 30-day period prior to the administrative actions being taken. Copies will also be on file in the Office of the Chief of Engineers.

c. *Comments of other agencies.* In response to specific requests from the general public, District Engineers will make available the comments received from other agencies. Such release of comments will be in accordance with the provisions of the Freedom of Information Act (5 U.S.C. 552).

d. *Number of copies.* In order to comply with paragraph 10(b) of CEQ "Guidelines," reporting officers will provide 35 copies of all draft environmental statements to higher authority (30 to OCE and five to Division Engineers) at the time formal coordination with responsible Federal, State, and local agencies is initiated. Thirty-five copies of the final coordinated statement will be submitted to higher authority (30 to OCE and five to Division Engineers) for further processing to CEQ. OCE will notify Division and District Engineers when final statements are filed and will provide each with copies of the filed final statement, with all revisions clearly identified.

e. *Public review.* News releases concerning draft and final environmental statements by District Engineers and the Office, Chief of Engineers will be given as wide a coverage as deemed sufficient to accomplish the purpose of this directive and the intent of paragraphs 6a(vii) and 10 of the "Guidelines" of the CEQ. When significant environmental impacts or public concern have become apparent subsequent to the last public meeting, reporting officers will notify the Division Engineer of the facts and issues involved and request a decision as to whether a public meeting should be held prior to or during coordination of the statement.

f. *Public availability.* District Engineers will reproduce sufficient copies of draft and final environmental statements to accomplish all required coordination with Federal and State agencies, clearinghouses, affected local governmental entities and organizations representing a legitimate public interest, whether favorable or unfavorable to the proposed project, and respond to reasonable and responsible requests from the general public. In accordance with 31 U.S.C. 483, 5 U.S.C. 552, and paragraph 10 of CEQ "Guidelines," charges to cover reproduction costs may be

assessed generally in accordance with the following.

(1) Where cost of reproduction is insignificant compared to collection and accounting costs, draft and final statements will be furnished in single copies to all individuals requesting copies. For multiple copy requests, reproductions costs will be recouped.

(2) For large environmental statements and where substantial reproduction costs are incurred, individuals requesting copies should be advised of cost and directed to nearest point at which copy is available for public inspection. They should also be advised of the availability of the statement from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151 or the Environmental Law Institute, 1346 Connecticut Avenue NW., Washington, DC 20036.

11. *Relationship of environmental statements to project planning and administration—*a. *Project planning.* In the formulation of new project proposals, environmental considerations will be integrated into the planning process from the beginning. Preliminary identification and assessment of possible environmental impacts and effects will be made and fully discussed at early stages in the study. Consultation and coordination with Federal, State, and local agencies which have jurisdiction by law or special expertise and the interested public with respect to the environmental impacts involved will be started as soon as these impacts are tentatively identified and will continue throughout the planning process. Reporting officers will insure that such consultation has been sufficient to identify all significant impacts prior to forwarding of environmental statements to higher authority.

(1) *Survey reports.* (a) An assessment of the environmental resources in the project area will be prepared by the environmental planners and presented at the Checkpoint I Conference. This assessment will be based on the results of the environmental inventory (Appendix C, paragraphs 2 and 3) and will be the continuing reference document for the environmental planning in the survey report and the preparation of the environmental statement.

(b) The environmental assessment and an analysis of probable environmental impacts of the considered project alternatives will be presented at the formulation stage and late stage public meetings. The environmental presentation at these meetings will be made in a way that will: (a) Lead to public understanding of the environmental setting in the proposed project area and the environmental trade-offs under consideration; (b) be deserving of confidence that Corps planning is environmentally knowledgeable and responsive; and (c) obtain the reviews and comments of interested citizen and conservation and environmental groups.

(2) *Authorized projects.* On projects that were recommended, authorized or under construction prior to the National Environmental Policy Act of 1969, the opportunity to study and evaluate a full range of alternatives may be more limited. However, to the maximum extent feasible, alternative solutions and opportunities for environmental enhancement, preservation, restoration, and mitigation will be investigated prior to preparation of the statement. Regardless of the level at which formal coordination is to take place, reporting officers will carefully examine and evaluate, in coordination with appropriate Federal, State, and local agencies and the public, the environmental impact of all reasonable alternatives prior to preparing a recommendation or an environmental statement.

b. *Operation, maintenance, and management.* In the development of plans for operation, maintenance, and management

activities, all possible significant effects on the environment will be considered. Such consideration will be different from a project in planning. Therefore, discussion should be addressed only as the adverse environmental impacts relate to the operation of the project and the on-going O&M programs. This consideration will include alternative uses of available resources when the proposed O&M activity will degrade the quality of the environment, curtail the beneficial uses of the environment, or serve short-term purposes to the disadvantage of long-term environmental goals. Typical examples of these activities which could have an adverse impact on the environment are as follows:

(1) Disposal of dredged material in wetlands or marshlands.

(2) Disposal of polluted dredged material in unconfined or open water areas.

(3) Debris collection and disposal activities.

(4) Resource management program involving the cutting, sale and/or disposal of forest resources; extensive plant disease eradication; predator or vector control; and aquatic plant control.

(5) Reservoir regulation in which some environmental benefits must be sacrificed for other environmental benefits or economic considerations, e.g., undesirable drawdown to provide water for power and for downstream quality control.

(6) Leases, licenses, rights-of-way, administrative permits, and other actions involving use by others of project resources, if impact is significant and not otherwise covered.

(7) Redesignation of project land under management by the Corps from scenic buffer or "green belt," undeveloped natural area, or wildlife management area to more intensive type of public use or some other type of use.

(c) *Regulatory permits.* In evaluating permit applications, the District Engineer will carefully evaluate the impact on the environment of the proposed action considering environmental information provided by the applicant, all advice received from Federal, State and local agencies, and comments of the public. If the District Engineer believes that granting the permit may be warranted but could lead to significant environmental degradation, an environmental statement will be prepared, except when an "umbrella statement" has been filed with the CEQ (see paragraph 5g above).

12. *Public participation.* Public participation will be incorporated into the conduct of the Corps water resources program and must be viewed as an integral part of the planning and administrative process. Public participation is a continuous two-way communication process which involves: Keeping the public fully informed about the status and progress of studies and findings of plan formulation and evaluation activities; actively soliciting from all concerned citizens and conservation and environmental groups their opinions and perceptions of objectives and needs; and determining their preferences regarding resources use and alternative development or management strategies plus any other information and assistance relevant to plan formulation and evaluation.

a. *Preauthorization project studies.* Public meetings, informal meetings and workshops within the project area and the use of news media are means to develop free-flowing dialog to assist in the identification of the environmental concerns and develop appropriate measures within the proposed plan to mitigate, eliminate, or reduce environmental impacts. Unresolved environmental conflicts must be clearly set forth with a full and complete discussion of both sides of the issue.

b. *Postauthorization project studies.* One or more public meetings or workshops should be held during postauthorization planning studies to insure that views of interested par-

ties will be considered in the development of the plan and that all interested parties will be kept informed of study progress. Full coordination with conservation groups and others interested in the proposed project will be maintained during postauthorization planning. This is particularly important if appreciable time has elapsed since project authorization or if significant changes in project formulation or environmental effects have occurred since preauthorization studies.

13. *Statement of findings.* (Reserved—to be furnished later.)

14. *Preparation and processing.* Statements will be prepared by the officer initially preparing the recommendation or report (normally the District Engineer). The initiating officer is recognized as the responsible Federal official within the meaning of section 102(2)(C) of Public Law 91-190, except for such changes as reviewing authorities may deem necessary in the original proposal and covering statement, to be consistent with the policies of the Chief of Engineers and the Secretary of the Army. Agency comments and the views expressed should be directed at the environmental impacts and should be no older than 12 months for new proposals nor older than 3 calendar years for previously authorized projects. More recent coordination will be required if significant changes of fact have occurred in the period since filing that affect the proposal, the action being initiated, or the associated environment.

a. *Survey reports.* (1) During the second or formulation stage public meeting, all anticipated environmental impacts and effects of each solution under consideration will be identified and discussed. There will be prepared an environmental information section or inclosure to the public meeting announcement in order to generate meaningful and thorough discussion during the meeting. Views of interested citizens and conservation and environmental groups will be sought and considered.

(2) Prior to the third or late stage public meeting, an updated environmental assessment will be prepared. This assessment will present and discuss the anticipated environmental effects and impacts of the selected plan which may be recommended and also present in clear and concise terms the probable impacts of the alternative plans considered during the study. The assessment will reflect the information and data inputs provided by the coordination accomplished with the various Federal, State, and local agencies as well as their views, comments, or concerns on the identified environmental issues. These views can be either direct comments or those developed during the study process.

(3) The environmental assessment will be attached to the notice of public meeting. This will enable the general public to become aware and fully apprised of the environmental effects and impacts associated with the proposal as well as views of the Federal and State agencies prior to the third or late stage public meeting and should result in a more thorough discussion of the environmental issues.

(4) After the third or late stage meeting, a preliminary draft environmental statement (PDS) will be prepared reflecting the additional information obtained from the various governmental agencies and the public. The PDS will be circulated for review and comment to the appropriate Federal, State, and local agencies and clearinghouses following normal coordinations procedures. The review period may be as short as 30 days, except 45 days will be allowed for EPA comment. If any agency does not respond within the time specified, a comment to that effect will be included in the attached coordination letters section. Copies of the PDS will be furnished to groups which actively participated in the study, to citizens and conservation and environmental groups with known interests in

the environmental considerations of the project, and in response to requests from the general public. At the time of the circulation of the PDS for field level review the District Engineer will prepare and issue a news release stating that single copies of the preliminary draft environmental statement may be obtained from the District Engineer.

(5) After receipt of field level review and comments, and comments of the interested public, the District Engineer will prepare a final version of the PDS which will accompany the District Engineer's Report to the Division Engineer. Review comments received from the Federal and State agencies and representative, and significant comments of the public generally, will be attached to the PDS and summarized in paragraph 8—Coordination With Others.

(6) The Division Engineer will give appropriate coverage to the PDS in the Public Notice and will review and comment on it when he submits his report to the Board of Engineers for Rivers and Harbors (BERH).

(7) BERH will review the PDS at the time it reviews the project report. A BERH staff presentation of environmental issues and impacts will be made to the Board with controversial issues receiving special consideration. The Board report will summarize the Board's views and recommendations upon environmental issues.

(8) After the review of the PDS at BERH and by OCE elements, the PDS will be converted into the draft statement by OCE. The draft statement will be circulated for review and comment to the appropriate State or States and the affected Federal agencies at the Washington level in accordance with established procedures. Upon request, draft statements will also be made available to known interested citizens, conservation and environmental groups and in response to requests from the general public. The draft statement, together with all field level coordination comments, the Chief of Engineers Report, and the Board of Engineers for Rivers and Harbors Report will be provided CEQ by OCE at this time. The review period will be 90 days. The Public Affairs Office, OCE, will prepare and issue a news release stating that single copies of the draft environmental statement are available from the Office of the Chief of Engineers. PAO, OCE will provide District PAO with advance copy of news release for local dissemination. Copies of the draft environmental statement will be furnished the Division and District Engineers. District Engineers will provide public information file copies to the appropriate State, regional and metropolitan clearinghouse.

(9) After termination of the review period the final environmental statement, incorporating all comments received, will be prepared at OCE in consultation with field offices and accompany the Chief's Report on the project to Office, Secretary of Army (OSA) for transmittal to Office of Management and Budget (OMB).

(10) After receipt of the OMB comments, OSA will transmit the final environmental statement to CEQ and Congress. The Public Affairs Office, OCE, will prepare and issue a news release stating that a final environmental statement has been filed with CEQ and that single copies are available from the Office of the Chief of Engineers and the District Engineer. PAO, OCE will provide District PAO with advance copy of release for local dissemination.

(11) Copies of the final environmental statement will be furnished the agencies and organizations with which the draft environmental statement was coordinated. Copies of the final environmental statement will be furnished the Division and District Engineers as well as provide public information copies

to the appropriate State, regional, and metropolitan clearinghouses.

b. *Special projects and continuing authorities.* It is contemplated that all required consultation with Federal, State, and local agencies, and the public concerning the environmental aspects will be accomplished at field level by District Engineers without further referral to any of these agencies by the Chief of Engineers.

(1) An assessment of the environmental resources in the project area will be prepared by the environmental planners and will be the continuing reference document for environmental planning in the project report and the preparation of the environmental statement.

(2) The environmental assessment and a statement of probable environmental impacts of the considered project alternative should be available for the public meeting. The assessment and probable impact of various alternatives should be summarized in the Notice of Public Meeting and presented at the meeting in a manner to make the public aware and more fully apprised of the environmental effects and impacts.

(3) After the public meeting, a draft statement will be prepared. The draft statement will accompany the draft report through the Division Engineer to OCE for concurrence regarding proposed action prior to coordination of the statement.

(4) Appropriate comments on the report and draft statement will be made by OCE and the Division Engineer, with referral of both to the District Engineer to make the appropriate changes.

(5) After the changes in the report and draft statement are made, the District Engineer will circulate the draft statement for formal review and comment to appropriate Federal, State, and local agencies, clearinghouses in accordance with established procedures. Upon request, draft statements will be made available to interested citizens, conservation and environmental groups and in response to requests from the general public. Thirty-five copies of the draft statement will be furnished to higher authority (30 to OCE and five to Division Engineers) for further processing to CEQ. The review period may be as short as 30 days except 45 days will be allowed for EPA comment. This coordination starts the 90-day period before the administrative action of project approval can be taken. At the same time the District Engineer will prepare and issue a news release stating that single copies of the draft environmental statement may be obtained from the District Engineer.

(6) After receipt of agency review comments and comments of the interested public, the District will prepare the final environmental statement and attach copies of all comments received. Thirty-five copies of the final environmental statement will be sent to higher authority (30 to OCE and five to Division Engineers) for further processing to CEQ.

(7) The Division Engineer will review and comment on the final environmental statement when he submits the report and statement to OCE.

(8) OCE will transmit the environmental statement along with the accompanying report to BERH for review and comment. A BERH staff presentation of environmental issues and impacts will be made to the Board with controversial issues receiving special consideration. The Board report will summarize the Board's views and recommendations on environmental issues.

(9) Considering the BERH comments, OCE will review and revise the final environmental statement where necessary. Office, Secretary of the Army will transmit the final environmental statement to the CEQ. This action

will start the 30-day period before the administrative action can be taken. The Public Affairs Office, OCE, will prepare and issue a news release stating that a final environmental statement has been filed with CEQ and that single copies are available from the District Engineer. PAO, OCE will provide District PAO with advance copy of release for local dissemination.

(10) Copies of the filed final environmental statement will be furnished the Division and District Engineers, and all revisions will be clearly identified. District Engineers will furnish copies of the final environmental statement to the agencies and organizations with whom the draft environmental statement was coordinated as well as provide information copies to the appropriate State, regional, and metropolitan clearinghouses.

(11) OCE will provide notification of project approval and Chief of Engineers authorization to proceed with project initiation to Division Engineers after the final environmental statement has been on file with CEQ for 30 days and all problems or questions have been satisfactorily resolved.

c. *Authorized projects not started.* It is contemplated that all required consultation with Federal, State, and local agencies and the public concerning the environmental aspects will be accomplished at field level by District Engineers without further referral to any of these agencies by the Chief of Engineers. See paragraph 12 on Public Participation for guidance on holding public meeting in connection with preparation of statements for authorized projects.

(1) Prior to submittal of the Phase I General Design Memorandum (see ER 1110-2-1150, "Post-Authorization Studies") the District Engineer will update the environmental statement prepared when the project was authorized, or prepare one if none has been prepared. For projects for which statements are required (paragraph 5, Agency Actions Requiring Statements) and for which the GDM has been previously submitted, environmental statements will be prepared as soon as possible.

(2) The updated statement or new draft will be circulated by the District for formal review and comments to the appropriate Federal, State, and local agencies, and clearinghouses in accordance with established procedures. Upon request, draft statements will be made available to interested citizen, conservation and environmental groups and in response to requests from the general public. Thirty-five copies of the draft statement will be furnished to higher authority (30 to OCE and five to Division Engineers) for further processing to CEQ. This review period may be in exceptional cases as short as 30 days, except that 45 days will be allowed for EPA comments. This coordination starts the 90-day period before the administrative action can be taken. At the same time, the District Engineer will issue a news release stating that single copies of the draft environmental statement may be obtained from the District Engineer.

(3) After receipt of agency review comments and comments of the interested public, the District Engineer will prepare the final environmental statement and attach copies of all comments received. Thirty-five copies of the final environmental statement will be furnished to higher authority (30 to OCE and five to Division Engineers) for further processing to CEQ.

(4) The Division Engineer will transmit 30 copies of the final environmental statement along with his review comments when he submits the Phase 1, GDM (if appropriate) to OCE.

(5) Where applicable, OCE will transmit the environmental statement along with the accompanying Phase 1—GDM to BERH for

review and comment. A BERH staff presentation of environmental issues and impacts will be made to the Board with controversial issues receiving special consideration. The Board report will summarize the Board's views and recommendations upon environmental issues.

(6) Considering the BERH comments, where applicable, OCE will review and revise the final environmental statement where necessary. Office, Secretary of the Army will transmit the final environmental statement to the CEQ. This action will start the 30-day period before the administrative action can be taken. The Public Affairs Office, OCE, will prepare and issue a news release stating that a final environmental statement has been filed with CEQ and that single copies are available from the District Engineer, PAO, OCE will provide District PAO with advance copy of release for local dissemination.

(7) Copies of the final environmental statement will be furnished the Division and District Engineers with all revisions clearly identified. District Engineers will furnish copies of the final environmental statement to the agencies and organizations with which the draft environmental statement was coordinated as well as provide information copies to the appropriate State, regional, and metropolitan clearinghouses.

d. *Continuing construction and operation and maintenance.* It is contemplated that all required consultation with Federal, State, and local agencies, and the public concerning the environmental aspects will be accomplished at field level by District Engineers without further referral to any of these agencies by the Chief of Engineers.

(1) Paragraphs 5e, 5f, and 5j establish the requirements for preparation of environmental statements regarding Continuing Construction and Operation and Maintenance.

(2) Procedure will be the same as described in c (2) through (7) above except for BERH consideration.

e. *Regulatory permit applications.* For permit actions on which statements are required by paragraph 5g the preparation and coordination of an environmental statement will be accomplished at field level.

(1) The District Engineer will require the applicant to furnish information and an assessment of the environmental impacts of the proposed action.

(2) If a Public Hearing is required, an environmental assessment of the proposed action will be included in the PNH and the environmental issues will be fully discussed by the applicant at the hearing.

(3) The District Engineer will prepare a draft environmental statement utilizing the information obtained from the various agencies and the public in response to the original public notice, the information provided by the applicant and the public hearing, if one was held.

(4) The draft statement will be circulated by the District for formal review and comment to the appropriate Federal, State, and local agencies, in accordance with established procedures. Upon request, draft statements will be made available to interested citizens, conservation and environmental groups, and in response to requests from the general public. Thirty-five copies of the draft statement will be furnished to higher authority (30 to OCE and five to Division Engineers) for further processing to CEQ. This review period may be as short as 30 days, except that 45 days will be allowed for EPA comments. This coordination starts 90-day period before the administrative action can be taken. At the same time the District Engineer will issue a news release stating that single copies of the draft environmental statement may be obtained from the District Engineer.

(5) After receipt of agency review comments and comments of the interested pub-

lic, the District will prepare the final environmental statement and attach copies of all comments received. Thirty-five copies of the final environmental statement together with the District Engineer's report and recommendations on the application as required by ER 1145-2-303 will be transmitted to higher authority for further action.

(6) If higher authority decision is favorable to the application, the Office, Secretary of the Army will transmit the final environmental statement to the CEQ at least 30 days prior to approval of the application. The Public Affairs Office, OCE, will prepare and issue a news release stating that a final environmental statement has been filed with CEQ and that single copies are available from the District Engineer, PAO, OCE will provide District PAO with advance copy of release for local dissemination.

(7) If higher authority decision is unfavorable to the application, the application together with the reasons for denial will be returned to the applicant. CEQ will be informed of the denial and that a final environmental statement will not be filed.

(8) Copies of the final environmental statement with all revisions clearly identified will be furnished the Division and District Engineers. District Engineers will furnish copies of the final environmental statement to the agencies and organizations with which the draft environmental statement was coordinated as well as provide information copies to the appropriate State, regional, and metropolitan clearinghouses.

f. *Disposal of land for port and industrial uses.* When the District Engineer determines that disposal of surplus project property for development of public port or industrial facilities is in the public interest, he will prepare an environmental statement to accompany his report and recommendation. It is contemplated that all required consultation with Federal, State, and local agencies, and the public concerning the environmental aspects will be accomplished at field level by District Engineers without further referral to any of these agencies by the Chief of Engineers.

(1) The District Engineer will prepare a draft environmental statement utilizing information obtained from appropriate Federal, State, and local agencies and applicant. A public meeting may be used to obtain information and views from the interested public. The statement will set forth, among other things, what the applicant intends to develop on the property and the possible uses to be made of it. It will also summarize all constraints which will be placed on the new owner, such as reversionary clause, uses, needs for permits for structures or discharges into navigable waters, etc.

(2) The draft statement will be circulated by the District for formal review and comment to the appropriate Federal, State, and local agencies, in accordance with established procedures. Upon request, draft statements will be made available to interested citizens, conservation and environmental groups and in response to requests from the general public. Thirty-five copies of the draft statement will be furnished to higher authority (30 to OCE and five to Division Engineers) for further processing to the CEQ. This review period may be as short as 30 days, except that 45 days will be allowed for EPA comments. This coordination starts the 90-day period before the administrative action can be taken. At the same time, the District Engineer will issue a news release stating that single copies of the draft environmental statement may be obtained from the District Engineer.

(3) After receipt of agency review comments and comments of the interested public, the District will prepare the final environmental statement and attach copies of all comments received. Thirty-five copies

of the final environmental statement together with the District Engineer's report and recommendations, as required by ER 405-1-909, will be transmitted to higher authority for further action.

(4) If higher authority decision is favorable to the request for disposal of project lands, the Office, Secretary of the Army will transmit the final environmental statement to the CEQ at least 30 days prior to the issuance of the Public Notice of Disposal as required by paragraph 32.c(2) of ER 405-1-909. The Public Affairs Office, OCE, will prepare and issue a news release stating that a final environmental statement has been filed with the CEQ and that single copies are available from the District Engineer, PAO, OCE will provide District PAO with advance copy of release for local dissemination.

(5) If higher authority decision is unfavorable to the request, the CEQ will be informed of the denial and that a final environmental statement will not be filed.

(6) Copies of the final environmental statement with all revisions clearly identified will be furnished the Division and District Engineers. District Engineers will furnish copies of the final environmental statement to the agencies and organizations with which the draft environmental statement was coordinated as well as provide information copies to the appropriate State, regional, and metropolitan clearinghouses.

15. *Implementation.* This regulation will be placed in effect immediately upon publication and all subsequent actions will be accomplished in strict compliance herewith.

For the Chief of Engineers,

RICHARD F. McADOO,
Colonel,
Corps of Engineers, Executive.

Appendix A—Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970. See 35 F.R. 4247, March 7, 1970.

Appendix B—Council on Environmental Quality Guidelines, "Statements on Proposed Federal Actions Affecting the Environment." See 36 F.R. 7724, April 23, 1971.

Appendix C—Preparation of Environmental Statements. See 36 F.R. 11315, June 11, 1971.

Appendix D—Format Samples on Environmental Statements. See 36 F.R. 11317, June 11, 1971.

