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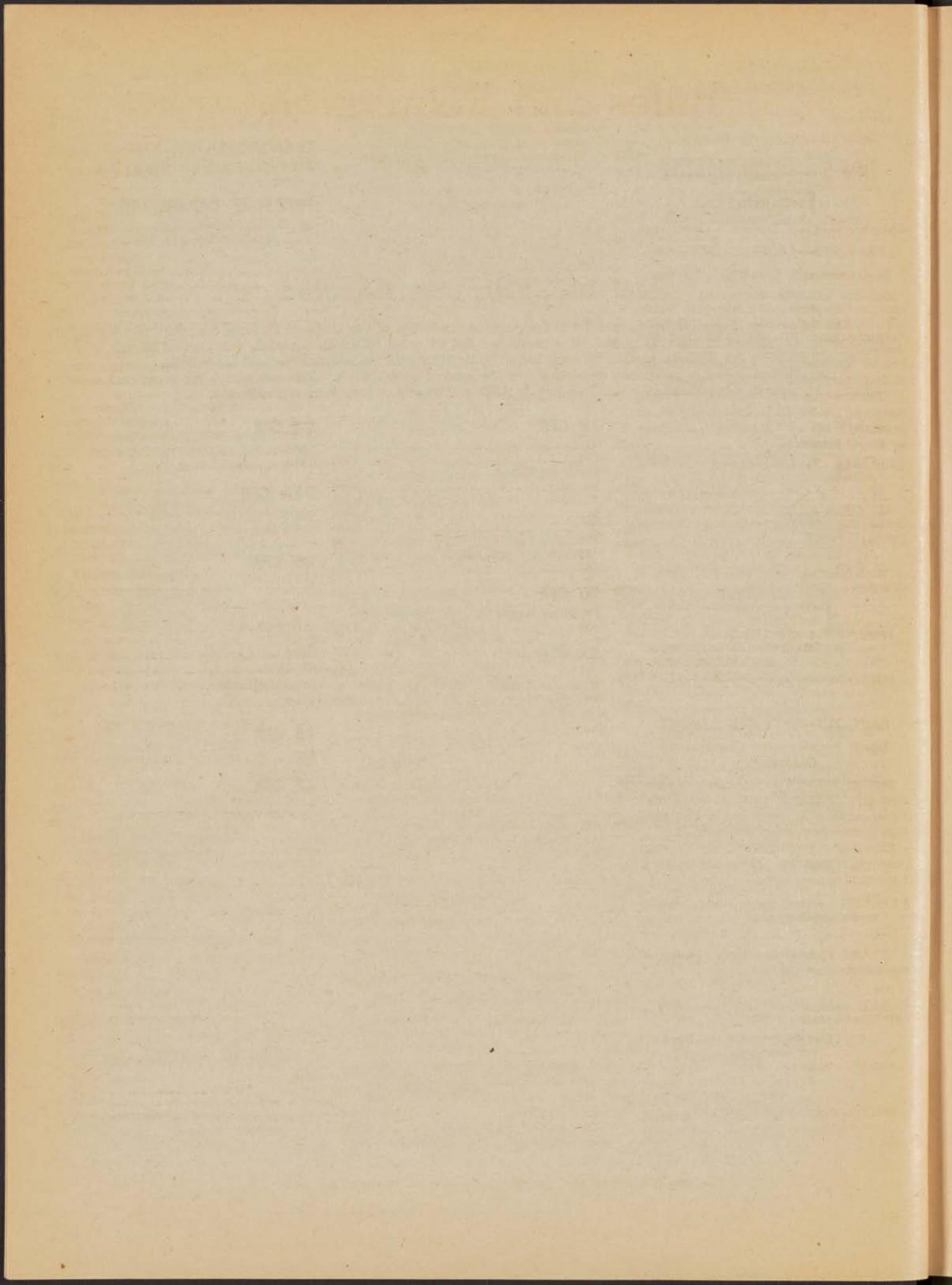
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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Environmental Protection Agency

Section 213.3318 of Schedule C is amended to reflect the following headnote change: from Office of the Assistant Administrator (for Standards and Enforcement) and General Counsel to Office of the Assistant Administrator for Enforcement and General Counsel.

Effective on publication in the FEDERAL REGISTER (2-26-72), the headnote of paragraph (d) of § 213.3318 is amended as set out below.

§ 213.3318 Environmental Protection Agency.

(d) Office of the Assistant Administrator for Enforcement and General Counsel.

(5 U.S.C. sections 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.72-2912 Filed 2-25-72;8:51 am]

PART 213—EXCEPTED SERVICE Equal Employment Opportunity Commission

Section 213.3377 is amended to show that one additional position of Special Assistant to a Member of the Commission is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (2-26-72), paragraph (f) of § 213.3377 is amended as set out below.

§ 213.3377 Equal Employment Opportunity Commission.

(f) One Special Assistant to each of two members of the Commission.

(5 U.S.C. sections 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.72-2913 Filed 2-25-72;8:51 am]

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development

Section 213.3384 is amended to show that the position of Special Assistant to the Assistant to the Secretary for Congressional Relations is no longer excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (2-26-72), subparagraph (22) of paragraph (a) of § 213.3384 is revoked.

(5 U.S.C. sections 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.72-2914 Filed 2-25-72;8:51 am]

Title 7—AGRICULTURE

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

PART 58—GRADING AND INSPECTION, GENERAL SPECIFICATIONS FOR APPROVED DAIRY PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

Subpart A—Regulations Governing the Inspection and Grading Services of Manufactured or Processed Dairy Products

FEES AND CHARGES

The Agricultural Marketing Act of 1946 authorizes official inspection and grading service of dairy products. Such inspection and grading service is voluntary and is made available only upon request of financially interested parties upon payment of a fee. The Act requires such fees to be reasonable and, nearly as possible, to cover the cost of performing the services. Recent salary increases for Federal employees and other rising costs of maintaining the inspection and grading service have made it necessary to reevaluate and increase fees charged for inspection and grading services in order to more nearly recover costs of rendering the service.

Pursuant to the authority of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621-27) the provisions of Regulations Governing the Inspection and Grading Services of Manufactured or Processed Dairy Products: 7 CFR 58.43 and 58.44, are hereby amended to read as follows:

§ 58.43 Fees for inspection, grading and sampling.

Except as otherwise provided in this section and §§ 58.39, 58.44, 58.45, and 58.46, charges shall be made for inspection, grading and sampling service at the hourly rate of \$10.60 for service performed between 6 a.m. and 6 p.m., and \$11.60 for service performed between 6 p.m. and 6 a.m., for the time required to perform the service calculated to the nearest 15-minute period, including the time required for preparation of certificates and reports, and travel of the inspector or grader in connection with the performance of the service. When the Administrator determines it feasible, he may set a minimum charge based on average time for specific types of service. A minimum charge of one-half hour shall be made for service pursuant to each request or certificate issued.

§ 58.44 Fees for laboratory analysis.

Except as otherwise provided in this section and §§ 58.45 and 58.46, charges shall be made for laboratory analysis at the hourly rate of \$11.60 for the time required to perform the service. A minimum charge of one-half hour shall be made for service pursuant to each request or certificate issued. The following minimum rates based on average time required to perform the test specified shall apply unless the actual time required to perform the test is greater than the minimum set forth:

(a) Dry milk and related products:

Total fat (ether extractions)	\$2.10
Moisture	1.60
Titrate acidity .....	.80
Solubility index	1.05
Scorched particles	1.05
Bacterial plate count	2.10
Bacterial direct microscopic count	3.15
Flavor .....	.55
Whey protein nitrogen	5.25
Vitamin A	10.50
Alkalinity of Ash	11.60
Dispersibility	5.25
Coliform (solid media)	2.10
Salmonella	8.40
Phosphatase	11.60
Oxygen	6.30
Density .....	.80

(b) Condensed milk and related products:

Fat (ether extraction)	\$3.15
Total solids	2.10
Sugar (sucrose)	11.60
Net weight (per can)	11.30
Flavor, color, body, texture .....	.80

(c) Cheese and related products:

Moisture	\$2.10
Moisture in duplicate	3.15
Total fat (ether extraction)	3.70
Moisture and fat (dry basis) complete	5.80

(d) Butter and related products:

Moisture	.....	\$2.10
Fat	.....	4.20
Salt	.....	2.10
Complete Kohman analysis	.....	6.30
Fat and moisture (same sample)	.....	5.25
Flavor, odor, body, texture	.....	1.05
Peroxide value	.....	11.60
Free fatty acid	.....	5.25
Yeast and mold	.....	2.65
Proteolytic count	.....	2.65

(e) Corn soya milk:

Sieve test	.....	\$2.10
Density	.....	.80
Bostwick—uncooked	.....	2.65
Bostwick—cooked	.....	5.25
Protein (Kjeldahl)	.....	5.25
Fat (Sohxlet)	.....	3.70
Moisture	.....	1.60
Crude fiber	.....	7.35
Flavor	.....	.55

The need for the increase in fees and the account thereof are dependent upon the facts within the knowledge of the Consumer and Marketing Service. Therefore, pursuant to the Administrative Procedure Act (5 U.S.C. 553) it is found that notices and other public procedure with respect to this amendment are impracticable and unnecessary and good cause is found for making the amendment effective less than 30 days after its publication in the FEDERAL REGISTER.

This amendment shall become effective March 1, 1972, with respect to the inspection and grading service rendered on and after that date.

Done at Washington, D.C., this 22d day of February 1972.

G. R. GRANGE,
Acting Administrator.

[FR Doc. 72-2948 Filed 2-25-72; 8:54 am]

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

[Lemon Reg. 522]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.822 Lemon Regulation 522.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 36 F.R. 9061), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure,

and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 22, 1972.

(b) Order. (1) The quantity of lemons grown in California and Arizona which may be handled during the period February 27, through March 4, 1972, is hereby fixed at 220,000 cartons.

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

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

Dated: February 23, 1972.

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

[FR Doc. 72-2946 Filed 2-25-72; 8:54 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(a) the reference to Florida in the introductory paragraph and paragraph (a)(5) relating to Florida are deleted.

(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 excludes a portion of Dade County, Fla., from the areas quarantined because of exotic Newcastle disease. Therefore, the restrictions pertaining to the interstate movement of poultry, mynah and psittacine birds, and birds of all other species under any form of confinement, and their carcasses and parts thereof, and certain other articles from or through quarantined areas, as contained in 9 CFR Part 82, as amended, will not apply to the excluded portion of said county. No areas in Florida remain under the quarantine.

The amendment relieves certain restrictions presently imposed but no longer deemed necessary to prevent the spread of exotic Newcastle disease, and must be made effective immediately to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to this Department. 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 unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of February 1972.

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

[FR Doc. 72-2950 Filed 2-25-72; 8:54 am]

Chapter III—Consumer and Marketing Service (Meat Inspection), Department of Agriculture

PART 317—LABELING, MARKING DEVICES, AND CONTAINERS

Labeling Requirements for Custom Prepared Products

On September 17, 1971, there was published in the FEDERAL REGISTER (36 F.R. 18583; F.R. Doc. 71-13712) a notice that the Department was considering a proposal to amend § 317.16 of the Federal

meat inspection regulations (9 CFR Part 317).

Statement of considerations. The proposed amendment was to change the provisions of the regulations specifying requirements for labeling custom processed meat and meat food products prepared under an exemption from inspection under the Act.

A period of 60 days was allowed for filing written data, views or arguments by interested persons. The Department received 80 written comments, 78 of them favoring the amendment, from various groups representing consumers, affected industries, trade organizations and a State government.

After considering all information available to the Department, including the comments received pursuant to the notice, § 317.16 of the Federal meat inspection regulations (9 CFR 317.16) issued under section 21 of the Federal Meat Inspection Act (21 U.S.C. 621) is hereby amended to read as follows:

§ 317.16 Labeling and containers of custom prepared products.

Products that are custom prepared under § 303.1(a)(2) of this subchapter must be packaged immediately after preparation and must be labeled (in lieu of information otherwise required by this Part 317) with the words "Not For Sale" in lettering not less than three-eighth inch in height. Such exempted custom prepared products or their containers may bear additional labeling provided such labeling is not false or misleading.

The foregoing amendment relieves restrictions heretofore contained in the Federal meat inspection regulations and shall become effective upon publication in the FEDERAL REGISTER (2-26-72).

Done at Washington, D.C., on February 22, 1972.

G. R. GRANGE,
Acting Administrator.

[FR Doc. 72-2949 Filed 2-25-72; 8:54 am]

**Title 14—AERONAUTICS
AND SPACE**

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 11433, Amdt. 67-9]

**PART 67—MEDICAL STANDARDS
AND CERTIFICATION**

Terminology and Separation of Disqualifying Mental and Neurologic Conditions

The purpose of these amendments to Part 67 of the Federal Aviation Regulations is (1) to revise the terminology used to denote mental and neurologic conditions that disqualify applicants for medical certificates, to conform with current usage in the medical profession; and (2) to separate what have been termed "nervous system" conditions into mental and neurologic disorders as two

distinct groups of disqualifying conditions.

Interested persons have been afforded an opportunity to participate in the making of these amendments by a notice of proposed rule making (Notice 71-30) issued on September 28, 1971, and published in the FEDERAL REGISTER on October 5, 1971 (36 F.R. 19396). Due consideration has been given to all comments presented in response to that notice.

Two public comments were received in response to the notice. Each was from an aviation trade association, and each concurred in the proposed amendments.

As stated in the notice, a disparity has existed between the terminology used in the standards involving mental disorders and currently accepted psychiatric terminology. As a result, difficulty has existed in applying the latter terminology to these mental disabilities although the basic definitions have remained essentially unchanged. To avoid the recurrence of these difficulties, particularly in enforcement actions, and to update the regulations, these amendments revise the terminology describing the mental requirements, as proposed in the notice, to conform with the terminology generally used by specialists in that branch of medicine as contained in the Manual published by the American Psychiatric Association, "Diagnostic and Statistical Manual of Mental Disorders (second edition 1968)." It is intended that use of that terminology will reduce confusion and ambiguity in the use and application of psychiatric terms by enumerating and defining disqualifying mental disorders in conformity with the terminology used in the current practice of psychiatry.

The proposed changes were reviewed and approved by a committee of the American Psychiatric Association, and that committee indicated that the changes may be considered essentially semantic.

Additionally, as proposed, these amendments separate "mental condition" and "neurologic condition" under the appropriate sections of Part 67 to clarify the applicable standards, as well as to recognize a division in professional specialization in disorders of a mental or neurologic nature. It is anticipated that this separation will also facilitate the gathering and analysis of statistical information relating to airman applicants who have been issued or denied medical certificates where mental or neurologic histories or conditions are concerned. As the neurologic terminology previously used is acceptable, no change is made in the enumeration of disqualifying neurologic disorders.

In consideration of the foregoing, Part 67 of the Federal Aviation Regulations is amended, effective April 26, 1972, as follows:

1. Paragraph (d) of § 67.13 is amended to read as follows:

§ 67.13 First-class medical certificate.

(d) *Mental and neurologic*—(1) *Mental*. (i) No established medical his-

tory or clinical diagnosis of any of the following:

(a) A personality disorder that is severe enough to have repeatedly manifested itself by overt acts.

(b) A psychosis.

(c) Alcoholism. As used in this section, "alcoholism" means a condition in which a person's intake of alcohol is great enough to damage his physical health or personal or social functioning, or when alcohol has become a prerequisite to his normal functioning.

(d) Drug dependence. As used in this section, "drug dependence" means a condition in which a person is addicted to or dependent on drugs other than alcohol, tobacco, or ordinary caffeine-containing beverages, as evidenced by habitual use or a clear sense of need for the drug.

(i) No other personality disorder, neurosis, or mental condition that the Federal Air Surgeon finds—

(a) Makes the applicant unable to safely perform the duties or exercise the privileges of the airman certificate that he holds or for which he is applying; or

(b) May reasonably be expected, within 2 years after the finding, to make him unable to perform those duties or exercise those privileges;

and the findings are based on the case history and appropriate, qualified, medical judgment relating to the condition involved.

(2) *Neurologic*. (i) No established medical history or clinical diagnosis of either of the following:

(a) Epilepsy.

(b) A disturbance of consciousness without satisfactory medical explanation of the cause.

(ii) No other convulsive disorder, disturbance of consciousness, or neurologic condition that the Federal Air Surgeon finds—

(a) Makes the applicant unable to safely perform the duties or exercise the privileges of the airman certificate that he holds or for which he is applying; or

(b) May reasonably be expected, within 2 years after the finding, to make him unable to perform those duties or exercise those privileges;

and the findings are based on the case history and appropriate, qualified, medical judgment relating to the condition involved.

2. Paragraph (d) of § 67.15 is amended to read as follows:

§ 67.15 Second-class medical certificate.

(d) *Mental and neurologic*—(1) *Mental*. (i) No established medical history or clinical diagnosis of any of the following:

(a) A personality disorder that is severe enough to have repeatedly manifested itself by overt acts.

(b) A psychosis.

(c) Alcoholism. As used in this section, "alcoholism" means a condition in

which a person's intake of alcohol is great enough to damage his physical health or personal or social functioning, or when alcohol has become a prerequisite to his normal functioning.

(d) Drug dependence: As used in this section, "drug dependence" means a condition in which a person is addicted to or dependent on drugs other than alcohol, tobacco, or ordinary caffeine-containing beverages, as evidenced by habitual use or a clear sense of need for the drug.

(ii) No other personality disorder, neurosis, or mental condition that the Federal Air Surgeon finds—

(a) Makes the applicant unable to safely perform the duties or exercise the privileges of the airman certificate that he holds or for which he is applying; or

(b) May reasonably be expected, within two years after the finding, to make him unable to perform those duties or exercise those privileges;

and the findings are based on the case history and appropriate, qualified, medical judgment relating to the condition involved.

(2) *Neurologic.* (i) No established medical history or clinical diagnosis of either of the following:

(a) Epilepsy.

(b) A disturbance of consciousness without satisfactory medical explanation of the cause.

(ii) No other convulsive disorder, disturbance of consciousness, or neurologic condition that the Federal Air Surgeon finds—

(a) Makes the applicant unable to safely perform the duties or exercise the privileges of the airman certificate that he holds or for which he is applying; or

(b) May reasonably be expected, within two years after the finding, to make him unable to perform those duties or exercise those privileges;

and the findings are based on the case history and appropriate, qualified, medical judgment relating to the condition involved.

3. Paragraph (d) of § 67.17 is amended to read as follows:

§ 67.17 Third-class medical certificate.

(d) *Mental and neurologic*—(1) *Mental.* (i) No established medical history or clinical diagnosis of any of the following:

(a) A personality disorder that is severe enough to have repeatedly manifested itself by overt acts.

(b) A psychosis.

(c) Alcoholism: As used in this section, "alcoholism" means a condition in which a person's intake of alcohol is great enough to damage his physical health or personal or social functioning, or when alcohol has become a prerequisite to his normal functioning.

(d) Drug dependence: As used in this section, "drug dependence" means a condition in which a person is addicted to or dependent on drugs other than alcohol, tobacco, or ordinary caffeine-

containing beverages, as evidenced by habitual use or a clear sense of need for the drug.

(ii) No other personality disorder, neurosis, or mental condition that the Federal Air Surgeon finds—

(a) Makes the applicant unable to safely perform the duties or exercise the privileges of the airman certificate that he holds or for which he is applying; or

(b) May reasonably be expected, within 2 years after the finding, to make him unable to perform those duties or exercise those privileges;

and the findings are based on the case history and appropriate, qualified, medical judgment relating to the condition involved.

(2) *Neurologic.* (i) No established medical history or clinical diagnosis of either of the following:

(a) Epilepsy.

(b) A disturbance of consciousness without satisfactory medical explanation of the cause.

(ii) No other convulsive disorder, disturbance of consciousness, or neurologic condition that the Federal Air Surgeon finds—

(a) Makes the applicant unable to safely perform the duties or exercise the privileges of the airman certificate that he holds or for which he is applying; or

(b) May reasonably be expected, within 2 years after the finding, to make him unable to perform those duties or exercise those privileges;

and the findings are based on the case history and appropriate, qualified, medical judgment relating to the condition involved.

4. The first sentence in paragraph (d) of § 67.19 is amended to read as follows:

§ 67.19 Special issue: operational limitations.

(d) Except for air traffic control tower operators, this section does not apply to an applicant who fails to meet the requirements of § 67.13 (d) (1) (i), (d) (2) (i), (e) (1), or (f) (1), § 67.15 (d) (1) (i), (d) (2) (i), (e), or (f) (1), or § 67.17 (d) (1) (i), (d) (2) (i), (e), or (f) (1). * * *

5. The second sentence in paragraph (b) of § 67.25 is amended to read as follows:

§ 67.25 Delegation of authority.

(b) * * * Except where the applicant does not meet the standards of § 67.13 (d) (1) (i), (d) (2) (i), (e) (1), or (f) (1), § 67.15 (d) (1) (i), (d) (2) (i), (e), or (f) (1), or § 67.17 (d) (1) (i), (d) (2) (i), (e), or (f) (1), any action taken under this paragraph other than by the Federal Air Surgeon is subject to reconsideration by the Federal Air Surgeon. * * *

6. The first sentence in paragraph (b) (3) of § 67.27 is amended to read as follows:

§ 67.27 Denial of medical certificate.

(b) * * *

(3) By the Chief, Aeromedical Certification Branch, Civil Aeromedical Institute, or a Regional Flight Surgeon is considered to be a denial by the Administrator under that section of the Act where the applicant does not meet the standards of § 67.13 (d) (1) (i), (d) (2) (i), (e) (1), or (f) (1), § 67.15 (d) (1) (i), (d) (2) (i), (e), or (f) (1), or § 67.17 (d) (1) (i), (d) (2) (i), (e), or (f) (1). * * *

(Secs. 313(a), 601, 602, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1422; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on February 14, 1972.

J. H. SHAFFER,
Administrator.

[FR Doc.72-2847 Filed 2-25-72;8:47 am]

[Airspace Docket No. 71-WE-51]

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

Alteration of Federal Airway Segments

On December 9, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23398) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter segments of VOR Federal airway Nos. 135 and 137.

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 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

Section 71.123 (37 F.R. 2009) is amended as follows:

a. In V-135 "to Tonopah." is deleted and "to Tonopah, excluding the airspace above 9,000 feet MSL between Yuma and Parker." is substituted therefor.

b. In V-137 "Salinas, Calif." is deleted and "Salinas, Calif., excluding the airspace above 7,000 feet MSL, between Imperial and the intersection of the Thermal 122° and the Julian, Calif., 055° radials." 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 February 17, 1972.

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

[FR Doc.72-2858 Filed 2-25-72;8:46 am]

[Airspace Docket No. 71-SW-64]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS**Designation of Federal Airway Segment**

On December 8, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23312) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate VOR Federal airway No. 102 south alternate.

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 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

In § 71.123 (37 F.R. 2009) V-102 is amended by deleting all before "Hobbs, N. Mex.," and substituting "From Salt Flat, Tex., via Carlsbad, N. Mex., including a south alternate via INT Salt Flat 085° and Carlsbad 220° radials;" 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 February 17, 1972.

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

[FR Doc. 72-2856 Filed 2-25-72; 8:46 am]

[Airspace Docket No. 71-SO-177]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS**Revocation of Federal Airway Segment**

On December 17, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 24007) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke VOR Federal airway No. 243 west alternate segment between Jacksonville, Fla., and Waycross, 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 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

In § 71.123 (37 F.R. 2009) V-243 is amended by deleting all between "Waycross, Ga., 126° radials;" and "Vienna, Ga.," and substituting "Waycross;" 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 February 17, 1972.

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

[FR Doc. 72-2854 Filed 2-25-72; 8:46 am]

[Airspace Docket No. 71-AL-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS**Alteration of Control Zone and Transition Area**

On December 10, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23576) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would alter the Bettles, Alaska, terminal airspace structure.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

1. In § 71.171 (37 F.R. 2056) the Bettles control zone is amended to read:

BETTLES, ALASKA

Within a 5-mile radius of the Bettles Airport (latitude 66°54'57" N., longitude 151°31'31" W.); within 4 miles each side of the Bettles RBN 214° bearing extending from the 5-mile-radius zone to 8.5 miles southwest of the RBN; and within 3 miles each side of the Bettles VORTAC, 227° radial extending from the 5-mile-radius zone to 9.5 miles southwest of the VORTAC.

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

Issued in Anchorage, Alaska, on February 14, 1972.

JACK G. WEBB,
Director, Alaskan Region.

[FR Doc. 72-2853 Filed 2-25-72; 8:46 am]

[Airspace Docket No. 71-AL-12]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS**Alteration of Control Zone and Transition Area**

On December 7, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23238) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would alter the Big Delta, Alaska, terminal airspace structure.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

A portion of the narrative description of the Big Delta, Alaska, transition area was inadvertently omitted in the published NPRM. The map depiction as distributed was correct. This oversight in description of the controlled airspace was minor in nature with no substantial change in the overall airspace proposal. It is therefore determined that this corrected description would impose no additional burden on any person and further notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

In 71.171 (37 F.R. 2056) the Big Delta, Alaska, control zone is amended to comprise that airspace within a 5-mile radius of the Allen AAF, Fort Greeley, Alaska (latitude 63°59'37" N., longitude 145°43'08" W.) and within 4.5 miles each side of the Big Delta VORTAC 040° radial extending from the 5-mile-radius zone to 11 miles northeast. This control zone is effective from 0600 to 2200 local time daily, or during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

In 71.181 (37 F.R. 2143) the Big Delta, Alaska, transition area is amended to comprise that airspace extending upward from 700 feet above the surface within 9.5 miles each side of the Big Delta VORTAC 220° and 040° radials extending from 2 miles southwest to 18.5 miles northeast of the Big Delta VORTAC; and within a 16.5-mile radius of the Big Delta VORTAC extending clockwise from the 309° radial to the 006° radial.

(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 Anchorage, Alaska, on February 14, 1972.

JACK G. WEBB,
Director, Alaskan Region.

[FR Doc. 72-2848 Filed 2-25-72; 8:45 am]

[Airspace Docket No. 71-AL-14]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS**Alteration of Control Zone and Transition Area**

On December 10, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23577) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would alter the Fort Yukon, Alaska, terminal airspace structure.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

1. In § 71.171 (37 F.R. 2056) the Fort Yukon control zone is amended to read:

FORT YUKON, ALASKA

Within a 5-mile radius of Fort Yukon Municipal Airport (latitude 66°34'16" N., longitude 145°14'59" W.) and within 3 miles south and 4.5 miles north of the Fort Yukon 076° radial extending from the 5-mile-radius zone to 10.5 miles east of the Fort Yukon VORTAC and within 3 miles each side of the Fort Yukon VORTAC 214° radial extending from the 5-mile-radius zone to 8.5 miles southwest of the VORTAC. This control zone is effective from 0800 to 1700 local time daily except Sunday; or during the specific days and times established in advance by Notice to Airmen. The effective times will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

2. In § 71.181 (37 F.R. 2143), the Fort Yukon transition area is amended to read:

FORT YUKON, ALASKA

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Fort Yukon Municipal Airport (latitude 66°34'16" N., longitude 145°14'59" W.) and within 3 miles south and 4.5 miles north of the Fort Yukon 076° radial extending from the 5-mile-radius area to 10.5 miles east of the Fort Yukon VORTAC and within 3 miles each side of the Fort Yukon VORTAC 214° radial extending from the 5-mile-radius area to 8.5 miles southwest of the VORTAC.

(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 Anchorage, Alaska, on February 14, 1972.

JACK G. WEBB,
Director, Alaskan Region.

[FR Doc.72-2850 Filed 2-25-72;8:46 am]

[Airspace Docket No. 71-AL-17]

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

Alteration of Control Zone and Transition Area

On December 10, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23577) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would alter the Farewell, Alaska, terminal airspace structure.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

1. In § 71.171 (37 F.R. 2056) the Farewell control zone is amended to read:

FAREWELL, ALASKA

That airspace within a 5-mile radius of Farewell Airport (latitude 62°30'30" N., longitude 153°52'30" W.) and within 3.5 miles each side of the Farewell RR northwest course extending from the 5-mile-radius zone to 8.5 miles northwest of the RR. This control zone is effective from 0745 to 1545 local time daily, or during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

2. In § 71.181 (37 F.R. 2143) the Farewell transition area is amended to read:

FAREWELL, ALASKA

That airspace extending upward from 1,200 feet above the surface within 9.5 miles northeast and 5 miles southwest of the Farewell RR southeast and northwest courses extending from 6 miles southeast to 18.5 miles northwest of the RR.

(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 Anchorage, Alaska, on February 14, 1972.

JACK G. WEBB,
Director, Alaskan Region.

[FR Doc.72-2852 Filed 2-25-72;8:46 am]

[Airspace Docket No. 71-AL-16]

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

Alteration of Control Zone and Transition Area

On December 10, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23578) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would alter the McGrath, Alaska, terminal airspace structure.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

1. In § 71.171 (37 F.R. 2056) the McGrath control zone is amended to read:

MCGRATH, ALASKA

That airspace within a 5-mile radius of the McGrath Airport (latitude 62°75'15" N., longitude 155°36'06" W.) and within 5 miles northeast and 3 miles southwest of the McGrath VORTAC 123° radial extending from the 5-mile-radius zone to 10 miles southeast of the VORTAC; and within 4 miles each side of the McGrath VORTAC 008° radial extending from the 5-mile-radius zone to 18 miles north of the VORTAC.

2. In § 71.181 (37 F.R. 2143) the McGrath transition area is amended to read:

MCGRATH, ALASKA

That airspace extending upward from 700 feet above the surface within 5 miles northeast and 3 miles southwest of the McGrath VORTAC 123° radial extending from the control zone extension to 12.5 miles southeast of the VORTAC; within 4 miles each side of the McGrath VORTAC 008° radial extending from the control zone extension to 14.5 miles north of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 21.5-mile radius of the McGrath VORTAC extending clockwise from the 344° radial to the 236° radial of the VORTAC; within a 12-mile radius of the McGrath VORTAC extending clockwise from the 236° radial to the 344° radial of the VORTAC; and within 9.5 miles east and 4.5 miles west of the McGrath VORTAC 008° radial extending from the 21.5-mile-radius area to 23 miles north of the VORTAC.

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

Issued in Anchorage, Alaska, on February 14, 1972.

JACK G. WEBB,
Director, Alaskan Region.

[FR Doc.72-2851 Filed 2-25-72;8:46 am]

[Airspace Docket No. 71-AL-13]

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

Alteration of Control Zone and Transition Area

On December 10, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23578) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would alter the Nenana, Alaska, terminal airspace structure.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

In § 71.171 (37 F.R. 2056) the Nenana, Alaska, control zone is amended to comprise that airspace within a 5-mile radius of the Nenana Airport (latitude 64°32'56" N., longitude 149°04'24" W.); and within 4 miles each side of the Nenana RR southeast course extending from the 5-mile-radius zone to 8.5 miles southeast of the RR. This control zone is effective from 0545 to 2145 local time daily, or during the specific days and times established in advance by Notice to Airmen. The effective time will thereafter be continuously published in the Flight Information Publication Supplement Alaska.

In § 71.181 (37 F.R. 2143) the Nenana, Alaska, transition area is amended to comprise that airspace extending upward from 700 feet above the surface within

a 5-mile radius of Nenana Airport (latitude 64°32'56" N., longitude 149°04'24" W.); and within 4 miles each side of the Nenana RR southeast course extending from the 5-mile-radius area to 10.5 miles southeast of the RR.

(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 Anchorage, Alaska, on February 14, 1972.

JACK G. WEBB,
Director, Alaskan Region.

[FR Doc.72-2849 Filed 2-25-72;8:46 am]

[Airspace Docket No. 71-SO-187]

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

Designation of Transition Area

On January 8, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 287), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Roanoke Rapids, N.C., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the following transition area is added:

ROANOKE RAPIDS, N.C.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Halifax County Airport (lat. 36°26'29" N., long. 77°43'00" W.).

(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 at East Point, Ga., on February 15, 1972.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.72-2855 Filed 2-25-72;8:46 am]

[Airspace Docket No. 72-SW-2]

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

Designation of Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a reporting point at Pinon, N. Mex.

A position report is needed to assist in the control of aircraft entering or leaving the terminal areas at El Paso, Tex., and Roswell, N. Mex. Therefore, action is taken herein to designate Pinon, N. Mex., as a reporting point.

Since this amendment is minor in nature, 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, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

In § 71.203 (37 F.R. 2311) "Pinon, N. Mex." is added.

(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 February 17, 1972.

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

[FR Doc.72-2857 Filed 2-25-72;8:46 am]

[Airspace Docket No. 71-WA-34]

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

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Federal Airway and Jet Route Segments

On November 23, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 22241) stating that the Federal Aviation Administration was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would designate segments to VOR Federal airway Nos. 352, 346, and Jet Route No. 552.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Comments were received from the Department of the Air Force.

The comments received from the Military Airlift Command, Westover Air Force Base; 20th Air Division; 9th Air Force; 21st Air Force; and the Air Force Reserve interposed no objections to the proposed designations. The comments received from the 2d Air Force and the 21st Air Division objected to the proposals. They contend that the airway and Jet Route segments would lie across four refueling areas and would have an adverse impact on training activities conducted in the areas of concern. The 2d Air Force stated that they would withdraw their objection to the proposals if they could obtain assurance that the proposals will not adversely affect training and operational requirements. The 21st Air Division recommended consideration be given to locating any additional air routes, if needed, to the north of proposed alignment of J-552.

The proposed airway and Jet Route segments are designed to provide for the

movement and control of transborder IFR air traffic. It is anticipated that a very low volume of traffic will be processed on these proposed routes. The FAA is of the opinion that the limited volume of IFR traffic which will be cleared via the proposed routes by air traffic control should cause no adverse effect to the Air Force training and refueling activities.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

1. Section 71.123 (37 F.R. 2009) is amended by adding the following:

a. V-346 From St. Georges, Quebec, Canada, to Millinocket, Maine, excluding the portion within Canada.

b. V-352 From St. Georges, Quebec, Canada, to Houlton, Maine, excluding the portion within Canada.

2. Section 75.100 (37 F.R. 2382) is amended by adding the following:

Jet Route No. 552 (St. Georges, Quebec, Canada, to Port Menier, Quebec, Canada) from St. Georges, Quebec, Canada, to Port Menier, Quebec, Canada, RBN, excluding the portion within Canada.

(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 February 17, 1972.

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

[FR Doc.72-2863 Filed 2-25-72;8:47 am]

[Airspace Docket No. 72-SO-5]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of these amendments to Part 73 of the Federal Aviation Regulations is to reduce the designated altitudes of the Lake George, Fla., Restricted Area R-2907 and Pinecastle, Fla., Restricted Area R-2910.

The Department of the Navy has concurred in the proposal to lower the designated altitudes of R-2907 and R-2910 to flight level 230.

Since these amendments restore airspace to the public use and relieve a restriction, notice and public procedure thereon are unnecessary, and good cause exists for making these amendments effective on less than 30-days notice.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER (2-26-72) as hereinafter set forth.

Section 73.29 (37 F.R. 2344) is amended as follows:

a. In R-2907, Lake George, Fla., Sub-area A, the Designated Altitudes is altered by deleting "Surface to FL 240." and substituting "Surface to FL 230" therefor.

b. In R-2910, Pinecastle, Fla., the Designated Altitudes is altered by deleting "Surface to FL 240" and substituting "Surface to FL 230" 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 February 17, 1972.

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

[FR Doc.72-2860 Filed 2-25-72; 8:47 am]

[Airspace Docket No. 72-GL-10]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment is to change the name and using agency of the Camp Atterbury, Ind., Restricted Area R-3401.

Camp Atterbury, Ind., R-3401 has been discontinued as a Department of the Army installation and has been changed to the Atterbury Reserve Forces Training Area under the jurisdiction of the Adjutant General of Indiana. There is no change to the activities conducted within the restricted area.

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

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER (2-26-72), as hereinafter set forth.

In § 73.34 (37 F.R. 2353) the Camp Atterbury, Ind., Restricted Area R-3401 is amended by changing the name of the area from "Camp Atterbury, Ind.," to "Atterbury Reserve Forces Training Area, Ind." and changing the using agency from "Commanding Officer, Camp Atterbury, Ind." to "Adjutant General, State of Indiana, Indianapolis, Ind."

(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 February 17, 1972.

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

[FR Doc.72-2859 Filed 2-25-72; 8:47 am]

[Airspace Docket No. 72-SW-5]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of these amendments to Part 73 of the Federal Aviation Regulations is to extend the time of designation of the White Sands Proving Grounds, N. Mex., R-5107F and the White Sands Proving Grounds, N. Mex., R-5107G as joint-use airspace restricted areas for an indefinite period of time.

The restricted areas were changed from sole-use to joint-use restricted areas for a test period that expires May 23, 1972. The Department of the Air Force has concurred in the indefinite extension of the time of designation.

Since these amendments will relieve a burden on the public by extending joint-use of the areas for an indefinite period of time, notice and public procedure hereon are unnecessary and may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER (2-26-72), as hereinafter set forth.

Section 73.51 (37 F.R. 2361) is amended as follows:

a. In R-5107F, White Sands Proving Grounds, N. Mex., the Time of Designation is altered by deleting "from August 19, 1971, to May 23, 1972."

b. In R-5107G, White Sands Proving Grounds, N. Mex., the Time of Designation is altered by deleting "from August 19, 1971, to May 23, 1972."

(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 February 17, 1972.

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

[FR Doc.72-2861 Filed 2-25-72; 8:47 am]

[Airspace Docket No. 71-WA-20A]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Routes

On June 5, 1971, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (36 F.R. 10984) stating that the Federal Aviation Administration was considering an amendment to Part 75 of the Federal Aviation Regulations that would designate six area high routes in the United States (J982R, J980R, J981R, J983R, J984R, and J985R). J982R was designated, effective January 6, 1972. The proposal to designate J980R (Los Angeles, Calif., to St. Louis, Mo.) as an area high route is hereby withdrawn since it is coincident with J981R (Los Angeles, Calif., to Washington, D.C.) west of St. Louis, Mo.

The other four routes (J981R, J983R, J984R, and J985R) are designated herein. Minor adjustments are made to some waypoint descriptions, and some of the reference facilities are changed from those proposed in the notice to provide better signal coverage. Slight adjustments are made to the southeastern segments of J983R and J984R in order to conform to revised terminal area procedures.

Since these changes are minor in nature and no substantive change in the regulations is effected, 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., May 25, 1972, as hereinafter set forth.

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

Waypoint name	North Lat./ West Long.	Reference facility
J981R LOS ANGELES, CALIF., TO WASHINGTON, D.C.		
Seal Beach, Calif.	33°47'00"/118°03'14"	Oceanside, Calif.
Parker, Calif.	34°06'07"/114°40'53"	Needles, Calif.
Prescott, Ariz.	34°42'09"/112°28'46"	Phoenix, Ariz.
Two Wells, N. Mex.	35°13'59"/108°47'53"	St. Johns, Ariz.
Torreon, N. Mex.	35°41'34"/107°03'49"	Albuquerque, N. Mex.
Springer, N. Mex.	36°15'07"/104°46'52"	Las Vegas, N. Mex.
Sofia, N. Mex.	36°25'38"/104°01'41"	Tucumcari, N. Mex.
Larrabee, Kans.	37°10'36"/100°29'46"	Garden City, Kans.
Wichita, Kans.	37°43'40"/97°27'11"	Pioneer, Okla.
Tightwad, Mo.	38°21'43"/93°34'00"	Springfield, Mo.
Hawk, Mo.	38°42'35"/90°55'59"	Farmington, Mo.
Marine, Ill.	38°43'46"/89°51'54"	Capital, Ill.
Sparksville, Ind.	38°46'02"/86°22'34"	Indianapolis, Ind.
Saint Paul, Ky.	38°42'02"/82°53'43"	Charlestown, W. Va.
Front Royal, Va.	39°05'26"/78°12'02"	Casanova, Va.
J983R MIAMI, FLA., TO NEW ORLEANS, LA.		
Hialeah, Fla.	26°11'22"/80°42'24"	Vero Beach, Fla.
Sarasota, Fla.	27°23'51"/82°33'16"	Sarasota, Fla.
Neptune, La.	28°36'40"/87°38'36"	Crestview, Fla.
New Orleans, La.	30°01'47"/90°10'20"	New Orleans, La.
J984R HOUSTON, TEX., TO MIAMI, FLA.		
Humble, Tex.	29°57'24"/95°20'44"	Houston, Tex.
Leeville, La.	29°10'30"/90°06'14"	Leeville, La.
Neptune, La.	28°36'40"/87°38'36"	Crestview, Fla.
Sarasota, Fla.	27°23'51"/82°33'16"	Sarasota, Fla.
Reptile, Fla.	26°10'36"/81°06'53"	Palm Beach, Fla.
J985R SAN ANTONIO, TEX., TO PHOENIX, ARIZ.		
San Antonio, Tex.	29°38'38"/98°27'40"	Austin, Tex.
Telegraph, Tex.	30°06'45"/100°00'31"	Junction, Tex.
Ft. Stockton, Tex.	30°57'07"/102°58'31"	Wink, Tex.
Toyah, Tex.	31°31'23"/101°03'00"	Wink, Tex.
Organ, N. Mex.	32°14'48"/106°52'20"	Truth or Con- sequences, N. Mex.
Sheldon, Ariz.	32°47'55"/106°05'10"	Sau Simon, Ariz.
Phoenix, Ariz.	33°25'53"/111°53'17"	Phoenix, Ariz.

(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 February 16, 1972.

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

[FR Doc.72-2862 Filed 2-25-72; 8:47 am]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 72-66]

PART 1—GENERAL PROVISIONS

Customs Agency Service Offices

In order to facilitate and improve enforcement, it is desirable to activate a Customs Agency Service suboffice at Baton Rouge, Louisiana.

To effect this change the table in § 1.5 of the Customs regulations is amended

by adding "Resident Special Agent, Baton Rouge, Louisiana" in the column headed "Suboffices" for District No. 6.

(80 Stat. 379, R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624)

This activation of an additional Customs Agency Service suboffice relates to agency management. It is advantageous to dispense with the delayed effective date, notice, and public procedure requirements as provided in 5 U.S.C. 553, so that the suboffice might be operational as soon as possible.

Effective date. This Treasury Decision shall become effective upon publication in the FEDERAL REGISTER (2-26-72).

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

Approved: February 16, 1972.

EUGENE T. ROSSIDES,
*Assistant Secretary
of the Treasury.*

[FR Doc.72-2871 Filed 2-25-72;8:48 am]

[T.D. 72-67]

PART 171—FINES, PENALTIES, AND FORFEITURES

Vehicle Forfeitures; Requirements on Petition for Relief

On December 15, 1971, notice of change in policy relating to mitigation and remission decisions on vehicle forfeitures was published by the Treasury Department in the FEDERAL REGISTER (36 F.R. 23800) which became effective upon publication.

Section 171.13 of the Customs regulations provides that a petitioner holding a chattel mortgage or conditional sales contract covering seized property shall submit with his petition evidence showing whether prior to the financial transaction an inquiry of at least one enforcement agency in the locality where the purchaser most recently resided, or resided in the past year, was made as to the purchaser's criminal record and reputation for commercial crime, and a responsive reply received. However, pursuant to the aforementioned change in policy, it is no longer necessary for the petitioner to make inquiry as prescribed.

To conform the Customs regulations, § 171.13, paragraph (b) is amended as set forth below:

§ 171.13 Additional evidence required with certain petitions.

(b) *Petitioner holding chattel mortgage or conditional sales contract.* A petitioner holding a chattel mortgage or conditional sales contract covering the seized property shall submit with his petition evidence showing that:

(1) He has an interest in such property, as owner or otherwise, which he acquired in good faith; and

(2) He had at no time any knowledge or reason to believe that the property was being or would be used in violation of Customs or other laws of the United States.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

Because this amendment conforms with a change in policy previously published in the FEDERAL REGISTER, and because it relieves a restriction, notice, and public procedure thereon are unnecessary, and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

Effective date. This amendment shall be effective upon publication in the FEDERAL REGISTER (2-26-72).

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

Approved: February 16, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72-2872 Filed 2-25-72;8:48 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5B—Public Buildings Service, General Services Administration

CONTRACTING OFFICERS DECISION UNDER DISPUTES CLAUSE

Pursuant to the procedures related to appealing contracting officer's decision under a Disputes clause, including timeliness and transmittal, Subparts 5B-1.3 and 5B-16.9 are amended by adding new sections.

PART 5B-1—GENERAL

The table of contents for Part 5B-1 is amended by adding the following new entries:

Sec.
5B-1.318 Disputes clause.
5B-1.318-1 Contracting officer's decision under a Disputes clause.

Subpart 5B-1.3—General Policies

Sections 5B-1.318 and 5B-1.318-1 are added to read as follows:

§ 5B-1.318 Disputes clause.
§ 5B-1.318-1 Contracting officer's decision under a Disputes clause.

(a) The adequacy of the contracting officer's decision under the Disputes clause, as required by § 1-1.318-1, and of the contents of any subsequent notice of appeal, as provided for by § 5-60.202, shall be properly insured. Accordingly, the following paragraphs shall be set forth in all contracting officer's decisions subject to a Disputes clause:

This decision is made in accordance with the Disputes clause and shall be final and conclusive as provided therein, unless a written Notice of Appeal addressed to the Administrator of General Services is mailed or otherwise furnished to the Contracting Officer. The Notice of Appeal, which is to be signed by you as the contractor or by an attorney acting on your behalf, and which may be in letter form, should indicate that an appeal is intended, should refer to this decision, and should identify the contract

by number. The Notice of Appeal should include a statement of the reasons why the decision is considered to be erroneous.

In the event you desire to file an appeal from this decision, there is enclosed for your convenience GSA Form 2465, Notice of Appeal, in triplicate, for completion and signature. All the items of information requested must be supplied. If sufficient space is not available on this form for each item, please attach a supplemental sheet or sheets. Also attached is an additional copy of the form which should be completed and retained for your files. The Notice of Appeal is to be signed by the appellant personally if an individual, or, if not, by an authorized officer or duly authorized representative of the appellant organization and submitted in triplicate to the Contracting Officer.

The Notice of Appeal must be mailed or otherwise furnished to the Contracting Officer within 30 days from receipt of this decision or your appeal shall be considered untimely.

(b) Notice of appeal action under the above circumstances may be effected by use of GSA Form 2465, Notice of Appeal, as illustrated by § 5B-16.950-2465.

PART 5B-16—PROCUREMENT FORMS

The table of contents for Part 5B-16 is amended by the addition of a new entry as follows:

Sec.
5B-16.950-2465 GSA Form 2465, Notice of Appeal.

GSA Form 2465, Notice of Appeal is filed as part of the original document. Copies are available from the Business Service Center in any regional office of the General Services Administration.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 488(c); 41 CFR 5-1.101(c))

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER (2-26-72).

Dated: February 9, 1972.

A. F. SAMPSON,
*Commissioner,
Public Building Service.*

[FR Doc.72-2816 Filed 2-25-72;8:54 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ANTIOXIDANTS AND/OR STABILIZERS FOR POLYMERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 1B2691) filed by American Hoechst Corp., Post Office Box 2500, Somerville, N.J. 08876, formerly at 777 Third Avenue, New York, N.Y. 10017, and other relevant material, concludes that § 121.2566 should be amended as set forth below to

extend the permitted conditions for the safe use of the substance specified below as a stabilizer in certain semirigid and rigid polyvinyl chloride materials used in the manufacture of food contact articles.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority

delegated to the Commissioner (21 CFR 2.120), § 121.2566 is amended by revising the text in the "limitations" column in paragraph (b) for poly[(1,3-dibutyl-distanthianediylidene)-1,3-dithio] to read as follows:

§ 121.2566 Antioxidants and/or stabilizers for polymers.

(b) * * *

List of substances

Poly [(1,3-dibutylidistanthianediylidene)-1,3-dithio] having the formula $[C_8H_{16}Sn_2S_2]_n$ where n averages 1.5-2) and produced so as to meet the following specifications: Softening point, 130-145° C.; volatile components at 150° C., less than 1.0 percent; sulphur (sulfide) content in the range 20.5-22.0 percent; tin content in the range 52.0-53.2 percent.

Limitations

For use only at levels not to exceed 0.2 percent by weight in polyvinyl chloride resin where such resin constitutes not less than 98.7 percent of a finished semirigid or rigid polyvinyl chloride food-contact surface, provided that the finished food-contact article is employed only to package meat, cheese, and food types I, VIII, and IX as described in table 1 of § 121.2526(c). The finished food-contact article containing this stabilizer, when extracted with refined cottonseed oil at 120° F. for 48 hours, using a volume-to-surface ratio of 2 milliliters per square inch of surface tested, shall yield tin (Sn) not to exceed 0.0005 milligram per square inch of food-contact surface.

posting those areas where hitchhiking is not permitted in Yosemite National Park. Therefore, the proposal is hereby adopted, as amended, and is set forth below.

The revision of § 4.12 and amendment of § 7.16 will take effect 30 days after publication of this notice in the FEDERAL REGISTER.

(5 U.S.C. 553; 39 Stat. 535, as amended; 16 U.S.C. 3; 41 Stat. 732; 16 U.S.C. 61)

Section 4.12 is hereby revised to read as follows:

§ 4.12 Mufflers.

(a) Every motor vehicle shall be equipped with a muffler in good working order any time the motor vehicle is operating.

(b) Operating a motor vehicle equipped with a muffler cut-out, bypass, or similar device is prohibited.

Section 7.16 is hereby amended by addition of paragraph (d) to read as follows:

§ 7.16 Yosemite National Park.

(d) Hitchhiking or the soliciting of transportation is permitted off the roadway on the shoulder, except in those areas where the Superintendent prohibits such activities by the posting of appropriate signs.

LAWRENCE C. HADLEY,
Acting Director,
National Park Service.

[FR Doc.72-2898 Filed 2-25-72;8:49 am]

Title 32A—NATIONAL DEFENSE,
APPENDIX

Chapter X—Office of Oil and Gas,
Department of the Interior

[Oil Import Reg. 1 (Revision 5) Amdt. 40]

OIL REG. 1—OIL IMPORT
REGULATION

Canadian Imports—Districts I-IV

Amendment 40 to Oil Import Regulation 1 (Revision 5) was published in the FEDERAL REGISTER for February 1, 1972 (37 F.R. 2439). Item 3 of Amendment 40 was intended to provide for the revocation as of March 1, 1972 of section 29A of the regulation (relating to partial allocations of Canadian imports). Through an error the year 1973 was specified. The first sentence of item 3 should read as follows:

3. Section 29A of Oil Import Regulation 1 (Revision 5) is revoked as of March 1, 1972.

HOLLIS M. DOLE,
Assistant Secretary of the Interior.

FEBRUARY 23, 1972.

[FR Doc.72-3009 Filed 2-25-72;8:54 am]

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (2-26-72).

Dated: February 11, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72-2906 Filed 2-25-72;8:50 am]

Title 36—PARKS, FORESTS
AND MEMORIALS

Chapter I—National Park Service,
Department of the Interior

PART 4—VEHICLES AND TRAFFIC
SAFETY

PART 7—SPECIAL REGULATIONS,
AREAS OF THE NATIONAL PARK
SYSTEM

Mufflers, Hitchhiking, and Pets

On page 14700 of the FEDERAL REGISTER of August 10, 1971, there was published a proposal of rule making to revise § 4.12 of Title 36 of the Code of Federal Regulations concerning mufflers and to amend § 7.16, entitled Yosemite National Park, to further restrict presence of pets in the park and to permit hitchhiking. Interested persons were given 30 days to submit written comments on the proposal.

After careful analysis of comments submitted and review of park management needs, it has been concluded that the proposed amendment concerning restrictions on presence of dogs and cats is not necessary at this time for Yosemite National Park. Therefore this proposed amendment is not adopted. It has been further determined that the proposed restrictions concerning mufflers and relaxation of the prohibition against hitchhiking in Yosemite National Park are needed at this time. However, a clause has been added to the hitchhiking provision to allow the Superintendent to designate by

Title 24—HOUSING AND URBAN DEVELOPMENT

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of 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
Alabama	Lowndes	Benton				Feb. 25, 1972.
Arizona	Yavapai	Prescott				Do.
California	Santa Barbara	Santa Barbara				Do.
Florida	Broward	Lighthouse Point				Do.
Illinois	De Kalb	De Kalb				Do.
Massachusetts	Bristol	New Bedford				Do.
Do.	Middlesex	Newton				Do.
Minnesota	Washington	St. Mary's Point	I 27 163 6314 01	Minnesota Conservation Department, Division of Waters, Soils, and Minerals, 345 Centennial Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Office of the Mayor, Village of St. Mary's Point, Route 1, Lakeland, Minn. 55043.	Do.
Missouri	St. Louis	Fenton				Do.
New Jersey	Middlesex	Monroe Township				Do.
Do.	Somerset	Greenbrook Township				Do.
Do.	Bergen	Emerson Borough				Do.
Do.	do	New Milford Borough				Do.
Pennsylvania	Delaware	Birmingham Township				Do.
Do.	do	Concord Township				Do.
Do.	do	Radnor Township				Do.
Do.	Cumberland	Monroe Township				Do.
Do.	do	Mount Holly Springs Borough				Do.
Do.	Bucks	Chalfont Borough				Do.
Do.	do	Plumstead Township				Do.
Do.	Lehigh	Upper Saucony Township				Do.
Oregon	Grant	John Day				Do.
Tennessee	Marion	Jasper	I 47 115 1220 01 through I 47 115 1220 05	Tennessee State Planning Commission, Room C2-208, Central Services Bldg., Nashville, Tenn. 37219. Tennessee Department of Insurance and Banking, 114 State Office Bldg., Nashville, Tenn. 37219.	Town Hall, Town of Jasper, Jasper, Tenn. 37347.	Do.
Do.	Rhea	Spring City				Do.
Texas	Dallas	Farmers Branch				Do.
Do.	Dawson	Lamesa				Do.
Do.	Lamar	Paris				Do.
Wisconsin	Buffalo	Cochrane	I 55 011 1070 01	Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, WI 53703.	Village Hall, Village of Cochrane, Cochrane, Wis. 54662.	Do.
Do.	Vernon	Genoa	I 55 123 1870 01	do	Office of the Village Clerk, Village Hall, Village of Genoa, Genoa, Wis. 54632.	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: February 17, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-2818 Filed 2-25-72; 8:45 am]

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
Alabama	Lowndes	Benton				Feb. 25, 1972.
Arizona	Yavapai	Prescott				Do.
California	Santa Barbara	Santa Barbara				Do.
Florida	Broward	Lighthouse Point				Do.
Illinois	De Kalb	De Kalb				Do.
Massachusetts	Bristol	New Bedford				Do.
Do.	Middlesex	Newton				Do.
Minnesota	Washington	St. Mary's Point	H 27 163 6314 01	Minnesota Conservation Department, Division of Waters, Soils, and Minerals, 345 Centennial Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Office of the Mayor, Village of St. Mary's Point, Route 1, Lakeland, Minn. 55043.	Mar. 24, 1971.
Missouri	St. Louis	Fenton				Feb. 25, 1972.
New Jersey	Middlesex	Monroe Township				Do.
Do.	Somerset	Greenbrook Township				Do.
Do.	Bergen	Emerson Borough				Do.
Do.	do.	New Milford Borough				Do.
Pennsylvania	Delaware	Birmingham Township				Do.
Do.	do.	Concord Township				Do.
Do.	do.	Radnor Township				Do.
Do.	Cumberland	Monroe Township				Do.
Do.	do.	Mount Holly Springs Borough				Do.
Do.	Bucks	Chalfont Borough				Do.
Do.	do.	Plumstead Township				Do.
Do.	Lehigh	Upper Saucon Township				Do.
Oregon	Grant	John Day				Do.
Tennessee	Marion	Jasper	H 47 115 1220 01 through H 47 115 1220 05.	Tennessee State Planning Commission, Room C2-203, Central Services Bldg., Nashville, Tenn. 37219. Tennessee Department of Insurance and Banking, 114 State Office Bldg., Nashville, Tenn. 37219.	Town Hall, Town of Jasper, Jasper, Tenn. 37347.	July 31, 1971.
Do.	Rhea	Spring City				Feb. 25, 1972.
Texas	Dallas	Farmers Branch				Do.
Do.	Dawson	Lamesa				Do.
Do.	Lamar	Paris				Do.
Wisconsin	Buffalo	Cochrane	H 55 011 1070 01	Department of Natural Resources, Post Office Box 450, Madison, WI 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, WI 53703.	Village Hall, Village of Cochrane, Cochrane, Wis. 54662.	Mar. 24, 1971.
Do.	Vernon	Genoa	H 55 123 1870 01	do.	Office of the Village Clerk, Village Hall, Village of Genoa, Genoa, Wis. 54632.	May 8, 1971.