Appendix E—Flow charts.¹

Appendix F—Coordination with Federal Agencies.¹

LISTING—DIVISION ENGINEERS

1. U.S. Army Engineer Division, Lower Mississippi Valley, Attention: PAO, Post Office Box 80, Vicksburg, MS 39180.
2. U.S. Army Engineer Division, Missouri River, Attention: PAO, Post Office Box 103 Downtown Station, Omaha, NE 68101.
3. U.S. Army Engineer Division, New England, Attention: PAO, 424 Trapelo Road, Waltham, MA 02154.
4. U.S. Army Engineer Division, North Atlantic, Attention: PAO, 90 Church Street, New York, NY 10007.
5. U.S. Army Engineer Division, North Central, Attention: PAO, 536 South Clark Street, Chicago, IL 60605.
6. U.S. Army Engineer Division, North Pacific, Attention: PAO, Room 210, Customhouse, Portland, OR 97209.
7. U.S. Army Engineer Division, Ohio River, Attention: PAO, Post Office Box 1159, Cincinnati, OH 45201.
8. U.S. Army Engineer Division, Pacific Ocean, Attention: PAO, Building 96, Fort Armstrong, Honolulu, HI 96813.

¹ Filed as part of the original document.

9. U.S. Army Engineer Division, South Atlantic, Attention: PAO, 510 Title Building, 30 Pryor Street SW., Atlanta, GA 30303.
10. U.S. Army Engineer Division, South Pacific, Attention: PAO, 630 Sansome Street, Room 1216, San Francisco, CA 94111.
11. U.S. Army Engineer Division, Southwestern, Attention: PAO, 1114 Commerce Street, Dallas, TX 75202.

For the Adjutant General.

R. B. BELNAP,
Special Advisor to TAG.

[FR Doc.72-1494 Filed 2-1-72;8:48 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CHIEF, BRANCH OF RECORDS AND DATA MANAGEMENT ET AL., IDAHO STATE OFFICE

Redelegation of Authority

Pursuant to the authority contained in section 1.1 of BLM Order 701 (29 F.R. 10526, July 29, 1964), as amended, the following officials of the Idaho State Office are hereby delegated authority to act for the State Director on sections of the above order as follows:

1. Chief, Branch of Records and Data Management.

a. Sections 2.6 and 2.9, as to unacceptable filings which do not require a formal administrative decision.

2. Chief, Division of Management Services and Chief, Branch of Administrative Management.

a. Section 1.7(a) (5).

3. Chief, Branch of Lands and Minerals Operations.

a. Sections 2.2 (b) and (d); 2.3(a); 2.5; 2.6; and 2.9.

4. Chief, Division of Resources.

a. Section 1.7 (a) (7) and (e).

5. Chief, Division of Technical Services.

a. Sections 1.2(j) and 1.4(a) (1) through (3).

WILLIAM L. MATHEWS,
State Director.

Approved: January 26, 1972.

BURTON W. SILCOCK,
Director.

[FR Doc.72-1479 Filed 2-1-72;8:46 am]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

ORANGE ADMINISTRATIVE COMMITTEE

Order Terminating Appointment and Selecting New Member and Alternate Member

Order terminating an appointment heretofore made and selecting a member and alternate member to the Navel Orange Administrative Committee pursuant to the amended marketing agreement and order regulating the handling

of Navel oranges grown in California and Arizona.

Because of the retirement of Alfred F. Rose, San Marino, Calif., a member of the Navel Orange Administrative Committee, from Sunkist Growers Inc., rendering him ineligible to serve on the committee after such retirement, he has submitted his resignation effective January 31, 1972. Because this docket appoints him as member, the appointment, dated October 2, 1970, of Robert H. Authenrieth, Woodland Hills, Calif., to serve on the Navel Orange Administrative Committee as alternate to Alfred F. Rose, San Marino, member, is hereby terminated.

Pursuant to the provisions of the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the following persons are hereby selected to serve on the Navel Orange Administrative Committee, established pursuant to the provisions of said amended marketing agreement and order, in accordance with the provisions thereof, for the remainder of the term of office ending on September 30, 1972:

Members affiliated with a cooperative organization which, during the fiscal year beginning November 1, 1969, and ending on October 31, 1970, handled more than 50 percent of the total volume of oranges:

HANDLER MEMBERS

Robert H. Authenrieth, Woodland Hills, Calif., as member; and J. G. Henderson, Temple City, Calif., as his alternate.

Each person hereby selected as a member or alternate member of the Navel Orange Administrative Committee shall begin serving on the date that such person qualifies, as required by the amended marketing agreement and order, by filing a written acceptance of appointment, and each such person shall serve, after having qualified as aforesaid, until September 30, 1972; and, in the event such person's successor has not been selected and has not qualified by September 30, 1972, such person hereby selected shall serve until his successor has been selected and has qualified.

Dated: January 27, 1972.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.72-1503 Filed 2-1-72;8:49 am]

Forest Service

ELEVEN POINT WILD AND SCENIC RIVER

Classification, Boundaries, and Development Plan; Correction

The following corrections are made in the boundary descriptions published as a

general notice in the referenced issue of the FEDERAL REGISTER: 34 F.R. 15605, October 8, 1969.

Page 15610, third column: 1. In the eighth line from top: Change lot 3 to lot 2. The line should read "West to southwest corner N $\frac{1}{2}$ W $\frac{1}{2}$ lot 2 in NE $\frac{1}{4}$;"

2. The 39th line from top: Change 14,191 to 14,195. The lines should read "The total acreage included in this description being 14,195 acres more or less, as follows:"

3. The seventh line from bottom: Change 228.52 to 222.70. The line should read "Sec. 5, 222.70 acres."

Page 15611, left-hand column. 1. The ninth line from the top: Change 115.23 to 125.23. The line should read "Sec. 20, 125.23 acres."

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER (2-2-72).

EDWARD P. CLIFF,
Chief, Forest Service.

JANUARY 27, 1972.

[FR Doc.72-1544 Filed 2-1-72;8:51 am]

REGIONAL FORESTERS AND FOREST SUPERVISORS

Delegation of Authority

Pursuant to (a) the Delegation of Authority and Assignment of Functions by the Secretary of Agriculture dated November 27, 1964 (29 F.R. 16210), (b) the Delegations of Authority effective October 20, 1971, by the Acting Secretary of Agriculture and the Assistant Secretary for Rural Development and Conservation (36 F.R. 21529), and (c) the Delegation of Authority by the Chief, Forest Service, dated June 5, 1968 (33 F.R. 8552), there is hereby delegated to each Regional Forester and Forest Supervisor of the Forest Service the authority to perform all duties and to exercise all the powers and functions of the Chief as specified in the rules and regulations of the Secretary dated January 18, 1972 (37 F.R. 737) Title 36 Part 212, § 212.7(a) (3) relating to closure of roads to vehicle use.

Effective date. This delegation of authority shall be effective upon publication in the FEDERAL REGISTER (2-2-72).

EDWARD W. SCHULTZ,
Deputy Chief, Forest Service.

JANUARY 27, 1972.

[FR Doc.72-1543 Filed 2-1-72;8:51 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

1970 CENSUS OF POPULATION AND HOUSING

Curtailment of Review of Counts

The final statistics for the 1970 Census of Population and Housing having been published, the Bureau of the Census will only accept requests for review of area

counts in accordance with the provisions of section 8 of title 13 United States Code authorizing the recovery of actual or estimated costs for special statistical compilations. This notice shall become effective on April 1, 1972. In accordance with administrative procedure 5 U.S.C. section 553, notice and hearing on the amendment and postponement of the effective date thereof are unnecessary because it is an interpretive rule and statement of policy.

Dated: January 26, 1972.

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

[FR Doc.72-1542 Filed 2-1-72; 8:51 am]

Maritime Administration

[Docket No. S-277, Sub. 1]

AMERICAN STEAMSHIP CO.

Notice of Amended Application

Notice is hereby given that American Steamship Co. has filed an amended application for operating-differential subsidy. This notice of the amended application supersedes the notice of American Steamship Co.'s application in F.R. Doc. 72-1282, which appeared in the FEDERAL REGISTER issue of January 27, 1972 (37 F.R. 1255). The amended application requests an operating-differential subsidy contract for a 2-year period covering approximately 10 U.S.-flag ships, but aggregating for each year of the contract not more than 1 ship year (about 260 days) of subsidized operating time in the carriage of dry cargoes in U.S. foreign commerce between United States ports on the Great Lakes and connecting rivers, and Canadian ports on the Great Lakes, connecting rivers, St. Lawrence River and Gulf of St. Lawrence. The purpose of such operating-differential subsidy contract will be to determine the feasibility of subsidized U.S.-flag operations in the following described trades:

No.	Origin-destination
1	U.S. Ports on Lake Superior, Lake Michigan, Lake Huron, and Lake Erie to Canadian Ports on the St. Mary's River, the St. Clare River, the Detroit River, Lake Erie, and Lake Ontario.
2	U.S. Ports on Lake Superior, Lake Michigan, and Lake Erie to Canadian Ports on the St. Lawrence River and the Gulf of St. Lawrence.
3	Canadian Ports on Lake Superior, Lake Huron, and Lake Ontario to U.S. Ports on Lake Michigan, the Detroit River, and Lake Erie.
4	Canadian Ports on the St. Lawrence River and the Gulf of St. Lawrence to U.S. Ports on Lake Erie, the Detroit River, and Lake Michigan.

American Steamship Co. proposes to use vessels it owns or charters including those of its subsidiaries in the above trades. The combined part-time employment of these vessels in subsidized operations will not exceed during each year of the contract the equivalent in time of 1 ship year in the foreign commerce of the United States.

Any party having an interest in such application and who would contest a

finding of the Board that the service now provided by vessels of U.S. registry in the carriage of dry bulk cargo tonnage moving in the foreign commerce of the United States in the above described areas is inadequate, must, on or before February 9, 1972, notify the Secretary in writing of his interest and of his position and file a petition for leave to intervene in accordance with the Board's rules of practice and procedure (46 CFR Part 201). Each such statement of interest and petition to intervene shall state whether a hearing is requested under section 605(c) of the Merchant Marine Act, 1936, as amended, and with as much specificity as possible the facts that the intervenor would undertake to prove at such hearing.

In the event that a section 605(c) hearing is ordered to be held, the purpose of such hearing will be to receive evidence relevant to whether the service already provided by vessels of U.S. registry for the transportation of dry bulk cargo tonnage in the above described areas in the foreign commerce of the United States is inadequate and whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

By order of the Maritime Subsidy Board.

Dated: January 31, 1972.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.72-1622 Filed 2-1-72; 8:51 am]

National Oceanic and Atmospheric Administration YELLOWFIN TUNA

1972 Commission Final Resolution

The resolution adopted by the Inter-American Tropical Tuna Commission at the 24th annual meeting held in Tokyo, Japan, January 6-13, 1972, reads as follows:

RESOLUTION

THE INTER-AMERICAN TROPICAL TUNA COMMISSION

Taking note of the condition of the stock at the beginning of 1972,

Taking note that the recommendation for establishing a conservation regime during 1971, approved at its 24th Annual Meeting, was for 1971 only,

Considering the special unique problems which were evident in 1971 remain unresolved,

Considering also the resolution from the 11th Intergovernmental Meeting on the conservation of yellowfin tuna held in Tokyo, Japan, January 7, and January 10, through January 13, 1972, which recommends certain management decisions to the Commission,

Concludes that it is desirable to continue in 1972 the fishing program in effect during 1971,

Therefore recommends to the High Contracting Parties that they take joint action to:

(1) Establish the annual catch limit (quota) on the total catch of yellowfin tuna for the calendar year 1972 at 120,000 short tons from the regulatory area defined in the resolution adopted by the Commission on May 17, 1962: *Provided*,

(a) That if the annual catch rate is projected to fall below 3 short tons per standard day's fishing, measured in purse seine units adjusted to limits of gear efficiency previous to 1962, as estimated by the Director of Investigations, the unrestricted fishing for yellowfin tuna in the regulatory area shall be curtailed so as not to exceed the then current estimate of equilibrium yield and shall be closed on a date to be fixed by the Director of Investigations;

(b) That the Director of Investigations may increase this limit by no more than two successive increments of 10,000 short tons each, if he concludes from reexamination of available data that such increase will offer no substantial danger to the stock.

(2) Reserve a portion of the annual yellowfin tuna quota for an allowance for incidental catches of tuna fishing vessels when fishing in the regulatory area for species normally taken mingled with yellowfin tuna, after the closure of the unrestricted fishing for yellowfin tuna. The amount of this portion should be determined by the scientific staff of the Commission at such time as the catch of yellowfin tuna approaches the recommended quota for the year.

(3) Allow vessels to enter the regulatory area during the open-season, which began January 1, 1972, with permission to fish for yellowfin tuna without restriction on the quantity until the return of the vessel to port.

(4) Close the fishery for yellowfin tuna in 1972 at such date as the quantity already caught plus the expected catch of yellowfin tuna by vessels which are at sea with permission to fish without restriction reaches 120,000 short tons or 130,000 or 140,000, if the Director of Investigations so determines such amounts should be taken, less the portion reserved for incidental catches in Item 2 above and for the special proportion allowed for in Items 6 and 7 below, such dates to be determined by the Director of Investigations.

In order to not curtail their fisheries, those countries whose Governments accept the Commission's recommendations but whose fisheries of yellowfin tuna are not of significance will be exempted of their obligations of compliance with the restrictive measures.

Under present conditions, and according to the information available, an annual capture of 1,000 tons of yellowfin tuna is the upper limit to enjoy said exemption.

After the closure of the yellowfin tuna fishery, the Governments of the contracting parties and cooperating countries may permit their flag vessels to land yellowfin tuna without restriction in any country described in the preceding section which has tuna canning facilities until such time as the total amount of yellowfin tuna landed in such country during the current year reaches 1,000 short tons.

For 1972 only, in order to avoid congestion of unloading and processing facilities around the date of the season closure and the danger that vessels may put to sea without adequate preparations, any vessel which completes its trip before the closure may sail to fish freely for yellowfin tuna within the regulatory area on any trip which is commenced within 30 days after the closure.

(5) Permit each vessel, not provided with a special allowance under Items 6 and 7 below, fishing tuna in the regulatory area after

the closure date for the yellowfin tuna fishery to land an incidental catch of yellowfin tuna taken in catches of other species in the regulatory area on each trip commenced during such closed season. The amount each vessel is permitted to land as an incidental catch of yellowfin tuna shall be determined by the Government which regulates the fishing activities of such vessels; *Provided, however*, That the aggregate of the incidental catches of yellowfin tuna taken by all such vessels of a country so permitted shall not exceed 15 percent of the combined total catch taken by such vessels during the period these vessels are permitted to land incidental catches of yellowfin tuna.

(6) Permit the flag vessels of each country of 400 short tons capacity and less fishing tuna in the regulatory area after the closure date for the yellowfin tuna fishery to fish freely until 6,000 short tons of yellowfin tuna are taken by such vessels or to fish for yellowfin tuna under such restrictions as may be necessary to limit the catch of yellowfin tuna by such vessels to 6,000 short tons; and thereafter to permit such vessels to land an incidental catch of yellowfin tuna taken in the catch of other species in the regulatory area on each trip commenced after 6,000 tons have been caught. The amount each vessel is permitted to land as an incidental catch shall be determined by the Government which regulates the fishing activities of such vessels; *Provided, however*, That the aggregate of the incidental catches of yellowfin tuna taken by such vessels of each country so permitted shall not exceed 15 percent of the total catch taken by such vessels during trips commenced after 6,000 short tons of yellowfin tuna have been caught.

(7) Permit, during 1972, the newly constructed flag vessels of those members of the Commission which are developing countries and whose fisheries are in early stage of development (that is, whose tuna catch in the convention area in 1970 did not exceed 12,000 short tons, and whose total fish catch in 1969 did not exceed 400,000 metric tons) and which enter the fishery for yellowfin tuna in the convention area for the first time either during the closed season in 1971 or during 1972 and which, because of characteristics such as size, gear or fishing techniques, present special problems, to fish unrestricted for yellowfin tuna until such vessels have taken in the aggregate 2,000 short tons of yellowfin, or to fish for yellowfin tuna under such restrictions as may be necessary to limit the aggregate catch of such vessels to 2,000 short tons of yellowfin tuna.

(8) The species referred to in Items 2, 5, and 6 are: Shipjack tuna, bigeye tuna, bluefin tuna, albacore tuna, bonito, billfishes, and sharks.

(9) Obtain by appropriate measures the cooperation of those Governments whose vessels operate in the fishery, but which are not parties to the Convention for the establishment of an Inter-American Tropical Tuna Commission, to put into effect these conservation measures.

This notice constitutes the announcement of the annual limitation on the quantity of yellowfin tuna permitted to be taken in the regulatory area, pursuant to the procedure established in 50 CFR 280.3. Closure of the season for yellowfin tuna will be announced in accordance with the procedure established in 50 CFR 280.5.

Issued at Washington, D.C., and dated February 2, 1972.

PHILIP M. ROEDEL,
Director,

National Marine Fisheries Service.

[FR Doc.72-1506 Filed 2-1-72;8:49 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

EXECUTIVE SECRETARIAT

Statement of Organization, Functions, and Delegations of Authority

Section 1A1 of Part 1 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare reads as follows:

SECTION 1A1.00 Objectives. The objectives of the Executive Secretariat, OS, are to:

1. Provide to Assistant Secretaries, Agency Heads, and Heads of Staff Offices the assignments and action requests of the Secretary and the Under Secretary and their staffs (hereafter the Secretary's Office) and followthrough to ensure that these assignments are completed in a timely and responsive manner.

2. Working with the Assistant Secretary for Planning and Evaluation and the Assistant Secretary for Administration and Management, monitor policy development and policy implementation activities of interest to the Secretary's Office.

3. Maintain a current and complete listing of who is responsible for action requests and assignments and the status of those requests and assignments in order to respond to requests for such information from throughout the Department.

4. Encourage coordination, consultation, and communication throughout the Department.

5. Communicate the objectives, priorities, and standards of the Secretary's Office to individuals involved in the preparation of correspondence and memoranda and ensure that communications signed or approved by the Secretary's Office are consistent with these standards and objectives.

6. Encourage the most effective utilization of the Secretary's and the Under Secretary's time, by ensuring completed staff work, providing for the resolution of minor disagreements and the maintenance of high quality work on routine matters.

7. Insure that Agency Heads, Assistant Secretaries, and Heads of Staff Offices are informed of, and given an opportunity to comment on, proposed actions or decisions affecting their offices or responsibilities.

8. Encourage timely and responsive correspondence prepared for the Secretary's Office.

9. Working with the Counselor to the Department, serve as a liaison with the White House Staff, the Domestic Council, and the Office of Management and Budget for purposes of assisting the Secretary in the assignment of responsibility, information flow, and followthrough.

10. Working with the Assistant Secretary for Administration and Manage-

ment, design and implement new systems of coordination and followthrough throughout the Department.

SEC. 1A1.10 Organization. The Executive Secretariat, OS, is directed by the Executive Secretary to the Department, who is responsible to the Secretary. The Executive Secretariat, OS, consists of the Executive Secretary, several Assistant Executive Secretaries with responsibility for certain designated functional areas, the Correspondence Control Unit, the Department Regulations Coordinator, several staff assistants, and agency desk officers.

SEC. 1A1.20 Functions. 1. Advises the Secretary's Office on proper coordination, internal communication, and correspondence control.

2. Reviews and analyzes memoranda and other communications directed to the Secretary's Office for adequacy of coordination and clearances, clearness and conciseness of presentation, timeliness, necessary followthrough and other elements of completed staff work.

3. Works with operating agencies and Office of the Secretary staff offices to improve the quality of decision papers and correspondence directed to the Secretary's Office.

4. Assists operating agencies and staff offices in preparing recommendations for decision and helps them to coordinate the timely development of these documents.

5. Assigns responsibility or advises the Secretary on the assignment of responsibility on action requests to the Secretary's Office, and follows through on the requests and directives of the Secretary's Office and on directives or requests from outside the Department, except where this responsibility has been specifically assigned to another office.

6. Working with the Assistant Secretary for Planning and Evaluation and the Assistant Secretary for Administration and Management, monitors policy development and policy implementation on issues of interest to the Secretary's Office and prepares periodic status reports for the Secretary's Office.

7. Working with the Assistant Secretary for Administration and Management, designs and implements procedures for proper coordination and followthrough for specific issues.

8. Communicates to the Assistant Secretaries and Agency Heads the Secretary's and Under Secretary's decisions and monitors their implementation in conjunction with other OS staff offices with specific responsibilities in this area.

9. Prepares or coordinates the preparation of briefing materials for all meetings of the Secretary and certain meetings of the Under Secretary and other key officials.

10. Attends meetings in the Secretary's office to record decisions and action requests and follows through to ensure they are implemented, working with the operational planning staff in monthly management meetings.

11. Controls correspondence addressed to the Secretary's Office including White House and Office of Management and Budget referrals.

12. Reviews correspondence for technical accuracy, responsiveness, appropriate clearances, and consistency with the Department's objectives.

13. Serves as the Secretary's agent in requesting, transmitting, and occasionally preparing, information memoranda to the White House and Executive Office about departmental activities.

14. Monitors the development, coordination, and publication of Department regulations; serves as Department liaison with the Advisory Committee on Intergovernmental Relations for consultation with State and local governments.

15. Follows through to ensure timely preparation and submission of reports to Congress, promulgation of regulations required by statute, and implementation of enacted legislation.

16. Follows through on Executive Orders, Presidential commitments in Messages to Congress, White House press releases, major speeches, etc.

17. Serves as a liaison or initial point of contact for other Federal agencies requesting information.

Dated: January 25, 1972.

ELLIOT L. RICHARDSON,
Secretary.

[FR Doc.72-1519 Filed 2-1-72; 8:50 am]

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 3 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 F.R. 15933, October 30, 1968), as amended, is hereby amended with regard to section 3-30, *Delegations of Authority*, as follows:

The paragraph *Order of Succession* is hereby replaced by the following paragraph:

Order of succession. During the absence or disability of the Administrator or in the event of a vacancy in that office, the first official listed below who is available shall act as Administrator, except during a planned period of absence for which a different order has been specified under (2) below:

(1) (a) Deputy Administrator; (b) Deputy Administrator for Mental Health; (c) Deputy Administrator for Health Services Delivery; (d) Deputy Administrator for Prevention and Consumer Services; and (e) Deputy Administrator for Development.

(2) For a planned period of absence, the Administrator may specify a different order of succession.

Dated: January 22, 1972.

VERNON E. WILSON,
Administrator.

[FR Doc.72-1605 Filed 2-1-72; 8:51 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. N-72-107]

QUALIFIED LOCAL COUNSELING AGENCIES

Notice of Provisions for Payment of Fees

The Department of Housing and Urban Development is permitting in the localities named below that instruments executed incident to mortgages insured under sections 235 and 237 of the National Housing Act (12 U.S.C. 1701) provide for payment of a fee to the counseling agency by persons other than the mortgagor. A local agency, qualified to provide counseling in accordance with Department requirements, shall be paid an amount not to exceed \$100 per family counseled in those cases in which counseling is made a precondition for mortgage insurance.

Pursuant to a finding of good cause by the Secretary, the provisions of this notice are effective upon publication in the FEDERAL REGISTER within the jurisdiction of the following HUD Offices:

AREA OFFICES

Boston.	Milwaukee.
Buffalo.	Newark.
Detroit.	Philadelphia.
Greensboro.	Pittsburgh.
Jacksonville.	Richmond.
Little Rock.	San Antonio.
Louisville.	St. Louis.

INSURING OFFICE

Denver.