(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: February 17, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-2819 Filed 2-25-72;8:45 am]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 27, Amdt. 6;
Docket No. 71-84]

PART 542—FINANCIAL RESPONSIBILITY FOR OIL POLLUTION CLEANUP

Clarifying Language in Certificate of Insurance Form

On September 30, 1970, the Federal Maritime Commission published in the FEDERAL REGISTER (35 F.R. 15216) regulations to implement the financial responsibility provisions of section 11(p) (1) of the Federal Water Pollution Control Act, as amended by the Water Quality Improvement Act of 1970 (84 Stat. 97). These regulations (Commission General Order 27), including subsequent amendments, set forth the procedures whereby the owner or operator of every vessel over 300 gross tons, including certain barges of equivalent size, using any port or place in the United States or the navigable waters of the United States must evidence financial responsibility to meet the liability to the United States to which such vessel could be subjected for the discharge of oil into or upon the waters of the United States. The regulations also set forth the qualifications required by the Commission for issuance of Certificates, including master Certificates, evidencing such financial responsibility.

The present rule making proceeding was instituted by notice served in the FEDERAL REGISTER (36 F.R. 21524) on November 10, 1971, to amend the language of Commission "master" Certificate of Insurance Form FMC-225A, which is incorporated by reference into § 542.5(a) of General Order 27. The Commission took this action at the request of certain marine underwriters who believe that the current wording of Form FMC-225A may be subjected to some misinterpretation as regards the full extent of an insurer's liability. Specifically, the Commission was urged to make it absolutely clear in Form FMC-225A that an insurer's liability thereunder would not in any event exceed \$100 per gross ton of a given vessel or a maximum amount to be specified on the form, whichever is the lesser. While the Commission expressed its view "that the present language of Form FMC-225A was sufficiently clear in this regard,"¹ it explained, in the notice of proposed rule making, that it was nevertheless "willing to accept and include clarifying modifications to the present language."

¹ In this regard, we would point out that not one comment was received regarding Form FMC-225A when it was proposed as part of a Commission rule making in Docket No. 71-14, although ample time was allowed for comment.

The only comments received in response to the Commission's notice of proposed rule making in this proceeding were submitted by the Shipbuilders Council of America (Council). Rather than interposing any objection to the inclusion of the proposed clarifying language in Form FMC-225A, the Council's comments constitute a broad attack on the concept of holding shipyards responsible for vessels under construction or undergoing conversion or repair.

The position taken by the Council would indicate that it has misconstrued the scope of prior Commission regulations, especially those relating to the issuance of a "master" Certificate, and the effect of the presently proposed revisions in Form FMC-225A. Shipyards are not now required, nor is it here proposed that they be required, to obtain "master" Certificates or otherwise evidence oil pollution cleanup financial responsibility for all vessels in the yard. The Commission's regulations providing for the issuance of Certificates "to persons engaged in the construction, sale, or scrapping of vessels" must be read in conjunction with the other substantive provisions of General Order 27. Presently, under the Commission's regulations, only an "owner or operator" (defined therein) of a vessel is required to establish financial responsibility for oil pollution cleanup. Thus, whether or not a shipyard must under existing rules procure from the Commission and maintain a Certificate of financial responsibility for a vessel is dependent upon its status with regard to that vessel.

In providing for the issuance of a master Certificate, the Commission was merely establishing a procedure:

* * * which would allow a person owning or operating vessels as a builder, scrapper, or seller to apply for and be issued a Certificate covering all of his vessels, up to a specified maximum gross tonnage, which he may from time to time hold for the purposes of construction, sale, or scrapping.²

And in establishing such a procedure, the Commission explained its reason as follows:

Section 542.6(a) of General Order 27 * * * provides for the issuance of separate Certificates to cover specific vessels for every owner or operator subject to the General Order. In order to obtain separate Certificates it is necessary for an applicant desiring such Certificates to file with the Commission specific information with respect to each vessel, including evidence of the applicant's financial responsibility, e.g., acceptable evidence of insurance. The time required for the applicant to obtain, prepare, and file such information and evidence, and the time required by the Commission to process the data and issue Certificates may work an unnecessary burden on those applicants who acquire vessels for purposes of construction, scrapping or sale.

The prearranged coverage evidenced by a Form FMC-225A, and the resultant issuance of a "master" Certificate of Financial Responsibility (Oil Pollution) by the Commission, was intended to relax existing requirements and to permit

² Docket No. 71-14—"Provision for Issuance of Master Certificates and Other Changes."

a scrapper, for example, to bid on and/or purchase directly, and at a moment's notice, any available vessel. Such procedure did away with the necessity of arranging separate insurance coverage and obtaining separate oil pollution certificates for each individual vessel acquired or proposed to be acquired.³ Whether or not a person qualified to obtain a "master" Certificate actually does so, however, is entirely optional on his part. Therefore, the Council's suggestions to the contrary notwithstanding, it is clear that the Commission's regulations providing for the issuance of master Certificates "to persons engaged in the construction, sale or scrapping of vessels" was in no way intended to cause the shifting of liabilities or otherwise affect the substantive rights of any parties.

Likewise, the Council's appraisal of this proceeding as one having "substantive effects" is clearly unwarranted and manifestly incorrect. The sole purpose of this rule making, as was emphasized in the notice thereof, is in fact to clarify an alleged ambiguity in the existing insurance Form FMC-225A as it relates to the extent of an insurer's liability. The change proposed is one purely technical in nature and in no way affects the substantive rights of any parties.

The basic question sought to be litigated by the Council, namely, which party, as between the shipyard and the vessel owner or operator, should bear the burden of obtaining oil pollution cleanup coverage for a vessel in the yard for conversion or repair, is simply not at issue herein. Thus, while some of the Council's comments are not without merit, they are not relevant to the rule making before the Commission and are more properly the subject of a separate proceeding and petition. To delay the final promulgation of the technical changes proposed herein pending the resolution of the many and complex issues raised in Council's comments would serve no purpose, regulatory or otherwise. The Commission will, however, carefully consider the comments made by the Council to determine what action, if any, should be taken in response thereto.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 552), and sections 11(p) of the Federal Water Pollution Control Act, as amended by the Water Quality Improvement Act of 1970 (84 Stat. 97), Commission Form FMC-225A, incorporated by reference into § 542.5(a) of Title 46 CFR, is amended to read as follows:⁴

----- (hereinafter
(Name of Insurer)
called "the Insurer"), in accordance with the provisions of section 11(p) (1) of the Federal

³ An applicant for a master Certificate may of course elect to evidence financial responsibility by means other than insurance.

⁴ Since no substantive change is involved, the Commission will continue to view as valid any Form FMC-225A currently on file with the Commission until such documents are terminated in the normal course of events or are substituted by new Forms FMC-225A containing the herein promulgated clarifications.

Water Pollution Control Act, as amended (hereinafter called "the Act"), hereby certifies that _____ (hereinafter called "the Assured"), with respect to any vessel which the Assured may from time to time hold, as owner or operator, during the life of this Certificate of Insurance, for purposes of construction, scrapping or sale (hereinafter called "the Vessel"), is insured by the Insurer in the amount of \$100 per gross ton of the Vessel or \$_____, whichever is the lesser, against liability to the U.S. Government arising under section 11(f) of the Act.

The Insurer consents to be sued directly by the U.S. Government in respect of any claim against the Assured, arising with respect to the Vessel under section 11(f) of the Act; provided, however, that in any such direct action (a) its liability shall not exceed \$100 per gross ton of the tonnage of the Vessel in respect of which the claim is made or the amount stipulated above, whichever is the lesser, and (b) it shall be entitled to invoke all rights and defenses as set forth in section 11(f) (1) of the Act which would have been available to the Assured if the action had been brought against the Assured by the U.S. Government, and shall also be entitled to invoke all rights and defenses which would have been available to the Insurer if the action had been brought against the said Insurer by the Assured.

_____ with offices at _____ is hereby designated as the legal agent of the Insurer for service of process in any direct action.

This Certificate of Insurance shall be applicable only in relation to events giving rise to a claim by the U.S. Government against the said Assured under section 11(f) of the Act in respect of the Vessel, occurring on or after the below specified effective date of this Certificate of Insurance and before the expiration date of this Certificate of Insurance, which shall be the earlier of the following:

(a) The date whereon Federal Maritime Commission (FMC) withdraws its master Certificate of Financial Responsibility (Oil Pollution) covering the Vessel.

(b) A date 30 days after the date of receipt by FMC of notice in writing that the Insurer has elected to terminate the insurance evidenced by this Certificate of Insurance and has so notified the Assured.

(c) The date substitute evidence of financial responsibility has been accepted by FMC.

Effective date. In view of the fact that the amendments in Form FMC-225A promulgated herein in no way substantially change any existing requirements but are merely for the purpose of making clearer the Commission's intent and to more closely relate the language of the form to the language of the enabling statute, the Commission believes good cause exists for the amendments promulgated herein to become effective on less than 30 days' notice. Accordingly, these amendments shall become effective upon publication in the FEDERAL REGISTER (2-26-72).

By the Commission.

[SEAL] JOSEPH C. POLKING,
Assistant to the Secretary.

[FR Doc. 72-2938 Filed 2-25-72; 8:54 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 19280; FCC 72-153]

PART 2—FREQUENCY ALLOCATION AND RADIO TREATY MATTERS: GENERAL RULES AND REGULATIONS

Development of a "Common System" Microwave Landing System

Report and order. In the matter of amendment of Part 2 of the Commission's rules to reflect development of a "common system" Microwave Landing System in the bands 5.0-5.25 GHz and 15.4-15.7 GHz, Docket No. 19280.

1. On June 30, 1971, the Commission adopted a notice of proposed rule making in the above entitled proceeding which was published in the FEDERAL REGISTER on July 9, 1971 (36 F.R. 12914). The Notice proposed to add a new footnote (US118) to the Table of Frequency Allocations, § 2.106 of the Commission's rules, for the purpose of reserving the bands 5.0-5.25 GHz and 15.4-15.7 GHz for the development of the Microwave Scanning Landing Guidance System (LGS) which will be part of the national/international "common system." Interested parties were invited to file comments on or before August 13, 1971, and reply comments on or before August 24, 1971.

2. Timely comments were received from the Federal Aviation Administration (FAA) and jointly from the Air Transportation Association of America (ATA) and Aeronautical Radio, Inc. (ARINC). All three parties stated that they were in full support of the proposed footnote. However, the ATA/ARINC response stated there may be a potential problem with the Commission's proposal in the 5.0-5.25 GHz band arising from footnote 383B which was added to the international Table of Frequency Allocations at the recently completed World Administrative Radio Conference on Space Telecommunications (WARC-ST).

3. This footnote would permit transmission from earth stations to satellites in the aeronautical mobile (R) service. The possible inclusion of this provision into the national allocation table will be the subject of a later rule making proceeding treating the overall results of the space conference. However, it should be noted here that the system contemplated by footnote 383B, if implemented nationally, would require earth stations at perhaps no more than two sites within the conterminous United States. Such stations conceivably could be located away from airports, but in any case would be thoroughly coordinated prior to installation to insure compatibility with existing and planned landing guidance systems in accordance with national priorities as prescribed in footnote US118 adopted herein.

4. Accordingly, it is ordered, That pursuant to the authority contained in sec-

tion 303 (b), (c), and (r) of the Communications Act of 1934, as amended, that effective March 31, 1972, Part 2 of the Commission's rules is amended as set forth below:

It is further ordered, That this proceeding is hereby terminated.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Adopted: February 16, 1972.

Released: February 22, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,

Secretary.

Part 2 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

In § 2.106, footnote designator US118 is added in column 6 for the frequency bands 5000-5250 MHz and 15.4-15.7 GHz, and US118 added to read as follows:

US118—In the bands 5.0-5.25 GHz and 15.4-15.7 GHz, a "common system" Microwave Landing System is planned which is expected to have worldwide application. It is anticipated that operational implementation will begin about 1976. Nationally, such an agreed common system shall have priority over any other system in these bands.

[FR Doc. 72-2907 Filed 2-25-72; 8:51 am]

[Docket No. 19326; FCC 72-165]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Stations in Opp and Ozark, Ala.

Report and order. In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Opp and Ozark, Ala.), Docket No. 19326, RM-1742, RM-1679.

1. On September 29, 1971, the Commission adopted a notice of proposed rule making (FCC 71-1007, released October 5, 1971) in the above-entitled matter. Interested parties were afforded an opportunity to comment on or before November 15, 1971, and to reply to such comments on or before November 26, 1971. No comments of any kind were received.

2. The notice discussed the amendment of § 73.202 of our rules in respect to two FM channel allocations. Each will be discussed seriatim below. All population statistics cited are from the 1970 U.S. Census.

RM-1742, OPP, ALA.

3. On February 2, 1971, Opp Broadcasting, Inc. (Opp Broadcasting) filed a petition requesting the assignment of FM Channel 272A to Opp, Ala. The notice of proposed rule making cited above set out the proposal for exploration in this rule making proceeding. No other revisions in our Table of Assignments were proposed.

4. Opp, Ala. (the second largest community in Covington County, population

¹ Commissioners Johnson and H. Rex Lee absent.

33,281) has 6,270 residents. The only aural facility located in Opp is daytime-only standard broadcast Station WAMI, licensed to petitioner. Our FM Table of Assignments, at the present time, does not provide an FM assignment for the community.

5. In view of the fact that petitioner filed no comments in response to our notice we must assume that it relies on the facts and allegations its petition contains. In that instrument Opp Broadcasting advances the need of Opp for an FM assignment by pointing out that such a facility could provide Opp and its surrounding area with a first full-time local aural service. The petition suggests that a community the size of Opp certainly requires a full-time radio service and that such an additional station, as that proposed, could be a valuable second voice to that of WAMI. The petition concludes by indicating the proposed facility could not only provide the area with weather information and warning service in case of a National Defense emergency but could in addition enrich the community with broadcasts concerning election results, public meetings, local sports, educational events, and news.

6. In light of the facts that our proposed action: was unopposed; will bring Opp its first opportunity for local commercial FM service; and provides for the interest in activating a local FM commercial service at Opp, voiced by petitioner; we find it is in the public interest to amend § 73.202 of our rules with respect to Opp. Therefore, we assign Channel 272A to Opp, Ala.¹

RM-1679, OZARK, ALA.

7. On August 18, 1970, Wade B. Sullivan Broadcasting Co. (Sullivan Broadcasting) filed a petition (amended on November 24, 1970, and August 18, 1971)

¹The transmitter site of this assignment must be located 2 miles northeast of Opp because of the assignment of Channel 272A at Milton, Fla.

requesting the assignment of FM Channel 272A at Ozark, Ala. In view of our proposed assignment of Channel 272A to Opp, Ala., and the fact that Ozark is but 38 miles distant from Opp, Channel 272A could not be proposed to be assigned to both communities. Therefore, our notice proposed to assign FM Channel 280A to Ozark. No other revisions in our Table of Assignments were needed or proposed.

8. Dale County, Ala., with a population of 51,157 contains the small city of Ozark, which is its county seat, population 13,146. There are two daytime-only standard broadcast stations in the community, WAYD, licensed to petitioner and WOZK, licensed to Ozark Broadcasting Corp. Ozark Broadcasting Corp. also holds a license for Ozark's only FM allocation, Channel 285A, WOAB.

9. In this proceeding, Sullivan Broadcasting filed no comments in response to our notice of proposed rule making. In light of this fact we will pass judgment on the proposal set out in our Notice as supported by the material in the petition and the amendments thereto. In its filings Sullivan Broadcasting asserts the public interest in its request of an FM assignment for Ozark primarily by listing various facts about the community. For example, concerning economics, it alleges that the community has: four banks, total deposits \$40,819,000; assessed property valuations, \$13,362,920; postal receipts, \$422,175; retail sales, \$38 million; and telephones in service 6,910. A variety of other facts such as the number of schools, churches, parks, library facilities and the existence of nearby Fort Rucker are also presented. The community appears to have an economy based primarily on agriculture and manufacturing of textile and wood products. From the substantial nature of Ozark, Sullivan Broadcasting concludes that it requires a second local FM facility which in nighttime hours can provide a choice of local radio programming.

10. We have examined the needs of Ozark for an additional broadcast fa-

cility in light of its existing two daytime-only services and one full-time FM service. On the overall view, since no objections have been presented or present themselves, we have come to the judgment that it is in the public interest to assign a second FM channel to Ozark. A new FM service will provide the community (petitioner has stated that it will activate a newly assigned channel) with an alternative voice, in nighttime hours, to that of Ozark's existing FM station, WOAB. Two local FM services will be able to provide a variety of news, views and entertainment. Therefore, we assign Channel 280A to Ozark, Ala.

11. Authority for the actions taken herein is contained in sections 4(d), 303, and 307(b) of the Communications Act of 1934, as amended:

12. Accordingly, it is ordered, That effective March 31, 1972, the FM Table of Assignments in § 73.202 of the Commission's rules is amended, insofar as the cities listed below are concerned, to read as follows:

	Channel No.
City:	
Opp, Ala.....	272A
Ozark, Ala.....	280A, 285A

13. It is further ordered, That this proceeding (Docket No. 19326, RM-1742, RM-1679) is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: February 16, 1972.

Released: February 22, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,²
BEN F. WAPLE,
Secretary.

[FR Doc.72-2908 Filed 2-25-72; 8:51 am]

²Commissioners Johnson and H. Rex Lee absent.

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Parts 1, 4, 8, 23, 123, 161, 162]

ENFORCEMENT

Customs and Navigation Laws

Notice is hereby given that under the authority of 5 U.S.C. 301, R.S. 251, as amended (19 U.S.C. 66), and section 624, 46 Stat. 758 (19 U.S.C. 1624), it is proposed to amend the Customs Regulations relating to enforcement of Customs and navigation laws.

The proposed revision follows a new format, and is part of the general revision of the Customs Regulations. In addition to changes required by the reorganization of the Customs Service, changes or additions are proposed to clarify the scope of a number of provisions. Accordingly, the proposed revision is set forth below:

PART 1—GENERAL PROVISIONS

Part 1 is amended by adding § 1.9 to read as follows:

§ 1.9 Identification cards.

(a) Each Customs employee, other than an officer of the Customs Agency Service, who needs identification in the performance of his official duties shall be furnished an identification card on Customs Form 3135.

(b) The Commissioner will issue identification cards in appropriate cases to principal field officers. Each principal field officer shall be the issuing officer for the employees under his jurisdiction.

(c) Special identification cards signed by the Commissioner, shall be issued to officers of the Customs Agency Service. All officers of the Customs Agency Service are authorized to carry weapons in the performance of their official duties, and specific authorization is therefore omitted from their identification cards.

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

§ 4.12 [Amended]

In § 4.12(a)(5), the first sentence is amended by substituting "162.31" for "23.23" and the second sentence is amended by substituting "162.43" for "23.12".

Part 4 is amended by adding § 4.66b to read as follows:

§ 4.66b Pollution of coastal and navigable waters.

(a) When any Customs officer has reason to believe that any refuse matter is being or has been deposited in navigable waters in violation of section 13 of the Act of March 3, 1899 (33 U.S.C. 407), or

that oil is being or has been discharged into or upon the coastal navigable waters of the United States in violation of the Oil Pollution Act of 1924 (33 U.S.C. 431-437) he shall promptly furnish to the district director a full report of the incident, together with the names of the witnesses, and, when practicable, a sample of the material discharged from the vessel in question.

(b) The district director shall forward this report immediately, without recommendation, to the District Engineer of the Department of the Army (at New York to the Supervisor of New York Harbor) for his decision as to prosecution and a copy of each such report shall be furnished to the bureau.

(c) If the vessel involved is of American registry, a copy of the report shall be furnished also to the District Commander of the Coast Guard district concerned.

(Sec. 13, 30 Stat. 1152, sec. 7, 43 Stat. 605, as amended; 33 U.S.C. 407, 436)

Part 4 is amended by adding § 4.100 to read as follows:

§ 4.100 Licensing of vessels of less than 30 net tons.

(a) The application for a license to import merchandise in a vessel of less than 30 net tons in accordance with section 6, Anti-Smuggling Act of August 5, 1935, shall be addressed to the Secretary of the Treasury and delivered to the district director of the district in which are located the ports where foreign merchandise is to be imported in such vessel.

(b) The application shall contain the following information:

- (1) Name of the vessel, rig, motive power, and home port.
- (2) Name and address of the owner.
- (3) Name and address of the master.
- (4) Net tonnage of the vessel.
- (5) Kind of merchandise to be imported.
- (6) Country or countries of exportation.
- (7) Ports of the United States where the merchandise will be imported.
- (8) Whether the vessel will be used to transport and import merchandise from a hovering vessel.
- (9) Kind of document under which the vessel is operating.

(c) If the district director finds that the applicant is a reputable person and that the revenue would not be jeopardized by the issuance of a license, he may issue the license for a period not to exceed 12 months, incorporating therein any special conditions he believes to be necessary or desirable, and deliver it to the licensee.

(d) The master or owner shall keep the license on board the vessel at all times and exhibit it upon demand of any duly authorized officer of the United States. This license is personal to the licensee and is not transferable.

(e) The Secretary of the Treasury or the district director in whose office the license was issued may revoke the license if any of its terms have been willfully or intentionally violated or for any other cause which may be considered prejudicial to the revenue or otherwise against the interest of the United States.

(Sec. 6, 49 Stat. 519; 19 U.S.C. 1706)

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

§ 8.25 [Amended]

In § 8.25, the last sentence in paragraph (d) is amended by substituting "162.51" for "23.20".

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS [DELETED]

Chapter I of Title 19 is amended by deleting Part 23.

PART 123—CUSTOMS RELATIONS WITH CANADA AND MEXICO

§ 123.71 [Amended]

In § 123.71, the last sentence is amended by substituting "Subpart B of Part 162", for "§ 23.11".

PART 161—GENERAL ENFORCEMENT PROVISIONS

Chapter I of Title 19 is amended by adding a new Part 161 to read as follows:

Sec.

161.0 Scope.

Subpart A—General Provisions

- 161.1 Customs supervision.
- 161.2 Enforcement for other agencies.
- 161.3 Prosecution for violation of Customs laws.
- 161.4 Bribery of Customs officers and employees.
- 161.5 Compromise of Government claims.

Subpart B—Informer's Compensation

- 161.11 Claim for compensation by informer.
- 161.12 Filing of claim.
- 161.13 Limitation on claims.
- 161.14 Payment of claims.
- 161.15 Informer's name confidential.

AUTHORITY: The provisions of this Part 161 issued under 80 Stat. 379, R.S. 251, as amended, sec. 624, 46 Stat. 759, 5 U.S.C. 301, 19 U.S.C. 66, 1624. Statutory provisions interpreted or applied and additional authority are cited in parentheses following the sections affected.

§ 161.0 Scope.

The provisions of this part set forth the authority and responsibility of Customs officers in the enforcement of Customs laws of the United States. Also

included are provisions relating to import and export controls enforced for other administering agencies, prosecution for violation of Customs laws, bribery of Customs officers and employees, the compromise of Government claims and informer's compensation.

Subpart A—General Provisions

§ 161.1 Customs supervision.

Whenever any action or thing is required by the regulations in this chapter, or by any provision of the Customs or navigation laws, to be done or maintained under the supervision of Customs officers, such supervision shall be carried out as prescribed in the regulations of this chapter, or by instructions from the Secretary of the Treasury, or the Commissioner of Customs in particular cases. In the absence of a governing regulation or instruction, supervision shall be direct and continuous, or by such occasional verification as the principal Customs field officer shall direct if such officer shall determine that less intensive supervision will ensure proper enforcement of the law and protection of the revenue. Nothing in this section shall be deemed to warrant any failure to direct and furnish required supervision or to excuse any failure of a party in interest to comply with prescribed procedures for obtaining any required supervision.

(Sec. 22, 67 Stat. 520; 19 U.S.C. 1646a)

§ 161.2 Enforcement for other agencies.

(a) *Laws enforced by Customs Service for administering agencies.* Some of the laws enforced in whole or in part by the Customs Service for administering agencies are:

(1) Importations and exportations of arms, ammunition, implements of war, helium gas, and other munitions of war are governed by laws administered by the Internal Revenue Service and Department of State;

(2) Importations and exportations of controlled substances are governed by laws administered by the Bureau of Narcotics and Dangerous Drugs of the Department of Justice;

(3) Importations and exportations of gold are governed by laws administered by the Department of the Treasury;

(4) Importations and exportations of atomic energy source material, fissionable material, and equipment and devices for utilizing or producing fissionable material are subject to laws administered by the Atomic Energy Commission; and

(5) The exportation of articles, other than those previously mentioned herein, are subject to requirements of laws administered by the Department of Commerce.

(b) *Seizure for violation of law.* When articles are imported or are intended to be, are being, or have been exported from the United States in violation of law, such articles and any vessel, vehicle, or aircraft knowingly used in their transportation shall be seized and proceeded against.

(Sec. 5(b), 40 Stat. 415, as amended, 62 Stat. 716, sec. 502, 68 Stat. 1140, sec. 1, 40 Stat.

223, as amended, sec. 4, 48 Stat. 340, secs. 4, 7, 60 Stat. 759, 764, sec. 414, 68 Stat. 848, as amended; 12 U.S.C. 95a, 18 U.S.C. 545, 19 U.S.C. 1595(a), 22 U.S.C. 401, 31 U.S.C. 443, 42 U.S.C. 1804, 1807, 22 U.S.C. 1934)

§ 161.3 Prosecution for violation of Customs laws.

When there is a seizure or other violation of the Customs laws which requires legal proceedings by civil or criminal action, the district director or special agent in charge of the area involved shall furnish a report to the United States attorney in accordance with section 603, Tariff Act of 1930, as amended (19 U.S.C. 1603). Action shall be taken under section 545, title 18, United States Code, only when there is clear indication of a violation of some specific provision of law.

(Sec. 603, 46 Stat. 754, as amended, sec. 1, 62 Stat. 716; 18 U.S.C. 545, 19 U.S.C. 1603)

§ 161.4 Bribery of Customs officers and employees.

If, upon investigation, it is determined that money or anything of value was given, offered, or promised to a Customs officer or employee with the intent to control or influence such officer or employee in the performance of his official duties, the matter shall be referred to the United States attorney for prosecution under section 201, title 18, United States Code.

(Sec. 1, 76 Stat. 1119, as amended; 18 U.S.C. 201)

§ 161.5 Compromise of Government claims.

(a) *Offer.* An offer made pursuant to section 617, Tariff Act of 1930, as amended (19 U.S.C. 1617), in compromise of a Government claim arising under the Customs laws and the terms upon which it is made shall be stated in writing addressed to the Commissioner of Customs. The offer shall be limited to the civil liability of the proponent in the matter which is the subject of the Government's claim.

(b) *Deposit of specific sum tendered.* No offer in which a specific sum of money is tendered in compromise of a Government claim under the Customs laws will be considered by the Commissioner of Customs until due notice is received that such sum has been properly deposited in the name of the person submitting the offer with the Treasurer of the United States or a Federal Reserve bank. A proponent at a distance from a Federal Reserve bank may perfect his offer by tendering a bank draft for the amount of the offer payable to the Secretary of the Treasury for collection and deposit. If the offer is rejected, the money will be returned to the proponent.

(Sec. 617, 46 Stat. 757, as amended; 19 U.S.C. 1617)

Subpart B—Informer's Compensation

§ 161.11 Claim for compensation by informer.

(a) *Persons not officers of United States.* Any person not an officer of the United States who, in accordance with section 619, Tariff Act of 1930, as amended (19 U.S.C. 1619), detects, seizes,

and reports any vessel, vehicle, merchandise, or baggage subject to seizure and forfeiture under the Customs or navigation laws, or who furnishes original information concerning any fraud upon the Customs revenue or a violation of the Customs or navigation laws perpetrated or contemplated, may file a claim for an award of compensation. Any Customs officer to whom the information is furnished shall advise the informant of his right to claim such an award.

(b) *Officer of the United States.* Officers of the United States are precluded by section 620, Tariff Act of 1930 (19 U.S.C. 1620) from directly or indirectly receiving or contracting for any portion of a compensation award.

(Sec. 619, 620, 46 Stat. 758, as amended; 19 U.S.C. 1619, 1620)

§ 161.12 Filing of claim.

A claim for an award of compensation shall be filed in duplicate on Customs Form 4623 with the district director, but any Customs officer may receive such a claim for transmittal to the district director. Additional copies of the claim required by the district director shall be furnished on demand. Application may be made directly to the Commissioner of Customs where for any reason a claim has not been transmitted by the district director to the Commissioner. No claim for compensation shall be forwarded to the Commissioner unless a sum of not less than \$5 is available for an award.

(Sec. 619, 46 Stat. 758, as amended; 19 U.S.C. 1619)

§ 161.13 Limitation on claims.

Claimants may be paid 25 per centum of the net amount recovered from duties withheld, or any fine, penalty, or forfeiture incurred, but such amount shall not exceed \$50,000 regardless of the number of recoveries growing out of the information furnished.

(Sec. 619, 46 Stat. 758, as amended; 19 U.S.C. 1619)

§ 161.14 Payment of claims.

No claim under section 619, Tariff Act of 1930, as amended (19 U.S.C. 1619), shall be paid until the amount recovered has been deposited in the proper account. Claims shall not be paid out of the proceeds of sale.

(Sec. 619, 46 Stat. 758, as amended; 19 U.S.C. 1619)

§ 161.15 Informer's name confidential.

The informer's name and address shall be kept confidential. No files nor information concerning the informer shall be permitted to get into the possession of unauthorized persons. No information shall be revealed which might aid the offenders in identifying the informer.

PART 162—INSPECTION, SEARCH, AND SEIZURE

Chapter I of Title 19 is amended by adding a new Part 162 to read as follows:

Sec. 162.0 Scope.

Subpart A—Inspection, Examination, and Search Sec.

- 162.1 Inspection of importer's books, records, and other papers.
 162.2 Examination of importer and others.
 162.3 Boarding and search of vessels.
 162.4 Search for letters.
 162.5 Search of arriving vehicles and aircraft.
 162.6 Search of persons, baggage, and merchandise.
 162.7 Search of vehicles, persons or beasts.

Subpart B—Search Warrants

- 162.11 Authority to procure warrant.
 162.12 Service of search warrant.
 162.13 Search of rooms not described in warrant.
 162.14 Removal of letters and other documents.
 162.15 Receipt for seized property.

Subpart C—Seizures

- 162.21 Responsibility and authority for seizures.
 162.22 Seizure of conveyances.

Subpart D—Procedure When Fine, Penalty or Forfeiture Incurred

- 162.31 Notice of fine, penalty or forfeiture incurred.
 162.32 Where petition for relief not filed.

Subpart E—Treatment of Seized Merchandise

- 162.41 Merchandise entered by false invoice, declaration, other document or statement subject to forfeiture.
 162.42 Proceedings by libel.
 162.43 Appraisement.
 162.44 Release on payment of appraised value.
 162.45 Summary forfeiture where value not over \$2,500: Notice of seizure and sale.
 162.46 Summary forfeiture where value not over \$2,500: Disposition of goods.
 162.47 Claim for property subject to summary forfeiture.
 162.48 Summary sale of perishable and other property valued not over \$2,500.
 162.49 Forfeiture by court decree.
 162.50 Forfeiture by court decree: Disposition.
 162.51 Disposition of proceeds of sale of forfeited property.

Subpart F—Controlled Substances, Narcotics, and Marihuana

- 162.61 Importing and exporting controlled substances.
 162.62 Permissible controlled substances on vessels, aircraft and individuals.
 162.63 Arrests and seizures.
 162.64 Custody of controlled substances.
 162.65 Penalties for failure to manifest narcotic drugs or marihuana.
 162.66 Penalties for unloading narcotic drugs or marihuana without a permit.

AUTHORITY: The provisions of this Part 162 issued under 80 Stat. 379, R.S. 251, as amended, sec. 624, 46 Stat. 759, 5 U.S.C. 301, 19 U.S.C. 66, 1624. The provisions of subpart B also issued under sec. 595, 46 Stat. 752, as amended; 19 U.S.C. 1595. Statutory provisions interpreted or applied and additional authority are cited in parentheses following the sections affected.

§ 162.0 Scope.

This part sets forth the provisions for the inspection, examination, and search of persons, vessels, aircraft, vehicles, and merchandise involved in importation, for the seizure of property and the forfeiture

and sale thereof. It also contains provisions for Customs enforcement of the controlled substances, narcotics and marihuana laws. Provisions relating to petitions for remission or mitigation of fines, penalties, and forfeitures incurred are contained in Part 171 of this chapter.

Subpart A—Inspection, Examination, and Search**§ 162.1 Inspection of importer's books, records, and other papers.**

Before demanding an inspection of any importer's books, correspondence, or records pursuant to section 511, Tariff Act of 1930, as amended (19 U.S.C. 1511), which authorizes such inspections and the prohibition of importations of merchandise or the withholding of delivery of merchandise for an importer failing to permit a duly accredited officer to inspect books, correspondence, or other records, the investigating officer shall present a written request for such inspection signed by the Commissioner of Customs, Regional Commissioner of Customs, district director of Customs, or judge of the U.S. Customs Court.

(Sec. 511, 46 Stat. 733 as amended; 19 U.S.C. 1511)

§ 162.2 Examination of importer and others.

The citation of a person to appear and testify pursuant to section 509, Tariff Act of 1930, as amended (19 U.S.C. 1509), authorizing such examination, shall be in writing and signed by the district director. It shall indicate clearly the merchandise or entries concerning which the examination will be held and the documents required to be presented. It shall be addressed to the person to be examined and shall state the specific time when and place where his personal appearance is required. Such citation shall be served in person or by registered or certified mail.

(Sec. 509, 46 Stat. 733, as amended; 19 U.S.C. 1509)

§ 162.3 Boarding and search of vessels.

(a) *General authority.* A Customs officer, for the purpose of examining the manifest and other documents and papers and examining, inspecting and searching the vessel, may at any time go on board:

(1) Any vessel at any place in the United States or within the Customs waters of the United States;

(2) Any American vessel on the high seas, when there is probable cause to believe that such vessel is violating or has violated the laws of the United States; or

(3) Any vessel within a Customs-enforcement area designated such under the provisions of the Anti-Smuggling Act (Act of August 5, 1935, as amended, 49 Stat. 517; 19 U.S.C. 1701, 1703-1711), but Customs officers shall not board a foreign vessel upon the high seas in contravention of any treaty with a foreign government, or in the absence of a special arrangement with the foreign government concerned.

(b) *Search of army or navy transport.* If the district director or special agent in charge believes that sufficient grounds exist to justify a search of any army or navy transport, the facts shall be reported to the commanding officer or master of such transport with a request that he cause a full search to be made, and advise the district director or special agent in charge of the result of such search. If, after the cargo has been discharged, passengers and their baggage landed, and the baggage of officers and crewmembers examined and passed, the district director or special agent in charge believes that sufficient grounds exist to justify the continuance of Customs supervision of the vessel, the commanding officer of the vessel shall be advised accordingly.

(Secs. 455, 581, 46 Stat. 716, as amended, 747, as amended; 19 U.S.C. 1455, 1581)

§ 162.4 Search for letters.

A Customs officer may search vessels for letters which may be on board or may have been conveyed contrary to law on board any vessel or on any post route, and shall seize such letters and deliver them to the nearest post office or detain them subject to the orders of the postal authorities.

(Secs. 904, 905, 74 Stat. 587; 39 U.S.C. 904, 905)

§ 162.5 Search of arriving vehicles and aircraft.

A Customs officer may stop any vehicle and board any aircraft arriving in the United States from a foreign country for the purpose of examining the manifest and other documents and papers and examining, inspecting, and searching the vehicle or aircraft.

(Sec. 581, 46 Stat. 747, as amended, sec. 1109, 72 Stat. 799, as amended; 19 U.S.C. 1581, 49 U.S.C. 1509)

§ 162.6 Search of persons, baggage, and merchandise.

All persons, baggage, and merchandise arriving in the Customs territory of the United States from places outside thereof are liable to inspection and search by a Customs officer. District directors and special agents in charge are authorized to cause inspection, examination, and search to be made under section 467, Tariff Act of 1930, as amended (19 U.S.C. 1467), of persons, baggage, or merchandise, even though such persons, baggage, or merchandise were inspected, examined, searched, or taken on board the vessel at another port or place in the United States or the Virgin Islands, if such action is deemed necessary or appropriate.

(Secs. 461, 496, 46 Stat. 717, 727, as amended, sec. 11, 52 Stat. 1083, as amended; 19 U.S.C. 1461, 1467, 1496)

§ 162.7 Search of vehicles, persons, or beasts.

A Customs officer may stop, search, and examine any vehicle, person, or beast, or search any truck or envelope

wherever found, in accordance with section 3061 of the Revised Statutes (19 U.S.C. 482).

Subpart B—Search Warrants

§ 162.11 Authority to procure warrants.

Customs officers are authorized to procure search warrants under the provisions of section 595, Tariff Act of 1930, as amended (19 U.S.C. 1595). However, a Customs officer who is lawfully on any premises and is able to identify merchandise which has been imported contrary to law may seize such merchandise without a warrant. If merchandise is in a building on the boundary, see § 123.71 of this chapter.

§ 162.12 Service of search warrant.

A search warrant shall be served in person by the officer to whom it is issued and addressed. In serving a search warrant, the officer shall leave a copy of the warrant with the person in charge or possession of the premises, or in the absence of any person, the copy shall be left in some conspicuous place on the premises searched.

§ 162.13 Search of rooms not described in warrant.

When a Customs officer is acting under a warrant to search the rooms in a building occupied by persons named or described in the warrant, no search shall be made of any rooms in such building which are not described in the warrant as occupied by such persons.

§ 162.14 Removal of letters and other documents.

Customs officers to whom a warrant is issued to search for and seize merchandise are without authority to remove letters and other documents and records, unless they themselves are instruments of crime and are seized as an incident to a lawful arrest.

§ 162.15 Receipt for seized property.

A receipt for property seized under a search warrant shall be left with the person in charge or possession of the premises, or in the absence of any person, the receipt shall be left in some conspicuous place on the premises searched.

Subpart C—Seizures

§ 162.21 Responsibility and authority for seizures.

(a) *Seizures by Customs officers.* Any Customs officer having reasonable cause to believe that any law, the enforcement of which is within the jurisdiction of the Customs Service, has been violated by reason of which any property has become subject to forfeiture, shall seize such property if available. A receipt for seized property shall be given at the time of seizure to the person from whom the property is seized.

(b) *Seizure by persons other than Customs officers.* The district director may adopt a seizure made by a person other than a Customs officer if such district director has reasonable cause to believe that the property is subject to forfeiture under the Customs laws.

(c) *Seizure by State official.* If a duly constituted State official has seized any merchandise, vessel, aircraft, vehicle, or other conveyance under provisions of the statutes of such State, such property shall not be seized by a Customs officer unless the property is voluntarily turned over to him to be proceeded against under the Federal statutes.

(R.S. 3061, secs. 581, 582, 602, 46 Stat. 747, as amended, 748, 754, as amended; 19 U.S.C. 482, 1581, 1582, 1602)

§ 162.22 Seizure of conveyances.

(a) *General applicability.* If it shall appear to any officer authorized to board conveyances and make seizures that there has been a violation of any law of the United States whereby a vessel, vehicle, aircraft, or other conveyance, or any merchandise on board of or imported by such vessel, vehicle, aircraft, or other conveyance is liable to forfeiture, the officer shall seize such conveyance and arrest any person engaged in such violation. Common carriers are exempted from seizure except under certain specified conditions as provided for in section 594, Tariff Act of 1930 (19 U.S.C. 1594).

(b) *Facilitating importation contrary to law.* Every vessel, vehicle, animal, aircraft, or other conveyance which is being or has been used in, or to aid or facilitate, the importation, bringing in, unloading, landing, removal, concealing, harboring, or subsequent transportation of any article which is being, or has been introduced or attempted to be introduced into the United States contrary to law, shall be seized and held subject to forfeiture, and any person who directs, assists financially or otherwise, or is in any way concerned in any such unlawful activity shall be liable to a penalty equal to the value of the article or articles involved.

(c) *Common carrier clearance.* Unless specifically authorized by law, clearance of vessels within the common carrier exception of section 594, Tariff Act of 1930 (19 U.S.C. 1594), shall not be refused for the purpose of collecting a fine imposed upon the master or owner, unless either of them was a party to the illegal act. The Government's remedy in such cases is limited to an action against the master or owner.

(d) *Retention of vessel or vehicle pending penalty payment.* If a penalty is incurred under section 460, Tariff Act of 1930, as amended (19 U.S.C. 1460), by a person in charge of a vessel or vehicle and the vessel or vehicle is not subject to seizure, such vessel or vehicle may be held by the district director under section 594, Tariff Act of 1930, until the penalty incurred by the person in charge has been settled.

(e) *Maritime Administration vessels; exemption from penalty.* (1) When a vessel owned or chartered under bareboat charter by the Maritime Administration and operated for its account becomes liable for the payment of a penalty incurred for violation of the Customs revenue or navigation laws, clearance of the vessel shall not be withheld nor shall any proceedings be taken against the vessel

itself looking to the enforcement of such liability.

(2) This exemption shall not in any way be considered to relieve the master of any such vessel or other person incurring such penalties from personal liability for payment.

(Sec. 1, 62 Stat. 717, secs. 459, 460, 594, 46 Stat. 717, as amended, 751, secs. 1, 3-8, 49 Stat. 517, 518, 519, as amended, 520; 18 U.S.C. 546, 19 U.S.C. 1459, 1460, 1594, 1701, 1703-1708)

Subpart D—Procedure When Fine, Penalty, or Forfeiture Incurred

§ 162.31 Notice of fine, penalty, or forfeiture incurred.

(a) *Notice.* Written notice of any fine or penalty incurred as well as any liability to forfeiture shall be given to each party that the facts of record indicate has an interest in the claim or seized property. The notice shall also inform each interested party of his right to apply for relief under section 618, Tariff Act of 1930, as amended (19 U.S.C. 1618), or any other applicable statute authorizing mitigation of penalties or remission of forfeitures, in accordance with Part 171 of this chapter.

(b) *Demand for deposit in case of smuggled articles of small value.* In the case of smuggled articles of small value, demand shall be made for immediate deposit of an amount equivalent to the domestic value of the articles on account of the liability to a penalty incurred as distinct from liability of the goods to forfeiture. Such sum shall be deposited whether or not a petition for relief is filed in accordance with Part 171 of this chapter. A demand for deposit need not be made in connection with any liability incurred by the master of a vessel under the provisions of section 453, Tariff Act of 1930, as amended (19 U.S.C. 1453).

§ 162.32 Where petition for relief not filed.

(a) *Fines and penalties.* If the person liable for a fine or penalty for any violation of the Customs or navigation laws fails to petition for relief in accordance with Part 171 of this chapter, or pay or arrange to pay the penalty within 60 days from the date of mailing of the notice of violation as provided in section 162.31, the case shall be referred immediately to the U.S. attorney for appropriate action unless other action is expressly authorized by the Commissioner of Customs. However, if it appears that the person liable for the penalty is absent from the United States or during the 60-day period was absent for more than 30 days, the district director may withhold referral for a further reasonable time.

(b) *Appraised value of seized property exceeds \$2,500.* When the appraised value of seized property exceeds \$2,500 and neither a petition for relief in accordance with Part 171 of this chapter nor an offer to pay the domestic value as provided for in section 162.44 is made within a reasonable time, the district director shall report the facts to the U.S. attorney for the judicial district in which the seizure was made.

(Secs. 603, 610, 46 Stat. 754, as amended, 755, as amended; 19 U.S.C. 1603, 1610)

Subpart E—Treatment of Seized Merchandise

§ 162.41 Merchandise entered by false invoice, declaration, other document or statement subject to forfeiture.

(a) *Election to proceed against merchandise or value when forfeiture incurred.* When merchandise or the value thereof is subject to forfeiture under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592), including any article seized under the provisions of section 499, Tariff Act of 1930, as amended (19 U.S.C. 1499), the district director may elect to proceed against the merchandise or its domestic value. However, if the merchandise is in the possession of an innocent purchaser, it shall not be seized. In such cases, or when the merchandise is not available for seizure, the district director shall proceed to recover the domestic value.

(b) *Claim for domestic value unpaid.* If a claim for domestic value is made by the district director, and it is not paid or settled as prescribed in this part or Part 171 of this chapter, the claim shall be forwarded to the U.S. attorney for appropriate action.

(c) *Liability for duties unaffected by forfeiture.* When an entry covering merchandise subject to the provisions of section 592, Tariff Act of 1930, as amended, has been made, it shall be liquidated and the duties collected as though no forfeiture had been incurred. Appraisal of the merchandise or liquidation of the entry shall not be withheld because of the pending forfeiture proceedings. When merchandise not covered by an entry is subject to section 592, Tariff Act of 1930, as amended, a demand shall be made on the importer for payment of the duty estimated to be due on such merchandise in addition to the seizure of the merchandise or the demand for forfeiture value. Any applicable internal revenue tax shall also be demanded unless the merchandise is to be, or has been, forfeited.

§ 162.42 Proceedings by libel.

If seizure is made under a statute which provides that the property may be seized and proceeded against by libel, the summary forfeiture procedures set forth in §§ 162.45, 162.46, and 162.47 do not apply. Such cases shall be referred to the U.S. attorney. The district director may request the U.S. attorney to seek a decree of forfeiture providing for delivery of the property to the district director for sale or other appropriate disposition, if such property is not to be retained for official use.

§ 162.43 Appraisal.

(a) *Property under seizure and subject to forfeiture.* Seized property shall be appraised as required by section 606, Tariff Act of 1930, as amended (19 U.S.C. 1606). The term "domestic value" as used therein shall mean the price at which such or similar property is freely offered for sale at the time and place of ap-

praisement, in the same quantity or quantities as seized, and in the ordinary course of trade. If there is no market for the seized property at the place of appraisal, such value in the principal market nearest to the place of appraisal shall be reported.

(b) *Property not under seizure.* With respect to property not under seizure, the basis for the claim for forfeiture value or for assessment of penalty is the domestic value as defined in paragraph (a) of this section, except that the value shall be fixed as of the date of the violation. In the case of entered merchandise, the date of the violation shall be the date of the entry, or the date of the filing of the document, or the commission of the act forming the basis of the claim, whichever is later.

(c) *Prohibited importation.* For the purpose of condemnation or forfeiture only, the value of all seized merchandise, the importation of which is prohibited, shall be held not to exceed \$2,500. However, seized merchandise, the importation of which is absolutely prohibited, shall be appraised at its foreign-market value, since such merchandise has no domestic value.

(Secs. 606, 608, 46 Stat. 754, as amended, 755 as amended; 19 U.S.C. 1606, 1608)

§ 162.44 Release on payment of appraised value.

(a) *Value exceeding \$50,000.* Any offer to pay the appraised domestic value of seized merchandise in order to obtain the immediate release of property which was seized under the Customs laws and exceeding \$50,000 in appraised domestic value, or which was seized under the navigation laws, shall be in writing, addressed to the Commissioner of Customs, signed by the claimant or his attorney, and shall contain an asset to forfeiture and a waiver of further proceedings. It shall be submitted in duplicate to the district director for the district in which the property was seized. Proof of ownership shall be submitted with the application if the facts in the case make such action necessary.

(b) *Value not over \$50,000—(1) Authority to accept offer.* The district director is authorized to accept a written offer pursuant to section 614, Tariff Act of 1930, as amended (19 U.S.C. 1614), to pay the appraised domestic value of property seized under the Customs laws and to release such property if:

(i) The appraised domestic value of the seized property does not exceed \$50,000;

(ii) The district director is satisfied that the claimant has, in fact, a substantial interest in the property;

(iii) Entry of the seized property into the commerce of the United States is not prohibited by law; and

(iv) The claimant or his attorney has executed an assent to forfeiture and a waiver of further proceedings on Customs Form 4607.

(2) *Referral of offer.* The district director shall refer to the Commissioner of Customs any offer where it appears that the claimant does not have a sub-

stantial interest in the seized property or where it appears it would not be in the best interest of the United States to accept.

(c) *Retention of property.* The district director shall retain custody of the property pending payment of the amount of the offer when the application is approved.

(Sec. 614, 46 Stat. 757, as amended; 19 U.S.C. 1614)

§ 162.45 Summary forfeiture where value not over \$2,500: Notice of seizure and sale.

(a) *Contents.* The notice required by section 607, Tariff Act of 1930, as amended (19 U.S.C. 1607), of seizure and intent to forfeit and sell or otherwise dispose of according to law property not exceeding \$2,500 in value shall:

(1) Describe the property seized and in the case of motor vehicles, specify the motor and serial numbers;

(2) State the time, cause, and place of seizure;

(3) State that any person desiring to claim the property must appear at a designated place and file with the district director within 20 days from the date of the first publication of the notice a claim to such property and a bond in the sum of \$250, in default of which the property will be disposed of in accordance with the law; and

(4) State the name and place of residence of the person to whom any vessel or merchandise seized for forfeiture under the navigation laws belongs or is consigned, if that information is known to the district director.

(b) *Publication.* When the appraised value of any property in one seizure from one person other than narcotics and dangerous drugs exceeds \$250, the notice shall be published in a newspaper of general circulation in the Customs district and the judicial district in which the property was seized for at least 3 successive weeks. In all other cases, the notice shall be published by posting in a conspicuous place accessible to the public in the customhouse nearest the place of seizure and in the customhouse at the headquarters port for the Customs district, with the date of posting noted thereon, and shall be kept posted for at least 3 successive weeks. Articles of small value of the same class or kind included in two or more seizures shall be advertised as one unit.

(c) *Delay of publication.* Publication of the notice of seizure and intent to summarily forfeit and dispose of goods valued not over \$2,500 may be delayed for a period not to exceed 60 days in those cases where the district director has reason to believe that a petition for administrative relief in accord with Part 171 of this chapter will be filed.

§ 162.46 Summary forfeiture where value not over \$2,500: Disposition of goods.

(a) *General.* If no petition for relief from the forfeiture is filed in accordance with the provision of Part 171 of this chapter, or if a petition was filed and

has been denied, and the property is not retained for official use, it shall be disposed of in accordance with section 609, Tariff Act of 1930, as amended (19 U.S.C. 1609).

(b) *Articles required to be inspected by other Government agencies.* Before seized drugs, insecticides, seeds, plants, nursery stock, and other articles required to be inspected by other Government agencies are sold, they shall be inspected by a representative of such agency to ascertain whether or not they meet the requirements of the laws and regulations of that agency, and if found not to meet such requirements, they shall be destroyed forthwith.

(c) *Sale—(1) General.* If the forfeited property is cleared for sale, it shall be sold in accordance with the applicable provisions of Part 20 of this chapter. The district director may postpone the sale of small seizures until he believes the proceeds of a consolidated sale will pay all expenses.

(2) *Transfer to another district for sale.* Property shall be moved to and sold in such other Customs district as the Commissioner of Customs may direct pursuant to the provisions of section 611, Tariff Act of 1930 (19 U.S.C. 1611), if:

(i) The laws of a State in which property is seized and forfeited prohibit the sale of such property; or

(ii) The Commissioner is of the opinion that the sale of forfeited property may be made more advantageously in another Customs district.

(d) *Destruction.* If, after summary forfeiture of property is completed, it appears that the proceeds of sale will not be sufficient to pay the costs of sale, the district director may order the destruction of the property. Any vessel or vehicle summarily forfeited for violation of any law respecting the Customs revenue may be destroyed in lieu of the sale thereof when such destruction is authorized by the Commissioner of Customs to protect the revenue.

(Secs. 609, 611, 46 Stat. 755, as amended, sec. 5, 49 Stat. 519; 19 U.S.C. 1609, 1611, 1705)

§ 162.47 Claim for property subject to summary forfeiture.

(a) *Filing of claim.* Any person desiring to claim under the provisions of section 608, Tariff Act of 1930 (19 U.S.C. 1608), seized property not exceeding \$2,500 in value and subject to summary forfeiture, shall file a claim to such property with the district director within 20 days from the date of the first publication of the notice prescribed in section 162.45.

(b) *Bond for costs.* The bond in the penal sum of \$250 required by section 608, Tariff Act of 1930, to be filed with a claim for seized property shall be on Customs Form 4615. There shall be endorsed on the bond a list or schedule in substantially the following form which shall be signed by the claimant in the presence of the witnesses to the bond, and attested by the witnesses:

List or schedule containing a particular description of seized article, claim for which is covered by the within bond, to wit:

The foregoing list is correct.

-----, Claimant
Attest: -----

(c) *Claimant not entitled to possession.* The filing of a claim and the giving of a bond pursuant to section 608, Tariff Act of 1930, shall not be construed to entitle the claimant to possession of the property. Such action only stops the summary forfeiture proceeding.

(d) *Report to the U.S. attorney.* When the claim and bond are filed within the 20-day period, the district director shall report the case to the U.S. attorney for the institution of condemnation proceedings.

(Sec. 608, 46 Stat. 755, as amended; 19 U.S.C. 1608)

§ 162.48 Summary sale of perishable and other property valued not over \$2,500.

Seized property which is perishable or otherwise enumerated in section 612, Tariff Act of 1930, as amended (19 U.S.C. 1612), and is valued at not over \$2,500 shall be advertised for sale and sold at public auction at the earliest possible date. The district director shall proceed to give notice by advertisement of the summary sale for such time as he considers reasonable. This notice shall be of sale only and not notice of seizure and intent to forfeit. The proceeds of the sale shall be held subject to the claims of parties in interest in the same manner as the seized property would have been subject to such claims.

(Sec. 612, 46 Stat. 756, as amended; 19 U.S.C. 1612)

§ 162.49 Forfeiture by court decree.

(a) *Report to the U.S. attorney.* When it is necessary to institute legal proceedings in order to forfeit seized property, or to forfeit the value of property subject to forfeiture, the district director or the special agent in charge of the area involved shall furnish a report to the U.S. attorney in accordance with the provisions of section 603, Tariff Act of 1930, as amended (19 U.S.C. 1603).

(b) *Bonding of seized property.* When a claimant desires to file a bond for the release of seized property which is the subject of a court proceeding, he shall be referred to the U.S. attorney. The Government is entitled to recover the penal sum of the bond if forfeiture is then decreed.

(Sec. 201, 72 Stat. 1412; 26 U.S.C. 5688(c))

§ 162.50 Forfeiture by court decree: Disposition.

(a) *Sale.* Forfeited property decreed by the court for sale or disposition by the district director shall be disposed of in the same manner as property summarily forfeited. (See § 162.46.)

(b) *Transfer to other districts for sale.* If the laws of the State in which property is seized and forfeited prohibit

the sale of such property, or if the Commissioner of Customs is of the opinion that the sale of forfeited property may be made more advantageously in another Customs district, application may be made to the court to permit disposition in accordance with the provisions of section 611, Tariff Act of 1930 (19 U.S.C. 1611). If the court permits such disposition, the property shall be moved to and sold in such other district as the Commissioner may direct provided it has been cleared for sale.

(c) *Destruction—(1) Proceeds of sale not sufficient.* Property forfeited under a decree of any court may be destroyed if it is provided in the decree of forfeiture that the property shall be delivered to the Secretary of the Treasury or the Commissioner of Customs for disposition in accordance with section 611, Tariff Act of 1930 (19 U.S.C. 1611).

(2) *For protection of the revenue.* Any vessel or vehicle forfeited under a decree of any court for violation of any law respecting the Customs revenue may be destroyed in lieu of sale when such destruction is authorized by the Commissioner of Customs to protect the revenue if it is provided in the decree of forfeiture that the property shall be delivered to the Secretary of the Treasury or Commissioner of Customs for disposition under the provisions of 19 U.S.C. 1705.

(Sec. 611, 46 Stat. 755, sec. 5, 49 Stat. 519; 19 U.S.C. 1611, 1705)

§ 162.51 Disposition of proceeds of sale of forfeited property.

(a) *Payment of expense incurred.* Expenses incurred by Customs officers in connection with seizures and forfeitures shall be paid from the Customs appropriation. In the event that the forfeited property has been authorized for transfer to another Federal agency for official use, the receiving agency shall reimburse the Customs appropriation for the costs incurred for moving and storing such property from the date of seizure to the date of delivery. If the property is cleared for sale, the Customs appropriation shall be reimbursed from the proceeds of the sale for all expenses paid from such appropriation in connection with the seizure and forfeiture of such property.

(b) *Distribution of proceeds.* If the forfeiture and sale of property is pursuant to court proceedings, or the imposition of a fine or penalty results from a prosecution instituted in a civil or criminal case under the Customs laws, the sum recovered, after deducting all proper charges for marshal's fees, court costs, and other similar costs, is payable to the district director who shall distribute it without delay in accordance with section 613, Tariff Act of 1930, as amended (19 U.S.C. 1613).

Subpart F—Controlled Substances, Narcotics, and Marihuana

§ 162.61 Importing and exporting controlled substances.