The Secretary is considering extending applicability to other geographical areas, and interested persons are invited to submit written data, views or statements generally with regard to the provisions. Communications should be identified by the above docket number and title, and should be filed in triplicate with the Rules Docket Clerk, Office of the General Counsel, Room 10256, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410. All relevant material received on or before March 3, 1972, will be considered before a decision on extending the applicability of this Notice is made. Copies of comments submitted will be available for examination during business hours at the above address.

Effective date. The provisions of this notice shall be effective as of February 2, 1972.

GEORGE ROMNEY,
Secretary of Housing and
Urban Development.

[FR Doc.72-1558 Filed 2-1-72; 8:52 am]

ATOMIC ENERGY COMMISSION DRAFT ENVIRONMENTAL STATEMENTS

Notice of Availability

Notice is hereby given that eight draft environmental statements issued pursuant to the Atomic Energy Commission's implementation of section 102(2)(C) of the National Environmental Policy Act of 1969 are being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545. The draft statements are:

Contaminated Soil Removal Facility, Richland, Wash.
Radioactive Waste Evaporator and Auxiliaries, Richland, Wash.
Rover Fuels Processing Facility, NRTS, Idaho.
Radioactive Solid Waste Volume Reduction Facility, LASL, N. Mex.
Bedrock Waste Storage Exploration, Savannah River Plant, S.C.
Plutonium-238 Fuel Fabrication Facility, Savannah River Plant, S.C.
Land Acquisition, Rocky Flats Plant, Colo.
Wagon Wheel Gas Stimulation Project, Sublette County, Wyo.

The statements will also be in the Commission's Idaho Operations Office, Post Office Box 2108, Idaho Falls, ID 83401; Oak Ridge Operations Office, Post Office Box E, Oak Ridge, TN 37830; San Francisco Operations Office, 2111 Bancroft Way, Berkeley, CA 94704; Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439; and the New York Public Document Room, 376 Hudson Street, New York, NY 10014.

The draft environmental statements will be furnished upon request addressed to the Assistant General Manager for Environment and Safety, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Germantown, Md., this 27th day of January 1972.

For the Atomic Energy Commission.

W. B. McCool,
Secretary of the Commission.

[FR Doc.72-1491 Filed 2-1-72; 8:47 am]

[Docket No. 50-367]

NORTHERN INDIANA PUBLIC SERVICE CO.

Appointment of Third Member of Atomic Safety and Licensing Appeal Board

On December 29, 1971, the Commission published in the FEDERAL REGISTER a notice of hearing to consider the application filed by the Northern Indiana Public Service Co. for a construction permit which would authorize the construction of a boiling water reactor, identified as Bailly Generating Station Nuclear I. That notice indicated that the Commission had delegated to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission, and that the

third member would be designated by the Commission.

Pursuant to the Atomic Energy Act of 1954, as amended, the regulations in Title 10, Code of Federal Regulations, Part 2—Rules of Practice and the notice of hearing referred to above, notice is hereby given that the Commission has designated Dr. Lawrence R. Quarles as the third member of the Appeal Board in this proceeding.

Dated at Germantown, Md., this 26th day of January 1972.

W. B. McCool,
Secretary of the Commission.

[FR Doc.72-1492 Filed 2-1-72; 8:47 am]

[Docket No. 50-397A]

WASHINGTON PUBLIC POWER SUPPLY SYSTEM

Notice of Receipt of Advice and Time for Filing of Petitions to Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, a letter of advice from the Attorney General of the United States, dated January 24, 1972, a copy of which is attached as Appendix A.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's rules of practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed within thirty (30) days after publication of this notice in the FEDERAL REGISTER, either (1) by delivery to the AEC Public Document Room at 1717 H Street NW., Washington, DC, or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch.

For the Atomic Energy Commission.

LYALL JOHNSON,
Director, Division of
State and Licensee Relations.

APPENDIX A

JANUARY 24, 1972.

Washington Public Power Supply System, Hanford No. 2 Nuclear Unit, AEC Docket No. 50-397A, Department of Justice File No. 60-415-46.

You have requested our advice pursuant to the provisions of section 105 of the Atomic Energy Act of 1954, as recently amended by Public Law 91-560 (December 19, 1970) in regard to the above-cited application.

The Hanford No. 2 Nuclear Unit, with a generating capacity of approximately 1,100 mw., will be located on the U.S. Atomic Energy Commission's Hanford Reservation on the Columbia River near the city of Richland in southeastern Washington. It will be constructed and operated by Washington Public Power Supply System (WPPSS) which presently owns and operates an 860 mw. steam-electric generating plant for which steam is supplied from a nuclear reactor owned and operated by the AEC on the Hanford Reservation. The estimated cost of construction,

including the initial nuclear core, for Hanford No. 2 is \$321,899,000 with commercial operation scheduled to commence in September 1977.

WPPSS is a municipal corporation and a joint operating agency of the State of Washington and is composed of 18 public utility districts of the State of Washington and the cities of Richland and Seattle. WPPSS has the statutory authority to acquire, construct, and operate plants and facilities for the generation and transmission of electric power.

The power produced by Hanford No. 2 will be distributed by the Bonneville Power Administration (Bonneville) within the Federal Columbia River Power System in accordance with so-called "Net Billing Agreements" entered into between Bonneville, WPPSS, and 95 statutory preference customers of Bonneville which will actually purchase the power generated by the unit.¹ These 95 utilities, referred to as "Participants," consist of 28 municipal electric systems, 22 public utility districts, and 45 REA cooperatives. These 95 utilities constitute the vast majority of the approximately 105 publicly owned utilities in the Pacific Northwest.²

Each of the 95 participants has a contract for the purchase of its power requirements from Bonneville. Under "Net Billing" the entire generating capacity of Hanford No. 2 will be assigned to Bonneville. Each of the 95 Participants will pay to WPPSS a certain percentage of the annual costs of the unit. This entitles each Participant to receive from Bonneville an amount of power equivalent to the same percentage of the unit's capacity. Bonneville then credits each Participant, each year, for the amount which it paid to WPPSS as its share of the unit's annual costs. Bonneville deducts this sum from the amount which each Participant otherwise must pay under its power contract with Bonneville and the balance owed is called the "net billing." In effect, by participating in Hanford No. 2, these 95 utilities will receive increased amounts of power from Bonneville at Bonneville's rates.

Bonneville, which markets power from several hydroelectric plants built by the Federal Government, is the dominant supplier of power at wholesale to publicly owned utilities in the Pacific Northwest and has the lowest wholesale rates in the Nation. Bonneville also supplies wholesale power to privately owned utilities in the area. There has been substantial cooperation and planning among the public and private utilities in the Pacific Northwest. For many years the various utilities in the area voluntarily coordinated operations of their facilities through the Northwest Power Pool. In 1964 Bonneville, the Corps of Engineers and 14 of the area's public and private generating utilities agreed to coordinate their operations on the basis of a formal contract called the Pacific Northwest Coordination Agreement.

In the early 1960's it became evident that the Pacific Northwest would soon need more firm power than could be supplied by the hydroelectric projects in the area. As a result, Congress in 1963 authorized construction of an 860 mw. nuclear unit at Hanford. Half of the output of this unit was sold to 71

¹The Bonneville Act specifies that "preference customers" such as municipally owned electric systems and REA Cooperatives shall have priority in obtaining low-cost power marketed by Bonneville.

²The 95 Participants are located predominantly in the four States of Washington, Oregon, Idaho, and Montana, although a few of the REA cooperatives operate partially in small segments of northern California, Nevada, and Utah and Western Wyoming.

publicly owned utilities and half was sold to five privately owned utilities. Subsequently, in 1969, Bonneville, the 105 publicly owned utilities and the four major privately owned utilities in the Pacific Northwest jointly developed a plan for the construction of thermal plants to augment the production from existing and future hydroelectric plants in the area. This plan, referred to as the "Hydro-Thermal Power Program," constitutes an effort by all the utilities in the Pacific Northwest to meet their load growth requirements at the lowest possible cost. Under this plan, thermal plants—both fossil fuel and nuclear—are to be built by both public and private utilities with access to such plants open to any utility which needs power.

The first result of the Hydro-Thermal Power Program was that a group of public and private utilities planned and jointly financed the construction of two coal-fired 700 mw. units at Centralia, Wash., scheduled to begin commercial operation in September 1971 and September 1972. The second plant to be constructed in accordance with this program is the Trojan Nuclear Plant on the Columbia River near Portland, Ore. This plant is jointly owned by two private utilities, Portland General Electric Co. and Pacific Power & Light Co., and by the city of Eugene, Ore., Water & Light Board which through the "net billing" procedure actually provided the means whereby 13 other publicly owned utilities in the area could participate in the plant.³ The third project in the program is the construction of two 500-mw. coal-fired units in Wyoming at the Jim Bridger Plant by Pacific Power & Light Co. Hanford No. 2 is the fourth project—and second nuclear unit—to be built in accordance with the Hydro-Thermal Power Program.

There has been and continues to be substantial cooperation and coordination in bulk power supply among the various utilities, large and small, in the Pacific Northwest. Hanford No. 2 is one of several generating units resulting from a program in which all utilities in the same area have been invited to participate. Pursuant to this program both public and private utilities have planned and coordinated the addition of new generating capacity in the area. The vast majority of small, publicly owned utilities in the Pacific Northwest will participate in Hanford No. 2 and thereby obtain access to low cost power. It does not appear that the issuance of the proposed license for Hanford No. 2 will create or maintain a situation inconsistent with the antitrust laws and we see no need for an antitrust hearing.

[FR Doc.72-1493 Filed 2-1-72; 8:48 am]

[Docket No. 50-298]

NEBRASKA PUBLIC POWER DISTRICT

Order Extending Provisional Construction Permit Completion Date

By application dated December 7, 1971, the Nebraska Public Power District requested an extension of the latest completion date specified in Provisional Construction Permit No. CPPR-42. The permit authorizes the construction of a single cycle, forced circulation boiling water nuclear reactor, known as the Cooper Nuclear Station, on the applicant's site on the west bank of the

³The Department, by letter dated July 8, 1971, advised the AEC that issuance of the proposed license for the Trojan Nuclear Plant would not create or maintain a situation inconsistent with the antitrust laws.

Missouri River near the village of Brownville in Nemaha County, Nebr.

Good cause having been shown for this extension pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and section 50.55(b) of 10 CFR Part 50 of the Commission's regulations: *It is hereby ordered*, That the latest completion date specified in Provisional Construction Permit No. CPPR-42 is extended from February 1, 1972 to February 1, 1973.

Dated at Bethesda, Md., this 26th day of January 1972.

For the Atomic Energy Commission.

ROGER S. BOYD,
Assistant Director for Boiling
Water Reactors, Division of
Reactor Licensing.

[FR Doc.72-1461 Filed 2-1-72;8:47 am]

[Dockets Nos. 50-369, 50-370]

DUKE POWER CO.

Order Setting Prehearing Conference

In the matter of Duke Power Co. (William B. McGuire Nuclear Station, Units 1 and 2), Dockets Nos. 50-369, 50-370.

Notice is hereby given that a prehearing conference in the captioned proceeding will be held at 10 a.m. on Thursday, February 17, 1972, at the:

Mecklenberg County Administration Building, Commissioner's Meeting Room, Fourth Floor, 720 East Fourth Street, Charlotte, NC 28202.

All members of the public are entitled to attend this prehearing conference and all prehearing conferences as well as full evidentiary sessions of the proceeding. This prehearing conference on February 17, 1972, however, will be conducted in accordance with § 2.752 of the Commission's rules of practice (10 CFR 2.752) which provides for development of procedures for evidentiary hearing, which will be scheduled for a later time and public notice given. The procedures to be considered on February 17, 1972, will be related to simplification and clarification of issues, possibility of obtaining stipulations and admissions of fact in order to avoid duplication in presentation of evidence and other matters which aid in the orderly disposition of the case to be presented in a full public hearing.

Issued: January 28, 1972.

ATOMIC SAFETY AND LICENSING BOARD,
ROBERT M. LAZO,
Chairman.

[FR Doc.72-1580 Filed 2-1-72;8:52 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24167]

FINNAIR OY

Notice of Prehearing Conference and Hearing Regarding Renewal of Foreign Air Carrier Permit To Authorize Wet Lease Operations for Kar-Air oy

Notice is hereby given that a prehearing conference in the above-entitled

matter is assigned to be held on March 1, 1972, at 10 a.m., local time, in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner John E. Faulk.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before February 23, 1972.

Dated at Washington, D.C., January 28, 1972.

[SEAL] RALPH L. WISER,
Chief Examiner.

[FR Doc.72-1539 Filed 2-1-72;8:51 am]

[Docket No. 24168]

KAR-AIR OY

Notice of Prehearing Conference and Hearing Regarding Renewal and Amendment of Foreign Air Carrier Permit Authorizing Charter Flights Serving Any Point or Points in the United States

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 28, 1972, at 10 a.m., local time, in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner John E. Faulk.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before February 22, 1972.

Dated at Washington, D.C., January 28, 1972.

[SEAL] RALPH L. WISER,
Chief Examiner.

[FR Doc.72-1540 Filed 2-1-72;8:51 am]

[Docket No. 24007]

WINDWARD ISLANDS AIRWAYS INTERNATIONAL, N.V.

Notice of Prehearing Conference and Hearing

Application for foreign air carrier permit authorizing charter foreign air transportation between the Netherlands Antilles, any point or points in the Caribbean Sea, and any point or points in the United States.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 25, 1972, at 10 a.m., local time, in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Henry Whitehouse.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before February 17, 1972.

Dated at Washington, D.C., January 28, 1972.

[SEAL] RALPH L. WISER,
Chief Examiner.

[FR Doc.72-1541 Filed 2-1-72;8:51 am]

ENVIRONMENTAL PROTECTION AGENCY

AMCHEM PRODUCTS, INC.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (section 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 2F1222) has been filed by Amchem Products, Inc., Ambler, Pa. 19002, proposing establishment of a tolerance (40 CFR Part 180) for negligible residues of the plant regulator 2-(m-chlorophenoxy) propionic acid from application of the acid or of 2-(m-chlorophenoxy) propionamide in or on the raw agricultural commodities peaches and nectarines at 0.25 part per million.

The analytical method proposed in the petition for determining residues of the plant regulator is a microcoulometric gas chromatographic technique.

Dated: January 25, 1972.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator
for Pesticides Programs.

[FR Doc.72-1462 Filed 2-1-72;8:45 am]

UNION CARBIDE CORP.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 2F1220) has been filed by Union Carbide Corp., 800 Wyatt Building, Washington, D.C. 20005, proposing establishment of a tolerance (40 CFR Part 180) for negligible residues of the insecticide carbaryl (1-naphthyl N-methylcarbamate) and its metabolite 1-naphthyl(hydroxymethyl) carbamate in or on the raw agricultural commodity potatoes at 0.5 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a colorimetric determination at 475 nanometers using p-nitrobenzenediazonium fluoroborate as the reagent.

Dated: January 25, 1972.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator
for Pesticides Programs.

[FR Doc.72-1463 Filed 2-1-72;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19036]

WESTERN UNION TELEGRAPH CO.

Order Granting Extension of Time Concerning the Filing of Interna- tional Telegraph Messages by Telex Subscribers

In the matter of the Western Union Telegraph Co., provisions in Tariff FCC No. 240 concerning the filing of international telegraph messages by Telex subscribers, Docket No. 19036.

1. On January 25, 1972, the Western Union Telegraph Co. (WU) filed a motion for extension of time until February 11, 1972, in which to reply to the petition of RCA Global Communications, Inc. (RCA), and Western Union International, Inc. (WUI), filed January 18 and January 19, 1972, respectively requesting partial reconsideration of the Commission's memorandum opinion and order released December 20, 1971 in the above-captioned proceeding (32 FCC 2d 752).

2. WU states that because of the press of other cases pending before the Commission, counsel for WU cannot prepare a proper and adequate response to the petitions within the time such responses are presently due. Petitioners have no objection to a grant of the subject motion and good cause for granting the same has been shown.

3. Accordingly, pursuant to § 0.303(c) of the Commission's rules on Delegations of Authority, WU's motion is granted and the time for filing the replies is extended from January 31, 1972, to February 11, 1972.

Adopted: January 27, 1972.

Released: January 28, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] A. C. ROSEMAN,
Chief, International and
Satellite Communications Division.

[FR Doc.72-1511 Filed 2-1-72; 8:49 am]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder
License 446]

GEORGE G. LIPPELGOES

Order of Revocation

On January 19, 1972, Walter L. Lippelgoes, Administrator to the estate of George G. Lippelgoes, Post Office Box 77, Andover, NJ 07821, voluntarily surrendered FMC License No. 446, issued to George G. Lippelgoes, now deceased.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in the Manual of Orders, Commission Order No. 1 (revised) 7.04(f) (dated September 29, 1970);

It is ordered, That the independent ocean freight forwarder License No. 446 issued to George G. Lippelgoes be and is

hereby revoked effective January 19, 1972.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Mr. Walter L. Lippelgoes, Administrator to the estate of George G. Lippelgoes.

AARON W. REESE,
Managing Director.

[FR Doc.72-1526 Filed 2-1-72; 8:50 am]

ALASKA BARGE AND TRANSPORT, INC.

Application for Exemption

Notice is hereby given that the following application for exemption has been filed with the Commission for approval pursuant to section 35 of the Shipping Act, 1916, as amended (80 Stat. 1358, 46 U.S.C. 833a).

Interested parties may inspect and obtain a copy of this application at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Washington, DC, Room 1015; or may inspect a copy of the application at the Field Offices, New York, N.Y.; New Orleans, La.; and San Francisco, Calif. Comments with reference to the application including a request for hearing if desired, 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. A copy of any such statement shall also be forwarded to the party filing the application (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of application filed by:

Alan F. Wohlstetter, Denning and Wohlstetter, 1700 K Street NW., Washington, DC 20006.

Application designated Exemption No. 14 is hereby made pursuant to section 35 of the Shipping Act, 1916, for exemption from the Intercoastal Shipping Act, 1933 and the Shipping Act, 1916, and regulations applicable thereunder for the carriage of general cargo between Seattle, Wash., and the Arctic Coast of Alaska between Beechey Point and Tigvariak Island, via the Gulf of Alaska, the Bering Sea, and the Arctic Ocean.

The grounds for the application for exemption are the same as those asserted in the prior applications of Foss Launch & Tug Co. and Foss Alaska Line, Inc.; Puget Sound Tug & Barge Co.; and Alaska Barge and Transport, Inc., in Exemptions Nos. 6, 7, and 8, respectively, which were approved by the Commission (46 CFR 531.26(c) 36 F.R. 7967-7968, April 28, 1971) effective during 1971.

The proposed service is designed for the movement of general cargo, including bulk liquids, to and from the oil fields discovered in 1968 near Prudhoe Bay, Alaska. The major oil companies engaged in operations at the site and their suppliers urgently require water transportation for their food, clothing, shelter, communications gear, drilling equipment, pipeline material, supplies, and equipment. No port or port facilities exist on

this coast and due to the difficulty of construction it is doubtful that ports will be developed in the foreseeable future.

The timing of operations is controlled by ice. Cargoes must be held at the carrier's dock in Seattle until shortly after midsummer, at which time all vessels engaged in the movement depart for the Arctic as a flotilla so as to arrive off Point Barrow in time for the earliest movement of pack ice offshore. Vessels must move to the destination, discharge and return south of Point Barrow before the ice returns, which is normally within 4 to 6 weeks. Owing to its specialized character the movement does not lend itself to rate regulation and applicant doubts that the movement is common carriage subject to regulations.

This exception from the tariff filing requirements and regulations of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, will become effective upon approval of the Commission pursuant to section 35, Shipping Act, 1916.

Dated: January 28, 1972.

By order of the Federal Maritime
Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-1528 Filed 2-1-72; 8:50 am]

PUGET SOUND TUG AND BARGE CO.

Application for Exemption

Notice is hereby given that the following application for exemption has been filed with the Commission for approval pursuant to section 35 of the Shipping Act, 1916, as amended (80 Stat. 1358, 46 U.S.C. 833a).

Interested parties may inspect and obtain a copy of this application at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Washington, DC, Room 1015; or may inspect a copy of the application at the Field Offices, New York, N.Y.; New Orleans, La.; and San Francisco, Calif. Comments with reference to the application including a request for hearing if desired, 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. A copy of any such statement shall also be forwarded to the party filing the application (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of application filed by:

John Cunningham, Kominers, Fort, Schlefer and Boyer, Tower Building, 1401 K Street NW., Washington, DC 20005.

Application designated Exemption No. 13 is hereby made pursuant to section 35 of the Shipping Act, 1916 for exemption from the Intercoastal Shipping Act, 1933, and the Shipping Act, 1916, and regulations applicable thereunder for (a) the carriage of miscellaneous cargoes, including liquid in bulk, between Seattle, Wash., and Prudhoe Bay, Alaska; and

(b) the carriage of miscellaneous cargoes, not including liquid in bulk, between Houston, Tex., and Prudhoe Bay, Alaska.

In connection with the above the original application has been amended and Puget Sound Tug & Barge now requests that this exemption be for a 3-year period to expire December 31, 1974. The request was made to bring them into alignment with the application for exemption filed by Foss Launch & Tug Co. (36 F.R. 25067, December 28, 1971).

The grounds for the application for exemption are the same as those asserted in the prior applications of Puget Sound Tug & Barge Co., with the exception that the application, as amended, now requests the exemption for a 3-year period. The prior applications were Exemption No. 7, approved by the Commission April 21, 1971 (46 CFR 531.26(c)), 36 F.R. 7967-7968, April 28, 1971) and Exemption No. 10 approved by the Commission June 4, 1971 (46 CFR 531.26(c)) 36 F.R. 11439-11440, June 12, 1971).

The proposed service between Seattle and Prudhoe Bay is designed for the movement of general cargo, including liquid in bulk, to and from the oil field discovered in 1968 near Prudhoe Bay, Alaska. The major oil companies engaged in operations at the site and their suppliers require water transportation for their food, clothing, shelter, communications gear, drilling equipment, pipeline material, supplies, and equipment. No port or port facilities exist on this coast and due to the difficulty of construction, it is doubtful that ports will be developed in the foreseeable future.

The movement from Houston will consist primarily of materials and components for constructing a gathering plant at Prudhoe Bay to receive and process crude oil from the North Slope field. It will also consist of modules, oil field equipment, materials, and supplies. On the trip from Prudhoe Bay to Houston, the cargo will consist of the module trestles, tracked transporters and drill casing. The Houston/Prudhoe Bay movement will not include liquid in bulk.

Applicant states that in all likelihood there will be no cargo movement to the North Slope during the 1972 season (or none of significant volume) unless the Department of the Interior grants the major oil companies engaged in operations at the site their application for a right of way to construct a pipeline from Prudhoe Bay to Valdez, Alaska. This application for exemption is being made in order that Puget Sound will be free to perform the service during 1972 should the right of way be granted to the oil companies.

This exemption from the requirements of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, will become effective upon approval of the Commission pursuant to section 35 of the Shipping Act, 1916.

Dated: January 28, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-1527 Filed 2-1-72; 8:50 am]

SEAWISE FOUNDATIONS, LTD. ET AL.

Notice of Issuance of Casualty Certificate

Security for the protection of the public; financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Seawise Foundations, Ltd., and/or Chinese Maritime Trust, Ltd. (Orient Overseas Line), c/o Orient Overseas Services, Inc., 311 California Street, San Francisco, CA 94104.

Dated: January 28, 1972.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-1529 Filed 2-1-72; 8:50 am]

SEAWISE FOUNDATIONS, LTD.

Notice of Issuance of Performance Certificate

Security for the protection of the public; indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Seawise Foundations, Ltd., and/or Chinese Maritime Trust, Ltd. (Orient Overseas Line), c/o Orient Overseas Service, Inc., 311 California Street, San Francisco, CA 94104.