It shall be unlawful to import to or export from the United States any controlled substance or narcotic drug listed

in schedules I through V of the Controlled Substances Act (Sec. 202, 84 Stat. 1247; 21 U.S.C. 812), unless there has been compliance with the provisions of said Act, the Controlled Substances Import and Export Act and the regulations of the Bureau of Narcotics and Dangerous Drugs.

(Secs. 1002, 1003, 1007, 84 Stat. 1285, 1286, 1288; 21 U.S.C. 952, 953, 957)

§ 162.62 Permissible controlled substances on vessels, aircraft, and individuals.

Upon compliance with the provisions of the Controlled Substances Act (84 Stat. 1242; 21 U.S.C. 801), the Controlled Substances Import and Export Act (84 Stat. 1285; 21 U.S.C. 951), and the regulations of the Bureau of Narcotics and Dangerous Drugs (21 CFR 301.28, 301.29, 311.28), controlled substances listed in schedules I through V of the Controlled Substances Act may be held:

(a) On vessels engaged in international trade in medicine chests and dispensaries.

(b) In aircraft operated by an air carrier under a certificate or permit issued by the Federal Aviation Administration for stocking in medicine chests and first aid packets.

(c) By an individual where lawfully obtained for personal medical use or for administration to an animal accompanying him to enter or depart the United States.

(Secs. 1002, 1006, 84 Stat. 1285, 1288; 21 U.S.C. 952, 956)

§ 162.63 Arrests and seizures.

Arrests and seizures under the Controlled Substances Act (84 Stat. 1242, 21 U.S.C. 801) and the Controlled Substances Import and Export Act (84 Stat. 1285, 21 U.S.C. 951), shall be handled in the same manner as other Customs arrests and seizures. Controlled substances imported contrary to law shall be seized and forfeited in the manner provided in sections 607 and 608, Tariff Act of 1930, as amended (19 U.S.C. 1607, 1608). (See §§ 162.42 and 162.45.)

(Sec. 511(d), 1016, 84 Stat. 1277, 1291; 21 U.S.C. 881(d), 966)

§ 162.64 Custody of controlled substances.

All controlled substances seized by a Customs officer shall be delivered immediately into the custody of the district director in whose district the seizure is made, together with a full report of the circumstances of the seizure.

(Sec. 511(d), 1016, 84 Stat. 1277, 1291; 21 U.S.C. 881(d), 966)

§ 162.65 Penalties for failure to manifest narcotic drugs or marihuana.

(a) *Cargo or baggage containing unmanifested narcotic drugs or marihuana.* When a package of regular cargo or a passenger's baggage otherwise properly manifested is found to contain any narcotic drug or marihuana imported for sale or other commercial purpose and not shown as such on the manifest, the penalties prescribed in section 584, Tariff

Act of 1930, as amended (19 U.S.C. 1584), shall be assessed with respect to such narcotic drug or marihuana.

(b) *Unmanifested narcotic drugs.* When an unmanifested narcotic drug is found on board of, or after having been unladen from, a vessel or vehicle the penalties prescribed in section 584, Tariff Act of 1930, as amended (19 U.S.C. 1584), shall be assessed. The penalty shall be applied without exception and without regard to any question of negligence or responsibility.

(c) *Notice and demand for payment of penalty.* A written notice and demand for payment of the penalty for failure to manifest incurred under section 584, Tariff Act of 1930, as amended (19 U.S.C. 1584), together with a copy of section 584, shall be sent to the master of the vessel or the person in charge of the vehicle and to the owner of the vessel or vehicle. In the case of a vessel, if bond has been given, the notice also shall be sent to each surety. When a petition for relief from such penalty has been filed in accordance with Part 171 of this chapter, and a decision has been made thereon, the district director shall send notice of such decision to the interested persons together with a demand for any payment required under the terms of such decision.

(d) *Referral to the U.S. attorney.* If the penalty incurred under section 584, is not paid or a petition filed as provided in Part 171 of this chapter, or if payment is not made in accordance with the decision on a petition or a supplemental petition, the district director shall refer the case to the U.S. attorney for appropriate action.

(e) *Withholding clearance of vessel.* Where a penalty has been incurred under section 584, Tariff Act of 1930, as amended, for failure to manifest narcotic drugs, clearance of the vessel involved shall be withheld until the penalty is paid or a bond satisfactory to the district director is given for the payment thereof unless

(1) The narcotics were discovered in a passenger's baggage and the district director is satisfied that neither the master nor any of the officers nor the owner of the vessel knew or had any reason to know or suspect that the narcotics had been on board the vessel. or

(2) Prior authority for the clearance without payment of the penalty or the furnishing of the bond is obtained from the Bureau.

(Sec. 584, 46 Stat. 748, as amended, secs. 1010, 1011, 84 Stat. 1290; 19 U.S.C. 1584, 21 U.S.C. 960, 961)

§ 162.66 Penalties for unloading narcotic drugs or marihuana without a permit.

In every case where a narcotic drug or marihuana is unladen without a permit, the penalties prescribed in section 453, Tariff Act of 1930, as amended (19 U.S.C. 1453), shall be assessed. Penalties shall be assessed under this section when a package of regular cargo or a passenger's baggage otherwise covered by a permit to unladen is found to contain any narcotic drug or marihuana imported for sale or other commercial purpose and

not specifically covered by a permit to unladen.

For ready comparison there is annexed to this notice a parallel reference table showing the relation of sections in the proposed Parts 161 and 162 to 19 CFR Part 23.

Prior to the adoption of the revision, consideration will be given 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 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 of the Bureau of Customs, Washington, D.C. during regular business hours.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: February 16, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary
of the Treasury.

PARALLEL REFERENCE TABLE

(This table shows the relation of sections in proposed Parts 161 and 162 to 19 CFR Part 23)

Proposed Part 161 section	19 CFR section
161.0	New.
161.1	23.25.
161.2(a)	23.31 (a)-(c).
161.2(b)	23.31 (d).
161.3	23.21 (a); 23.8
161.4	23.30.
161.5	23.26.
161.11	23.27 (a).
161.12	23.27 (b), (c) and (e).
161.13	New.
161.14	23.27 (d).
161.15	New.
162.0	New.
162.1	23.28.
162.2	23.29.
162.3(a)	23.1 (a).
162.3(b)	23.1 (c).
162.4	23.1 (c).
162.5	23.1 (d).
162.6	23.1 (e).
162.7	23.1 (d).
162.11	New; 23.11 (g).
162.12	23.11 (e) and (f).
162.13	23.11 (d).
162.14	23.11 (e).
162.15	23.11 (a).
162.21(a)	23.11 (a).
162.21(b)	23.11 (a).
162.21(c)	23.11 (b).
162.22	23.3 (a)-(d); 23.10.
162.31(a)	23.23 (a).
162.31(b)	23.23 (b).
162.32(a)	23.23 (c).
162.32(b)	23.21 (b).
162.41(a)	23.6 (a) and (c).
162.41(b)	23.6 (b).
162.41(c)	23.8 (d).
162.42	23.17 (d).
162.43(a)	23.12 (a) and (b).
162.43(b)	23.12 (e).
162.43(c)	23.12 (d) and (c).
162.44(a)	23.14 (b).
162.44(b)	23.14 (a).
162.44(c)	23.14CM.
162.45(a)	23.16 (a).
162.45(b)	23.16 (a).
162.45(c)	New.

Proposed Part 162 section	19 CFR section
162.45(d)-----	New.
162.46(a)-----	23.17(a).
162.46(b)-----	23.16(b).
162.46(c) (1)-----	23.17 (b) and (c).
162.46(c) (2)-----	23.19(a).
162.46(d)-----	23.19 (b) and (c).
162.47(a)-----	New.
162.47(b)-----	23.13 (a).
162.47(c)-----	23.13 (b).
162.47(d)-----	23.21 (c).
162.48-----	23.18.
162.49(a)-----	23.21 (a).
162.49(b)-----	23.22.
162.50(a)-----	New.
162.50(b)-----	23.19 (a).
162.50(c)-----	23.19 (b).
162.51-----	23.20 (a) and (b).
162.61-----	23.9 (l) and (k).
162.62-----	23.9 (h).
162.63-----	23.9 (b).
162.64-----	23.9 (j).
162.65(a)-----	23.9 (b).
162.65(b)-----	23.9 (a).
162.65(c)-----	23.9 (f) and (g).
162.65(d)-----	23.9 (f).
162.65(e)-----	23.9 (e).
162.66-----	23.9 (c) and (d).

[FR Doc.72-2941 Filed 2-25-72;8:54 am]

container may measure smaller than 2.32 inches in diameter.

(b) As used in this section "handle", "handler", and "District 3" each shall have the same meaning as when used in the said amended marketing agreement and order.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed regulation shall file same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 7th day 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)).

Dated: February 23, 1972.

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

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paragraphs (i-1), and (o-1) are added, paragraph (q) is revised, and a new paragraph (q-1) is added, as follows:

§ 220.2 Definitions.

(b) [Revoked]

(f) "Cost of obtaining food" means the cost of obtaining agricultural commodities and other food for consumption by children during any fiscal year. Such costs may include, in addition to the purchase price of agricultural commodities and other food, the cost of processing, distributing, transporting, storing, or handling any food purchased for, or donated to, the School Breakfast Program.

(i-1) "Free breakfast" means a breakfast for which neither the child nor any member of his family pays or is required to work in the school or in the school's food service.

(o) "Participation rate" means a number equal to the number of lunches meeting the minimum requirements prescribed for a Type-A lunch in § 210.10 of this chapter served in the fiscal year beginning 2 years immediately prior to the fiscal year for which the funds are appropriated, by schools participating in the program as determined by the Secretary.

(o-1) "Reduced price breakfast" means a breakfast which meets all of the following criteria: (1) The price shall be less than the full price of the breakfast, (2) the price shall not exceed 10 cents, and (3) neither the child nor any member of his family shall be required to supply an equivalent value in work for the school or the school's food service.

(q) "School" means an educational unit of high school grade or under operating under public or nonprofit private ownership in a single building or complex of buildings and, with respect to Puerto Rico, also includes a nonprofit child-care center certified as such by the Governor of Puerto Rico. The term "high school grade or under" includes classes of preprimary grade when they are conducted in a school having classes of primary or higher grade, or when they are recognized as a part of the educational system in the State, regardless of whether such preprimary grade classes are conducted in a school having classes of primary or higher grade.

(q-1) "School Food Authority" means the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a breakfast program therein. The term "School Food Authority" also includes a nonprofit agency to which such governing body has delegated authority for the operation of a breakfast program in a school.

2. In § 220.4, paragraph (a) is revised, as follows:

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 908]

VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Proposed Size Regulation

Notice is hereby given that the Department is considering a proposed size regulation for Valencia oranges grown in Arizona and designated part of California, pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 908, as amended (7 CFR 908) regulating the handling of Valencia oranges grown in Arizona and designated part of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposed regulation was proposed by the Valencia Orange Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof. The proposed regulation would limit the handling of Valencia oranges grown in District 3 to Valencia oranges measuring 2.32 inches or larger.

The proposed regulation is as follows:
§ 908.675 Valencia Orange Regulation 375.

(a) Order: From March 17, 1972, through January 15, 1973, no handler shall handle any Valencia oranges, grown in District 3, which are of a size smaller than 2.32 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the oranges in any type of

Food and Nutrition Service

[7 CFR Part 220]

SCHOOL BREAKFAST AND NON-FOOD ASSISTANCE PROGRAMS AND STATE ADMINISTRATIVE EXPENSES

Proposed School Eligibility Criteria and Reimbursement Rates

Notice is hereby given that the Food and Nutrition Service, Department of Agriculture, intends to amend the regulations governing the operation of the School Breakfast Program for the purpose of implementing the Child Nutrition Act of 1966, as amended by Public Law 92-32, and for other purposes. Comments, suggestions or objections are invited and may be delivered within 30 days after publication hereof to Herbert D. Rorex, Director, Child Nutrition Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250, or submitted by mail postmarked not later than the 30th day after publication hereof. Communications should identify the section and paragraph on which comments, etc., are offered.

All comments, suggestions, or objections will be considered before the final amendments are published. All written submissions received pursuant to this notice will be made available for public inspection at the Office of Director, Child Nutrition Division, during the regular business hours (8:30 a.m. to 5 p.m.) (7 CFR 1.27 (b)).

The proposed amendments, with the proposed effective date as stated, are as follows:

1. In § 220.2, paragraph (b) is revoked, paragraphs (f) and (o) are revised, new

§ 220.4 Apportionment of funds to States.

(a) Except when otherwise authorized by law, any Federal funds made available for the purposes of section 4 of the Act for any fiscal year shall be apportioned among the States in accordance with the provisions of section 4 of the Act.

3. Section 220.5 is amended to delete the word "schools" in the second and fifth sentences and substitute in lieu thereof the words "School Food Authorities". The first sentence of this section is revised, as follows:

§ 220.5 Payments to States.

Funds apportioned or allocated to any State for the School Breakfast Program, except funds withheld for nonprofit private schools, shall be made available by means of Letters of Credit issued by FNS to appropriate Federal Reserve Banks in favor of the State Agency. * * *

§ 220.6 [Amended]

4. Section 220.6 is amended to delete the word "schools" and substitute in lieu thereof "School Food Authorities".

5. In § 220.7, paragraph (d) is amended to delete the word "school" wherever it appears and to substitute in lieu thereof the words "School Food Authority"; and to delete the words "attendance units" and substitute therefor the word "schools"; and paragraphs (a), (a-1), (b), (c), the opening sentence of paragraph (e), subparagraph (4) and subdivision (i) (b) of subparagraph (12) of paragraph (e), and the second sentence of paragraph (f) are revised, as follows:

§ 220.7 Requirements for participation.

(a) The School Food Authority shall make written application to the State Agency, or FNSRO where applicable, for any school in which it desires to operate the School Breakfast Program, if such school did not participate in the Program in the prior fiscal year. The School Food Authority shall also submit for approval, either with the application or at the request of the State Agency, or FNSRO where applicable, a free and reduced price policy statement in accordance with Part 245 of this chapter. Applications for the School Breakfast Program shall not be approved in the absence of an approved free and reduced price policy statement.

(a-1) A school which also operates under the National School Lunch Program shall apply the same set of eligibility criteria so that children who are eligible for free lunches shall also be eligible for free breakfasts and children who are eligible for reduced price lunches shall also be eligible for reduced price breakfasts.

(b) Applications shall include the name and address of the School Food Authority and of each school in which the School Breakfast Program will be operated, and the following information with respect to each such school: (1) The planned beginning date of breakfast serv-

ice under the program; (2) the estimated average daily enrollment; (3) the full breakfast price to be charged and the reduced price to be charged children eligible for reduced price breakfasts; (4) if the school is not participating in the National School Lunch Program, the estimated number of children in such school who will be eligible for free and reduced price breakfasts under the eligibility standards proposed in the free and reduced price policy statement submitted for approval. The application shall also include such information as is necessary to determine if each of the schools included in the application should be given first consideration under the provisions of paragraph (c) of this section. Such information shall include if applicable: (i) Data to demonstrate that the applicant school draws its attendance from areas in which poor economic conditions exist, including but not limited to, pertinent data from Model City target areas within the community, departments of welfare, zoning commissions, census tracts, or the school system itself; (ii) data to demonstrate that the school has a substantial portion of enrolled children who travel long distances daily including, but not limited to, the percentage of such children whose travel time to school is between 30 minutes and 1 hour and the percentage of such children whose travel time to school exceeds 1 hour; and (iii) data to demonstrate that there is or is not a special need for improving the nutrition and dietary practices of children of working mothers and children from low-income families including, but not limited to, the percentage of the mothers of enrolled children who are engaged in work outside the home, the percentage of families whose children will meet the school's eligibility criteria for breakfasts free and at a reduced price, and available data concerning the nature and the extent of the special need to improve the nutrition and dietary practices as reflected in surveys or other evaluations of the nutritional status, the food consumption patterns, or the food habits of the children from low-income families eligible for breakfast free or at a reduced price and from families with mothers who work outside the home. If the application requests that the school be determined to be in circumstances of severe need where the rates of reimbursement set forth in paragraph (b) of § 220.9 are insufficient to permit the school to carry on an effective School Breakfast Program, such request must be accompanied by such data as will permit the State agency, or FNSRO where applicable, to determine that the school is an especially needy school under the provisions of paragraph (b-1) of § 220.9.

(c) In selecting schools, the State Agency, or FNSRO where applicable, to the extent practicable shall utilize the information supplied by the School Food Authorities to provide first consideration to those schools drawing attendance from areas in which poor economic conditions exist, to those schools to which substantial proportions of the children enrolled must travel long distances daily, and to those schools in which there is a

special need for improving the nutrition and dietary practices of children of working mothers and children from low income families. If sufficient funds are available, consideration shall be given to other schools.

(e) Each School Food Authority for schools selected for participation in the School Breakfast Program shall enter into a written agreement with the State Agency on a form approved by FNSRO, or, in those States in which FNSRO administers the breakfast program with respect to nonprofit private schools, each School Food Authority for such private schools shall enter into a written agreement with the Department. Such agreements shall provide that the School Food Authority shall, with respect to participating schools under its jurisdiction: * * * (4) supply breakfasts without cost or at reduced price to all children who are determined by the School Food Authority to be unable to pay the full price thereof in accordance with the free and reduced price policy statements approved under Part 245 of this chapter; * * * (12) * * * (i) * * * (b) daily number of breakfasts served free and daily number of breakfasts served at a reduced price to children meeting the school's approved eligibility standards * * *

(f) * * * The School Food Authority of the school in which the breakfast program is operated may request reimbursement in connection with all the breakfasts served, except that, where such school serves children from both public and nonprofit private schools in a State where FNSRO administers the School Breakfast Program with respect to nonprofit private schools, the School Food Authority of the public school shall file a separate claim with the State Agency and the School Food Authority of the private school shall file a separate claim with FNSRO for breakfasts served to their respective participating children.

6. In § 220.9, paragraph (b) is revised, new paragraphs (b-1), (b-2), and (b-3) are added, and paragraph (c) is revised, to read as follows:

§ 220.9 Reimbursement payment.

(b) Reimbursement for free and reduced price breakfasts shall be paid only for such breakfasts served in school to children meeting the school's approved eligibility standards under Part 245 of this chapter. Except as otherwise provided in paragraph (b-1) of this section, the maximum rate of reimbursement for a free breakfast shall be 20 cents and the maximum rate of reimbursement for a reduced price breakfast shall be 15 cents. The maximum rate of reimbursement for all other breakfasts served in school to children shall be 5 cents.

(b-1) A school participating in the School Breakfast Program may be considered for a rate of reimbursement in excess of 20 cents for free breakfast and 15 cents for a reduced price breakfast served in school to children meeting the school's eligibility standards for such

breakfasts if it is an especially needy school. An especially needy school is one which establishes to the satisfaction of the State Agency, or FNSRO where applicable, that it would be financially unable to support the service of such free and reduced price breakfasts at the maximum rates set forth in paragraph (b) of this section because of: (1) The need to serve an especially high percentage of such free and reduced price breakfasts; or (2) unusual costs required to provide a breakfast in the school in spite of the observance of good management practices; or (3) other unusual factors indicative of a special financial need. The State Agency, or FNSRO where applicable, shall determine that the impact of such factors on the per-breakfast cost of providing a breakfast in the school is such that it is financially unable to support the service of such free and reduced price breakfasts after taking into consideration the per-breakfast revenues available from School Breakfast Program reimbursement, from State and local revenues, including revenues from the sale of fully paid and reduced price breakfasts, and from the effective utilization of commodities available under Part 250 of this chapter. The State Agency, or FNSRO where applicable, shall also determine to its satisfaction that revenues available to support the service of breakfasts sold at regular prices in the school are sufficient to cover the cost of such service. Upon such determinations, the State Agency, or FNSRO where applicable, may assign rates of reimbursement which are in excess of the rates specified in paragraph (b) of this section and which, together with revenues available from other sources, will finance up to 100 per centum of the cost of operating the school's non-profit breakfast program: *Provided, however,* That the total reimbursement shall not exceed 25 cents for each free breakfast and 20 for each reduced price breakfast served in school to children eligible for such breakfasts. The State Agency, or FNSRO where applicable, shall maintain on file for review the data to support its determination that a school is an especially needy school.

(b-2) Within the maximum rates of reimbursement set forth in paragraphs (b), (b-1), and (c) of this section, in each fiscal year, the State Agency, or FNSRO where applicable, shall initially assign rates of reimbursement at levels which will permit reimbursement from funds available under § 220.4 for the total number of breakfasts eligible for reimbursement, including free and reduced price breakfasts, which it is estimated will be served in participating schools in the States in such fiscal year. At a minimum, the estimate of the number of such breakfasts to be served in a fiscal year shall take into account the estimated number of such breakfasts to be served in schools which are expected to apply and be approved for participation in the School Breakfast Program during such fiscal year and the estimated number of such breakfasts to be served in schools

which participated in the preceding fiscal year.

(b-3) Each fiscal year, promptly following the receipt of Claims for Reimbursement covering operations for the month of November and for such later months as is necessary, each State Agency, or FNSRO where applicable, shall revise its estimates of the total number of breakfasts eligible for reimbursement to be served in participating schools in such fiscal year. Based upon such revised estimates, each State Agency, or FNSRO where applicable, shall make such adjustments in assigned rates of reimbursement as are necessary to permit reimbursement from such funds for the total number of such breakfasts it is estimated will be served in participating schools in the State in such fiscal year.

(c) Schools participating in the School Breakfast Program shall be reimbursed on the basis of the number of breakfasts served in school to children times the assigned rate, except that schools not approved for a rate higher than 20 cents for a free breakfast and 15 cents for a reduced price breakfast may not be reimbursed in an amount exceeding the cost of obtaining food during the fiscal year.

§ 220.10 [Amended]

7. Section 220.10 is amended to delete the word "schools" and substitute in lieu thereof the words "School Food Authorities."

8. In § 220.11, paragraph (a) is amended to delete the word "schools" and substitute in lieu thereof the words "School Food Authorities," and paragraph (c) is amended to delete the word "school" the first time it appears and substitute in lieu thereof the words "School Food Authority"; and paragraph (b) is revised and a new paragraph (d) is added, as follows:

§ 220.11 Reimbursement procedure.

(b) Except as otherwise provided in paragraph (c) of this section, the Claim for Reimbursement shall include the following items: (1) The month and year for which claim is made; (2) the name and address of the School Food Authority and of each school in which the School Breakfast Program operated; (3) the average daily attendance; (4) the number of days that breakfasts were served; (5) the total number of breakfasts served; (6) the total number of breakfasts served at a reduced price to children meeting the school's eligibility standards for such breakfasts; (7) the total number of breakfasts served free to children meeting the school's eligibility standards for such breakfasts; (8) the amount of reimbursement claimed; (9) the cost of obtaining food; and (10) income from the sale of breakfasts.

(d) Notwithstanding any other provision of this section, the State Agency, or FNSRO where applicable, may advance funds available for the School

Breakfast Program to a School Food Authority in an amount equal to the reimbursement estimated for the total number of breakfasts, including free and reduced price breakfasts, to be served to children for 1 month. The advance may be made not more than 30 days prior to the last day of the month for which reimbursement is estimated. The State Agency, or FNSRO where applicable, shall make necessary downward adjustments in a subsequent Claim(s) for Reimbursement submitted by the School Food Authority for the fiscal year to insure that the total amount of reimbursement received by the School Food Authority for the fiscal year is based on the number of breakfasts, including the free and reduced price breakfasts, served to children times the respective rates of reimbursement assigned by the State Agency, or FNSRO where applicable, in accordance with § 220.9.

§ 220.14 [Amended]

9. In § 220.14, paragraph (a) is amended to add the words "the School Food Authority of" immediately before the words "any nonprofit private school" and paragraph (b) is amended to delete the word "school" and substitute in lieu thereof the words "School Food Authority."

§ 220.15 [Amended]

10. Section 220.15 is amended to add the words "the School Food Authorities of" immediately before the word "schools," and to add the words "purchase or rental of" after the words "cost of."

11. In § 220.16, paragraphs (a), (b), and (c) are revised, as follows:

§ 220.16 Requirements for participation.

(a) The School Food Authority shall make written application to the State Agency, or FNSRO where applicable, for any school which it desires to participate in the Nonfood Assistance Program. Applications shall include the name and address of the School Food Authority and of each school in which the Nonfood Assistance Program will be operated, and the following information with respect to each such school: (1) Data to demonstrate that the school draws its attendance from areas in which poor economic conditions exist, including, but not limited to, pertinent data from Model City target areas within the community, departments of welfare, zoning commissions, census tracts, or the school system itself; (2) a detailed description of the type(s) of equipment needed to provide a food service to the children; (3) in addition, if the school has some equipment, a list of the equipment which is grossly inadequate and the impact of inadequacies or lack of equipment on the effectiveness of the school's food service program, including, but not limited to, the inability to serve participating children under a timely or reasonable schedule, the inability to effectively utilize commodities donated under Part 250 of this chapter, or the inability to provide the variety or types

of food to meet ethnic, religious, or physical needs of children enrolled in the school; (4) the vendor's statement on the estimated rental or purchase cost(s) of such equipment, including installation; (5) if the equipment is to be rented, the reasons why the school does not find that the purchase of such equipment would be more advantageous; (6) the anticipated delivery and installation date; (7) a description of the source of the State or local funds which will be used to meet a share of the cost of the equipment obtained under the Nonfood Assistance Program, and the manner in which payment will be made to the vendor; and (8) the names and address of any schools under the jurisdiction of the School Food Authority which will be served by the school in which the Nonfood Assistance Program will be operated, the average daily attendance of each school, and data to demonstrate that such schools do or do not draw their attendance from areas in which poor economic conditions exist.

(b) A school shall be selected for participation in the Nonfood Assistance Program on the basis of: (1) The relative need of the school for assistance in acquiring equipment based upon the information supplied for that school and for other schools in the application submitted by the School Food Authority; and (2) the amount of funds available to the State Agency, or FNSRO where applicable.

(c) The School Food Authority of schools selected for participation shall enter into a written agreement, on a form approved by CND, with the State Agency, or FNSRO where applicable. The School Food Authority shall agree to: (1) Participate in the School Breakfast Program or the National School Lunch Program, or both; (2) if it participates only in the School Breakfast Program, work toward participating in the National School Lunch Program; (3) maintain full and accurate records to account for the receipt and use of all funds in connection with the equipment acquired under the Nonfood Assistance Program; (4) if it is a School Food Authority of a nonprofit private school, provide at least one-fourth of the purchase price of such equipment; (5) if it is the School Food Authority of a nonprofit private school, use such equipment principally in connection with the school's nonprofit feeding programs under the School Breakfast Program and under the National School Lunch Program; (6) if it is a School Food Authority of a nonprofit private school, in the event such equipment is no longer so used, transfer it with the approval of the State Agency, or FNSRO where applicable, to another School Food Authority of a nonprofit private school participating in any programs authorized by the Act or the National School Lunch Act, as amended, or to any other school participating in any of the programs authorized by such Acts (failing either of these dispositions, that part of such equipment financed with Federal

funds, or the residual value thereof, shall revert to the United States).

12. In § 220.18, paragraph (a) is amended to delete the word "schools" and substitute in lieu thereof the words "School Food Authorities", paragraph (b) is amended to delete the word "school's" and substitute in lieu thereof the words "School Food Authority's", and paragraph (c) is amended to delete the word "school" and substitute in lieu thereof the words "School Food Authority"; and subparagraph (1) of paragraph (a) is revised as follows:

§ 220.18 Reimbursement procedure.

(a) * * * (1) The name and address of the School Food Authority and of each school participating in the Nonfood Assistance Program; * * *

§ 220.21 [Amended]

13. In § 220.21, paragraph (a) is amended to delete the words "local school districts" and substitute in lieu thereof the words "School Food Authorities and schools", and paragraph (b) is amended to add the words "School Food Authorities," following the words "such distributing agency to".

14. Section 220.22 is revised to read as follows:

§ 220.22 State Agency justification for State administrative expense funds.

FNS shall determine the amount of State administrative expense funds needed by each State based on justification for such funds as revealed in the State Agency plan of child nutrition program operations submitted under § 210.4a of this chapter.

15. In § 220.24, paragraph (a) is amended to delete the word "schools" and substitute in lieu thereof the words "School Food Authorities" and paragraph (e) is amended to delete the word "schools" and substitute in lieu thereof the words "School Food Authorities"; and paragraph (a-1) is revised to read as follows:

§ 220.24 Special responsibilities of State Agencies.

(a-1) Each State Agency, or FNSRO where applicable, shall require each School Food Authority of a school participating in the School Breakfast Program to develop and file for review a written free and reduced price breakfast policy statement in accordance with Part 245 of this chapter.

16. In § 220.25, the heading and paragraphs (a), (b), and (f) are amended to delete the words "school" or "schools" wherever they appear and to substitute in lieu thereof the words "School Food Authority" or "School Food Authorities", respectively; and paragraph (g) is revised to read as follows:

§ 220.25 Claims against School Food Authorities.

(g) With respect to School Food Authorities of schools in which the program is administered by FNSRO, when FNSRO disallows a claim or a portion of a claim, or makes a demand for refund of an alleged overpayment, it shall notify the School Food Authority of the reasons for such disallowance or demand and the School Food Authority shall have full opportunity to submit evidence or to file reclaims for any amounts disallowed or demanded in the same manner afforded in this section to School Food Authorities of schools in which the program is administered by State Agencies.

17. In § 220.28, paragraph (a) is amended to delete the word "school" and substitute in lieu thereof the words "School Food Authority", and paragraph (b) is revised to read as follows:

§ 220.28 Other provisions.

(b) Any or all of the provisions of this part may be withdrawn, or amended, at any time by the Department: *Provided, however,* That any withdrawal or amendment shall not be made without due prior notice in writing to the State Agencies and to the School Food Authorities of nonprofit private schools with respect to which the Program is administered by FNSRO: *And provided further,* That no change in the requirements for breakfasts which increases food costs or which decreases the maximum rates of reimbursement shall become effective less than 60 days after publication of notice thereof, except when such changes are required by law.

18. In § 220.29, the opening sentence is amended to delete the word "Schools" and substitute in lieu thereof the words "School Food Authorities"; and paragraph (b) is revised to read as follows:

§ 220.29 Program information.

(b) In the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virginia, and the Virgin Islands:

Southeast Regional Office, FNS, U.S. Department of Agriculture, 1100 Spring Street NW., Atlanta, GA 30309.

Effective date: July 1, 1972.

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

Dated: February 23, 1972.

RICHARD E. LYNG,
Assistant Secretary.

[FR Doc.72-2951 Filed 2-25-72; 8:54 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 135]

CORTICOSTEROID DRUGS

Labeling Requirements; Warning Statements

Corticosteroid drugs for oral and injectable use in animals are presently subject to labeling requirements under § 135.101 of the new animal drug regulations. The regulation cites certain side effects from the use of these drugs. New information reveals that use of corticosteroid-containing drugs by intramammary infusion has resulted in similar side effects in treated cattle.

Accordingly, the Commissioner of Food and Drugs has concluded that the labeling requirements for corticosteroid drugs presently provided for in § 135.101 should be revised to include warnings regarding these potentially serious side effects from the use of corticosteroid drugs by intramammary infusion.

If the proposal as set forth below is adopted, all holders of new animal drug applications deemed approved pursuant to section 512(c) of the Federal Food, Drug, and Cosmetic Act will be required to submit revised labeling within 60 days of issuance of a final order based upon this proposal.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that § 135.101 be amended to read as follows:

§ 135.101 Corticosteroids for oral, injectable, and intramammary use in animals; warnings; labeling requirements.

(a) The Food and Drug Administration has received reports concerning side effects associated with the oral, injectable and intramammary use of corticosteroid drugs in animals. The use of these drugs has resulted in premature parturition when administered during the last trimester of pregnancy. Premature parturition may be followed by dystocia, fetal death, retained placenta, and metritis. These drugs, unless they are intended for intramammary use are required to carry the veterinary prescription legend and are subject to the labeling requirements of § 1.106(c) of this chapter.

(b) In view of these potentially serious side effects, the Commissioner of Food and Drugs has concluded that the labeling on or within the package from which the product is to be dispensed, and any other labeling furnishing or purporting to furnish information for the use of these preparations, should bear conspicuously;

(1) If subject to the labeling requirements of § 1.106(c) of this chapter the following warning statement:

WARNING: Clinical and experimental data have demonstrated that corticosteroids administered orally or by injection to animals may induce the first stage of parturition when administered during the last trimester of pregnancy and may precipitate premature parturition followed by dystocia, fetal death, retained placenta, and metritis.

(2) If intended for intramammary use, the following warning statement:

WARNING: Studies have demonstrated that corticosteroids may cause abortion or premature birth when given during the last third of pregnancy and also may lead to difficulty in giving birth, death of fetus, retained afterbirth and infection of the uterus. Therefore, to prevent these side effects, this preparation should not be administered during the last third of pregnancy.

The label revisions described above should be placed into effect at the earliest possible time and may be implemented without prior approval as provided for in § 135.13a (d) and (e).

(c) Approved new animal drug applications which have not been supplemented in accordance with paragraph (b) of this section within 60 days following the date of publication of this statement of policy in the FEDERAL REGISTER will be subject to provisions of section 512(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: February 15, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 72-2905 Filed 2-25-72; 8:50 am]

Social Security Administration

[20 CFR Part 405]

[Regs. 5]

FEDERAL HEALTH INSURANCE FOR THE AGED

Proposed Conditions for Coverage of Services of Independent Laboratories

Correction

In F.R. Doc. 72-2298 appearing at page 3492 in the issue of Wednesday, February 16, 1972, make the following changes:

1. In § 405.1305(a) (3) (ii), line 3, the word "and" should read "or".
2. In § 405.1315(c) (1), line 2, preceding "procedures" insert "laboratory".
3. In § 405.1315(d) (4), line 3, the word "is" should read "in".

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 72-CE-4]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Lebanon, Mo.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, MO 64106. All communications received within 45 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 Regional Air Traffic Division Chief. 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.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, MO 64106.

A new public use instrument approach procedure has been developed for the Jones Lebanon Airport, Lebanon, Mo. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this new approach procedure by designating a transition area at Lebanon, Missouri.

In consideration of the foregoing, the Federal Aviation Administration proposes 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:

LEBANON, Mo.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Lebanon, Mo., Airport located at latitude 37°38'56" N., longitude 92°39'06" W., and within 3 miles either side of the 182° bearing from the Lebanon Airport extending from 5 miles to 8.5 miles, and that airspace extending upward from 1,200 feet above the surface within 9.5 miles west and 4.5 miles east of the 182° bearing from the Lebanon Airport extending from the airport to 18.5 miles south.

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

Issued in Kansas City, Mo., on February 8, 1972.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.72-2865 Filed 2-25-72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 72-SO-13]

TRANSITION AREA

Proposed Designation

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

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

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

The McRae transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Telfair-Wheeler Airport (lat. 32°05'46" N., long. 82°52'55" W.); within 3 miles each side of the 030° bearing from McRae RBN (lat. 32°05'40" N., long. 82°53'02" W.); extending from the 7-mile-radius area to 8.5 miles northeast of the RBN.

The proposed designation is required to provide controlled airspace protection for IFR operations at Telfair-Wheeler Airport. A prescribed instrument approach procedure to this airport, utilizing the McRae (Private) Nondirectional Radio Beacon, is proposed in conjunction with the designation of this transition area.

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

Issued in East Point, Ga., on February 14, 1972.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.72-2866 Filed 2-25-72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-162]

TRANSITION AREA

Proposed Designation and Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would designate a transition area at Naples, Fla., and alter the 1,200-foot floor portion of the Florida transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, DC 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted

for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since these actions involve, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

In consideration of the foregoing, the Federal Aviation Administration (FAA) proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

Section 71.181 would be amended as follows:

1. The Naples, Fla., transition area would be added as follows: That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Naples Municipal Airport (lat. 26°09'10" N., long. 81°46'30" W.); within 3 miles each side of the 041° and 228° bearings from the Naples RBN, extending from the 6.5-mile-radius area to 8.5 miles northeast and southwest of the RBN.

2. The 1,200-foot floor portion of the Florida transition area would be altered to include the airspace 4.5 miles southeast of and 8.5 miles northwest of the 228° bearing from the Naples RBN (lat. 26°09'00" N., long. 81°46'31" W.), extending from the RBN to 18.5 miles southwest of the RBN.

The proposed Naples transition area and alteration of the Florida transition area are needed to provide controlled airspace for two proposed instrument approach procedures to the Naples Municipal airport.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 F.R. 9565) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on February 16, 1972.

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

[FR Doc.72-2867 Filed 2-25-72;8:47 am]

ENVIRONMENTAL PROTECTION AGENCY

[41 CFR Part 15-9]

PATENTS, DATA, AND COPYRIGHTS

Patents and Inventions

Correction

In F.R. Doc. 72-2630 appearing at page 3764 in the issue for Saturday, February 19, 1972, in Appendix A, paragraph G

Withholding of payment, second line, insert the word "not" following "does".

FEDERAL RESERVE SYSTEM

[12 CFR Parts 207, 220, 221]

[Regs. G, T, and U]

SECURITIES CREDIT TRANSACTIONS

Requirements for Continued Inclusion on List of OTC Margin Stocks

The Board of Governors proposes to amend Parts 207, 220, and 221 in order to implement the requirements for a stock's continued inclusion on the List of OTC Margin Stocks as follows:

1a. Section 207.2(f)(3) of Part 207, Securities Credit by Persons other than Banks, Brokers or Dealers, would be amended as set forth below:

§ 207.2 Definitions.

(f) OTC margin stock:

(3) The Board shall from time to time remove from the list described in subparagraph (2) of this paragraph (f) stocks that cease to:

(i) Exist or of which the issuer ceases to exist, or

(ii) Meet substantially the provisions of subparagraph (1) of this paragraph (f) and § 207.5(e) (the Supplement to Regulation G).

b. Paragraph (e) of § 207.5 would be added as set forth below:

§ 207.5 Supplement.

(e) *Requirements for continued inclusion on list of OTC margin stock.* Except as provided in subparagraph (4) of § 207.2(f), such stock shall meet the requirements that:

(1) The stock continues to be subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934,

(2) Four or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities and Exchange Act of 1934 (15 U.S.C. 78e),

(3) There continue to be 1,000 or more holders of record of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer continues to be a U.S. Corporation,

(5) Daily quotations for both bid and asked prices for the stock are continuously available to the general public; and shall meet three of the four additional requirements that:

(6) 400,000 or more shares of such stock remain outstanding in addition to shares held beneficially by officers, di-

rectors, or beneficial owners of more than 10 percent of the stock,

(7) The shares described in subparagraph (6) of this paragraph continue to have a market value in the aggregate of at least \$5 million,

(8) The minimum average bid price of such stock, as determined by the Board, is at least \$5 per share, and

(9) The issuer continues to have at least \$2.5 million of capital, surplus, and undivided profits.

2a. Section 220.2(e)(3) of Part 220, Credit by Brokers and Dealers, would be amended as set forth below:

§ 220.2 Definitions.

(e) * * *

(3) The Board shall from time to time remove from the list described in subparagraph (2) of this paragraph (e) stocks that cease to:

(i) Exist or of which the issuer ceases to exist, or

(ii) Meet substantially the provisions of subparagraph (1) of this paragraph (e) and of § 220.8(h) (the Supplement to Regulation T).

b. Paragraph (h) of § 220.8 would be added as set forth below:

§ 220.8 Supplement.

(h) *Requirements for continued inclusion on list of OTC margin stock.* Except as provided in subparagraph (4) of § 220.2(e), OTC margin stock shall meet the requirements that:

(1) The stock remains subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934,

(2) Four or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities and Exchange Act of 1934 (15 U.S.C. 78e),

(3) There continue to be 1,000 or more holders of record of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer continues to be a U.S. Corporation,

(5) Daily quotations for both bid and asked prices for the stock are continuously available to the general public; and shall meet 3 of the 4 additional requirements that:

(6) 400,000 or more shares of such stock remain outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock,

(7) The shares described in subparagraph (6) of this paragraph continue to have a market value in the aggregate of at least \$5 million,

(8) The minimum average bid price of such stock, as determined by the Board, is at least \$5 per share, and

(9) The issuer continues to have at least \$2.5 million of capital, surplus, and undivided profits.

3a. Section 221.3(d)(3) of Part 221, Credit by Banks for the Purpose of Purchasing or Carrying Margin Stock, would be amended as set forth below:

§ 221.3 Miscellaneous provisions.

(d) *OTC margin stock.* * * *

(3) The Board shall from time to time remove from the list described in subparagraph (2) of this paragraph (d) stocks that cease to:

(i) Exist or of which the issuer ceases to exist, or

(ii) Meet substantially the provisions of subparagraph (1) of this paragraph (d) and of § 221.4(e) (the Supplement to Regulation U).

b. Paragraph (e) of § 221.4 would be added as set forth below:

§ 221.4 Supplement.

(e) *Requirements for continued inclusion on list of OTC margin stock.* Except as provided in subparagraph (4) of § 221.3(d), OTC margin stock shall meet the requirements that:

(1) The stock remains subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934,

(2) Four or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities and Exchange Act of 1934 (15 U.S.C. 78e),

(3) There continue to be 1,000 or more holders of record of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer continues to be a U.S. Corporation,

(5) Daily quotations for both bid and asked prices for the stock are continuously available to the general public; and shall meet three of the four additional requirements that:

(6) 400,000 or more shares of such stock remain outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock,

(7) The shares described in subparagraph (6) of this paragraph continue to have a market value in the aggregate of at least \$5 million,

(8) The minimum average bid price of such stock, as determined by the Board, is at least \$5 per share, and

(9) The issuer continues to have at least \$2.5 million of capital, surplus, and undivided profits.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to

be received not later than March 24, 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.

By order of the Board of Governors, February 17, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2883 Filed 2-25-72;8:49 am]

[12 CFR Part 225]

[Reg. Y]

BANK HOLDING COMPANIES

Nonbanking Activities

The Board of Governors is considering further implementation of its regulatory authority under section 4(c) (8) of the Bank Holding Company Act to permit bank holding companies to lease real property under certain conditions. In this connection, the Board noted that it has received an application from First Chicago Corp., Chicago, Ill., to engage, through its subsidiary, First Chicago Leasing Corp., in the leasing of real property in a manner somewhat similar to that which would be authorized by the

following proposed regulation for bank holding companies generally, subject to the procedures of § 225.4(b) of Regulation Y.

Accordingly, the Board proposes to amend § 225.4(a) of Regulation Y to permit bank holding companies, subject to the procedures of § 225.4(b), to engage in the leasing of real property under certain conditions. The text of the proposed amendment reads as follows:

§ 225.4 Nonbanking activities.

(a) *Activities closely related to banking or managing or controlling banks.*
* * * The following activities have been determined by the Board to be so closely related to banking or managing or controlling banks as to be a proper incident thereto:

(12) Leasing real property where:

- (i) The property to be leased is acquired specifically for the leasing transaction under consideration;
- (ii) The lease is on a net lease basis and the effect of the transaction will be to compensate the lessor for not less than the lessor's full investment in the property;
- (iii) The lessee has an option to purchase the property at the expiration of the lease;

(iv) In the event the lessee fails to exercise the aforesaid option, the real property assets shall be liquidated as soon as practicable and, in no event, later than one year from the expiration of the lease;

(v) The aggregate investment in such real property by the bank holding company and its subsidiaries shall at no time exceed 5 percent of the equity capital of the bank holding company.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than March 17, 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.

By order of the Board of Governors, February 18, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2884 Filed 2-25-72;8:49 am]

Notices

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1971 Rev., Supp. 13]

HOUSTON GENERAL INSURANCE COMPANY

Surety Companies Acceptable on Federal Bonds

The Houston Fire and Casualty Insurance Company, a Texas corporation, which was issued a Certificate of Authority as an acceptable surety on Federal bonds December 27, 1971 (36 F.R. 25437, December 31, 1971) has changed its name to Houston General Insurance Company effective 11:59 p.m., December 31, 1971. Concurrently, two affiliated insurance companies, General Insurance Corporation, and Associated Employers Insurance Company, both Texas corporations, were merged into Houston General Insurance Company which is the surviving corporation.

A new Certificate of Authority as an acceptable surety on Federal bonds effective January 1, 1972 has been issued to Houston General Insurance Company under sections 6 to 13 of title 6 of the United States Code, to replace the Certificate issued December 27, 1971 to the Company under its former name Houston Fire and Casualty Insurance Company. The underwriting limitation of \$668,000 previously established for the company (36 F.R. 25437, December 31, 1971) remains unchanged.

The change in name of Houston Fire and Casualty Insurance Company does not affect its status or liability with respect to any obligations in favor of the United States or in which the United States has an interest, which it may have undertaken pursuant to the Certificate issued by the Secretary of the Treasury.

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new Certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated: February 22, 1972.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc.72-2870 Filed 2-25-72;8:47 am]

Internal Revenue Service

[Price Commission Ruling 1972-75]

ALLOCATION OF ALLOWABLE COSTS TO RESIDENCE OCCUPIED BY OWNER

Price Commission Ruling

Facts. The owner of a small apartment building containing six residences lives in one of those residences and leases another residence in the building to a relative for a nominal rent. The other four residences are leased on month-to-month terms. The property taxes on the building have been increased with the first installment of that increase payable on June 1, 1972. The landlord wishes to increase the monthly rent of his tenants to reflect that increase.

Issue. In allocating the increase in property taxes to each residence in the building must the landlord allocate some of that increase to the residences he and his relative occupy? If so, what is the method of allocation which must be used.

Ruling. The owner of the residence must allocate the increase in property taxes to all of the residences in the building. The fair rental value of an owner-occupied residence or residence rented at a nominal rent is used in allocating the increase in allowable costs to each residence.

Economic Stabilization Regulations, 6 CFR 301.102(b)(3), 36 F.R. 25386 (December 30, 1971), states, "The increase in allowable costs determined for a multiple-unit residential housing structure or complex shall be prorated to individual residences." The method of proration is found in § 301.102(b)(4) of the regulations. This section, as illustrated by the examples which follow it, requires that the increase in allowable costs, such as property taxes, be allocated to the monthly rent of a residence. The increase in allowable costs allocable to a particular residence is determined by multiplying a fraction times the increase in allowable costs divided by 12.

The increase in allowable costs is calculated under § 301.102(b)(2) of the regulations. This increase is the difference between the allowable costs charged during the 12 months immediately prior to the date the first installment of the increased cost is payable after December 28, 1971, and the allowable costs which will be charged during the 12 months beginning with the date the first installment of the increased costs is payable after December 28, 1971. The increase is considered payable on the date the taxing authority begins to impose an interest or penalty charge on the payment.

The fraction which is multiplied times this increase in allowable costs divided by twelve is determined under § 301.102(b)(4) of the regulations. The numerator of that fraction is the rent "charged or

chargeable" for the residence during the 12-month period before the first installment of the increase in allowable costs is payable after December 28, 1971. The denominator of that fraction is the rent "charged or chargeable" for all residences or other rental units in the structure, which are subject to the increase in the allowable costs, during the 12-month period before the first installment of the increase is payable after December 28, 1971.

If the owner of the structure lives in a residence in the structure, or a residence is being rented at a nominal monthly rent because of the absence of an arms-length transaction, the fair rental value of both the owner's residence and the nominal rent residence is considered the "rent chargeable" and will be used in the allocation fraction.

This ruling has been approved by the General Counsel of the Price Commission.

Dated: February 23, 1972.

LEE H. HENKEL, JR.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: February 23, 1972.

SAMUEL R. PIERCE, JR.,
General Counsel,
Department of the Treasury.

[FR Doc.72-2936 Filed 2-25-72;8:51 am]

[Price Commission Ruling 1972-76]

SERVICE ORGANIZATIONS—COST JUSTIFIED PRICE INCREASES

Price Commission Ruling

Facts. Company X, a service organization, has the following history of cost and price increases. On July 1, 1971, it incurred increased costs on "Group A" services provided to its retail class of purchasers. It increased prices to that class of purchasers in August. On July 1, 1971, it also incurred and is continuing to incur increased costs on "Group A," services provided to its wholesale class of purchasers. Its last price increase on "Group A" services to its wholesale class of purchasers was in June.

Issue. May Company X now increase prices above the base price to either class of purchasers on "Group A" services?

Ruling. Company X may increase prices above the base price on "Group A" services to its wholesale class of purchasers but not to its retail class of purchasers.

Economic Stabilization Regulations, 6 CFR 300.14, 37 F.R. 775 (January 19, 1972) states the rule governing price increases which may be made by service organizations other than providers of health services and insurers. That rule is:

A service organization may charge a price in excess of the base price only to reflect increases in allowable costs that is incurred since the last price increase in the item concerned, or that is incurred after January 1, 1971, whichever was later, and that it is continuing to incur, reduced to reflect productivity gains, and only to the extent that the increased price does not result in an increase in its profit margin over that which prevailed during the base period."

Economic Stabilization Regulations, 6 CFR 300.405, 36 F.R. 23974 (December 16, 1971), defines the base price to be, "The highest price charged by the seller to a specific class of purchasers in a substantial number of transactions involving that personal property or service during the freeze base period." Interpreted in light of this section, § 300.14 of the regulations permits a price increase for a service sold to a particular class of purchasers above the base price to reflect only cost increases which the seller is required to bear and is continuing to bear in providing the service to that class of purchasers since the last price increase to that class of purchasers.

Company X has increased its price above the base price on "Group A" services to its retail class of purchasers since the most recent cost increase it has been required to bear in providing those services to the retail class. Therefore Company X cannot increase its price again on "Group A" services sold to the retail class until it incurs additional cost increases related to those services when sold to that class.

Company X has not increased its price above the base price on "Group A" services to its wholesale class of purchasers since the most recent cost increase it has been required to bear and is continuing to bear in providing those services to the wholesale class. Therefore Company X can increase its price on "Group A" services sold to the wholesale class to reflect such cost increases.

Price Commission Ruling 1972-13, 37 F.R. 765 (January 18, 1972), illustrates the manner in which such cost increases may be reflected in increased prices.

This ruling has been approved by the General Counsel of the Price Commission.

Dated: February 23, 1972.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: February 23, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-2937 Filed 2-25-72;8:51 am]

DEPARTMENT OF COMMERCE

Office of Import Programs

PRESBYTERIAN-ST. LUKE'S HOSPITAL
ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry

of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used in being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 70-00576-33-43780. Applicant: Presbyterian-St. Luke's Hospital, 1753 West Congress Parkway, Chicago, IL 60612. Article: Incubator-slide containing MacConkeys nutrient agar. Manufacturer: Raerad Products, Sweden. Intended use of article: The article will be used to detect asymptomatic Bacteruria in a detection program. Application received by Commissioner of Customs: March 30, 1970.

Docket No. 72-00260-33-46040. Applicant: Baylor College of Medicine, 1200 Moursund Avenue, Texas Medical Center, Houston, TX 77025. Article: Electron microscope, Model EM 801A. Manufacturer: AEI Scientific Apparatus Ltd., United Kingdom. Intended use of article: The article is intended to be used to examine biological tissues in studies of membrane structure and function at the molecular level. The article will also be used as a diagnostic agent in eye pathology. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00261-87-78700. Applicant: University of Washington, Civil Engineering Department, Room 121, More Hall, Seattle, Wash. 98195. Article: Theodolite. Manufacturer: Kern & Co. Ltd., Switzerland. Intended use of article: The article is intended to be used in civil engineering courses dealing with precision positions where accuracies of reading to 0.7" are needed, such as in error analysis. Research and special student studies will use the article in work such as photo control and glacier movement research. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00262-01-77030. Applicant: University of Colorado, Purchasing Services Department, Regent Hall, Room 122, Boulder, Colo. 80302. Article: NMR spectrometer, Model PS-100 and accessories. Manufacturer: JEOLCO, Ltd., Japan. Intended use of article: The article is intended to be used in physical chemical and structural studies on organic and inorganic compounds contain-

ing H¹, P³¹, C¹³ and Si²⁹ in natural abundance and ultimately Cl³⁵, H² (deuterium), P³¹ and other magnetic nuclei. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00263-33-42800. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, IL 60439. Article: Pulsed bending magnet. Manufacturer: Brown Boveri, Switzerland. Intended use of article: The article will be used to promote efficient operation of the Zero Gradient Synchrotron (ZGS) through time sharing the beam among a number of experiments during a single ZGS pulse. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00264-01-77030. Applicant: Rhode Island College, Providence, R.I. Article: NMR spectrometer, Model JNM-MH-60-II. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in chemistry courses for structure determination, reaction mechanisms, synthesis, structure/property correlations as well as development of laboratory skills including nuclear magnetic resonance spectrometry, kinetics, thermodynamics, bonding, and structural theory. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00265-33-43780. Applicant: Tufts University, Department of Medicine, Lemuel Shattuck Hospital, Jamaica Plain, Boston, Mass. 02203. Article: Ultrafilter for ascites. Manufacturer: Rhone Poulenc, France. Intended use of article: The article is intended to be used in removing peritoneal fluid, preparation of an ultrafiltrate of this fluid and prompt return intravenously to lower portal pressure and to improve plasma volume in the hope of aiding hepatorenal syndrome. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00266-33-43400. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, MA 02138. Article: Micro-manipulator. Manufacturer: AB Transvertex, Sweden. Intended use of article: The article is intended to be used in experiments on the central nervous system of the cat to investigate the anatomical and physiological properties of single nerve cells in the visual cortex, a region of the brain that is concerned with the processing of visual information. The article will be used in these experiments to hold the microelectrode and advance it into the brain thus permitting rapid and precisely controlled movements of the microelectrode as it approaches and penetrates the nerve cells. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00267-33-46040. Applicant: University of Southern California, School of Medicine, 2025 Zonal Avenue, Los Angeles, CA 90033. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used for electron microscopy screening of breast milk for B- and C-type particles from lactating mothers

whose mothers have a history of breast or other cancer. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00268-01-07520. Applicant: American National Red Cross, Blood Research Laboratory, 9312 Old Georgetown Road, Bethesda, MD 20014. Article: Microcalorimeter. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for the measurement of heat changes in a number of processes related to the biochemistry and physiology of blood. These include:

(1) Determination of energy changes during the reaction of platelets with a variety of agents important in adhesion and aggregation and the measurement of the effect of pharmacological inhibitors.

(2) Energy changes involved in the effect of various reagents and procedures on red cells from patients suffering from sickle cell anemia.

(3) Enthalpy changes involved in additives of interest in the freezing-preservation of red cells and platelets and their applicability to the freezing-preservation of intact organs.

(4) Thermodynamics of antibody reactions with red cell antigens.

(5) Thermodynamics of metal binding and aggregation-disaggregation phenomenon in the urinary glycoprotein derived from renal tubules.

Application received by Commissioner of Customs: December 3, 1971.

Docket No. 72-00270-33-46040. Applicant: Institute for Medical Research, Copewood Street, Camden, N.J. 08103. Article: Electron microscope, Model JEM-100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in studies of a virus in mouse milk that transmits mammary cancer from mother to daughter to determine the fine structure of viruses for identification purposes. Application received by Commissioner of Customs: December 7, 1971.

Docket No. 72-00271-33-46040. Applicant: Veterans Administration Hospital, 510 East Stoner Avenue, Shreveport, LA 71130. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, NVD., The Netherlands. Intended use of article: The article is intended to be used in studies on the ultrastructure of human tumors, human neoplasms, lesions, melanosomes, premelanosomes cytoplasmic aggregates etc. related to discovery of basic facts about human disease. Application received by Commissioner of Customs: December 7, 1971.

Docket No. 72-00272-33-46040. Applicant: Harvard University, School of Public Health, 665 Huntington Avenue, Boston, MA 02115. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, NVD., The Netherlands. Intended use of article: The article will be used to examine biological material as part of a major research effort on the response of pulmonary alveolar macrophages to inhaled particles, as well as for other studies on the biological properties and defense me-

chanics of mature and developing lungs. Application received by Commissioner of Customs: December 7, 1971.

Docket No. 72-00273-56-17500. Applicant: University of Washington, Department of Oceanography, Seattle, Wash. 98195. Article: Recording current meter, Model 4. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is intended to be used for studies of the vertical and horizontal water structure off the Washington coast, estuarine circulation in Puget Sound and flow in the Columbia River and adjacent areas. The article will also be used in the course Ocean 360: Methods and instruments in oceanography, to familiarize students with methods of measuring environmental parameters. Application received by Commissioner of Customs: December 7, 1971.

Docket No. 72-00274-33-46040. Applicant: Veteran's Administration Hospital, 800 Stadium Road, Columbia, MO 65201. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, NVD., The Netherlands. Intended use of article: The article is intended to be used as a diagnostic instrument in the practice of human pathology which is aimed toward offering early valid diagnoses so that early appropriate treatment of human disease can be accomplished. Specifically, it will be used in the ultrastructural diagnosis of human renal biopsies of individuals with primarily glomerular or vascular diseases. Application received by Commissioner of Customs: December 7, 1971.