Dated: January 28, 1972.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 72-1530 Filed 2-1-72; 8:50 am]

FEDERAL POWER COMMISSION

NATIONAL GAS SURVEY EXECUTIVE ADVISORY COMMITTEE

Order Designating Additional Member

JANUARY 27, 1972.

The Federal Power Commission by order issued April 6, 1971, established the Executive Advisory Committee of the National Gas Survey.

Membership. An additional member to the Executive Advisory Committee, as selected by the Chairman of the Commission with the approval of the Commission, is as follows:

Honorable George A. Lincoln, Director, Office of Emergency Preparedness.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1546 Filed 2-1-72; 8:51 am]

[Docket No. CP71-214]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

JANUARY 26, 1972.

Take notice that on January 17, 1972, El Paso Natural Gas Co. (petitioner), Post Office Box 1492, El Paso, TX 79978, filed in Docket No. CP71-214, a petition to amend the order of the Commission heretofore issued in said docket pursuant to section 7(c) of the Natural Gas Act on June 30, 1971, by extending through the calendar year 1972, the time within which petitioner shall complete and place into operation certain authorized facilities, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By Commission order of June 30, 1971, in subject docket, petitioner was authorized to construct during the calendar year 1971 an additional 45,000 compressor brake horsepower to its San Juan Basin gathering systems in order to offset declining reservoir pressures. Petitioner states that a total of 31,544 compressor brake horsepower was installed during 1971 and seeks an extension of time within which to install the remaining authorized brake horsepower during the year 1972.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before February 22, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1547 Filed 2-1-72; 8:51 am]

[Docket No. E-7699]

KANSAS GAS AND ELECTRIC CO.

Notice of Application

JANUARY 27, 1972.

Take notice that on January 11, 1972, Kansas Gas and Electric Co. (applicant) filed an application with the Federal Power Commission seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance and

[Docket No. RP72-100]

SOUTHWEST GAS CORP.**Notice of Proposed Changes in Rates and Charges**

JANUARY 26, 1972.

Take notice that Southwest Gas Corp. (Southwest) on January 18, 1972, filed in Docket No. RP72-100 proposed changes in its FPC Gas Tariff, Original Volume No. 1 which would increase its revenues by approximately \$57,023 annually. The nature of the filing is set forth in the company's transmittal letter as follows:

Since El Paso Natural Gas Co. (El Paso) has very recently filed for a purchased gas offset increase pursuant to ordering paragraph (C) of the Commission's order issued July 30, 1971, in Docket No. RP71-137 to become effective February 1, 1972, it is requested that Southwest be granted an identical increase concurrent therewith. This offset increase proposed by Southwest is identical to the increase of 0.03 cent per therm proposed by El Paso under its Rate Schedule PL-4 or approximately \$20,512 annually. In this regard, it is further requested that the Commission grant a waiver under § 154.41 of its regulations under the Natural Gas Act and permit the proposed rates under Tab "1", Set A, the direct offset of El Paso's proposed increase, to become effective February 1, 1972, concurrent with El Paso's proposed effective date or such other date granted by the Commission.

Also requested herein is another proposed change in rates principally to recover increases in virtually all items of cost, such as capital, labor, material and supplies, and taxes, including a rate of return of 8.8 percent as claimed herein, excluding purchased gas increases. Southwest's current rates, which are in effect subject to refund and final determination in Docket No. RP72-71, are deficient by some \$36,544 annually, excluding the purchased gas offset increase referred to above, based upon test period sales volumes set forth in Statement G. The increase applicable to the FPC Volumes is \$36,511 of which \$33,710 applies to Sierra Pacific Power Co. (Sierra) and California-Pacific Utilities Co. (Cal Pac). The additional increase in jurisdictional rates to produce this deficiency is 0.054 cent per therm. This increase of 0.054 cent per therm when added to the rates under Tab "1", Set A produces the rates on the revised tariff sheets under Tab "1", Set B. The proposed effective date for such revised tariff sheets is February 17, 1972, 30 days following the date of tender hereof.

In addition to the proposed rate changes mentioned above, Southwest is seeking authorization to increase its rates from time to time, effective thirty (30) days after filing of the instant filing, by tracking filings made through December 31, 1972, to reflect increased purchased gas costs that may be passed on by El Paso or any certificated successor-in-interest thereto in Docket No. RP71-137, or any filing made thereafter.

Also, Southwest is seeking authorization to make two changes in its Rate Schedule I-3. It is proposed that the minimum charge be eliminated and under section 2 "Applicability and Character of Service" that the provision (iv) also be eliminated.

The FPC jurisdictional customers involved are Sierra, which distributes natural gas in the cities of Reno and Sparks and in sur-

rounding areas of Washoe County, Nev., and Cal-Pac, which distributes natural gas in the city of South Tahoe and surrounding areas of Eldorado County, Calif.

There is an additional volume of gas transported across the State of Nevada for sale by Southwest to its own distribution customers around North Lake Tahoe in Placer County, Calif., and this volume also is under the jurisdiction of the FPC. However, this volume does not create revenues under any Southwest FPC rate schedule because it is sold under Southwest's Northern California tariff approved by the California Public Utilities Commission (California PUC). Revenues are created and projected in this filing as though the volumes crossing the State line for direct distribution by Southwest in Placer County, Calif., were sold under Southwest's FPC rate schedules. This affords identical treatment to the volumes crossing from Nevada into California for distribution in (1) Southwest's North Lake Tahoe area and (2) Cal-Pac's South Lake Tahoe area. Accordingly, for the purposes of projecting jurisdictional costs of service and revenues, revenues are used herein as though there were three jurisdictional customers. The result is that the increase in revenues shown will not be totally recovered under the revised FPC tariff sheets above referred to; rather, only those revenue increases to Sierra and Cal-Pac will be recovered thereunder. The revenues created by the gas volumes associated with Southwest in the North Lake Tahoe, Calif., area would be used as the cost of gas in any rate proceeding using like volumes, for that area, before the California PUC.

The revised tariff sheets tendered herewith have been posted this date and, as evidenced by the certificate attached under Tab "5", a copy thereof, together with a copy of the documents being filed concurrently herewith, are this date being served by first class mail upon the distributor customers and State regulatory commissions indicated in such certificate.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 11, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. The company's application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1549 Filed 2-1-72;8:51 am]

[Docket No. G-2712 etc.]

CITIES SERVICE OIL CO.**Order Amending Orders Issuing Certificates of Public Convenience and Necessity**

JANUARY 21, 1972.

Order amending orders issuing certificates of public convenience and necessity, substituting applicant, substituting

sale at competitive bidding of \$25 million in principal amount of a new series of its first mortgage bonds and 150,000 shares of a new series of its serial preferred stock, par value \$100 per share.

Applicant is incorporated under the laws of the State of West Virginia, with its principal place of business at Wichita, Kans., and is engaged in providing electric energy to an estimated population of 577,000 in the southeastern quarter of the State of Kansas.

The new 30-year bonds will be issued under applicant's mortgage and deed of trust, dated April 1, 1940, to Morgan Guaranty Trust Co. of New York, as supplemented and proposed to be further supplemented by a 12th Supplemental Indenture dated as of the date of the new bonds. The new bonds will bear interest fixed by competitive bidding and will not be redeemable prior to March 1, 1977, through the use of funds borrowed by applicant at an effective interest cost of less than that of the new bonds.

The preferred stock will be pari passu with the issued and outstanding preferred stock, will be entitled to dividends at the rate fixed by competitive bidding and will be redeemable at \$115 per share on or before April 1, 1977, declining to public offering price plus 25 percent of dividend rate after April 1, 1987.

The sale of the bonds and the sale of the preferred stock are not contingent on one another.

The proceeds from the sale of the bonds and the preferred stock will be used to: (1) Repay bank loans and commercial paper indebtedness approximating \$22 million to be incurred prior to the completion of the financing; and (2) finance, in part, applicant's 1972 construction program which will cost an estimated \$59.2 million.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 15, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1548 Filed 2-1-72;8:51 am]

APPENDIX

respondent, redesignating proceedings, accepting notices of succession for filing, and redesignating FPC gas rate schedules.

On September 13, 1971, Cities Service Oil Co. (petitioner) filed in Docket No. G-2712 et al., a petition to amend the orders issuing certificates of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act in said dockets by substituting petitioner in lieu of Cities Service Co. as certificate holder, all as more fully set forth in the petition to amend and in the appendix below.

Petitioner has acquired from Cities Service Co. the producing properties from which the subject sales are authorized to be made in interstate commerce and has filed notices of succession to the FPC gas rate schedules of Cities Service Co.

The Commission's staff has reviewed the petition to amend and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petition to intervene, notice of intervention, or protest to the granting of the petition to amend has been filed.

The Commission finds:

It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity to Cities Service Co. should be amended by substituting petitioner as certificate holder, that petitioner should be substituted in lieu of Cities Service Co. as applicant and respondent in pending proceedings, that the notices of succession to the related rate schedules should be accepted for filing, and that said rate schedules should be redesignated accordingly.

The Commission orders:

(A) The orders issuing certificates of public convenience and necessity in the dockets listed in the appendix below are amended by substituting petitioner in lieu of Cities Service Co. as certificate holder, and in all other respects said orders shall remain in full force and effect.

(B) Petitioner is substituted in lieu of Cities Service Co. as applicant in the proceeding pending in Docket No. CI72-31 and said proceeding is redesignated accordingly.

(C) Petitioner is substituted in lieu of Cities Service Co. as respondent in the rate proceedings listed in the appendix below and said proceedings are redesignated accordingly.

(D) The notices of succession submitted by petitioner to the FPC gas rate schedules of Cities Service Co. are accepted for filing effective as of September 1, 1971, and said rate schedules are redesignated as set forth in the appendix below.

By the Commission.

[SEAL] KENNETH F. PLUMB, Secretary.

Cities Service Co. FPC gas rate schedule No.	Cities Service Oil Co. FPC gas rate schedule No.	Certificate docket No.	Rate proceeding docket No.
3	349	G-2712	
4	350	G-2712	
6 ¹	351	G-2712	
8 ¹	352	G-2712	
9	353	G-2712	
10	354	G-2712	RI71-076.
11	355	G-3031	
12 ¹	356	G-3031	
13	357	G-3031	
14	358	G-3031	
15	359	G-3031	
16	360	G-3031	
17	361	G-6190	
18 ¹	362	G-3031	
19 ²	363	G-8712	RI71-076.
20	364	G-8713	
21 ¹	365	G-2712	
22 ¹	366	G-9272	RI71-035.
23	367	G-9692	
24 ¹	368	G-9789	
25	369	G-12852	RI71-076.
27 ¹	370	G-10188	
28	371	G-10189	
29	372	G-13592	RI70-719.
30 ¹	373	G-16204	
31	374	G-16563	
32	375	G-19716	
34	376	CI60-198	
36	377	CI61-1131	
37 ¹	378	CI61-1681	
42 ¹	379	G-2712	RI71-360.

¹ "(Operator) et al."
 ² "et al."

³ Cities Service Co. has filed in Docket No. CI72-31 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas authorized in this docket.

[FR Doc.72-1438 Filed 2-1-72;8:45 am]

[Docket No. OS71-590 etc.]

READING & BATES, PRODUCTION CO., ET AL.

Notice of Applications for "Small Producer" Certificates¹

JANUARY 21, 1972.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before February 18, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein

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

must file petitions to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB, Secretary.

Docket No.	Date Filed	Name of Applicant
CS71-590	1- 7-72	Reading & Bates, Production Co., (Operator) et al., Suite 102, 5963 East 31st St., Tulsa, OK 74135 (Abandonment).
CS72-578	1- 5-72	B. J. McCombs, 207 Milam Bldg., San Antonio, Tex. 78205.
CS72-579	12-27-71	E. O. Johnston Co., Post Office Box 1112, Longview, TX 75601.
CS72-580	1- 3-72	Jack L. Phillips, Post Office Box 1251, Kilgore, TX 75662.
CS72-581	1- 4-72	West Petroleum Corp., 2206 Alamo National Bldg., San Antonio, Tex. 78205.
CS72-582	1- 4-72	George W. Schneider, Jr., 604 Johnson Bldg., Shreveport, La. 71101.
CS72-583	1- 4-72	J. F. Gibson, 2521 Cummings Dr. Oklahoma City, OK 73107.
CS72-584	1- 4-72	L. R. Wilson, 923 Craven Bldg., Oklahoma City, Okla. 73102.
CS72-585	1- 5-72	McAllen State Bank, Trustee for William N. Finnegan, Vernon F. Neuhaus, Jr., John J. McCloy and Grace N. Richards, 2100 First City National Bank Bldg., Houston, Tex. 77002.
CS72-586	1- 5-72	Walter H. Gant, Post Office Box 771, Ardmore, Okla. 73401.
CS72-587	1- 4-72	Development Services Corp., Post Office Box 683, Edgemont Branch, Golden, CO 80401.
CS72-588	1- 4-72	Arthur I. Appleton, d.b.a. Appleton Oil Co., 2511 City National Bank Tower, Oklahoma City, Okla. 73102.
CS72-589	1- 7-72	Pecos County Courthouse Annex, Fort Stockton, Tex. 79735.
CS72-590	1- 7-72	C. Hubert Gragg, Post Office Box 14100, Oklahoma City, OK 73114.
CS72-591	1- 7-72	Edward L. Shaheen, 203 Arlington Dr., Lake Charles, LA 70601.
CS72-592	1- 7-72	Jet Drilling Co., Inc., 514 One Twenty Bldg., 120 South Market St., Wichita, KS 67202.
CS72-593	1- 7-72	Edward H. Jackson, 627 Crockett Bldg., Shreveport, La. 71101.
CS72-594	1- 6-72	Dareneo, Inc., Post Office Box 797, Casper, WY 82601.
CS72-595	1- 7-72	C. W. and Rena M. Allen, 905 Claymark Dr., St. Louis, MO 63131.
CS72-596	1-10-72	Julia J. Peavy, Post Office Box 1103, Shreveport, LA 71163.
CS72-597	1-10-72	Corinthian Oil Corp., 1813 Fourth National Bank Bldg., Tulsa, Okla. 74119.

Docket No.	Date Filed	Name of Applicant
CS72-598...	1-10-72	Conrad J. Bailey, d.b.a. Conrad J. Bailey, 5217 South Vandala, Apt. 1F, Tulsa, OK 74135.
CS72-599...	1-10-72	The Pickens Co., Inc., 800 Preston Bank Bldg., Dallas, Tex. 75225.
CS72-600...	1-10-72	Helen K. Little, 1201 Ann Arbor Dr., Norman, OK 73069.
CS72-601...	1-10-72	L. B. Hutcheson, 708 First City National Bank Bldg., Houston, Tex. 77002.
CS72-602...	1-10-72	Solatex Petroleum Co., Ltd., 708 First City National Bank Bldg., Houston, Tex. 77002.
CS72-603...	1-10-72	Paradox Petroleum Co., Post Office Box 10025, Amarillo, TX 79106.
CS72-604...	1-10-72	Lee Kinnebrew, Post Office Box 601, Shreveport, LA 71162.
CS72-605...	1-10-72	H-Tex, Inc., 919 Americana Bldg., Houston, Tex. 77002.
CS72-606...	1-10-72	Petroleum Consultant Services, Box 853, Midland, TX 79701.
CS72-607...	1-10-72	Ivo F. Otey, 2264 Northwest 54th St., Oklahoma City, OK 73112.
CS72-608...	1-11-72	Jack J. Grynberg et al., 750 Petroleum Club Bldg., Denver, Colo. 80202.
CS72-609...	1-12-72	David A. Onsgard, 2240 East 49th St., Tulsa, OK 74105.
CS72-610...	1-12-72	Charles D. Tandy, 1800 First National Bldg., Fort Worth, Tex. 76102.
CS72-611...	1-12-72	R. James Stillings, d.b.a., Gastill Co., 2240 East 49th St., Tulsa, OK 74105.
CS72-612...	1-13-72	Wilma Kineaid, 1010 Mid South Towers, Shreveport, La. 71101.
CS72-613...	1-13-72	Lille Ellis Asseff, 1100 Ray P. Oden Bldg., Shreveport, La. 71101.

[FR Doc.72-1437 Filed 2-1-72;8:45 am]

[Docket No CP72-158]

CITY OF DENISON, KANSAS AND CITIES SERVICE GAS CO.

Notice of Application

JANUARY 18, 1972.

Take notice that on December 10, 1971, the city of Denison, Kans. (applicant), Denison, Kans. 66419, filed in Docket No. CP72-158 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Cities Service Gas Co. (respondent) to establish physical connection of its natural gas transmission facilities with the proposed facilities of applicant and to sell and deliver natural gas to applicant for resale and distribution, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests that the Commission order respondent to establish physical connection of its natural gas transmission facilities with the proposed 11-mile 3½-inch pipeline of applicant which is to travel southeasterly from the border of Denison, Kans., to a point of interconnection with respondent's transmission line, and to sell and deliver to applicant 351 Mcf of natural gas per day. Applicant estimates that its cost of constructing the 11-mile lateral line and distribution facilities will be \$135,000 which is to be financed by means of gas revenue bonds and general obligation bonds.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before February 8, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1466 Filed 2-1-72;8:45 am]

[Docket No. CP72-171]

NORTHERN NATURAL GAS CO.

Notice of Application

JANUARY 18, 1972.

Take notice that on January 3, 1972, Northern Natural Gas Co. (applicant), 2223 Dodge Street, Omaha, NE 68102, filed in Docket No. CP72-171 an application pursuant to section 7(b) of the Natural Gas Act for permission for and approval of the abandonment of certain natural gas measuring facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that its Washburn, Wis., TBS No. 5 measuring station located near Barksdale, Bayfield County, Wis., which was used to deliver natural gas to Lake Superior District Power Co. (Lake Superior) for resale to the DuPont Barksdale Plant, is no longer in use. Lake Superior has informed applicant that since the DuPont Barksdale Plant has discontinued operations it has retired its natural gas service and facilities to the Barksdale Plant. Northern estimates the cost of removing this measuring station to be \$6,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 7, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the

Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1467 Filed 2-1-72;8:46 am]

[Docket No. CP72-172]

TRUNKLINE GAS CO.

Notice of Application

JANUARY 18, 1972.

Take notice that on January 4, 1972, Trunkline Gas Co. (applicant), Post Office Box 1642, Houston, TX 77001, filed in Docket No. CP72-172 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of certain offshore natural gas transmission facilities and the operation thereof for the receipt and transportation of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 3.4 miles of 12-inch diameter pipeline and appurtenant facilities in order to transport natural gas which is to be purchased from Continental Oil Co. and Cities Service Oil Co. at their production platform in South Timbalier Block 148, offshore Louisiana, to applicant's existing transmission line in South Timbalier Block 147. Applicant estimates the total cost of this project to be \$775,000 which will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 7, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1468 Filed 2-1-72;8:46 am]

FEDERAL RESERVE SYSTEM

[Reg. Y]

BANK HOLDING COMPANIES

Notice of Hearing Regarding Insurance Underwriting

Notice of hearing regarding proposed acquisition of voting shares of companies engaging in underwriting credit life insurance and credit accident and health insurance; and of possible rule making.

The Board of Governors has received the following five applications filed pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4 of the Board's Regulation Y (12 CFR 225.4) for prior approval to acquire shares of companies engaged in the underwriting, as reinsurer, of credit life insurance and credit accident and health insurance also referred to as disability insurance.

a. Hamilton Bancshares, Inc., Chattanooga, Tenn., has applied to acquire voting shares of Bankshares Life Insurance Co., Phoenix, Ariz. Bankshares Life Insurance Co. engages in the underwriting, as reinsurer, of credit life and disability insurance in connection with loans made by the credit-extending subsidiaries of Hamilton Bancshares, Inc.

b. First at Orlando Corp., Orlando, Fla., has applied to acquire voting shares of First at Orlando Life Insurance Co., Phoenix, Ariz. First at Orlando Life Insurance Co. proposes to engage in the underwriting, as reinsurer, of credit life and disability insurance in connection with loans made by the credit-extending subsidiaries of First at Orlando Corp.

c. Northwest Bancorporation, Minneapolis, Minn., has applied to acquire voting shares of Banco Credit Life Insurance Co., Phoenix, Ariz. Banco Credit Life Insurance Co. proposes to engage in the underwriting, as reinsurer, of credit life and accident and health insurance

in connection with loans made by the credit extending affiliates of Northwest Bancorporation.

d. Equimark Corp., Pittsburgh, Pa., has applied to acquire voting shares of Atlantic-Phoenix Life Insurance Co., Phoenix, Ariz. Atlantic-Phoenix Life Insurance Co. engages in the underwriting, as reinsurer, of credit life and accident and health insurance issued in connection with loans made by Atlantic Management Corp., a wholly owned finance company of Equimark Corp.

e. Fourth Financial Corp., Wichita, Kans., has applied to retain voting shares of Fourth Financial Insurance Co., Phoenix, Ariz. Fourth Financial Insurance Co. engages in the underwriting, as reinsurer, of credit life and disability insurance in connection with credit extensions by Fourth Financial Corp.'s subsidiary bank.

The Board has not heretofore adopted general regulatory provisions regarding any insurance underwriting activities as closely related to banking. In addition to the issue whether the above insurance underwriting activities are closely related to banking, the applications suggest the need to explore further the public benefits aspects of such acquisitions.

Among the specific questions in this area is the extent to which permitting holding companies to engage in underwriting credit life and accident and health insurance might reduce the cost of such insurance to customers. As an example, the question arises whether there are tax savings or savings inherent in or attributable to increased efficiency in the reinsurance form of operation involved here and whether any part of such savings may be passed on to customers. Further questions are whether credit life and accident and health insurance may be required by the holding company (regardless of from whom such insurance is purchased) and, the extent to which holding companies desiring to engage in the underwriting of such insurance might be required to manage their own subsidiaries, as distinguished from such management service being provided by a nonaffiliated insurance underwriter in return for a portion of the total premiums on insurance written.

The Board has decided to explore these questions at a hearing to be conducted by designated staff members of the Board at the Board Building at 20th Street and Constitution Avenue on March 24, 1972, beginning at 10 a.m.

Interested persons are invited to participate, either by presenting material orally at the hearing or through submission of written comments on the matter to be received by the Board's Secretary on or before April 10, 1972. Such material will be made available for inspection and copying upon request, except as provided in § 261.6(a) of the Board's rules regarding availability of information.

In January 1971, the Board's initial publication of proposed activities under section 4(c)(8) included "acting as insurer for the holding company and its subsidiaries with respect to insurance sold by the holding company or any of its subsidiaries as agent or broker."

After a hearing on this activity and insurance agency activities, the Board in August 1971, announced that it had deferred adoption at that time of general regulatory provisions regarding insurance underwriting activities as closely related to banking. It is anticipated that the March 24, 1972, hearing will not only assist the Board in its determination of the pending applications, but will facilitate possible rulemaking by the Board with respect to these activities.

Persons, in addition to the applicants, who are interested in participating in the hearing by presenting material orally, should inform the Secretary of the Board in writing not later than March 9, 1972.

By order of the Board of Governors,
January 21, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1496 Filed 2-1-72;8:48 am]

CITIZENS INVESTMENT CO.

Formation of Bank Holding Company

Citizens Investment Co., Thornton, Colo., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 49.39 percent or more of the voting shares of North Valley State Bank, Thornton, Colo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 28, 1972.

Board of Governors of the Federal Reserve System, January 26, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1495 Filed 2-1-72;8:48 am]

FIRST MISSOURI BANCORPORATION, INC.

Formation of Bank Holding Company

First Missouri Bancorporation, Inc., Columbia, Mo., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 percent of the voting shares of First National Bank and Trust Co., Columbia, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis.

Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 28, 1972.