Docket No. 72-00275-33-46040. Applicant: University of Louisville School of Medicine, 301 East Walnut Street, Louisville, KY 40202. Article: Electron microscope, EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in studies of biological tissues both human and animal. Experiments to be pursued will center around:

(a) Normal and pathological human ocular and animal tissue.

(b) Ocular animal tissue with regard to immune mechanisms.

(c) Reaction of tissues to specific experimental disease states—specifically diabetes.

(d) Animal ocular tissue reactions to physical modalities.

(e) Ocular changes in eye bank eyes from such disorders as tumors, glaucoma, etc.

(f) Ocular genetic disease states and

(g) Other studies as indicated resulting from findings in above research projects.

The article will also be used for the teaching of senior medical students and resident physicians in the specialty of ophthalmology. Application received by Commissioner of Customs: December 10, 1971.

Docket No. 72-00276-33-46040. Applicant: George Washington University Medical School, 1335 H Street NW., Washington, DC. Article: Electron microscope, Model AEI 801. Manufacturer: AEI Scientific Apparatus Ltd., United Kingdom. Intended use of article: The article

is intended to be used to examine the thickness of the full cortex of the central nervous system of new born hamsters and rats. Other studies include observing the morphology of the synaptic junctions and the changes that might take place in the associated membranes and vesicles after nonionizing radiation; and mitochondrial cristae in the heart and liver. Application received by Commissioner of Customs: December 9, 1971.

SETH M. BODNER,

Director,

Office of Import Programs.

[FR Doc.72-2876 Filed 2-25-72; 8:48 am]

EMORY UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00621-33-46040. Applicant: Emory University, Anatomy Department, Atlanta, Ga. 30322. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used for the teaching and training of graduate students, medical students, and postdoctoral fellows as well as for research on the structure and function of normal and dystrophic developing skeletal muscles; studies on the structure of normal and myopathic cardiac (heart) muscle; and studies on the autoimmune destruction of sperm.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forgrfo Corp. The Model EMU-4C electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its memorandum dated November 19, 1971, that the relative simplicity

of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes. We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2874 Filed 2-25-72; 8:48 am]

ERIE COUNTY LABORATORY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00013-33-46040. Applicant: Erie County Laboratory, 100 City Hall, Buffalo, NY 14221. Article: Electron microscope, Model EM-9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used to study the ultrastructure of tumors and diseased organs compared with the findings of light-microscopic examinations. The materials involved in these studies are taken from humans and animals and subject to gross, histologic and electron-microscopic studies in order to get new understanding of disease and the mechanics of disease.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a continuous magnification from 0 to 60,000 magnifications, without changing the pole-piece. The most closely comparable domestic instrument is the Model EMU-4C manufactured by the Forglow Corp. The Model EMU-4C, with its standard pole-piece, has a specified range from 1,400 to 240,000 magnifications. For survey and scanning, the lower end of this range can be reduced to 200 magnifications or less. But the continued reduction of magnification induces an increasingly greater distortion. The domestic manufacturer suggests in its literature on the Model EMU-4C that for highest quality, low magnification electron micrographs

in the magnification range between 500 and 70,000 magnifications, an optional low magnification pole-piece should be used. Changing the pole-piece on the Model EMU-4C requires a break in the vacuum of the column. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 30, 1971, that the applicant requires the capability of taking high-quality micrographs at low magnifications in order to achieve the purposes for which the article is intended to be used.

HEW further advises that breaking the vacuum in the column induces the danger of contamination which would very likely lead to the failure of the experiment. Therefore, the capability of moving from 0 to 60,000 magnifications without changing pole-pieces, while at the same time providing high-quality micrographs at low magnifications, is considered to be a pertinent characteristic. For these reasons, we find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2875 Filed 2-25-72; 8:48 am]

FOREST SERVICE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00040-63-46500. Applicant: USDA Forest Service, 359 Main Road, Delaware, OH 43015. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of Article: The article will be used to produce ultrathin sections of woody and fungus tissues for electron microscope in investigations of virus and mycoplasma disease of woody plants and several fungus diseases. The article will also be used to instruct graduate students in the use of the ultramicrotome.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is in-

tended to be used, is being manufactured in the United States.

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting, (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of January 28, 1972, that cutting speeds in excess of 4 mm./sec. are pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2882 Filed 2-25-72; 8:49 am]

STATE UNIVERSITY COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of

the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00023-33-46040. Applicant: State University College, Department of Biological Sciences, Brockport, N.Y. 14420. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used in research involving anomalous mitosis in mammalian cell membrane dynamics, ultrastructure of antennae of various crustacea, adrenergic innervation of the heart, morphogenetic changes in cells due to growth regulators, enzyme inhibition in chick lens development. The article will also be utilized as a tool to determine cause of desiccation and heat resistance in unicellular algae. In addition the article will be used in teaching programs at several levels.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forglfo Corp. The Model EMU-4C electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its memorandum dated January 14, 1972, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes. We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2877 Filed 2-25-72; 8:48 am]

UNIVERSITY OF ALABAMA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00466-65-46040. Applicant: University of Alabama, in Birmingham, 1919 Seventh Avenue South, Birmingham, AL 35233. Article: Electron microscope, Model JEM-50B. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used primarily as a teaching tool to study the microstructures of solid materials such as aluminum, steel, copper, ceramics, etc. These studies will permit the student to correlate the structure with current theories. The course is entitled electron microscopy and consists of lecture and laboratory.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forglfo Corp. The Model EMU-4C electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its memorandum dated August 20, 1971, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes. We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article

is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2878 Filed 2-25-72; 8:48 am]

UNIVERSITY OF HAWAII

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00609-33-46040. Applicant: University of Hawaii, School of Medicine, 3675 Kilauea Avenue, Honolulu, HI 96816. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used for research in a study of guinea pig (tuberculoïd analogous) and peritoneal macrophage response (immunized and unimmunized) to *M. Lepraemurium* and to step-wise defatted bacilli fractions to be conducted in tandem with, and as a prototype of, a similar evaluation of tuberculoïd and lepromatous macrophage reaction to *M. Lepae* in human patients utilizing the Rebuk window technique. The article will also be used in teaching (1) pathology courses, and (2) to train medical students and postdoctoral residents and associates in a research project requiring the use of an electron microscope.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forglfo Corp. The Model EMU-4C electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its memorandum dated November 19, 1971, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational

purposes. We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2879 Filed 2-25-72;8:48 am]

UNIVERSITY OF MARYLAND

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00028-72-46040. Applicant: University of Maryland, Baltimore County, 5401 Wilkens Avenue, Catonsville, MD 21228. Article: Electron microscope, EM-9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used for routine specimen examination and selection of favorable specimens which will then be examined at high resolution in a larger research microscope. The specimens employed will be primarily thin tissue or cell sections with some whole mount microbial and viral preparations, as well. The article will also be used as an educational microscope in a course for advanced undergraduate and graduate students.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forglow Corp. The Model EMU-4C electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its op-

eration. We are advised by the Department of Health, Education, and Welfare in its memorandum dated January 14, 1972, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes. We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2880 Filed 2-25-72;8:48 am]

UNIVERSITY OF TEXAS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00029-33-46040. Applicant: The University of Texas at Arlington, Tex. 76010. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article will be used in the investigation of spermatogenesis, spermeogenesis, and the fine structure cytochemistry of the reproductive ducts and androgenic glands of certain crustaceans; the cytopathology of virus-infected drosophila. In addition the article will be used for training students in a course entitled "Biological Electron Microscope."

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forglow Corp. The Model EMU-4C electron mi-

croscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its memorandum dated January 14, 1972, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes. We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2881 Filed 2-25-72;8:48 am]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[FES 72-3]

PROPOSED OIL SHALE RETORT RESEARCH PROJECT, ANVIL POINTS, COLO.

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Mines, Department of the Interior has prepared a final environmental statement concerning a proposal by Development Engineering, Inc. of Denver, Colo., for reactivation, under a lease for research purposes, of its Anvil Points Oil Shale Research Facility near Rifle, Colo.

The research proposed to be conducted includes the construction of a vertical kiln retort and the mining, crushing, retorting, and disposal of probably no more than 600,000 tons of oil shale. Research would also be conducted on techniques of waste management.

Single copies of the Final Statement are available from:

Director, Bureau of Mines, Room 4614, Department of the Interior, Washington, D.C. 20240.

Research Director, Denver Mining Research Center, Bureau of Mines, Denver, Colo. 80215.

Research Director, Laramie Energy Research Center, Bureau of Mines, Laramie, Wyo. 82070.

In requesting this document, please refer to the Statement number above.

W. W. LYONS,
Deputy Assistant Secretary
of the Interior.

FEBRUARY 18, 1972.

[FR Doc.72-2896 Filed 2-25-72;8:50 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

GRANTS TO STATE EDUCATIONAL AGENCIES FOR DEVELOPMENT OF SUCCESSFUL FOLLOW THROUGH PROGRAM MODELS

Proposed Standards and Closing Date

Notice is hereby given with respect to the following matters relating to the administration of the Follow Through Program authorized under section 222 (a) (2) of Title II of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2809(a) (2)). (As provided in section 222(a) (2) of the Act, the Director of the Office of Economic Opportunity and the Secretary of Health, Education, and Welfare have entered into a Memorandum of Understanding, published June 14, 1969, at 34 F.R. 9408, under which the Follow Through Program is administered by the Secretary through the U.S. Commissioner of Education.) The matters proposed herein will, if adopted, operate as interim standards pending the publication of comprehensive Follow Through Regulations which are currently being developed.

I—GENERAL PURPOSE OF GRANTS

A. Pursuant to section 231(c) of the Act (42 U.S.C. 2824(c)), the Commissioner is authorized, in order to coordinate the use of State funds and Follow Through funds, to enter into agreements with States or State agencies, pursuant to which they would act as agents of the United States for the purpose of providing financial assistance to eligible local recipients of Follow Through project grants, in connection with specific projects or programs involving the common or joint use of such State and Federal funds.

B. In order to plan for potential proliferation of model projects for early childhood education which have been developed in the Follow Through Program and which may prove successful in a variety of educational settings, the Commissioner of Education will make planning grants to State educational agencies to enable them to develop mechanisms whereby all available Federal, State, and local resources could be coordinated in such a manner as to expand the number of schools and children to be served by such projects. For the purpose of this notice the term "State" includes the 50 States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands. These planning grants will be an amount not to exceed \$50,000 to each of the five States selected for participation in fiscal year 1972. If current results from the national longitudinal evaluation of Follow Through demonstrate the desirability of proliferation of Follow Through type projects, additional funds for implementation may be provided to

those States whose plans are approved and/or to other of the 50 States. If the data warrants proliferation and implementation funds are made available to a State, upon receipt of such funds the State educational agency, acting as the agent of the Federal Government, could be authorized to make operational grants, from such funds, to local educational agencies within that State, which grants will provide for the joint and coordinated use of the Federal funds so provided with available State and local funds. Since section 231(c) of the Act contemplates such joint and coordinated use of State and Federal funds, State level funds must be available for use in conjunction with proposed Follow Through project funds.

C. Potential Follow Through projects funded in accordance with the preceding plan would have the same comprehensive program components as currently operating Follow Through projects, including community and parental involvement. Each new project established would begin with classes at the entry level (kindergarten or first grade). In the second and subsequent years, an additional grade level would be added through the third grade. Where budget priorities indicate that sufficient funds will be available, projects could begin with the first two grade levels. Although the total number of potential projects to be developed and children to be served will not be a primary consideration in reviewing plans, a maximum number of 5,000 children within the State should be considered in planning for the first operational year. The quality of the potential projects planned will be the primary consideration.

(42 U.S.C. 2809(a) (2); 42 U.S.C. 2824; 34 F.R. 9408)

II—SPECIFIC REQUIREMENTS OF THE PLAN

A. The duration of the study effort to be made pursuant to a planning grant will be approximately 6 months. A two-phase program is anticipated. Each grantee must submit an interim report of the results of initial planning to the Office of Education by the 15th of May 1972. The second phase will end with the completion of the planning study by the 31st of July 1972.

B. The overall objective of this study effort is to develop a model for State educational agency planning and administration of Follow Through projects in local school districts in the context of an agency relationship pursuant to section 231(c) of the Act. The model shall describe the process by which State educational agencies might assist local educational agencies in planning and implementing an expanded Follow Through Program.

C. In preparing its proposal for a planning grant under this notice, a State educational agency shall consider the following factors with respect to the planning and administering of Follow Through projects. Such proposals shall specify in such detail as the Commissioner may determine how each such factor will be taken into account in the planning process:

1. *Identification and selection of local* for which the planning grant is awarded, State educational agencies, with the assistance of State Economic Opportunity Offices, shall conduct an analysis of all local educational agencies and other potential grantees within the State in order to determine their potential eligibility for Follow Through projects. Additional screening will also be necessary to determine which communities might have sufficient numbers of low-income children and sufficient parental and community interest to support a comprehensive program. The planning grant proposal should specifically prescribe (a) the manner in which the State educational agency proposes to accomplish the above tasks and (b) the specific manner in which complete and satisfactory project applications might be developed and submitted by the communities selected.

2. *Selection of sponsors.* The State educational agency's proposal shall indicate the manner in which appropriate sponsors might be selected, involving at least (a) two or more visits by State, local, and parent representatives to observe on a first-hand basis different sponsor approaches and (b) other direct contact with sponsor representatives and existing project personnel, if necessary. Exemplary Follow Through projects which are currently operating should serve as models which might be adopted for proposed projects. The proposal shall also indicate the nature of the potential relationships of sponsors, the State educational agency, and the local projects.

3. *State technical assistance.* The proposal shall provide for the establishment within the State educational agency of a Follow Through Program Office (if one does not already exist), to operate in conjunction with the Title I Program Office. Since a large number of local projects might be established in ensuing years, substantial technical assistance should be made available to local projects in the planning, financial management, educational implementation, in-service training, facilities rearrangement and all other aspects necessary to successfully implement a Follow Through project. It is anticipated that States might use specialized consultants and university support to assist in local planning.

4. *Monitoring.* The proposal for a planning grant shall enumerate the numbers and qualifications of staff potentially available for administering the Follow Through Program in the State educational agency and State Economic Opportunity Office, as well as any consultant support necessary for successful planning and possible implementation of Follow Through projects. The proposal should include the nature and frequency of State visits to local projects and the reporting requirements that the State anticipates imposing. A State educational agency awarded a planning grant shall design an evaluation effort in order to ensure the quality of education and consistency of all potential Follow Through projects throughout the State.

5. *Innovative nature of projects.* Follow Through is an innovative and comprehensive program. The successful replication of Follow Through almost certainly will require that school systems and communities make substantial and lasting changes in traditional procedures and attitudes—changes in the classroom, in the range of comprehensive services, in the identification of resources and in interaction between school, parents, and community. The State proposal shall, therefore, specify how the State educational agency proposes to face this issue and shall clearly indicate the ways in which such changes might be sustained.

6. *Project costs and sources of funds.* The initial phase of the State's planning efforts shall include an analysis of Follow Through costs. In particular, an analysis of the costs of Follow Through projects currently being carried out in the State should be made in order to identify "core components," i.e., the essential cost elements which are peculiar to Follow Through projects, such as costs related to teacher aides, specialized Follow Through teachers, parental involvement, PAC groups, community services, sponsors, and consultant services. In addition, the extent to which certain other existing Follow Through services and costs might be assumed by other Federal, State, and local projects shall be considered in the planning process. These cost elements would include such items as administrative expenses, plant costs, food, transportation, equipment, remodeling, some consultant expenses, and the regular teaching staff. The State must provide an analysis of these and other sources of funds that might be directed toward the establishment of Follow Through projects, including attention to the insuring of timely and sufficient contributions of State funds to the programs or projects which might be involved. This task represents a substantial effort in the overall planning study. The grantee shall also make a cost reduction analysis of proposed project activities. This should be designed to establish a basis for reducing the per pupil Follow Through expenditure to the lowest possible level consistent with successful replication. Shared funding, i.e., Title I and Follow Through, should be considered in constructing the proposed project budget.

7. *Scope and budget of planning study.* The Office of Education plans to make variable sums of money available to each of the five States selected for conduct of this planning study. Each State educational agency which is awarded a planning grant may budget a maximum of \$50,000 for the conduct of the planning study. If the applicant State is also a current recipient of a Follow Through technical assistance grant, such State should, if possible, reprogram its technical assistance grant funds so that the major portion might be applied toward this study effort. A detailed budget for the planning study shall be constructed within the preceding limitation, in such format as may be prescribed by the Com-

missioner, and submitted with the planning proposal.

(42 U.S.C. 2824)

III—REVIEW OF THE PROPOSALS

Proposals submitted will be reviewed by an evaluation committee of education and management experts. Up to 20 points will be awarded on the basis of each of the five criteria below for a possible maximum of 100 points:

A. Potential value of study results as a "model" State/local approach to the successful proliferation and possible implementation of Follow Through projects in other States under section 231(c) of the Act.

B. Soundness of procedures proposed for (1) identification of local communities and agencies with good potential for possible implementation of the comprehensive Follow Through Program; (2) needs assessment of potential Follow Through populations with priority given to those with greatest economic and educational needs and within this context, diversity of geographic location, pupil population and local educational environment; and (3) enabling potential projects and communities to select and associate themselves with sponsors.

C. Potential capacity to conduct a comprehensive review of project cost elements and to reduce project costs (or the portion of costs covered by Follow Through and Title I funds) substantially below the current Follow Through level (including the capacity of the applicant to provide a sufficient contribution of State funds under a replication mechanism), while successfully implementing Follow Through Program components.

D. Anticipated quality of working relations between the State educational agency, State Economic Opportunity Office and other affected State agencies and between State agencies, local agencies, and communities. The nature and extent of provisions for effective technical assistance to projects will be evaluated. The committee will consider the extent to which the proposal provides for the range of present and/or potential "Stakeholders" in Follow Through projects to be represented by persons participating in drawing up the plan, i.e., parents (especially low-income parents), administrators, teachers, community action agencies, other community agencies, and State and local officials. The Office of Education will consider the qualifications of persons participating in the study, as well as the diversity of location, pupil population and local educational environment, in order to ensure the widest possible variety of responsive proposals.

E. Soundness of the management plan by which State administration and local program effectiveness are to be measured, including: Proposed procedures for establishing statewide performance criteria of expected student achievement gains resulting from the program; procedures for assisting local education agencies in establishing measurable program objectives related to student achievement; procedures for installing in

each proposed project a systems approach to management that insures continuous monitoring of cost-effectiveness and budgeting based upon established program objectives; and procedures for cycling local project evaluation data based upon performance objectives into subsequent program planning.

IV—ADDITIONAL INFORMATION

A detailed request for proposals concerning the above described planning grants has been sent to each State educational agency. Additional information concerning the grants, including the format in which States should submit proposals, is contained in that document. Copies thereof may be obtained from the address indicated below.

The Commissioner has determined that it is necessary to establish a cutoff date for the receipt of applications under this notice. Accordingly, applications must be received by the Follow Through Program, Room 3642, ROB 3, 7th and D Streets SW., Washington, DC 20202, postmarked no later than the 30th day following the final publication of this notice in the FEDERAL REGISTER.

Interested persons are invited to submit written comments, suggestions, or objections regarding the standards and requirements contained in this notice, to the Director, Follow Through Program, Room 3642, ROB 3, 7th and D Streets SW., Washington, DC 20202. Comments received in response to this notice will be available for public inspection at the preceding office on Mondays through Fridays between 8:30 a.m. and 4:30 p.m. All relevant material received not later than 15 days after the publication of this notice in the FEDERAL REGISTER will be considered.

Dated: February 10, 1972.

S. P. MARLAND, JR.,
U.S. Commissioner of Education.

Approved: February 23, 1972.

ELLIOT L. RICHARDSON,
Secretary of Health, Education,
and Welfare.

[FR Doc.72-2999 Filed 2-25-72; 8:54 am]

HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAM

Notice of Closing Date for Receipt of Applications

Pursuant to the authority contained in section 623 of the Education of the Handicapped Act (84 Stat. 183, 20 U.S.C. 1423), notice is hereby given that the U.S. Commissioner of Education has established a final closing date for receipt of applications for model demonstration early education projects under the Handicapped Children's Early Education Program. Such applications must be postmarked on or before the 30th day following the publication of this notice in the FEDERAL REGISTER, or on or before February 16, 1972, whichever is later.

Regulations governing such applications and other programs and projects

authorized under Part C of the Act are being developed, and will be published in the FEDERAL REGISTER as notice of proposed rule making, subject to public comment, as soon as they have been completed.

Dated: February 18, 1972.

S. P. MARLAND, JR.,
U.S. Commissioner of Education.

[FR Doc.72-2893 Filed 2-25-72; 8:50 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-72-151]

ACTING REGIONAL ADMINISTRATOR,
REGION VI (FORT WORTH)

Designations

The officers appointed to the following listed positions in Region VI (Fort Worth) are hereby designated to serve as Acting Regional Administrator, Region VI, during the absence of the Regional Administrator, with all the powers, functions, and duties redelegated or assigned to the Regional Administrator: *Provided*, That no officer is authorized to serve as Acting Regional Administrator unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Regional Administrator.
2. Regional Counsel.
3. Assistant Regional Administrator for Housing Production and Mortgage Credit.

These designations supersede the designations effective October 30, 1969 (34 F.R. 19150-19151, Dec. 3, 1969).

Effective date. These designations shall be effective as of August 23, 1970.

RICHARD L. MORGAN,
Regional Administrator.

[FR Doc.72-2892 Filed 2-25-72; 8:49 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

FLIGHT SERVICE STATION AT IMPERIAL, NEBR. MUNICIPAL AIRPORT

Notice of Decommissioning

Notice is hereby given that on or about February 26, 1972, the Flight Service Station at Imperial, Nebr. Municipal Airport, Imperial, Nebr., will discontinue operation as an FAA facility. Service to the aviation public of Imperial, Nebr., formerly provided by this facility will be provided by the North Platte, Nebr. Flight Service Station. This information will be reflected in the FAA Organization Statement the next time it is reissued.

Issued in Kansas City, Mo., on February 16, 1972.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.72-2869 Filed 2-25-72; 8:47 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-363]

JERSEY CENTRAL POWER AND LIGHT CO.

Notice of Availability of Applicant's Environmental Report

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a report entitled "Applicant's Environmental Report—Construction Permit Stage, January 24, 1972," for the Forked River Nuclear Generating Unit 1, submitted by the Jersey Central Power and Light Co., has been placed in the Commission's Public Document Room at 1717 H Street NW., Washington, DC, and in the Ocean County Library, 15 Hooper Avenue, Toms River, NJ 08753. The report is also being made available to the public at the Division of State and Regional Planning, Department of Community Affairs, Post Office Box 1978, Trenton, NJ 08625, and at the Ocean County Planning Board, Courthouse Square, Toms River, N.J. 08753.

This report discusses environmental considerations related to the proposed construction of the Forked River Nuclear Generating Unit 1 located in Lacey Township, Ocean County, N.J.

After the reports have been analyzed by the Commission's Director of Regulation or his designee, a draft statement of environmental considerations related to the proposed action will be prepared. Upon preparation of the draft detailed statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft detailed statement. The summary notice will request comments from interested persons on the proposed action and on the draft statement. The summary notice will also contain a statement to the effect that the comments of Federal agencies and State and local officials thereon will be available when received.

Dated at Bethesda, Md., this 22d day of February 1972.

For the Atomic Energy Commission.

RICHARD C. DEYOUNG,
Assistant Director for Pressurized
Water Reactors, Division
of Reactor Licensing.

[FR Doc.72-2910 Filed 2-25-72; 8:54 am]

[Docket No. 50-280]

VIRGINIA ELECTRIC AND POWER CO. Order of the Board Scheduling Prehearing Conference

In the matter of Virginia Electric and Power Co. (Surry Power Station Unit 1), Docket No. 50-280.

A prehearing conference in the above matter will be held on March 10, 1972 at 10 a.m., local time, in the North Ball-

room, Williamsburg Conference Center, Williamsburg, Va. 23185.

This prehearing conference and the evidentiary hearing which it anticipates will be held in accordance with a Commission Memorandum and Order dated November 18, 1971. At that time the Commission stated:

As to the scope of the ensuing hearing, we agree with the regulatory staff and the applicant that the issue for adjudicatory consideration should be that matter to which the intervention petition and contest of the license grant is specifically confined. We would state that hearing issue as suggested by the regulatory staff in its response to the petition:

Whether, with regard to the disputed welds and welding practices, there is a reasonable assurance that the activities which would be authorized by an operating license can be conducted without endangering the health and safety of the public.

Dated at Washington, D.C., this 22d day of February 1972.

For the Atomic Safety and Licensing Board.

JAMES R. YORE,
Chairman.

[FR Doc.72-2873 Filed 2-25-72; 8:48 am]

CIVIL SERVICE COMMISSION

CIVIL AERONAUTICS BOARD

Notice of Grant of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Civil Aeronautics Board to fill by noncareer executive assignment in the excepted service the position of Special Assistant to Director, Bureau of Economics, Office of Director.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.72-2915 Filed 2-25-72; 8:52 am]

DEPARTMENT OF THE AIR FORCE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Air Force to fill by noncareer executive assignment in the excepted service the position of Special Assistant for Environmental Quality, Office of the Assistant Secretary (Installations and Logistics), Office of the Secretary of the Air Force.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.72-2917 Filed 2-25-72; 8:52 am]

DEPARTMENT OF THE ARMY

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, F.R. Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from "Special Assistant to the Chief of Legislative Liaison for Legislative Affairs" to "Special Assistant for Legislative Affairs, Office, Secretary of the Army."

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2935 Filed 2-25-72;8:53 am]

DEPARTMENT OF COMMERCE

Notice of Grant of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Commissioner of Patents, Patent Office.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2916 Filed 2-25-72;8:52 am]

DEPARTMENT OF COMMERCE

Notice of Title Change in Noncareer Executive Assignment

By notice of January 7, 1971, F.R. Doc. 71-244 the Civil Service Commission authorized the Department of Commerce to fill by noncareer executive assignment the position of Director of Policy Analysis, Office of the Secretary, Office of the Special Assistant to the Secretary for Policy Development. This is notice that the title of this position is now being changed to Deputy Director, Office of Policy Development, Office of the Special Assistant to the Secretary for Policy Development, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2984 Filed 2-25-72;8:53 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Administrator for Development, Public Health Service, Health Services and Mental Health Administration, Office of the Administrator.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2920 Filed 2-25-72;8:52 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Health Policy Implementation, Office of the Secretary, Office of the Assistant Secretary for Health and Scientific Affairs.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2928 Filed 2-25-72;8:53 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Title Change in Noncareer Executive Assignment

By notice of September 9, 1970, F.R. Doc. 70-11901 the Civil Service Commission authorized the Department of Housing and Urban Development to fill by noncareer executive assignment the position of Director, Housing Programs Management Division, Renewal and Housing Management, Office of Housing Management. This is notice that the title of this position is now being changed to Director, Office of Housing Programs, Housing Management.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2897 Filed 2-25-72;8:51 am]

DEPARTMENT OF THE INTERIOR

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Assistant to the Commissioner, Bureau of Indian Affairs, Office of the Commissioner.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2931 Filed 2-25-72;8:53 am]

DEPARTMENT OF THE INTERIOR

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Programs, Office of the Secretary, Office of the Assistant Secretary—Mineral Resources.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2930 Filed 2-25-72;8:53 am]

DEPARTMENT OF THE INTERIOR

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary—Mineral Resources (Minerals and Energy Policy), Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2921 Filed 2-25-72;8:52 am]

DEPARTMENT OF JUSTICE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of

the Department of Justice to fill by non-career executive assignment in the excepted service the position of Chief, Analysis and Evaluation Section, Internal Security Division.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2929 Filed 2-25-72;8:53 am]

DEPARTMENT OF JUSTICE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Chief, Special Litigation Section, Internal Security Division.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2922 Filed 2-25-72;8:52 am]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by non-career executive assignment in the excepted service the position of General Counsel, Federal Aviation Administration.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2925 Filed 2-25-72;8:53 am]

FARM CREDIT ADMINISTRATION

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Farm Credit Administration to fill by noncareer executive assignment in the excepted service the position of Deputy Director of Cooperative Bank Service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2932 Filed 2-23-72;8:53 am]

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the National Commission on Libraries and Information Science to fill by noncareer executive assignment in the excepted service the position of Executive Director.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2924 Filed 2-25-72;8:52 am]

OFFICE OF MANAGEMENT AND BUDGET

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Management and Budget to fill by non-career executive assignment in the excepted service the position of Assistant to the Economist, Office of the Director.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2923 Filed 2-25-72;8:52 am]

OFFICE OF TELECOMMUNICATIONS POLICY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Telecommunications Policy to fill by noncareer executive assignment in the excepted service the position of Assistant Director for International Communications and Executive Direction.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2919 Filed 2-25-72;8:52 am]

PAY BOARD

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Pay Board to fill by noncareer executive as-

signment in the excepted service the position of General Counsel.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2918 Filed 2-25-72;8:52 am]

WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the White House Conference on Children and Youth to fill by noncareer executive assignment in the excepted service the position of National Chairman, White House Conference on Children and Youth.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2933 Filed 2-25-72;8:53 am]

PROFESSOR OF MILITARY HISTORY, MILITARY ACADEMY, WEST POINT

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. section 5723, the Civil Service Commission found on February 4, 1972, a manpower shortage for a single position of Professor of Military History, GS-1710-15, U.S. Military Academy, West Point, N.Y. The finding is self-canceling when the position is filled.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2927 Filed 2-25-72;8:53 am]

TEXTILE TECHNOLOGIST, BUREAU OF CUSTOMS

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found on January 29, 1972, a manpower shortage for a position of Textile Technologist, GS-1384-12, Bureau of Customs, Region IV, Miami, Fla.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.
[FR Doc.72-2926 Filed 2-25-72;8:53 am]

COMMISSION ON HIGHWAY BEAUTIFICATION

HIGHWAY BEAUTIFICATION

Notice and Place of Public Hearing

FEBRUARY 22, 1972.