Board of Governors of the Federal Reserve System, January 27, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1473 Filed 2-1-72;8:46 am]

SOUTHERN BANKSHARES, INC.

Acquisition of Banks

Southern Bankshares, Inc., Richmond, Va., has applied in two separate applications, as set forth below, for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842(a) (3)):

(1) To acquire 100 percent of the voting shares of the successor by merger to Bank of Powhatan, Powhatan, Va.; and

(2) To acquire 100 percent of the voting shares of the successor by merger to Bank of Goochland, Goochland, Va. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Richmond. Any person wishing to comment on the applications should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 28, 1972.

Board of Governors of the Federal Reserve System, January 27, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1474 Filed 2-1-72;8:46 am]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES PRODUCED OR MANUFACTURED IN NICARAGUA

Entry or Withdrawal from Warehouse for Consumption

JANUARY 28, 1972.

On November 30, 1971, the U.S. Government requested the Government of Nicaragua to enter into consultations concerning exports to the United States of cotton textiles in Category 9 produced or manufactured in Nicaragua. Public notice of this request was published in the FEDERAL REGISTER on December 18, 1971 (36 F.R. 24097). In that request the U.S. Government indicated the specific level at which it considered that exports in this category from Nicaragua should be restrained for the 12-month period beginning November 30, 1971, and extending through November 29, 1972. Since

no solution has been mutually agreed upon, the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3 and Article 6(c) which relates to non-participants, is establishing a restraint at the level indicated in that request for the 12-month period beginning November 30, 1971 and extending through November 29, 1972. This restraint does not apply to cotton textiles in Category 9, produced or manufactured in Nicaragua exported to the United States prior to the beginning of the designated 12-month period.

There is published below a letter of January 28, 1972, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textiles in Category 9, produced or manufactured in Nicaragua, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning November 30, 1971, be limited to the designated level.

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

PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 22026.

JANUARY 28, 1972.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to non-participants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning November 30, 1971, and extending through November 29, 1972, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles in Category 9, produced or manufactured in Nicaragua, in excess of a level of restraint for the period of 800,000 square yards.¹

Entries of cotton textiles in Category 9, produced or manufactured in Nicaragua and which have been exported to the United States from Nicaragua prior to November 30, 1971, shall not be subject to this directive.

Cotton textiles in Category 9 which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 9, in terms of T.S.U.S.A. numbers, was published in the FEDERAL REGISTER on October 9, 1971 (36 F.R. 19722).

In carrying out the above directions, entry into the United States for consumption shall

¹This level has not been adjusted to reflect any entries made on or after Nov. 30, 1971.

be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Nicaragua and with respect to imports of cotton textiles from Nicaragua have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

MAURICE H. STANS,
Secretary of Commerce, Chairman,
President's Cabinet Textile Ad-
visory Committee.

[FR Doc.72-1510 Filed 2-1-72;8:49 am]

NATIONAL COMMISSION ON FIRE PREVENTION AND CONTROL

FIRE PREVENTION AND CONTROL

Notice of Hearing

The National Commission on Fire Prevention and Control will hold its first hearing on February 15-17, 1972, at the Old Senate Office Building, Room 318, "Caucus Room" at the corner of First Street and Constitution Avenue, Washington, DC.

The first hearing is organized to receive a national cross-section of testimony and provide public information about the fire problem. Losses from destructive fire cost our country over 12,000 lives and \$2.5 billion in property damage in 1970. There were approximately 40 injuries for each life lost.

HOWARD D. TIPTON,
Executive Director.

[FR Doc.72-1517 Filed 2-1-72;8:50 am]

OFFICE OF EMERGENCY PREPAREDNESS

ARKANSAS

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on January 27, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Arkansas from severe storms and flooding, beginning about December 9, 1971, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-608. I therefore declare that such a major disaster exists in the State of Arkansas. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended) I hereby appoint Mr. George E. Hastings, Regional Director, OEP Region 6, to act as the Federal Coordinating Officer to perform the duties specified by Section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Arkansas to have been adversely affected by this declared major disaster:

The counties of:

Baxter.	Madison.
Boone.	Marion.
Carroll.	Miller.
Conway.	Montgomery.
Crawford.	Newton.
Franklin.	Perry.
Fulton.	Polk.
Hempstead.	Scott.
Howard.	Sebastian.
Izard.	Sevier.
Johnson.	Stone.
Little River.	Yell.
Logan.	

Dated: January 28, 1972.

G. A. LINCOLN,
Director,

Office of Emergency Preparedness.

[FR Doc.72-1476 Filed 2-1-72; 8:46 am]

TEXAS

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on January 27, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Texas from heavy rains and flooding, beginning about December 3, 1971, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Texas. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. George E. Hastings, Regional Director, OEP Region 6, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Texas to have been adversely affected by this declared major disaster:

The counties of:

Bowie.	Lamar.
Delta.	Rains.
Fannin.	Red River.

Dated: January 28, 1972.

G. A. LINCOLN,
Director,

Office of Emergency Preparedness.

[FR Doc.72-1477 Filed 2-1-72; 8:46 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 872;
Class B]

ALABAMA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of January 1972, because of the effects of certain disasters damage resulted to homes and business property located in the State of Alabama;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitutes a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Associate Administrator for Operations and Investment of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property situated in Dale and Henry Counties, Ala., suffered damage or destruction resulting from a tornado on January 13, 1972.

OFFICE

Small Business Administration District Office,
908 South 20th Street, Birmingham, AL
35205.

2. A temporary office will be established in the Army Community Center, Building 8746, Fort Rucker, Ala.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to July 31, 1972.

Dated: January 18, 1972.

A. H. SINGER,
Associate Administrator for
Operations and Investment.

[FR Doc.72-1497 Filed 2-1-72; 8:48 am]

[Declaration of Disaster Loan Area 871;
Class B]

OKLAHOMA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of December 1971, be-

cause of the effects of certain disasters damage resulted to homes and business property located in the State of Oklahoma;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Associate Administrator for Operations and Investment of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Tulsa, Wagoner, Sequoyah, Le Flore, Hackell, Latimer, McCurtain, Choctaw, Bryan, Atoka, Pittsburg, and Pushmataha Counties, Okla., suffered damage or destruction resulting from severe storms and floods on December 9, 1971.

OFFICE

Small Business Administration District Office,
30 North Hudson, Oklahoma City, OK
73102.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to July 31, 1972.

Dated: January 17, 1972.

A. H. SINGER,
Associate Administrator for
Operations and Investment.

[FR Doc.72-1498 Filed 2-1-72; 8:48 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

JANUARY 28, 1972.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

FD 26525, Chicago, Milwaukee, St. Paul & Pacific R.R. Co.—Trackage Rights—Louisville & Nashville R.R. Co. Between Bedford, Ind., & New Albany, Ind., Also Over Kentucky & Indiana Terminal Railroad Co., Between New Albany, Ind. & Louisville, Ky. FD 26526, Chicago, Milwaukee, St. Paul & Pacific R.R. Co., Assumption of Obligation and Liability, & FD 26887, Chicago, Milwaukee, St. Paul & Pacific R.R. Co., & Kentucky & Indiana R.R. Co.—Joint Use of Terminal—Louisville, Ky., now being assigned continued hearing on February 23, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC-F-11122, Duff Truck Line, Inc.—Purchase—Vernon R. Doering, doing business as Michigan Ohio Motor Freight, assigned for hearing March 13, 1972, at Columbus, Ohio, in a hearing room to be later designated.

MC 2900 Sub 215, Ryder Truck Lines, Inc., assigned for hearing March 7, 1972, at Columbus, Ohio, in a hearing room to be later designated.

MC 124221 Sub 34, Howard Baer, assigned for hearing March 9, 1972, at Columbus, Ohio, in a hearing room to be later designated.

MC 135524 Sub 2, G. F. Trucking, Inc., assigned for hearing March 6, 1972, at Columbus, Ohio, in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-1535 Filed 2-1-72;8:51 am]

[Notice 4]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 28, 1972.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-10343 (Deviation No. 18), CHURCHILL TRUCK LINES, INC., U.S. Highway 36 West, Post Office Box 250, Chillicothe, MO 64601, filed January 20, 1972. Carrier's representative: Frank W. Taylor, Jr., 121 Baltimore Avenue, Kansas City, MO 64105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes

as follows: (1) From Cameron, Mo., over Interstate Highway 35 to junction Missouri Highway 6, thence over Missouri Highway 6 to Trenton, Mo., (2) from Macomb, Ill., over U.S. Highway 136 to junction Illinois Highway 41, thence over Illinois Highway 41 to junction U.S. Highway 150, thence over U.S. Highway 150 to junction Illinois Highway 17 near Alpha, Ill., and (3) from Peru, Ill., over U.S. Highway 51 to junction Interstate Highway 55, thence over Interstate Highway 55 to St. Louis, Mo., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Kansas City, Mo., over U.S. Highway 69 to junction U.S. Highway 36, thence over U.S. Highway 36 to Chillicothe, Mo., thence over U.S. Highway 65 to Trenton, Mo., (2) from Macomb, Ill., over U.S. Highway 67 to junction Illinois Highway 17, thence over Illinois Highway 17 to junction U.S. Highway 150, and (3) from Peru, Ill., over U.S. Highway 6 to junction U.S. Highway 34, thence over U.S. Highway 34 to Monmouth, Ill., thence over U.S. Highway 67 to St. Louis, Mo., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-1532 Filed 2-1-72;8:50 am]

[Notice 7]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 28, 1972.

The following publications are governed by the new Special Rule § 1100.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 123639 (Sub-No. 144), filed January 3, 1972. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, CO 80216. Applicant's representative: John F. DeCock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, pelts or skins, or pieces thereof*, green, salted, or chromed, *switches or tails, cattle or horse, green, salted, or chromed*, restricted against the

transportation of commodities requiring temperature control, between points in Missouri, Iowa, Kansas, Nebraska, Colorado, Minnesota, Utah, Wyoming, Montana, North Dakota, South Dakota, Wisconsin, Indiana, Illinois, Michigan, Ohio, Pennsylvania, New York, Connecticut, Massachusetts, Texas, Louisiana, Tennessee, Oklahoma, Mississippi, Virginia, Maryland, New Hampshire, California, Nevada, New Jersey, Kentucky, West Virginia, Maine, and Georgia. Note: Applicant states that the authority sought could be tacked with applicant's Sub 107 and 110 at Denver, Colo., and Guymon, Okla., respectively to provide through service to points in Arizona. Applicant does not seek duplicate authority. Hearing: March 2, 1972, Room 812, Federal Office Building, 106 South 15th Street, Omaha, NE.

No. MC 116886 (Sub-No. 41) (Republication), filed April 12, 1971, published in the FEDERAL REGISTER issue of April 29, 1971, and republished this issue. Applicant: HOWELL'S MOTOR FREIGHT, INCORPORATED, 2210 Winston Avenue SW., Roanoke, VA 24014. Applicant's representative: R. R. Rush, 300 Shenandoah Building, Post Office Box 614, Roanoke, VA 24004. A report and order of the Commission, Review Board No. 4, decided January 20, 1972, and served January 25, 1972, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of foodstuffs, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from Columbus and Dayton, Ohio, to points in Ohio. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings of this report, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 117940 (Sub-No. 20) (Republication), filed May 18, 1970, published in the FEDERAL REGISTER issue of June 11, 1970, and republished this issue. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, MN 55359. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. A report and recommended order of the Hearing Examiner, of November 30, 1971, which was made effective December 30, 1971, and notice was served January 13, 1972, finds; that the present and future public convenience and necessity require operation by Nationwide Carriers, Inc., in interstate or foreign commerce, as a common carrier by motor vehicle over irregular

routes, of (A) meat, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses, as described in sections A, B, and C, of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and hides), and frozen foods, from Austin, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to the transportation of traffic originating at the plant-site and storage facilities of or used by Geo. A. Hormel & Co., at Austin, Minn., and destined to points in the specified destination territory; and (B) (1) edible meats, glands, canned goods, tails, animal and vegetable oils, and vegetable oil shortening (except commodities in bulk), in vehicles equipped for mechanical refrigeration, from Eau Claire, Wis., Worthington, Minn., and points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, including Minneapolis and St. Paul, Minn., to points in the destination territory set forth in (3) below;

(2) Dairy products (except commodities in bulk), in vehicles equipped for mechanical refrigeration, from points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, including Minneapolis and St. Paul, Minn., St. Cloud, St. Charles, Worthington, Albert Lea, Faribault, and Twin Lakes, Minn., and Portage, Marshfield, and Monroe, Wis., to points in the destination territory specified in (3) below; and (3) canned and frozen foods, in vehicles equipped for mechanical refrigeration, from Fairmont, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, subject to the limitation that the authority granted in (B) (1), (2), and (3) above, is restricted to the transportation of traffic originating at the plant and storage facilities of or used by Armour and Co. at the named origin points and destined to points in the specified destination territory and subject to the further provision that, to the extent the authority granted in (A) and (B) above duplicates that heretofore granted to or now held by applicant, it shall not be construed as conferring more than a single operating right. That because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice that the authority granted in this proceeding a notice of the authority granted will be published in the *FEDERAL REGISTER* and issuance of a certificate will be withheld for a period of 30 days from the date of such publication, during which period any person with a proper interest may file an appropriate petition for leave to intervene in this proceeding setting forth in detail the precise manner in which he has been so prejudiced.

No. MC 135424 (Sub-No. 2) (Republication), filed May 27, 1971, published in the *FEDERAL REGISTER* issue of July 1, 1971, and republished this issue. Applicant: CONNOLLY CARTAGE CORP., Post Office Box 3660, Saint Paul, MN 55165. Applicant's representative: William S. Rosen, 630 Osborn Building, Saint Paul, Minn. 55102. An order of the Commission, Operating Rights Board, dated November 22, 1971, and served December 6, 1971, finds: the present and future public convenience and necessity require operation by applicant, in interstate and foreign commerce, as a common carrier by motor vehicle, over irregular routes, of paper and paper products, from the plantsite of International Paper Co., at Arden Hills, Minn., to points in Iowa, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of traffic originating at the named origin points, and destined to points in the named destination States; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder and that an appropriate certificate should be issued subject to the conditions that (1) the person or persons who control the operations both of applicant and any other carrier operating in interstate or foreign commerce shall first obtain approval of such control under the provisions of section 5(c) of the Act, or if such approval is not needed, shall so inform the Commission by appropriate affidavit. (2) That since it is possible that other parties who have relied upon the notice in the *FEDERAL REGISTER* of the application as originally published may have an interest in and would be prejudiced by the lack of proper notice of the grant of authority without the requested limitation in our findings herein, a notice of the authority actually granted will be published in the *FEDERAL REGISTER* and issuance of the certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in the proceeding setting forth in detail the precise manner in which it has been prejudiced.

APPLICATION FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 65941 (Sub-No. 36), filed January 3, 1972. Applicant: TOWER LINES, INC., Post Office Box 6010, Wheeling, WV 26003. Applicant's representative: Paula M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk and those which because of size or weight require the use of special equipment), between Martins Ferry, Ohio

(excluding that portion of West Virginia in the Martins Ferry, Ohio, commercial zone), on the one hand, and, on the other, points in Ohio. NOTE: Applicant states that the requested authority can be tacked with its presently held authority MC 65941 and its Sub 13. No duplicating authority is sought and applicant has no objections to appropriate restrictions. The instant application is a matter directly related to MC-F-11423, published in the *FEDERAL REGISTER* issue of January 12, 1972. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-11410 (SIGNAL DELIVERY SERVICE, INC.—Purchase—BE-RITE DELIVERY SERVICE, INC.), published in the December 30, 1971, issue of the *FEDERAL REGISTER* on page 2570. Application filed January 21, 1972, for temporary authority under section 210a(b).

No. MC-F-11434 (Correction), (WHITE'S DELIVERY SERVICE, INC.—Purchase (Portion)—A.E.F. TRANSPORTATION, INC.), published in the January 19, 1972, issue of the *FEDERAL REGISTER* on page 835. Prior notice should be modified to read, MC-136322, is a matter directly related.

No. MC-F-11440. Authority sought for purchase by CENTRALIA CARTAGE CO., 650 West Noleman Street, Centralia, IL 62801, of the operating rights and property of MARIE MORRIS, doing business as VANDALIA TRANSFER CO., Vandalia, Ill., and for acquisition by RALPH H. SPREHE and FORREST D. SPREHE, both of Centralia, Ill. 62801, of control of such rights and property through the purchase. Applicants' attorney: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Operating rights sought to be transferred: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a common carrier over regular routes, between St. Elmo, Ill., and St. Louis, Mo., serving intermediate points on U.S. Highway 40 between Greenville and St. Elmo, Ill., including Greenville, intermediate and off-route points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission, without restriction, and off-route points within 10 miles of Vandalia, Ill., restricted to livestock, between Mulberry Grove, Ill., and St. Louis, Mo., serving intermediate and off-route points within 10 miles of Mulberry Grove, between Pierron, Ill., and St. Louis, Mo., serving intermediate and off-route points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined

by the Commission, and those within 15 miles of Pierron; *general commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, over irregular routes, from St. Louis, Mo., to Strasburg, Ill., and points within 25 miles of Strasburg; *agricultural commodities*, from Strasburg, Ill., and points within 25 miles of Strasburg, to St. Louis, Mo.; *agricultural implements and machinery*, between St. Louis, Mo., on the one hand, and, on the other, points in Fayette County, Ill. Vendee is authorized to operate as a *common carrier* in Illinois, Indiana, and Missouri. Application has not been filed for temporary authority under section 210a(b). NOTE: MC-13235 Sub 19 is a matter directly related.

No. MC-F-11441. Authority sought for control by U.S. TRUCK LINES, INC. OF DELAWARE, 1602 Union Commerce Building, Cleveland, Ohio 44115, of BE-MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis, MO 63147. Applicants' attorney: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60604. Operating rights sought to be controlled: *General commodities*, excepting among others, dangerous explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Clinton and Hobart, Okla., between Oklahoma City and Altus, Okla., between Chickasha and Lawton, Okla., between Joplin, Mo., and Davis, Okla., between Muskogee and Webbers Falls, Okla., between Sapulpa and Oklahoma City, Okla., between Oklahoma City and Ardmore, Okla., between Pauls Valley and Lindsay, Okla., between St. Louis, Mo., and Oklahoma City, Okla., between St. Louis, Mo., and Elk City, Okla., with restriction, between St. Louis, Mo., and Chicago, Ill., between St. Louis, Mo., and Beloit, Wis., between Bloomington and Chicago, Ill., between Rockford and Freeport, Ill., between Godfrey, Ill., and St. Louis, Mo., between Peoria and Bloomington, Ill., between Wenona, Ill., and junction U.S. Highways 51 and 6, near La Salle, Ill., with restriction, between Springfield and Joplin, Mo., between St. Charles and St. Louis, Mo., serving all intermediate points, and all off-route points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission, between Springfield and Decatur, Ill., between Decatur and Bloomington, Ill., serving no intermediate points, between Lincoln and Morton, Ill., serving no intermediate points and serving the termini for joinder purposes only, between Rockford and Belvidere, Ill., serving all intermediate points, and the off-route points of Woodstock and Union, Ill., between Rockford and Richmond, Ill., serving all intermediate points, and the off-route points of Woodstock and Union, Ill., between Chicago, Ill., and Grand Rapids, Mich., serving all intermediate points, and the off-route points of Woodstock, Ill., and those in Cook, Will, Du Page, Lake, and Kane Counties, Ill., the site of the Upjohn Co. plant located approximately 4½ miles southeast of Kalamazoo, Mich., and

those within 2 miles of Kalamazoo, between junction U.S. Highway 31 and Allegan County Highway at Saugatuck, Mich., and junction unnumbered highway and U.S. Highway 31, approximately 4 miles south of Holland, Mich., serving all intermediate points, over numerous alternate routes for operating convenience only;

Petroleum products, from Wood River, Ill., to St. Louis, Mo.; *refinery equipment*, from St. Louis, Mo., to Wood River, Ill.; *fresh fruits and vegetables*, from junction Redman Avenue and Old Halls Ferry Road, and junction Jennings Station Road and Halls Ferry Road, in St. Louis County, Mo., to Chicago, Ill.; *frozen fruits, frozen berries, and frozen vegetables*, over irregular routes, from Chicago, Ill., to points in the Lower Peninsula of Michigan. U.S. TRUCK LINES, INC. OF DELAWARE holds no authority from this Commission. However, it is affiliated with (1) BROWN EXPRESS, INC., 428 South Main Avenue, San Antonio, TX, and (2) CENTRAL TRUCK LINES, INC., 3825 Henderson Boulevard, Post Office Box 18464, Tampa, FL 33609, (3) THE CLEVELAND, COLUMBUS & CINCINNATI HIGHWAY, INC., 215 Euclid Avenue, Cleveland, OH 44114, (4) MOTOR EXPRESS, INC. OF INDIANA, 730 South Keystone Avenue, Indianapolis, IN 46203, (5) MOTOR EXPRESS, INC. OF NEW JERSEY, 327 South La Salle Street, Chicago, IL 60604, (6) MOTOR EXPRESS, INC. OF OHIO, 410 Lincoln Building, Cleveland, OH 44114, and (7) NATIONAL TANK TRUCK DELIVERY, INC., 85 East Gay Street, Columbus, OH 43215, which are authorized to operate as *common carriers* in (1) Texas, (2) Georgia, Florida, Louisiana, Alabama, Ohio, Tennessee, and Kentucky, (3) Ohio, Michigan, Indiana, and West Virginia, (4) Indiana, Illinois, Wisconsin, and Ohio, (5) Illinois and Indiana, (6) Ohio, Pennsylvania, West Virginia, and New York; and (7) which is authorized to operate as a *contract carrier* in Ohio, Kentucky, and Indiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11442. Authority sought for purchase by K. G. MOORE, INC., 16 Progress Avenue, Nashua, NH, of the operating rights of FLEMING'S EXPRESS, INC., U.S. Highway 1, Wrentham, Mass. 02093, and for acquisition by WALTER W. ANDERSON, 1 Ayer Road, Nashua, NH 03060, ROBERT F. ANDERSON, JR., 37 Woodruff Road, Walpole, MA 02081, and SIDNEY J. ANDERSON, 42 Bonham Road, Dedham, MA 02026, of control of such rights through the purchase. Applicants' attorney: Frederick T. O'Sullivan, 622 Lowell Street, Peabody, MA 01960. Operating rights sought to be transferred: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Philadelphia, Pa., and Trenton, N.J., serving no intermediate points; *flowers, shrubs, and greenhouse and*

plant nursery products, from Yardley and Morrisville, Pa., to New York, N.Y.; *seeds, plant bulbs, florists' supplies, and materials, supplies, and equipment*, used or useful in the operation of greenhouses and plant nurseries, from New York, N.Y., to Morrisville and Yardley, Pa.; *flowers, shrubs, and greenhouse and plant nursery products*, over irregular routes, between Madison, N.J., on the one hand, and, on the other, Cranbury, N.J., and points in the above-specified Pennsylvania territory; *seeds, plant bulbs, florists' supplies and materials, supplies, and equipment* used or useful in the operation of greenhouses and plant nurseries, from New York, N.Y., and Cranbury, N.J., to Madison, N.J.; *fruits, farm produce, seafood, poultry, groceries, and empty containers*, between Philadelphia, Pa., on the one hand, and, on the other, Camden, N.J., and New York, N.Y.;

Antimony lead, waste and scrap materials, crude rubber, lubricating oil in containers, and *groceries*, between Boston, Mass., on the one hand, and, on the other, Newark, Perth Amboy, Carteret, and Butler, N.J., and points in Connecticut, Massachusetts, Rhode Island, and the New York, N.Y., commercial zone, as defined by the Commission; *oil*, in containers, and *empty oil containers*, between Boston, Mass., on the one hand, and, on the other, points in New Hampshire; *groceries, packinghouse products, and dairy products*, from Boston, Mass., to Manchester and Nashua, N.H., and points in Massachusetts within 60 miles of Boston, between Boston, Mass., on the one hand, and, on the other, Pawtucket and Providence, R.I.; *household goods* as defined by the Commission, between Boston, Mass., on the one hand, and, on the other, points in Connecticut, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia, between certain specified points in Massachusetts on the one hand, and, on the other, points in Connecticut, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont; *such commodities* as are dealt in by retail furniture and department stores when transported on the delivery instructions of such stores, from Boston, Mass., to points in Vermont, New Hampshire, Maine, Rhode Island, and Connecticut; *un-crated new furniture* when transported on the delivery instructions of a retail furniture or department store, from Portland, Maine, to points in Massachusetts, Connecticut, Rhode Island, Vermont, and New Hampshire;

Refrigerators, refrigerating units, ranges, washing machines, water coolers, water-cooling equipment, electrical appliances, air-conditioning units, and display and show materials pertaining to such commodities, between Boston, Mass., and points within 25 miles of Boston, on the one hand, and, on the other, points in Connecticut, Maine, Massachusetts, Rhode Island, and Vermont; *commodities specified immediately above, or materials pertaining thereto* when solely for display and show purposes, between

Boston, Mass., and points within 25 miles of Boston, on the one hand, and, on the other, points in New Hampshire; *new furniture*, crated and uncrated, other than new furniture included in household goods description as defined by the Commission, from Boston, Mass., to points in Massachusetts and New Hampshire; *new furniture*, between Nashua, N.H., and Boston, Mass., and points within 5 miles of Boston, on the one hand, and, on the other, Baltimore, Md., Washington, D.C., Richmond, Va., points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont, those in Pennsylvania within 25 miles of Philadelphia, Pa., including Philadelphia, and those in New York within 20 miles of New York, N.Y., including New York, N.Y.; *general commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, between Boston, Mass., on the one hand, and, on the other, points in Massachusetts within 25 miles of Boston; *frozen prepared foods*, and *fish* (including shellfish), when moving at the same time and in the same vehicle with frozen prepared foods, from Gloucester and Boston, Mass., to certain specified points in New York, with restriction. Vendee is authorized to operate as a common carrier in Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Connecticut. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11443. Authority sought for purchase by GLENDENNING MOTORWAYS, INC., 1665 West County Road C, St. Paul, MN 55113, of the operating rights of PICK UP AND DELIVERY, INC. (NATHAN YORKE, ASSIGNEE FOR THE BENEFIT OF CREDITORS), 3250 South Western Avenue, Chicago, IL 60608, and for acquisition by W. A. GLENDENNING, also of St. Paul, Minn. 55113, of control of such rights through the purchase. Applicants' attorney: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-97736 Sub No. 2, covering the transportation of general commodities, as a common carrier, in interstate commerce, within the State of Illinois. Vendee is authorized to operate as a common carrier in Iowa, South Dakota, Minnesota, Illinois, Wisconsin, North Dakota, Nebraska, Indiana, and Michigan. Application has been filed for temporary authority under section 210a(b). NOTE: MC-43475 Sub No. 53, is a matter directly related.

No. MC-F-11444. Authority sought for purchase by IML FREIGHT, INC., 2175 South 3270 West, Post Office Box 2277, Salt Lake City, UT 84110, of a portion of the operating rights of BARTON LYMAN, doing business as LYMAN TRUCK LINE, Post Office Box 377, Blanding UT 84511, and for acquisition by GATES CORPORATION, 999 South Broadway, Denver, CO, of control of such rights through the purchase. Applicants' attorney: Carl L. Steiner, 39 South La Salle Street, Chicago, IL, 60603. Operating

rights sought to be transferred: *General commodities*, except those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities which by reason of size or weight require the use of special equipment, as a common carrier over regular routes, between Phoenix and Fredonia, Ariz., serving the intermediate point of Flagstaff, Ariz., and the off-route point of Tuba City, Ariz., with restriction; *general commodities*, except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading between Cedar City and Kanab, Utah, serving all intermediate points, and the off-route points of Hurricane and Mount Carmel, Utah, between Kanab and Fredonia, Ariz., serving no intermediate points; *general commodities*, except those of unusual value, commodities requiring special equipment, livestock, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, over irregular routes, between Kanab, Utah, on the one hand, and, on the other, Glen Canyon dam site in Arizona (on the Colorado River near the Arizona-Utah State line) and points within 10 miles thereof; *general commodities*, except classes A and B explosives, livestock, wool, mohair, lumber, ore, sawmill and mining machinery, supplies, and equipment, household goods as defined by the Commission, and those requiring special equipment, between Fredonia, Ariz., on the one hand, and, on the other, points in Arizona within 50 miles of Fredonia. Vendee is authorized to operate as a common carrier in Colorado, Utah, Wyoming, Nevada, Nebraska, California, Illinois, Iowa, Idaho, Arizona, Oregon, Kansas, Missouri, Washington, Ohio, Kentucky, Indiana, Massachusetts, New York, New Jersey, Pennsylvania, Connecticut, Wisconsin, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11445. Authority sought for purchase by ASHWORTH TRANSFER, INC., 1526 South Sixth West Street, Salt Lake City, Utah, of the operating rights of WESTATES TRANSPORTATION CO., 2450 Orange Avenue, Long Beach, CA, and for acquisition by R. GLEN ASHWORTH and R. CLYDE ASHWORTH both of 1526 South Sixth West, Salt Lake City, Utah, of control of such rights through the purchase. Applicants' attorney: F. Robert Reeder, 520 Kearns Building, Salt Lake City, Utah 84101. Operating rights sought to be transferred: *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operations, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, as a common carrier over irregular routes, between Los Angeles Harbor and Long Beach, Calif., on the one hand, and, on the other, Wilmington, Calif., and points within 35 miles of Wilmington, and

under a certificate of registration in Docket No. MC-68493 Sub 6, covering the transportation of property, in interstate commerce, within the State of California. Vendee is authorized to operate as a common carrier in Montana, Nevada, Utah, Wyoming, Arizona, Colorado, Idaho, New Mexico, California, Oregon, Nebraska, Kansas, Missouri, Iowa, South Dakota, and Washington. Application has been filed for temporary authority under section 210a(b). NOTE: MC-1872 Sub 78, is a matter directly related.

No. MC-F-11446. Authority sought for control by INTERNATIONAL UTILITIES OF THE U.S., INC., a noncarrier, 1500 Walnut Street, Philadelphia, PA 19102, of PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, CA 94612, and for acquisition by INTERNATIONAL UTILITIES CORPORATION, The Wilmington Tower, Wilmington, Del. 19801, of control of PACIFIC INTERMOUNTAIN EXPRESS CO., through the acquisition by INTERNATIONAL UTILITIES OF THE U.S., INC. Applicants' attorneys: Roland Rice, 618 Perpetual Building, Washington, D.C. 20004, and H. B. Chadwick, 1500 Walnut Street, Philadelphia, PA 19102. Operating rights sought to be controlled: General commodities, with certain specified exceptions and numerous other specified commodities, as a common carrier, over regular and irregular routes, from, to, and between specified points in the United States (except Alaska and Hawaii), with certain restrictions, serving various intermediate and off-route points, over numerous alternate routes for operating convenience only, as more specifically described in Docket No. MC-730 and subnumbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating in full, the entirety, thereof. INTERNATIONAL UTILITIES OF THE U.S., INC., holds no authority from this Commission. However, its controlling stockholder controls RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, FL 32203, which is authorized to operate as a common carrier in Ohio, Tennessee, Georgia, Alabama, Missouri, Kentucky, Illinois, Indiana, Wisconsin, North Carolina, Virginia, South Carolina, Florida, Louisiana, Texas, Mississippi, California, Arizona, Arkansas, Colorado, Delaware, Pennsylvania, New Jersey, Rhode Island, Connecticut, Massachusetts, West Virginia, Michigan, Maryland, New York, and the District of Columbia and CHEMICAL LEAMAN TANK LINES, INC., 520 Lancaster Avenue, Downingtown, PA 19335, which is authorized to operate as a common carrier in all States in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a

(b). NOTE: Accompanying the application is a motion to dismiss.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 72-1533 Filed 2-1-72; 8:50 am]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 28, 1972.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

Texas Docket Number (not shown), filed December 16, 1971. Applicant: CENTRAL FREIGHT LINES, INC., 303 South 12th, Waco, TX. Applicant's representative: Phillip Robinson, Post Office Box 2207, Austin, TX 78767. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, (1) between Bonham, Tex., and Greenville, Tex., as follows: From Bonham, Tex., over U.S. Highway 82 to Paris, Tex., thence over Texas Highway 19 via Sulphur Springs, Tex., to its junction with Interstate Highway 30, thence over Interstate Highway 30 to its junction with Texas Highway 24 and U.S. Highway 69, thence over Texas Highway 24 and U.S. Highway 69 to Greenville, Tex., and return over the same route, serving the terminal and all intermediate points and the off-route points of Cumby and Campbell, Tex.; (2) between Greenville, Tex., and Honey Grove, Tex., as follows: From Greenville, Tex., over Texas Highway 34 to Honey Grove, Tex., and return over the same route, serving the terminal and all intermediate points; (3) between Greenville, Tex., and junction Texas Highway 24 and Texas Highway 19, as follows: From Greenville, Tex., over Texas Highway 24 to junction Texas Highway 24 and Texas Highway 19, and return over the same route, serving the terminal and all intermediate points; (4) between Ladonia, Tex., and Sulphur Springs, Tex., as follows: From Ladonia, Tex., over Texas Highway 50 to junction Texas Highway 24, thence over Texas Highway 24 to Commerce, thence over Texas Highway 11 to Sulphur Springs, Tex., and return over the same route, serving the terminal and all intermediate

points; (5) between junction Texas Highway 24 and Texas Highway 154 and junction Texas Highway 154 and Interstate Highway 30, as follows: From junction Texas Highway 24 and Texas Highway 154 over Texas Highway 154 to junction Texas Highway 154 and Interstate Highway 30, and return over the same route, serving the terminal and all intermediate points;

(6) Between Commerce, Tex., and junction of Texas Highway 50 and Interstate Highway 30, as follows: From Commerce, Tex., over Texas Highway 50 to junction Texas Highway 50 and Interstate Highway 30, and return over the same route, serving the terminal and all intermediate points; (7) between junction Texas Highway 19 and Interstate Highway 30 and Canton, Tex., as follows: From junction Texas Highway 19 and Interstate Highway 30 over Texas Highway 19 to Canton, Tex., and return over the same route, serving the terminal and all intermediate points; (8) between junction Texas Highway 19 and U.S. Highway 80 and Tyler, Tex., as follows: From junction Texas Highway 19 and U.S. Highway 80 over U.S. Highway 80 to Grand Saline, thence over Texas Highway 110 to Tyler, Tex., and return over the same route, serving the terminal and all intermediate points; (9) between Dallas, Tex., and Sherman, Tex., as follows: From Dallas, Tex., over Texas Highway 66 to Greenville, Tex., thence over U.S. Highway 69 to junction U.S. Highway 82, thence over U.S. Highway 82 to Sherman, Tex., and return over the same route, serving the terminal and all intermediate points; (10) between Bonham, Tex., and Commerce, Tex., as follows: From Bonham, Tex., over Texas Highway 78 to its junction with Texas Highway 11, thence over Texas Highway 11 to Commerce, Tex., and return over the same route, serving the terminal and all intermediate points; (11) between junction Interstate Highway 30 and Texas Highway 154, near Sulphur Springs, Tex., and Tyler, Tex., as follows: From junction Interstate Highway 30 and Texas Highway 154, near Sulphur Springs, Tex., over Texas Highway 154 to Quitman, Tex., thence over Texas Highway 37 to Mineola, Tex., thence over U.S. Highway 69 to Tyler, Tex., and return over the same route, serving the terminal and no intermediate points. NOTE: Applicant proposes to tack and coordinate the proposed additional services with all services authorized in intrastate commerce under certificates Nos. 2627, 2054, 4337, and 4336 and with all services now authorized in interstate and foreign commerce under authorities granted in Docket No. MC-30867 and all subs thereunder. Applicant seeks no duplicate authority. Both intrastate and interstate authority sought.

HEARING: Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Railroad Commission of Texas, Drawer 12967, Capitol Station, Austin, TX 78711, and should not be directed to the Interstate Commerce Commission.

Texas Docket No. 2709 (Amendment), filed December 17, 1971. Applicant: BLUEBONNET EXPRESS, INC., 5009 Rusk Avenue, Post Office Box 18205, Houston, TX 77023. Applicant's representative: Joe G. Fender, 802 Houston First Savings Building, Houston, TX 77002. Certificate of public convenience and necessity sought to amend certificate 2709 to add authority to transport *general commodities* in interstate and intrastate commerce between Houston, Tex., and the plants and facilities of Dow Chemical Co. at and near Freeport, Tex., over State Highway 288 via Angleton and over State Highways 35 and 288 via Alvin and Angleton, serving no intermediate points on either route, restricted to loads not exceeding 2,000 pounds in weight and consisting of not more than two shipments on any vehicle at any one time. Both intrastate and interstate authority sought.

HEARING: Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Railroad Commission of Texas, Drawer 12967, Capitol Station, Austin, TX 78711, and should not be directed to the Interstate Commerce Commission.

Iowa Docket No. H-5072, filed December 30, 1971. Applicant: ARNIE'S MOTOR FREIGHT, INC., 200 Sixth Street NW., Altoona, IA 50009. Applicant's representative: Russell Wilson, 3839 Merle Hay Road, Des Moines, IA. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *freight* and as a single State interstate operator, between Des Moines, Altoona, and Mitchellville, Iowa, and between those points and points presently held by the applicant. Both intrastate and interstate authority sought.

HEARING: Tuesday, April 4, 1972, 10 a.m. at the office of the Commission, Fourth and Walnut, Des Moines, IA. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Iowa State Commerce Commission, State Capitol, Des Moines, Iowa 50319 and should not be directed to the Interstate Commerce Commission.

California Docket No. 53096, filed January 14, 1972. Applicant: ACTION DRAYAGE CO., 998 Indiana, San Francisco, CA 94103. Applicant's representative: Raymond A. Greene, 405 Montgomery Street, Suite 1400, San Francisco, CA 94103. Certificate of public convenience and necessity sought to operate a freight service as follows: *General commodities*, except as hereinafter provided: (A) Between all points and places in the San Francisco Territory, which is described as follows: San Francisco Territory includes all the city of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County boundary line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway 101; southerly along an imaginary line

1 mile west of and paralleling U.S. Highway 101 to its intersection with Southern Pacific Co. right-of-way at Arastradero Road; southeasterly along the Southern Pacific Co. right-of-way to Pollard Road, including industries served by the Southern Pacific Co. spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to West Parr Avenue; easterly along West Parr Avenue to Capri Drive; southerly along Capri Drive to East Parr Avenue; easterly along East Parr Avenue to the Southern Pacific Co. right-of-way; southerly along the Southern Pacific Co. right-of-way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to U.S. Highway 101;

Northwesterly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road) northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive, and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the city of Richmond; southwesterly along the highway extending from the city of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning; (B) between all points on or within 5 miles of the following routes: (1) State Highway 24 between its intersection with Interstate Highway 80 and its intersection with Interstate Highway 680, inclusive; (2) Interstate Highway 680 between its intersection with State Highway 24 at Walnut Creek and its intersection with State Highway 24 below Willow Pass Road, inclusive;

(3) State Highway 24 between its intersection with Interstate Highway 680

below Willow Pass Road and its intersection with Willow Pass Road to Concord, inclusive; (4) State Highway 24 between its intersection with Interstate Highway 680 below Willow Pass Road and its intersection with Concord Avenue to Concord, inclusive; (5) Interstate Highway 680 between its intersection with State Highway 24 at Walnut Creek and its intersection with U.S. Highway 50, inclusive; (6) U.S. Highway 50 between its intersection with Interstate Highway 680 and its intersection with State Highway 7, inclusive; (7) Interstate Highway 680 between its intersection with U.S. Highway 50 and its intersection with Bernal Avenue, inclusive; (8) Bernal Avenue between its intersection with Interstate Highway 680 and the city of Pleasanton, inclusive; except that applicant shall not transport any shipments of: (1) Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A; (2) automobiles, trucks, and buses, viz.: New and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis; (3) livestock, viz.: Bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags, or swine; (4) liquids, compressed gases, commodities in semiplastic form and commodities in suspension, in liquids, in bulk, in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles; (5) commodities when transported in bulk, in dump trucks, or in hopper-type trucks; (6) commodities when transported in motor vehicles equipped for mechanical mixing in transit; (7) cement; (8) logs; (9) commodities of unusual or extraordinary value.

HEARING: Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Public Utilities Commission, State of California State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, CA 94102, and should not be directed to the Interstate Commerce Commission.

Florida Docket No. 72030-CCT, filed January 14, 1972. Applicant: BEE LINE HEAVY HAULERS, INC., 2576 Northwest 72 Street, Miami, FL 33155. Applicant's representative: Richard B. Austin, 5720 Southwest 17th Street, Miami, FL 33155. Certificate of public convenience and necessity sought to operate a freight service as follows: Extension of Florida certificate No. L-9 and corresponding ICC certificate No. MC-120260, so as to authorize transportation, as a heavy hauler, of the commodities involved in said certificate within that part of the State of Florida which lies south and east of a line formed by the Northern and/or Western boundaries of Volusia, Lake, Sumpter, and Pasco Counties, Fla.

Both intrastate and interstate authority sought.

HEARING: Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Florida Public Service Commission, Tallahassee, Fla. 32304.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 72-1534 Filed 2-1-72; 8:50 am]

[Notice 8]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 28, 1972.

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-73092. By order entered January 25, 1972, the Motor Carrier Board approved the transfer to Clifford D. Ellis II and Charles L. Stellberger, a partnership, doing business as Crested Butte Truck Line, Crested Butte, Colo., of the operating rights set forth in certificate No. MC-98228 (Sub-No. 1), issued October 7, 1963, authorizing the transportation of ore and ore concentrates from Crested Butte to Salida, Colo., serving intermediate and off-route points within 10 miles of Crested Butte; and certificate of Registration No. MC-98228 (Sub-No. 2), issued February 25, 1965, evidencing a rights to engage in transportation in interstate commerce, corresponding in scope to certificate No. PUC 2070 issued by the State of Colorado. F. Lynn French, 110 East Virginia Avenue, Gunnison, CO 81230, attorney for applicants.

No. MC-FC-73378. By order of January 26, 1972, the Motor Carrier Board approved the transfer to Lucille C. Lorschbach, Hardin, Ill., of the operating rights in certificates Nos. MC-95296, MC-95296 (Sub-No. 1), and MC-95296 (Sub-No. 2) issued June 16, 1941, May 6, 1942, and October 10, 1950, respectively, to Paul Lorschbach, Hardin, Ill., authorizing the transportation of livestock, agricultural commodities, household goods, general commodities, fruit, and general commodities, with exceptions, from and to, and between specified points and areas in Illinois and Missouri. Robert T. Lawley,

300 Reisch Building, Springfield, Ill. 62701, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.72-1536 Filed 2-1-72;8:51 am]

[Notice 8-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. 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-73072. By order of January 26, 1972, Appellate Division 3, ap-

proved the transfer to Malcolm Melin, doing business as Melin Trucking, Hartford, S. Dak., of Permit No. MC-117775 (Sub-No. 1), issued April 22, 1959, to Lyle Denevan, Sioux Falls, S. Dak., authorizing the transportation of: Dairy products and orange beverages, and equipment, etc., used in connection therewith, between points in South Dakota, Iowa, Minnesota, and Nebraska. Marvin K. Ballin, Attorney, 509 South Dakota Avenue, Sioux Falls, SD 57102.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.72-1537 Filed 2-1-72;8:51 am]

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WEDNESDAY, FEBRUARY 2, 1972

WASHINGTON, D.C.

Volume 37 ■ Number 22



PART II

DEPARTMENT OF THE TREASURY

Fiscal Service,
Bureau of the Public Debt

■

U.S. SAVINGS BONDS, SERIES E

Dept. Circular No. 653,
8th Rev., 2d Supp.

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 316—OFFERING OF UNITED STATES SAVINGS BONDS, SERIES E

The tables to Department Circular No. 653, Eighth Revision, dated December 12, 1969, as amended (31 CFR Part 316), are hereby supplemented by the addition of Tables 5-A, 6-A, 26-A, 27-A, 28-A, 29-A, 73-A, and 74-A, as set forth below.
Dated: January 19, 1972.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

TABLE 5-A

BONDS BEARING ISSUE DATE MAY 1, 1942¹

Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$75.00 100.00	\$375.00 500.00	\$750.00 1,000.00	Approximate investment yield (annual percentage rate)			
Period after second extended maturity (beginning 30 years after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)					(2) From beginning of third extended maturity period to beginning of each half-year period	(3) From begin- ning of each half-year period to beginning of next half-year period	(4) From begin- ning of each half-year period to third extended maturity	
	THIRD EXTENDED MATURITY PERIOD					Percent	Percent	Percent	
First ½ year..... ² (5/1/72)	\$51.76	\$103.52	\$207.04	\$1,035.20	\$2,070.40	0.00	5.49	5.50	
½ to 1 year..... (11/1/72)	53.18	106.36	212.72	1,063.60	2,127.20	5.49	5.53	5.50	
1 to 1½ years..... (5/1/73)	54.65	109.30	218.60	1,093.00	2,186.00	5.51	5.49	5.50	
1½ to 2 years..... (11/1/73)	56.15	112.30	224.60	1,123.00	2,246.00	5.50	5.49	5.50	
2 to 2½ years..... (5/1/74)	57.69	115.38	230.76	1,153.80	2,307.60	5.50	5.51	5.50	
2½ to 3 years..... (11/1/74)	59.28	118.56	237.12	1,185.60	2,371.20	5.50	5.50	5.50	
3 to 3½ years..... (5/1/75)	60.91	121.82	243.64	1,218.20	2,436.40	5.50	5.48	5.50	
3½ to 4 years..... (11/1/75)	62.58	125.16	250.32	1,251.60	2,503.20	5.50	5.53	5.50	
4 to 4½ years..... (5/1/76)	64.31	128.62	257.24	1,286.20	2,572.40	5.50	5.47	5.50	
4½ to 5 years..... (11/1/76)	66.07	132.14	264.28	1,321.40	2,642.80	5.50	5.51	5.50	
5 to 5½ years..... (5/1/77)	67.89	135.78	271.56	1,357.80	2,715.60	5.50	5.51	5.50	
5½ to 6 years..... (11/1/77)	69.76	139.52	279.04	1,395.20	2,790.40	5.50	5.50	5.50	
6 to 6½ years..... (5/1/78)	71.68	143.36	286.72	1,433.60	2,867.20	5.50	5.50	5.50	
6½ to 7 years..... (11/1/78)	73.65	147.30	294.60	1,473.00	2,946.00	5.50	5.49	5.50	
7 to 7½ years..... (5/1/79)	75.67	151.34	302.68	1,513.40	3,026.80	5.50	5.50	5.50	
7½ to 8 years..... (11/1/79)	77.75	155.50	311.00	1,555.00	3,110.00	5.50	5.50	5.50	
8 to 8½ years..... (5/1/80)	79.89	159.78	319.59	1,597.80	3,195.60	5.50	5.51	5.50	
8½ to 9 years..... (11/1/80)	82.09	164.18	328.36	1,641.80	3,283.60	5.50	5.51	5.50	
9 to 9½ years..... (5/1/81)	84.35	168.70	337.40	1,687.00	3,374.00	5.50	5.50	5.50	
9½ to 10 years..... (11/1/81)	86.67	173.34	346.68	1,733.40	3,466.80	5.50	5.49	5.50	
THIRD EXTENDED MATURITY VALUE (40 years from issue date)..... (5/1/82)	89.05	178.10	356.20	1,781.00	3,562.00	³ 5.50	-----		

¹ This table does not apply if the prevailing rate for Series E bonds being issued at the time the third extension begins is different from 5.50 percent.
² Month, day, and year on which issues of May 1, 1942, enter each period.

³ Yield on purchase price from issue date to third extended maturity date is 9.93 percent.

TABLE 6-A

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1942¹

Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$75.00 100.00	\$375.00 500.00	\$750.00 1,000.00	Approximate investment yield (annual percentage rate)			
Period after second extended maturity (beginning 30 years after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)					(2) From beginning of third extended maturity period to beginning of each half-year period	(3) From begin- ning of each half-year period to beginning of next half-year period	(4) From begin- ning of each half-year period to third extended maturity	
	THIRD EXTENDED MATURITY PERIOD					Percent	Percent	Percent	
First ½ year..... ² (6/1/72)	\$52.29	\$104.58	\$209.16	\$1,045.80	\$2,091.60	0.00	5.51	5.50	
½ to 1 year..... (12/1/72)	53.73	107.46	214.92	1,074.60	2,149.20	5.51	5.51	5.50	
1 to 1½ years..... (6/1/73)	55.21	110.42	220.84	1,104.20	2,208.40	5.51	5.47	5.50	
1½ to 2 years..... (12/1/73)	56.72	113.44	226.88	1,134.40	2,268.80	5.50	5.50	5.50	
2 to 2½ years..... (6/1/74)	58.28	116.66	233.12	1,165.60	2,331.20	5.50	5.53	5.50	
2½ to 3 years..... (12/1/74)	59.89	119.78	239.56	1,197.80	2,395.60	5.50	5.48	5.50	
3 to 3½ years..... (6/1/75)	61.53	123.06	246.12	1,230.60	2,461.20	5.50	5.53	5.50	
3½ to 4 years..... (12/1/75)	63.23	126.46	252.92	1,264.60	2,529.20	5.50	5.47	5.50	
4 to 4½ years..... (6/1/76)	64.96	129.92	259.84	1,299.20	2,598.40	5.50	5.51	5.50	
4½ to 5 years..... (12/1/76)	66.75	133.50	267.00	1,335.00	2,670.00	5.50	5.51	5.50	
5 to 5½ years..... (6/1/77)	68.59	137.18	274.36	1,371.80	2,743.60	5.50	5.48	5.50	
5½ to 6 years..... (12/1/77)	70.47	140.94	281.88	1,409.40	2,818.80	5.50	5.51	5.50	
6 to 6½ years..... (6/1/78)	72.41	144.82	289.64	1,448.20	2,896.40	5.50	5.50	5.50	
6½ to 7 years..... (12/1/78)	74.40	148.80	297.60	1,488.00	2,976.00	5.50	5.51	5.50	
7 to 7½ years..... (6/1/79)	76.45	152.90	305.80	1,529.00	3,058.00	5.50	5.49	5.50	
7½ to 8 years..... (12/1/79)	78.55	157.10	314.20	1,571.00	3,142.00	5.50	5.50	5.50	
8 to 8½ years..... (6/1/80)	80.71	161.42	322.84	1,614.20	3,228.40	5.50	5.50	5.50	
8½ to 9 years..... (12/1/80)	82.93	165.86	331.72	1,658.60	3,317.20	5.50	5.50	5.50	
9 to 9½ years..... (6/1/81)	85.21	170.42	340.84	1,704.20	3,408.40	5.50	5.49	5.50	
9½ to 10 years..... (12/1/81)	87.55	175.10	350.20	1,751.00	3,502.00	5.50	5.51	5.51	
THIRD EXTENDED MATURITY VALUE (40 years from issue date)..... (6/1/82)	89.96	179.92	359.84	1,799.20	3,598.40	³ 5.50	-----		

¹ This table does not apply if the prevailing rate for Series E bonds being issued at the time the third extension begins is different from 5.50 percent.
² Month, day, and year on which issues of June 1, 1942, enter each period. For

subsequent issue months add the appropriate number of months.
³ Yield on purchase price from issue date to third extended maturity date is 3.96 percent.

TABLE 26-A
BONDS BEARING ISSUE DATES FROM JANUARY 1 THROUGH APRIL 1, 1952¹

Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$75.00 100.00	\$150.00 200.00	\$375.00 500.00	\$750.00 1,000.00	Approximate investment yield (annual percentage rate)			
Period after first extended maturity (beginning 20 years after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)						(2) From beginning of second extended maturity period to beginning of each half-year period	(3) From begin- ning of each half-year period to beginning of next half-year period	(4) From begin- ning of each half-year period to second extended maturity	
	SECOND EXTENDED MATURITY PERIOD						Percent	Percent	Percent	
First 1/2 year	2(1/1/72)	\$38.34	\$76.68	\$153.36	\$306.72	\$766.80	\$1,533.60	0.00	5.48	5.50
1/2 to 1 year	(7/1/72)	39.30	78.78	157.56	315.12	787.80	1,575.60	5.48	5.53	5.50
1 to 1 1/2 years	(1/1/73)	40.48	80.96	161.92	323.84	809.60	1,619.20	5.51	5.48	5.50
1 1/2 to 2 years	(7/1/73)	41.59	83.18	166.36	332.72	831.80	1,663.60	5.50	5.48	5.50
2 to 2 1/2 years	(1/1/74)	42.73	85.46	170.92	341.84	854.60	1,709.20	5.49	5.52	5.50
2 1/2 to 3 years	(7/1/74)	43.91	87.82	175.64	351.28	878.20	1,756.40	5.50	5.51	5.50
3 to 3 1/2 years	(1/1/75)	45.12	90.24	180.48	360.96	902.40	1,804.80	5.50	5.50	5.50
3 1/2 to 4 years	(7/1/75)	46.36	92.72	185.44	370.88	927.20	1,854.40	5.50	5.48	5.50
4 to 4 1/2 years	(1/1/76)	47.63	95.26	190.52	381.04	953.60	1,905.20	5.50	5.50	5.50
4 1/2 to 5 years	(7/1/76)	48.94	97.88	195.76	391.52	978.80	1,957.60	5.50	5.52	5.50
5 to 5 1/2 years	(1/1/77)	50.29	100.58	201.16	402.32	1,005.80	2,011.60	5.50	5.49	5.50
5 1/2 to 6 years	(7/1/77)	51.67	103.34	206.68	413.36	1,033.40	2,066.80	5.50	5.50	5.50
6 to 6 1/2 years	(1/1/78)	53.09	106.18	212.36	424.72	1,061.80	2,123.60	5.50	5.50	5.50
6 1/2 to 7 years	(7/1/78)	54.55	109.10	218.20	436.40	1,091.00	2,182.00	5.50	5.50	5.50
7 to 7 1/2 years	(1/1/79)	56.05	112.10	224.20	448.40	1,121.00	2,242.00	5.50	5.50	5.50
7 1/2 to 8 years	(7/1/79)	57.50	115.18	230.36	460.72	1,151.80	2,303.60	5.50	5.52	5.50
8 to 8 1/2 years	(1/1/80)	59.18	118.36	236.72	473.44	1,183.60	2,367.20	5.50	5.51	5.50
8 1/2 to 9 years	(7/1/80)	60.81	121.62	243.24	486.48	1,216.20	2,432.40	5.50	5.49	5.50
9 to 9 1/2 years	(1/1/81)	62.48	124.96	249.92	499.84	1,249.60	2,499.20	5.50	5.51	5.49
9 1/2 to 10 years	(7/1/81)	64.20	128.40	256.80	513.60	1,284.00	2,568.00	5.50	5.48	5.48
SECOND EXTENDED MATURITY VALUE (30 years from issue date)	(1/1/82)	65.96	131.92	263.84	527.68	1,319.20	2,638.40	5.50		

¹ This table does not apply if the prevailing rate for Series E bonds being issued at the time the second extension begins is different from 5.50 percent.
² Month, day, and year on which issues of Jan. 1, 1952, enter each period. For subsequent issue months add the appropriate number of months.

³ Yield on purchase price from issue date to second extended maturity date is 4.2 percent.

TABLE 27-A
BONDS BEARING ISSUE DATE MAY 1, 1952

Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$75.00 100.00	\$150.00 200.00	\$375.00 500.00	\$750.00 1,000.00	\$7,500 10,000	Approximate investment yield (annual percentage rate)			
Period after first extended maturity (beginning 19 years 8 months after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)						(2) From beginning of second extended maturity period to beginning of each half-year period	(3) From begin- ning of each half-year period to beginning of next half-year period	(4) From begin- ning of each half-year period to second extended maturity		
	SECOND EXTENDED MATURITY PERIOD						Percent	Percent	Percent		
First 1/2 year	1(1/1/72)	\$38.19	\$76.38	\$152.76	\$305.52	\$763.80	\$1,527.60	\$15,276	0.00	5.50	5.50
1/2 to 1 year	(7/1/72)	39.24	78.48	156.96	313.92	784.80	1,569.60	15,696	5.50	5.50	5.50
1 to 1 1/2 years	(1/1/73)	40.32	80.64	161.28	322.56	806.40	1,612.80	16,128	5.50	5.51	5.50
1 1/2 to 2 years	(7/1/73)	41.43	82.86	165.72	331.44	828.60	1,657.20	16,572	5.50	5.50	5.50
2 to 2 1/2 years	(1/1/74)	42.57	85.14	170.28	340.56	851.40	1,702.80	17,028	5.50	5.50	5.50
2 1/2 to 3 years	(7/1/74)	43.74	87.48	174.96	349.92	874.80	1,749.60	17,496	5.50	5.49	5.50
3 to 3 1/2 years	(1/1/75)	44.94	89.88	179.76	359.52	898.80	1,797.60	17,976	5.50	5.52	5.50
3 1/2 to 4 years	(7/1/75)	46.18	92.36	184.72	369.44	923.60	1,847.20	18,472	5.50	5.50	5.50
4 to 4 1/2 years	(1/1/76)	47.45	94.90	189.80	379.60	949.00	1,898.00	18,980	5.50	5.48	5.50
4 1/2 to 5 years	(7/1/76)	48.75	97.50	195.00	390.00	975.00	1,950.00	19,500	5.50	5.50	5.50
5 to 5 1/2 years	(1/1/77)	50.09	100.18	200.36	400.72	1,001.80	2,003.60	20,036	5.50	5.51	5.50
5 1/2 to 6 years	(7/1/77)	51.47	102.94	205.88	411.76	1,029.40	2,058.80	20,588	5.50	5.48	5.50
6 to 6 1/2 years	(1/1/78)	52.88	105.76	211.52	423.04	1,057.60	2,115.20	21,152	5.50	5.52	5.50
6 1/2 to 7 years	(7/1/78)	54.34	108.68	217.36	434.72	1,086.80	2,173.60	21,736	5.50	5.48	5.50
7 to 7 1/2 years	(1/1/79)	55.83	111.66	223.32	446.64	1,116.60	2,233.20	22,332	5.50	5.52	5.50
7 1/2 to 8 years	(7/1/79)	57.37	114.74	229.48	458.96	1,147.40	2,294.80	22,948	5.50	5.51	5.50
8 to 8 1/2 years	(1/1/80)	58.95	117.90	235.80	471.60	1,179.00	2,358.00	23,580	5.50	5.50	5.49
8 1/2 to 9 years	(7/1/80)	60.57	121.14	242.28	484.56	1,211.40	2,422.80	24,228	5.50	5.48	5.49
9 to 9 1/2 years	(1/1/81)	62.23	124.46	248.92	497.84	1,244.60	2,489.20	24,892	5.50	5.50	5.50
9 1/2 to 10 years	(7/1/81)	63.94	127.88	255.76	511.52	1,278.80	2,557.60	25,576	5.50	5.51	5.51
SECOND EXTENDED MATURITY VALUE (29 years and 8 months from issue date)	(1/1/82)	65.70	131.40	262.80	525.60	1,314.00	2,628.00	26,280	5.50		

¹ Month, day, and year on which issues of May 1, 1952, enter each period.

² Yield on purchase price from issue date to second extended maturity date is 4.27 percent.

RULES AND REGULATIONS

TABLE 28-A

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH SEPTEMBER 1, 1952¹

Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$75.00 100.00	\$150.00 200.00	\$375.00 500.00	\$750.00 1,000.00	\$7,500 10,000	Approximate investment yield (annual percentage rate)			
Period after first extended maturity (beginning 19 years 8 months after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)							(2) From beginning of second extended maturity period to beginning of each half-year period	(3) From begin- ning of each half-year period to beginning of next half-year period	(4) From begin- ning of each half-year period to second extended maturity	
	SECOND EXTENDED MATURITY PERIOD							Percent	Percent	Percent	
First 1/2 year..... ² (2/1/72)	\$38.28	\$76.56	\$153.12	\$306.24	\$765.60	\$1,531.20	\$15,312	0.00	5.49	5.50	
1/2 to 1 year..... (8/1/72)	39.33	78.66	157.32	314.64	786.60	1,573.20	15,732	5.49	5.49	5.50	
1 to 1 1/2 years..... (2/1/73)	40.41	80.82	161.64	323.28	808.20	1,616.40	16,164	5.49	5.54	5.50	
1 1/2 to 2 years..... (8/1/73)	41.53	83.06	166.12	332.24	830.60	1,661.20	16,612	5.51	5.49	5.50	
2 to 2 1/2 years..... (2/1/74)	42.67	85.34	170.68	341.36	853.40	1,706.80	17,068	5.50	5.48	5.50	
2 1/2 to 3 years..... (8/1/74)	43.84	87.68	175.36	350.72	876.80	1,753.60	17,536	5.50	5.52	5.50	
3 to 3 1/2 years..... (2/1/75)	45.05	90.10	180.20	360.40	901.00	1,802.00	18,020	5.50	5.50	5.50	
3 1/2 to 4 years..... (8/1/75)	46.29	92.58	185.16	370.32	925.80	1,851.60	18,516	5.50	5.49	5.50	
4 to 4 1/2 years..... (2/1/76)	47.56	95.12	190.24	380.48	951.20	1,902.40	19,024	5.50	5.51	5.50	
4 1/2 to 5 years..... (8/1/76)	48.87	97.74	195.48	390.96	977.40	1,954.80	19,548	5.50	5.48	5.50	
5 to 5 1/2 years..... (2/1/77)	50.21	100.42	200.84	401.68	1,004.20	2,008.40	20,084	5.50	5.50	5.50	
5 1/2 to 6 years..... (8/1/77)	51.59	103.18	206.36	412.72	1,031.80	2,063.60	20,636	5.50	5.50	5.50	
6 to 6 1/2 years..... (2/1/78)	53.01	106.02	212.04	424.08	1,060.20	2,120.40	21,204	5.50	5.51	5.50	
6 1/2 to 7 years..... (8/1/78)	54.47	108.94	217.88	435.76	1,089.40	2,178.80	21,788	5.50	5.51	5.50	
7 to 7 1/2 years..... (2/1/79)	55.97	111.94	223.88	447.76	1,119.40	2,238.80	22,388	5.50	5.47	5.50	
7 1/2 to 8 years..... (8/1/79)	57.50	115.00	230.00	460.00	1,150.00	2,300.00	23,000	5.50	5.53	5.50	
8 to 8 1/2 years..... (2/1/80)	59.09	118.18	236.36	472.72	1,181.80	2,363.60	23,636	5.50	5.48	5.50	
8 1/2 to 9 years..... (8/1/80)	60.71	121.42	242.84	485.68	1,214.20	2,428.40	24,284	5.50	5.50	5.50	
9 to 9 1/2 years..... (2/1/81)	62.38	124.76	249.52	499.04	1,247.60	2,495.20	24,952	5.50	5.51	5.50	
9 1/2 to 10 years..... (8/1/81)	64.10	128.20	256.40	512.80	1,282.00	2,564.00	25,640	5.50	5.49	5.49	
SECOND EXTENDED MATURITY VALUE (29 years and 8 months from issue date)..... (2/1/82)	65.86	131.72	263.44	526.88	1,317.20	2,634.40	26,344	* 5.50			

¹ This table does not apply if the prevailing rate for Series E bonds being issued at the time the second extension begins is different from 5.50 percent.
² Month, day, and year on which issues of June 1, 1952, enter each period. For subsequent issue months add the appropriate number of 8 months.

* Yield on purchase price from issue date to second extended maturity date is 4.2 percent.

TABLE 29-A

BONDS BEARING ISSUE DATES FROM OCTOBER 1 THROUGH NOVEMBER 1, 1952¹

Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$75.00 100.00	\$150.00 200.00	\$375.00 500.00	\$750.00 1,000.00	\$7,500 10,000	Approximate investment yield (annual percentage rate)			
Period after first extended maturity (beginning 19 years 8 months after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)							(2) From beginning of second extended maturity period to beginning of each half-year period	(3) From begin- ning of each half-year period to beginning of next half-year period	(4) From begin- ning of each half-year period to second extended maturity	
	SECOND EXTENDED MATURITY PERIOD							Percent	Percent	Percent	
First 1/2 year..... ² (6/1/72)	\$38.57	\$77.14	\$154.28	\$308.56	\$771.40	\$1,542.80	\$15,428	0.00	5.50	5.50	
1/2 to 1 year..... (12/1/72)	39.63	79.26	158.52	317.04	792.60	1,585.20	15,852	5.50	5.50	5.50	
1 to 1 1/2 years..... (6/1/73)	40.72	81.44	162.88	325.76	814.40	1,628.80	16,288	5.50	5.50	5.50	
1 1/2 to 2 years..... (12/1/73)	41.84	83.68	167.36	334.72	836.80	1,673.60	16,736	5.50	5.50	5.50	
2 to 2 1/2 years..... (6/1/74)	42.99	85.98	171.96	343.92	859.80	1,719.60	17,196	5.50	5.49	5.50	
2 1/2 to 3 years..... (12/1/74)	44.17	88.34	176.68	353.36	883.40	1,766.80	17,668	5.50	5.52	5.50	
3 to 3 1/2 years..... (6/1/75)	45.39	90.78	181.56	363.12	907.80	1,815.60	18,156	5.50	5.51	5.50	
3 1/2 to 4 years..... (12/1/75)	46.64	93.28	186.56	373.12	932.80	1,865.60	18,656	5.50	5.49	5.50	
4 to 4 1/2 years..... (6/1/76)	47.92	95.84	191.68	383.36	958.40	1,916.80	19,168	5.50	5.51	5.50	
4 1/2 to 5 years..... (12/1/76)	49.24	98.48	196.96	393.92	984.80	1,969.60	19,696	5.50	5.48	5.50	
5 to 5 1/2 years..... (6/1/77)	50.59	101.18	202.36	404.72	1,011.80	2,023.60	20,236	5.50	5.50	5.50	
5 1/2 to 6 years..... (12/1/77)	51.98	103.96	207.92	415.84	1,039.60	2,079.20	20,792	5.50	5.50	5.50	
6 to 6 1/2 years..... (6/1/78)	53.41	106.82	213.64	427.28	1,068.20	2,136.40	21,364	5.50	5.50	5.50	
6 1/2 to 7 years..... (12/1/78)	54.88	109.76	219.52	439.04	1,097.60	2,195.20	21,952	5.50	5.50	5.50	
7 to 7 1/2 years..... (6/1/79)	56.39	112.78	225.56	451.12	1,127.80	2,255.60	22,556	5.50	5.50	5.50	
7 1/2 to 8 years..... (12/1/79)	57.94	115.88	231.76	463.52	1,158.80	2,317.60	23,176	5.50	5.49	5.50	
8 to 8 1/2 years..... (6/1/80)	59.53	119.06	238.12	476.24	1,190.60	2,381.20	23,812	5.50	5.51	5.50	
8 1/2 to 9 years..... (12/1/80)	61.17	122.34	244.68	489.36	1,223.40	2,446.80	24,468	5.50	5.49	5.50	
9 to 9 1/2 years..... (6/1/81)	62.85	125.70	251.40	502.80	1,257.00	2,514.00	25,140	5.50	5.51	5.50	
9 1/2 to 10 years..... (12/1/81)	64.58	129.16	258.32	516.64	1,291.60	2,583.20	25,832	5.50	5.51	5.51	
SECOND EXTENDED MATURITY VALUE (29 years and 8 months from issue date)..... (6/1/82)	66.36	132.72	265.44	530.88	1,327.20	2,654.40	26,544	* 5.50			

¹ This table does not apply if the prevailing rate for Series E bonds being issued at the time the second extension begins is different from 5.50 percent.
² Month, day, and year on which issues of Oct. 1, 1952, enter each period. For subsequent issue months add the appropriate number of months.

* Yield on purchase price from issue date to second extended maturity date is 4.31 percent.

RULES AND REGULATIONS

TABLE 73-A

BONDS BEARING ISSUE DATES FROM APRIL 1 THROUGH MAY 1, 1964

Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$56.25 75.00	\$75.00 100.00	\$150.00 200.00	\$375.00 500.00	\$750.00 1,000.00	\$7,500 10,000	Approximate investment yield (annual percentage rate)			
Period after original maturity (beginning 7 years 9 months after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)								(2) From beginning of extended maturity period to beginning of each half-year period	(3) From beginning of each half-year period to beginning of next half-year period	(4) From beginning of each half-year period to extended maturity	
	EXTENDED MATURITY PERIOD								Percent	Percent	Percent	
First 1/2 year	1 (1/72)	\$25.92	\$51.84	\$77.76	\$103.68	\$207.36	\$518.40	\$1,036.80	\$10,368	0.00	5.48	5.50
1/2 to 1 year	(7/172)	26.63	53.26	79.89	106.52	213.04	532.60	1,065.20	10,652	5.48	5.50	5.50
1 to 1 1/2 years	(13/173)	27.37	54.74	82.11	109.48	218.96	547.40	1,094.80	10,948	5.52	5.48	5.50
1 1/2 to 2 years	(7/173)	28.12	56.24	84.36	112.48	224.96	562.40	1,124.80	11,248	5.51	5.48	5.50
2 to 2 1/2 years	(13/174)	28.89	57.78	86.67	115.56	231.12	577.80	1,155.60	11,556	5.50	5.54	5.50
2 1/2 to 3 years	(7/174)	29.69	59.38	89.07	118.76	237.52	593.80	1,187.60	11,876	5.51	5.46	5.50
3 to 3 1/2 years	(13/175)	30.50	61.00	91.50	122.00	244.00	610.00	1,220.00	12,200	5.50	5.51	5.50
3 1/2 to 4 years	(7/175)	31.34	62.68	94.02	125.36	250.72	626.80	1,253.60	12,536	5.50	5.49	5.50
4 to 4 1/2 years	(13/176)	32.20	64.40	96.60	128.80	257.60	644.00	1,288.00	12,880	5.50	5.53	5.50
4 1/2 to 5 years	(7/176)	33.09	66.18	99.27	132.36	264.72	661.80	1,323.60	13,236	5.50	5.50	5.50
5 to 5 1/2 years	(13/177)	34.00	68.00	102.00	136.00	272.00	680.00	1,360.00	13,600	5.50	5.47	5.50
5 1/2 to 6 years	(7/177)	34.93	69.86	104.79	139.72	279.44	698.60	1,397.20	13,972	5.50	5.50	5.50
6 to 6 1/2 years	(13/178)	35.89	71.78	107.67	143.56	287.12	717.80	1,435.60	14,356	5.50	5.52	5.50
6 1/2 to 7 years	(7/178)	36.88	73.76	110.64	147.52	295.04	737.60	1,475.20	14,752	5.50	5.48	5.50
7 to 7 1/2 years	(13/179)	37.89	75.78	113.67	151.56	303.12	757.80	1,515.60	15,156	5.50	5.54	5.50
7 1/2 to 8 years	(7/179)	38.94	77.88	116.82	155.76	311.52	778.80	1,557.60	15,576	5.50	5.50	5.49
8 to 8 1/2 years	(13/180)	40.01	80.02	120.03	160.04	320.08	800.20	1,600.40	16,004	5.50	5.50	5.49
8 1/2 to 9 years	(7/180)	41.11	82.22	123.33	164.44	328.88	822.20	1,644.40	16,444	5.50	5.50	5.49
9 to 9 1/2 years	(13/181)	42.24	84.48	126.72	168.96	337.92	844.80	1,689.60	16,896	5.50	5.49	5.49
9 1/2 to 10 years	(7/181)	43.40	86.80	130.20	173.60	347.20	868.00	1,736.00	17,360	5.50	5.48	5.48
EXTENDED MATURITY VALUE (17 years and 9 months from issue date) (1/182)		44.59	89.18	133.77	178.36	356.72	891.80	1,783.60	17,836	5.50		

¹ Month, day, and year on which issues of Apr. 1, 1964, enter each period. For subsequent issue months add the appropriate number of months.

² Yield on purchase price from issue date to extended maturity date is 4.94 percent.

TABLE 74-A

BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1964

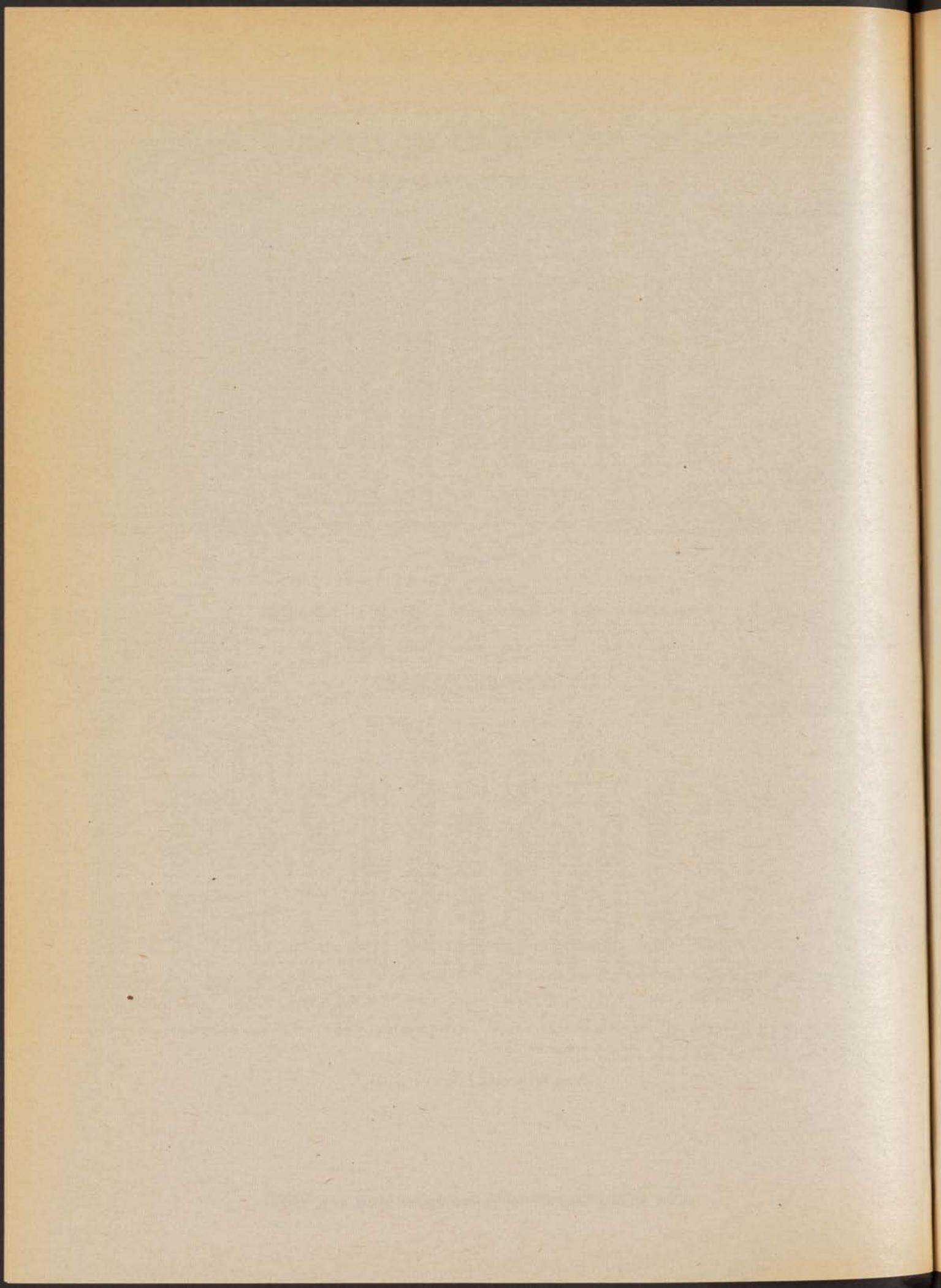
Issue price Denomination	\$18.75 25.00	\$37.50 50.00	\$56.25 75.00	\$75.00 100.00	\$150.00 200.00	\$375.00 500.00	\$750.00 1,000.00	\$7,500 10,000	Approximate investment yield (annual percentage rate)			
Period after original maturity (beginning 7 years 9 months after issue date)	(1) Redemption values during each half-year period (values increase on first day of period shown)								(2) From beginning of extended maturity period to beginning of each half-year period	(3) From beginning of each half-year period to beginning of next half-year period	(4) From beginning of each half-year period to extended maturity	
	EXTENDED MATURITY PERIOD								Percent	Percent	Percent	
First 1/2 year	³ (3/172)	\$26.09	\$52.18	\$78.27	\$104.36	\$208.72	\$521.80	\$1,043.60	\$10,436	0.00	5.52	5.50
1/2 to 1 year	(9/172)	26.81	53.62	80.43	107.24	214.48	536.20	1,072.40	10,724	5.52	5.45	5.50
1 to 1 1/2 years	(3/173)	27.54	55.08	82.62	110.16	220.32	550.80	1,101.60	11,016	5.48	5.52	5.50
1 1/2 to 2 years	(9/173)	28.30	56.60	84.90	113.20	226.40	566.00	1,132.00	11,320	5.49	5.51	5.50
2 to 2 1/2 years	(3/174)	29.08	58.16	87.24	116.32	232.64	581.60	1,163.20	11,632	5.50	5.50	5.50
2 1/2 to 3 years	(9/174)	29.88	59.76	89.64	119.52	239.04	597.60	1,195.20	11,952	5.50	5.49	5.50
3 to 3 1/2 years	(3/175)	30.70	61.40	92.10	122.80	245.60	614.00	1,228.00	12,280	5.50	5.54	5.50
3 1/2 to 4 years	(9/175)	31.55	63.10	94.65	126.20	252.40	631.00	1,262.00	12,620	5.50	5.45	5.50
4 to 4 1/2 years	(3/176)	32.41	64.82	97.23	129.64	259.28	648.20	1,296.40	12,964	5.50	5.55	5.50
4 1/2 to 5 years	(9/176)	33.31	66.62	99.93	133.24	266.48	666.20	1,332.40	13,324	5.50	5.46	5.50
5 to 5 1/2 years	(3/177)	34.22	68.44	102.66	136.88	273.76	684.40	1,368.80	13,688	5.50	5.49	5.50
5 1/2 to 6 years	(9/177)	35.16	70.32	105.48	140.64	281.28	703.20	1,406.40	14,064	5.50	5.52	5.50
6 to 6 1/2 years	(3/178)	36.13	72.26	108.39	144.52	289.04	722.60	1,445.20	14,452	5.50	5.48	5.50
6 1/2 to 7 years	(9/178)	37.12	74.24	111.36	148.48	296.96	742.40	1,484.80	14,848	5.50	5.50	5.50
7 to 7 1/2 years	(3/179)	38.14	76.28	114.42	152.56	305.12	762.80	1,525.60	15,256	5.50	5.51	5.51
7 1/2 to 8 years	(9/179)	39.19	78.38	117.57	156.76	313.52	783.80	1,567.60	15,676	5.50	5.51	5.51
8 to 8 1/2 years	(3/180)	40.27	80.54	120.81	161.08	322.16	805.40	1,610.80	16,108	5.50	5.51	5.50
8 1/2 to 9 years	(9/180)	41.38	82.76	124.14	165.52	331.04	827.60	1,655.20	16,552	5.50	5.51	5.50
9 to 9 1/2 years	(3/181)	42.52	85.04	127.56	170.08	340.16	850.40	1,700.80	17,008	5.50	5.46	5.50
9 1/2 to 10 years	(9/181)	43.68	87.36	131.04	174.72	349.44	873.60	1,747.20	17,472	5.50	5.54	5.54
EXTENDED MATURITY VALUE (17 years and 9 months from issue date) (3/182)		44.89	89.78	134.67	179.56	359.12	897.80	1,795.60	17,956	5.50		

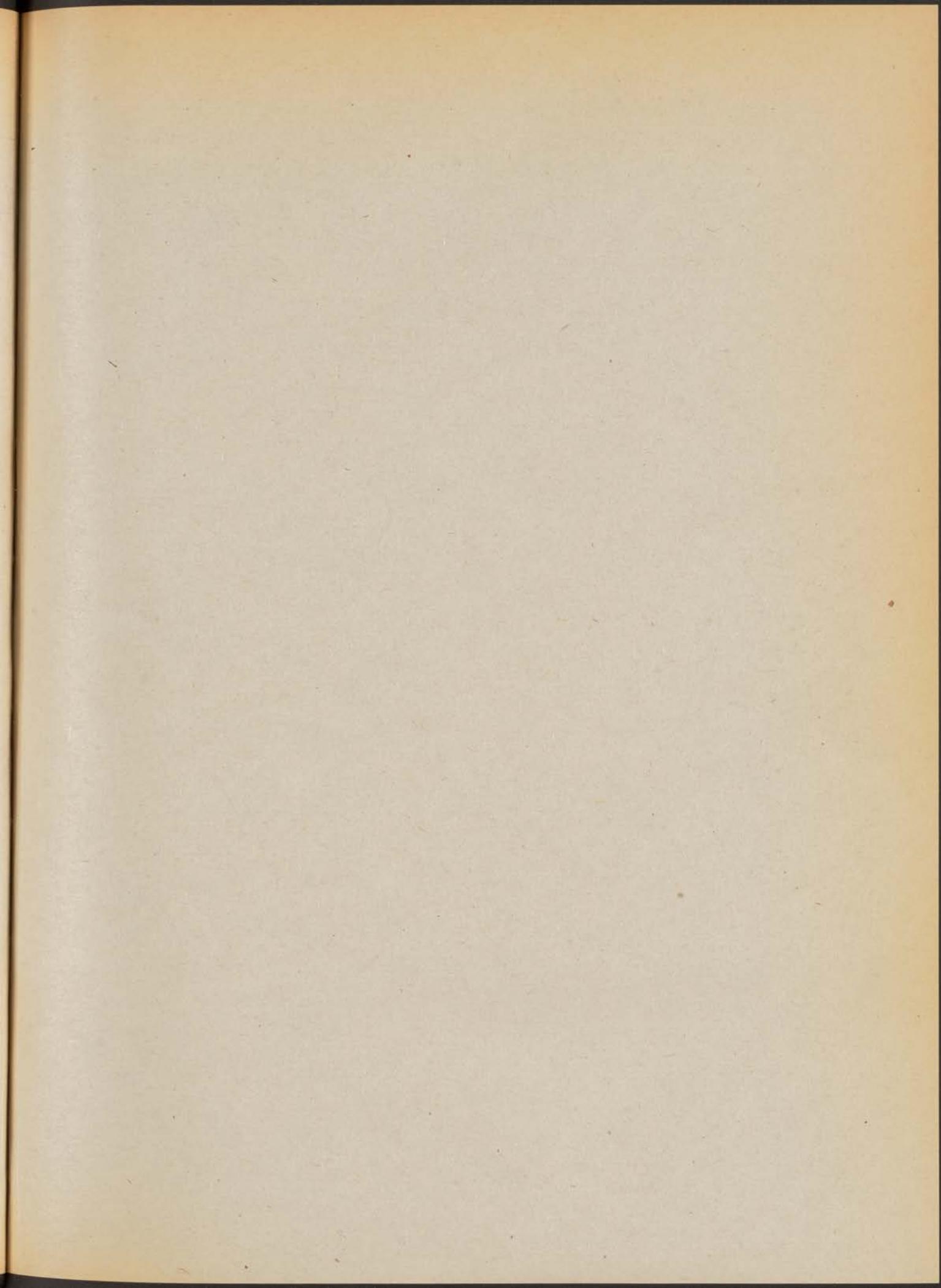
¹ This table does not apply if the prevailing rate for Series E bonds being issued at the time the extension begins is different from 5.50 percent.

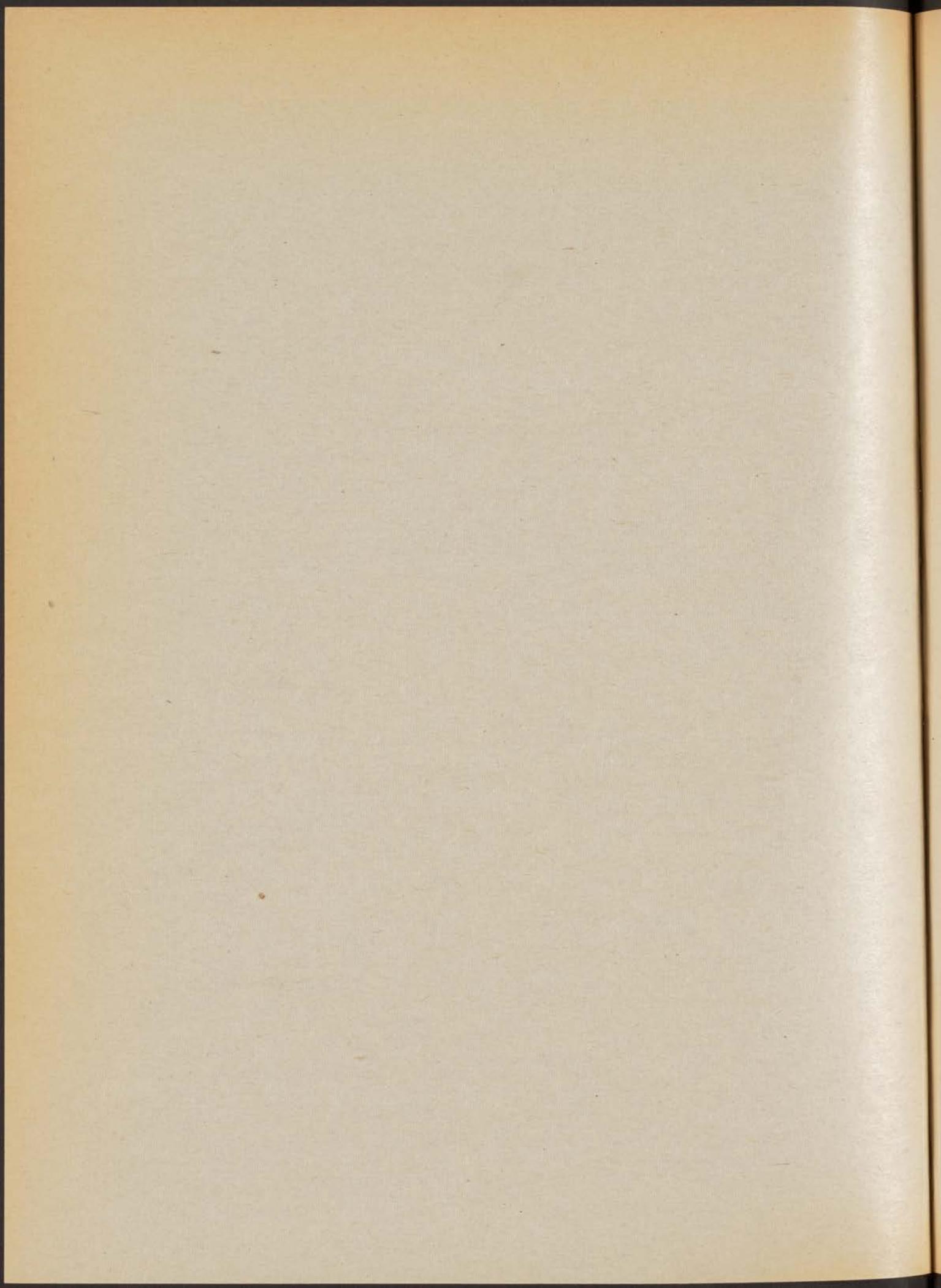
² Yield on purchase price from issue date to extended maturity date is 4.98 percent.

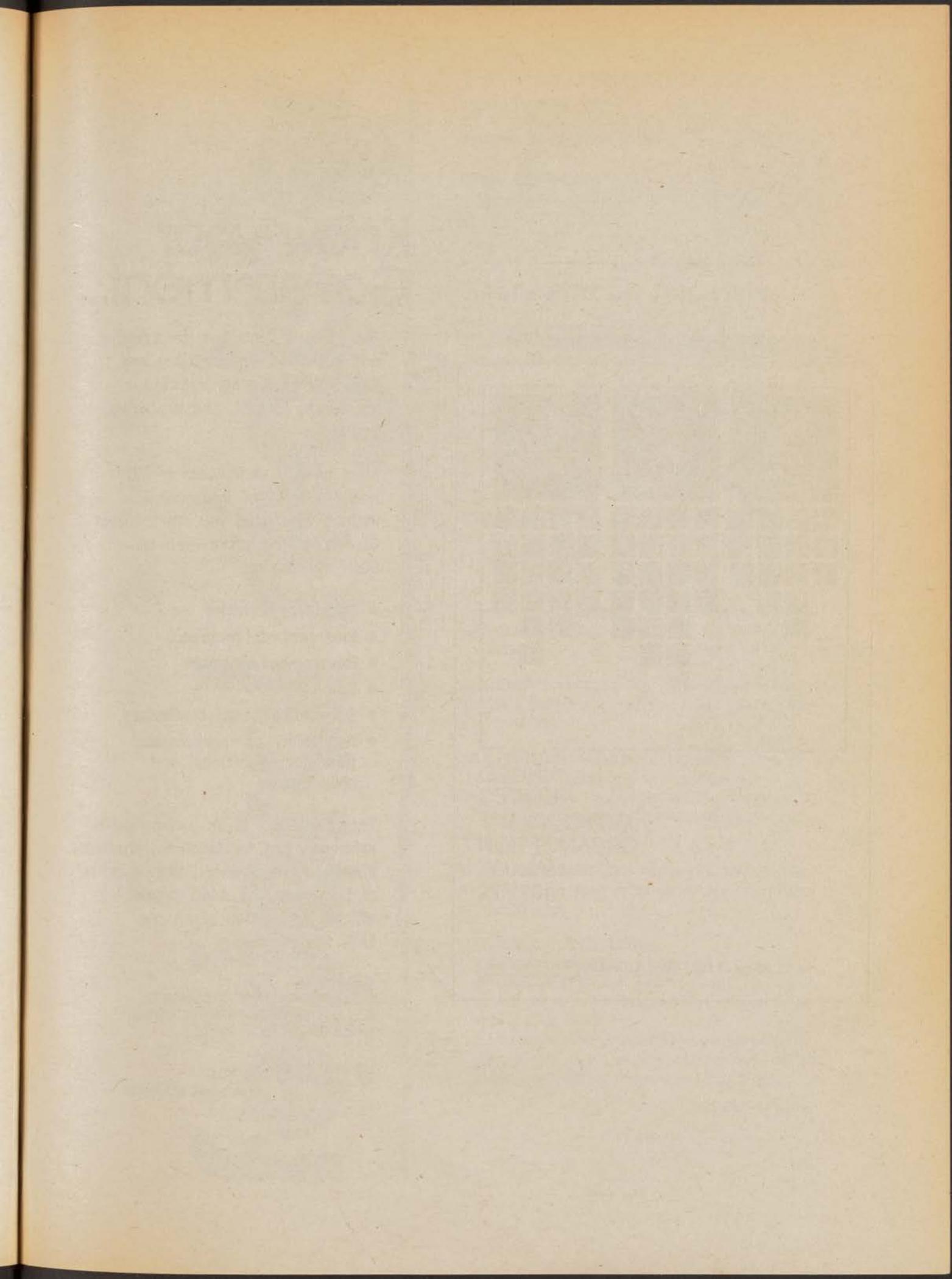
³ Month, day, and year on which issues of June 1, 1964, enter each period. For subsequent issue months add the appropriate number of months.

[FR Doc. 72-1068 Filed 2-1-72; 8:45 am]



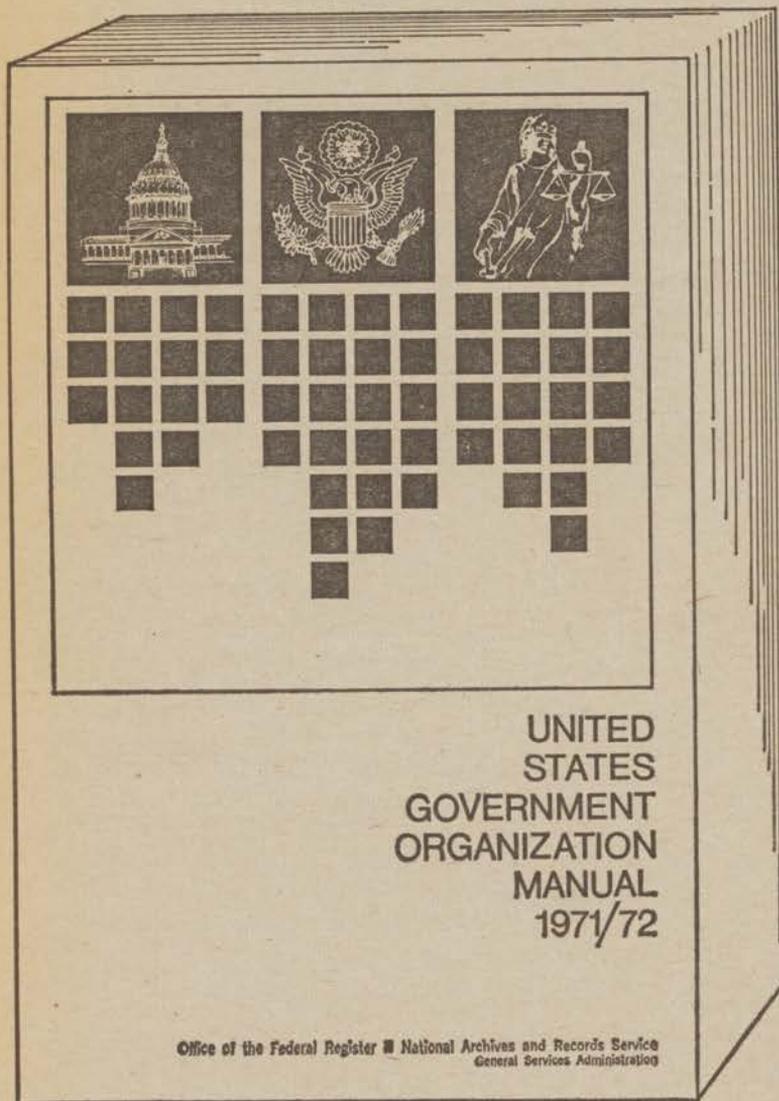








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