Notice is hereby given that the Commission on Highway Beautification will have its third public hearing in St. Louis on March 20, 1972.

St. Louis was chosen as a hearing site in order to give interested parties in the Midwest and Southwest an opportunity to present their views to the members of the Commission on the important issue of highways and their relationship to the environment. Among other things, the Commission is particularly interested in learning about the position of States in this region which face Federal penalties for failure to comply with the Highway Beautification Act of 1965, and problems of compliance with that Act in States with extensive rural and unzoned areas.

The Commission was established by the Federal-Aid Highway Act of 1970 (Public Law 91-605). It has 11 members—four from the Senate, four from the House of Representatives, and three appointed by the President. Congressman Jim Wright (D), Texas, is the Chairman. The four Commissioners from the Senate are Birch Bayh (D), Indiana; Mike Gravel (D), Alaska; James Buckley (R), New York; and Lowell Weicker (R), Connecticut. The House members are Chairman Wright; Ed Edmondson (D), Oklahoma; Don Clausen (R), California; Fred Schwengel (R), Iowa. The public members are Alfred Bloomington, Chairman of the Board, A. B. Enterprises, Los Angeles, Calif.; Mrs. Marion Fuller Brown, member of the Maine Legislature, York, Maine; and Michael Rapuano, landscape architect, Newton, Pa., and New York City.

The Act directed the Commission to:

(1) Study existing statutes and regulations governing the control of outdoor advertising and junkyards in areas adjacent to the Federal-aid highway system;

(2) Review the policies and practices of the Federal and State agencies charged with administrative jurisdiction over such highways insofar as such policies and practices relate to governing the control of outdoor advertising and junkyards;

(3) Compile data necessary to understand and determine the requirements for such control which may now exist or are likely to exist within the foreseeable future;

(4) Study problems relating to the control of on-premise outdoor advertising signs, promotional signs, directional signs, and signs providing information that is essential to the motoring public;

(5) Study methods of financing and possible sources of Federal funds, including use of the Highway Trust Fund,

to carry out a highway beautification program; and

(6) Recommend such modifications or additions to existing laws, regulations, policies, practices, and demonstration programs as will, in the judgment of the Commission, achieve a workable and effective highway beautification program and best serve the public interest.

A report of the Commission's findings will be submitted to the President and the Congress no later than August of this year.

This is the third in a series of hearings to be held in different sections of the country during 1972. Additional hearings are planned for Meriden, Connecticut, and Rochester, New York in mid-April and Washington, D.C., in mid-May.

The hearing is scheduled for 9:30 a.m. at the Gateway Arch, Jefferson National Expansion Memorial, St. Louis, Missouri. This site was selected in conjunction with the one hundredth anniversary of the National Park Service.

This is an open hearing and the public is invited both to attend and to participate. The hearing will be one day in length. Those interested in testifying are requested to contact the Commission at 1121 Vermont Avenue NW., Washington, DC 20005, by March 13, and if possible, to submit a copy or a brief summary of their testimony by that date.

LEO A. BYRNES,

Staff Director and Counsel.

[FR Doc.72-2904 Filed 2-25-72; 8:50 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Public Availability

Environmental impact statements received by the Council on Environmental Quality February 7-February 11, 1972.

NOTE: At the head of the listing of statements received from each agency is the name of an individual who can answer questions regarding those statements.

DEPARTMENT OF AGRICULTURE

Contact: Dr. T. C. Byerly, Office of the Secretary, Washington, D.C. 20250 (202) 388-7803.

AGRICULTURAL RESEARCH SERVICE

Draft, February 3

Removal of Canada plum to control green peach aphid in Arcoosook and Penobscot Counties, Maine. The overwintering host plant (Canada plum) of the green peach aphid will be removed by chemical and mechanical methods from certain test areas in Maine. The trees will be cut and the stumps painted with ammonium sulfamate. Trees left uncut will be sprayed with the insecticide demeton. (ELR Order No. 1808, 10 pages) (NTIS Order No. PB-206 386-D)

FOREST SERVICE

Draft, February 4

Application for Class A Special Use Permit to construct a road in the Coulter Creek Drainage, Chelan County, Wash. The Pack River Co. of Peshastin, Wash. has requested a special use permit from the Forest Service for construction of a road in this drainage for logging and other land management purposes. (ELR Order No. 1741, 22 pages) (NTIS Order No. PB-206 376-D)

Draft, January 28

1972 Siskiyou National Forest Herbicide Program, Josephine, Curry, and Coos Counties, Oreg. The selective herbicides 2,4-D, 2,4,5-T, or atrazine will be applied to 213 separate tracts totaling 11,858 acres during one of two application seasons. Reduction of vegetative competition to increase survival of newly planted conifer seedlings is the treatment objective. (ELR Order No. 1801, 16 pages) (NTIS Order No. PB-206 404-D)

RURAL ELECTRIFICATION ADMINISTRATION

Draft, February 3

Hilton Head Island, Beaufort County, S.C. Installation of a 20-mw. emergency gas turbine, a 250,000 gallon oil storage tank, oil truck unloading facilities, a stepup transformer, and 3,300 feet of 69-kv. transmission line. (ELR Order No. 1782, 28 pages) (NTIS Order No. PB-206 398-D)

Final, February 9

Hayden, Colo. Construction of a 250-mw. coal fueled electrical generating station, assisted by a \$12 million loan from REA. Comments made by USDA, Army COE, EPA, FPC, and various State agencies. (ELR Order No. 1827, 37 pages) (NTIS Order No. PB-203 795-F)

SOIL CONSERVATION SERVICE

Final, January 31

Hurricane Creek Watershed Project Measure, Hopkins County, Ky. Acceleration of present land treatment program, installation of three floodwater retarding structures, and improvement of 4 miles of channel. Will inundate 1 mile of intermittent streams. Comments made by EPA, DOI, Army COE, various State of Kentucky agencies. (ELR Order No. 1783, 13 pages) (NTIS Order No. 203 511-F)

Final, February 3

Sweetwater Creek watershed project, McNinn, Monroe, and Loudon Counties, Tenn. Conservation land treatment measures and the installation of nine floodwater retarding structures supplemented by about 42.3 miles of channel improvement for flood control. (ELR Order No. 1811, 14 pages) (NTIS Order No. PB-206 396-F)

DEPARTMENT OF DEFENSE

DEPARTMENT OF ARMY

Corps of Engineers

Contact: Francis X. Kelly, Assistant for Conservation Liaison, Public Affairs Office, Office, Chief of Engineers, 1000 Independence Avenue SW., Washington, DC 20314 (202) 693-6346.

Draft, February 2

Flushing Bay and Creek, Borough of Queens, New York City. Maintenance dredging of the existing Federal project, the spoil will probably be disposed in the approved dumping grounds in the Atlantic Ocean. (ELR Order No. 1794, 7 pages) (NTIS Order No. PB-206 391-D)

Draft, January 31

Tarrytown Harbor, N.Y. Maintenance action consisting of dredging an existing Federal navigation channel, spoil will be disposed of in the Atlantic Ocean. (ELR Order No. 1785, 7 pages) (NTIS Order No. PB-206 395-D)

Westchester Creek, N.Y. Maintenance action consisting of dredging the existing Federal channel to its authorized project dimensions. Spoil from the channel will be deposited in Eaton's Neck disposal area unless the contractor finds a suitable upland site and he has the approval of the land owners and concerned governmental agencies. (ELR Order No. 1786, 7 pages) (NTIS Order No. PB-206 394-D)

New York and New Jersey channels, navigation project. Maintenance action consisting of dredging New York and New Jersey channels to their authorized project dimensions. The dredged spoils will be deposited in the designated disposal area in the Atlantic Ocean. (ELR Order No. 1787, 9 pages) (NTIS Order No. PB-206 393-D)

Harlem River Channel, N.Y. Maintenance action consisting of dredging the existing Federal Channel in the Harlem River, to its authorized project dimensions. The spoil will be deposited in the approved dumping area in Eaton's Neck disposal area in the Long Island Sound. (ELR Order No. 1788, 9 pages) (NTIS Order No. PB-206 399-D)

New York Harbor, N.Y. Dredging the Federal Channel in New York Harbor to its authorized project dimensions. The spoil will be deposited in the approved dumping grounds in the Atlantic Ocean. (ELR Order No. 1789, 8 pages) (NTIS Order No. PB-206 403-D)

Draft, February 1

New York Harbor Anchorages, N.Y. Improvement by dredging of two existing anchorage areas in New York Harbor to permit use by freighters and oil tankers of greater length and draft. The project involves dredging of a 1,260-acre area and most directly affects the States of New York and New Jersey. (ELR Order No. 1792, 25 pages) (NTIS Order No. PB-206 400-D)

Draft, February 3

Diking District No. 1, Wahkiakum County, Wash. Raising portions of levee, filling ditch behind levee; repairing, replacing tide boxes; and adding new pumping stations, repairing existing ones, with the intention of providing better flood control. (ELR Order No. 1809, 12 pages) (NTIS Order No. PB-206 389-D)

Flood Protection Project, Douglas and Leavenworth Counties, Kans. Construction of levees, channel improvements, bridge replacements and alterations, road raises and relocations, and interior drainage structures. (ELR Order No. 1812, 47 pages) (NTIS Order No. PB-206 390-D)

Draft, February 4

Munday, Tex. Improvement and enlargement of existing channels of Lake Creek watershed to intercept and direct flood waters from Munday. (ELR Order No. 1819, 3 pages) (NTIS Order No. PB-206 460-F)

Draft, February 7

Mississippi River, East Bank, Warren to Wilkinson Counties, Miss. Construction of 12.4 miles of levee, a 300 c.f.s. pumping plant, 12 miles of channel improvement, three 8-foot floodgates, and a conservation weir. (ELR Order No. 1828, 19 pages) (NTIS Order No. PB-260 461-D)

Final, February 2

Hillsdale Lake, Big Bull Creek, Kans. Initiate construction on receipt of funds of a dam and lake in Miami County, Kans. Environmental impacts includes stream control and flow alterations, temporary soil erosion, turbidity and noise during construction, downstream flood control, provision of a 4,580-acre lake; altered traffic patterns, etc. Comments made by DOT, DOI, USDA, EPA, various State of Kansas agencies, and University of Kansas. (ELR Order No. 1796, 55 pages) (NTIS Order No. PB-202 917-F)

Final, February 10

Small Navigation Project, Andrews River, Harwich, Mass. Construction of a jetty and retaining wall to prevent shoaling of entrance channel. Comments made by DOC, DOI. (ELR Order No. 1833, 6 pages) (NTIS Order No. PB-202 919-F)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Sheldon Meyers, Director, Office of Federal Activities, Room 3630, Waterside Mall, Washington, DC 20460, (202) 755-0940.

Draft, February 4

Wastewater facilities, Ausin, Tex. Construction of a deep tunnel interceptor and enlargement of existing wastewater treatment plant. The tunnel will intercept overloaded trunk sewer wastewater flows and convey them to the proposed wastewater treatment plant. (ELR Order No. 1791, 48 pages) (NTIS Order No. PB-206 401-D)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Contact: Richard H. Broun, Director, Environmental and Land Use Planning Division, Washington, D.C. 20410, (202) 755-6186.

Final, February 8

Wayne County, N.Y. Development of a new community over a 20-year period, with a HUD guaranteed \$20 million loan. Townships of Walworth and Macedon. Comments made by USDA, FPC, DOT, and regional offices. (ELR Order No. 1834, 28 pages) (NTIS Order No. PB-204 845-F)

DEPARTMENT OF INTERIOR

Contact: Office of Communications, Room 7214, Washington, D.C. 20240, (202) 343-6416.

BUREAU OF RECLAMATION**Final, February 4**

Navajo Project, Ariz. Construction of three units, 2,310-mw. coal burning generating station to supply electrical energy for the Southwest. Construction also of a 78-mile railway to haul coal from the Black Mesa Coal Mine (a strip mine) to the station, and 800 miles of 500-kv. transmission line. Station will consume a maximum of 34,000 acre-feet of cooling water annually from Lake Powell, emit 210 tons of SO₂ and 204 tons of NO_x per day until removal systems are developed and produce an estimated 1,815 tons of waste ash per day. Comments made by USDA, DOI, HEW, FPC, DOT, TVA, Governors of Arizona, California, Colorado, Nevada, New Mexico, and Utah and numerous agencies of these States. (ELR Order No. 1781, 337 pages) (NTIS Order No. PB-203 228-F)

BUREAU OF SPORT FISHERIES AND WILDLIFE**Draft, February 4**

Designation as wilderness 32,500 acres within the Bosque del Apache National Wildlife Refuge in Socorro County,

N. Mex. (ELR Order No. 1797, 26 pages) (NTIS Order No. PB-206 375-D)

Designation as wilderness 4,598 acres of the 22,666-acre Moosehorn National Wildlife Refuge, Washington County, Maine. (ELR Order No. 1798, 25 pages) (NTIS Order No. PB-206 378-D)

Designation as wilderness 28,000 acres of the Cape Romain National Wildlife Refuge, located in Charleston County, S.C., within the National Wilderness Preservation System. (ELR Order No. 1799, 25 pages) (NTIS Order No. PB-206 382-D)

NATIONAL PARK SERVICE**Draft, February 4**

National Park Service proposes that a corridor 6.8 miles in length between Grand Teton and Yellowstone National Parks in Teton County, Wyo., be designated as John D. Rockefeller, Jr., National Memorial Parkway. In addition, it is proposed that certain connecting roads within these national parks be designated by secretarial action as Rockefeller Parkway. (ELR Order No. 1780, 20 pages) (NTIS Order No. PB-206 397-D)

Draft, February 5

Big Cypress National Fresh Water Reserve, Fla. Federal Government will acquire requisite legal interest in 585,000 acres in Big Cypress Watershed in Collier, Monroe, and Dade Counties, critical to protection of freshwater resource of Everglades National Park, estuarine regions, and cities of southwest Florida. (ELR Order No. 1805, 80 pages) (NTIS Order No. PB-206 380-D)

DEPARTMENT OF TRANSPORTATION

Contact: Martin Convisser, Director, Office of Program Coordination, 400 Seventh Street S.W., Washington, DC 20590, (202) 462-4357.

FEDERAL AVIATION ADMINISTRATION**Draft, February 7**

Garner Field, Uvalde, Tex. Acquire land for airport development and clear zones; strengthening and extending of runway, installation of medium intensity lighting, VASI system, and security fencing. (ELR No. 1807, 31 pages) (NTIS Order No. PB-206 385-D)

Lawton Municipal Airport, Comanche County, Okla. Extending, widening, and strengthening present runway, installation of high intensity lighting and acquiring land for south clear zone. (ELR Order No. 1810, 41 pages) (NTIS Order No. PB-206 392-D)

Carnegie Airport, Caddo County, Okla. Construction of new airport facility for use by light propeller driven aircraft. (ELR Order No. 1813, 13 pages) (NTIS Order No. PB-206 373-D)

Final, February 8

Andrews County Airport, Andrews, Tex. Overlay existing 75' x 4,000' N/S runway and extend to 5,300 feet; acquire land to extend runway, replace existing runway lighting, install airport beacon, and VASI land air. Total estimated cost: \$197,761. Comments made by DOI, USDA, HEW, DOT, EPA, County of Andrews. (ELR Order No. 1803, 36 pages) (NTIS Order No. PB-201 576-F)

¹Mr. Convisser's office will refer you to the regional office from which the statement originated.

FEDERAL HIGHWAY ADMINISTRATION

Draft, February 2

Toledo—Downtown Distributor—S.R.—112: Lucas County, Ohio. Construction of a 0.9 mile limited access highway, starting at I-75 and extending across portion of Toledo, Ohio, to end in two downtown exit ramps and one entrance ramp. Project U-1135(1), LUC-112-0.00. (ELR Order No. 1790, 18 pages) (NTIS Order No. PB-206 402-D)

Draft, February 3

Interstate Route 77 from Columbia to Rock Hill, S.C. South Carolina Highway Department in cooperation with Federal, State, and local governments plans to construct a new highway as a part of the Interstate and Defense Highway System between Columbia and Rockhill (60 miles in length). (ELR Order No. 1793, 28 pages) (NTIS Order No. PB-206 388-D)

U.S. Highway 59: Cass and Bowie Counties, Tex. Reconstruction of 13 miles of U.S. Highway 59 from Farm to Market Road 2791 in Queen City, north to 2.4 miles north of Sulphur River. Improvement will consist of the addition of two lanes and reconstruction of the existing facility where necessary. Requires relocation of 10 families. (ELR Order No. 1794, 28 pages) (NTIS Order No. PB-206 387-D)

Draft, February 2

Defiance Railroad Grade Separation Replacement: Defiance County, Ohio. Construction of a four-lane facility with necessary turning lanes and traffic control items, etc. Project UG-649 (), DEF-15-14.09 (ELR Order No. 1795, 14 pages) (NTIS Order No. PB-206 405-D)

Wilson Mills Road, CH 8: Geauga County, Ohio. Project consists of widening and resurfacing the existing road and correcting sight distances, from Caves Road to S.R. 306 (1.30 miles). Project S 1817 (1). (ELR Order No. 1800, 6 pages) (NTIS Order No. PB-206 406-D)

Draft, February 7

Route CC, Ozark County, Mo. Construction of a highway facility, includes a bridge over the North Fork White River. Project begins approximately 2.5 miles east of Route 181 and the community of Dora, then traverses easterly 2.5 miles to Hammond Camp. (ELR Order No. 1802, 29 pages) (NTIS Order No. PB-206 383-D)

Draft, February 8

St. Marys South Connector: Auglaize County, Ohio. Construction of a new east-west street across the southern part of the city of St. Marys. Project SU 1638 (1). (ELR Order No. 1806, 10 pages) (NTIS Order No. PB-206 377-D)

Draft, February 9

State Highway 350: Howard County, Tex. Improvements consisting of construction of a railroad overpass and approaches (0.9 mile). Displacement of four businesses. (ELR Order No. 1814, 22 pages) (NTIS Order No. PB-206 379-D)

Draft, February 8

State Highway 71: Fayette County, Tex. Development of present two-lane S.H. 71 to a four-lane divided highway, from 1.6 miles east of West Point to the Bastrop County line. Total length, 6.9 miles. (ELR Order No. 1815, 21 pages) (NTIS Order No. PB-206 374-D)

Draft, February 10

Interstate Route 91: Hartford-Windsor, Conn. Reconstruction of a 9-mile section of I.H. 91 and the construction of 1 mile of I.R. 291 and interchange in Windsor created at their junction. (ELR Order No. 1829, 55 pages) (NTIS Order No. PB-206 462-D)

Final, February 9

Routes 83 and 94: Town of Glastonbury, Conn. Reconstruction of 0.39 mile of Route 83 and 0.54 mile of Route 94 at intersection in Glastonbury. Six acres of meadow and woods required for right-of-way. Project No. SU-S-9(5). Comments made by DOI, OE, three State agencies. (ELR Order No. 1818, 57 pages) (NTIS Order No. PB-201 529-F)

L.R. 1035 Spur F: Berks County, Pa. Construction of a limited access four-lane divided highway. Comments made by EPA, HUD, DOI. (ELR Order No. 1820, 62 pages) (NTIS Order No. PB-199 239-F)

T.H. 94: Stearns County, Minn.: Construction of 18 miles of four-lane T.H. 94. Displacement of farmsteads will hasten trend away from agricultural land use. Project F094-2(D), 7380. Comments made by Army COE, EPA, DOT, and USDA. (ELR Order No. 1821, 90 pages) (NTIS Order No. PB-201 307-F)

Haywood Road and Howell Road: Greenville County, S.C. Construction of 1.5 miles of roadway between Haywood Road and Howell Road. Comments made by HUD and County agencies. (ELR Order No. 1822, 9 pages) (NTIS Order No. PB-198 844-F)

State Route 29: Scott County, Tenn. Reconstruction of 3 miles of U.S. 27, from two- to four-lane divided highway. Relocation of nine families. Comments made by USDA, TVA, various State of Tennessee agencies. Project F-031-1(). (ELR Order No. 1823, 23 pages) (NTIS Order No. PB-200 220-F)

Briley Parkway, Davidson County, Tenn. Construction of 11.7 miles of circumferential urban expressway around the Nashville Central Business District. The displacement of 41 families and two businesses will result. Comments made by USDA, Army COE, FHWA, FAA, TVA, and several State agencies. (ELR Order No. 1824, 40 pages) (NTIS Order No. PB-206 459-F)

Interstate Route 410: St. Charles Parish, La. State Project No. 700-07-72. Construction of 10.4 miles of Interstate 410. Approximately 378 acres of agricultural, timber, and freshwater marsh land will be required for right-of-way. Comments made by USDA, Army COE, GSA, HEW, DOI, and two State agencies. (ELR Order No. 1825, 37 pages) (NTIS Order No. PB-198 980-F)

Beloit—Elkhorn Road; S.T.H. 15: Rock and Walworth Counties, Wis. Construction of 26 miles of four-lane Highway 15. Approximately 1,250 acres will be required for right-of-way. Comments made by EPA, HEW, HUD, DOI. Project I.D. 1093-0-00, I.D. 1091-0-00, F 015-1(). (ELR Order No. 1826, 53 pages) (NTIS Order No. PB-201 380-F)

Pikeville-South Williamson Road U.S. No. 119: Pike County, Ky. Construction of a 1.79 miles, four-lane segment of the Appalachian Developmental Highway System. Will necessitate the use of 70 acres right-of-way and the relocation of 26 residences, three businesses, and one cemetery. APD 506 (9) AP 98-83-19L. Comments made by Army COE, DOI, EPA, HUD, DOI. (ELR Order No. 1830, 32 pages) (NTIS Order No. PB-202 003-F)

Howdershell Road Extension: St. Louis County, Mo. Reconstruction of Howdershell Road. Project T-4189(36). Comments made by EPA, DOI. (ELR Order No. 1831, 16 pages) (NTIS Order No. PB-203 105-F)

Coyles Corners—Short Clove S.H. 9005: Rockland County, N.Y. Reconstruction of 0.7 mile of Route 304, presently two lanes, to four-lane divided highway. Resi-

dences will be displaced. Project No. 8155.00. Comments made by HUD and DOI. (ELR Order No. 1832, 27 pages) (NTIS Order No. PB-200 805-F)

S.R. 43: Montgomery County, Ind. Improvement of 3.2 miles of four-lane divided highway. Displacement of four businesses, 13 residences, damage to 15 residences. Project 191(15) P.E. Comments made by EPA, DOI, USDA, and HUD. (ELR Order No. 1835, 13 pages) (NTIS Order No. PB-202 126-F)

S.R. 112, Jim Creek Bridge Replacement: Clallam County, Wash. Replacement of existing timber bridge with large arch culvert and construction of 850 feet of approach roadway. Comments made by State of Washington, EPA, DOI, and HUD. (ELR Order No. 1836, 6 pages) (NTIS Order No. PB-201 991-F)

U.S. 176: Spartanburg County, S.C. Widening of U.S. 176 from two to four lanes for a distance of 5 miles. Comments made by HUD, local, and regional agencies. (ELR Order No. 1837, 11 pages) (NTIS Order No. PB-206 443-F)

U.S. 431: Henry County, Ala. Construction of 11.8 miles of two-lane U.S. 431 in Headland extending northerly to a point approximately 1.5 miles south of Abbeville city limits. Project F-129(6). Comments made by USDA, DOI, EPA. (ELR Order No. 1838, 12 pages) (NTIS Order No. PB-202 076-F)

S.H. Spur 354: Dallas County, Tex. Reconstruction of traffic circle from two to four lanes. Will require 17 acres of right-of-way and the displacement of five businesses. Comments made by EPA, HEW, Project T 9001(5). (ELR Order No. 1839, 16 pages) (NTIS Order No. PB-199 244-F)

U.S.-31: Berrien County, Mich. Relocation of U.S.-31—total of 9.4 miles of construction. Will involve land erosion and sedimentation of St. Joseph River. F 47-1(). Comments made by Army COE, HUD, DOI, USDA, and State of Indiana Highway Commission. (ELR Order No. 1840, 53 pages) (NTIS Order No. PB-206 442-F)

State Route 36: Unicoi County, Tenn. Construction of 3.79 miles of four-lane limited access highway. Requires the re-channeling of two creeks, and one river. Displacement of 55 families, one church. Project APD-036-1(5), 86001-1205-64, and 86003-1202-64. Comments made by Army COE, DOI, DOT, HUD, DOT, DOC, HEW, TVA, and State agencies. (ELR Order No. 1841, 108 pages) (NTIS Order No. PB-202 640-F)

E. PHILIP SOPER,
Acting General Counsel.

[FR Doc. 72-2632 Filed 2-25-72; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 72-166]

STATION KUTV, SALT LAKE CITY

Memorandum Opinion and Order Regarding "Prime Time Waiver" in Connection With NBC Movies

In the matter of request for waiver of the "prime time access rule," § 73.658(k) of the Commission's rules, for Station KUTV, Salt Lake City, in connection with 6 NBC movies.

1. This matter involves a request, filed on January 24, 1972 and supplemented on

January 31, 1972, by KUTV, Inc., licensee of Station KUTV, Salt Lake City, Utah, for waiver of the "prime time access rule," § 73.658(k) of the Commission's rules. The requested waiver, as supplemented in the second filing, is in connection with NBC's Saturday night movie program on the last two Saturdays in February and the four Saturdays in March 1972, when NBC has scheduled movies which will run more than the customary two hours (2½ hours on five nights, 2 hours 15 minutes on one night). This presents the same problem as we have noted in other recent requests by Salt Lake City stations, whose prime time hours are 7-11 p.m. m.t.:¹ That they must present during their "prime time period" (i.e., between 10 and 11 p.m.) network material which occurs after prime time in the rest of the United States. We have applied the rule rather liberally in these situations, and have granted one request for KCPX in connection with an ABC evening football game plus news, one for KSL in connection with a CBS movie over two hours, and two for KUTV (one for two NBC "special" programs, and 2 days for NBC Winter Olympic coverage).

2. However, the present request must be viewed in a different light. First of all, it is for six occasions, whereas the others were for one or two. Second, there is nothing "special" or "extraordinary" about the NBC programming which prompts the waiver request; rather, it is regular programming which simply runs longer than it has in the past, which it might do on any number of Saturdays in the future. Third, it appears from its filing that KUTV takes advantage of the special time circumstances of its situation to present a large amount of NBC programs, both during the designated 7-11 "prime time" hours and earlier. It appears that it devotes all of the 5 hours between 5 and 10 p.m. m.t. on Saturdays to NBC material—½ hour of news, 1½ hours of prime time material originating on other evenings but delayed until Saturdays, and 3 hours of Saturday prime-time material (the 1-hour "Emergency" program plus the NBC movie, which up to now has run no more than 2 hours).

¹ On October 6, 1971 (FCC 71-1038), the Commission recognized the special circumstances of Mountain zone stations and gave them permission to redesignate their prime hours as 6 to 10 m.t. Denver and Phoenix stations have done this, but the Salt Lake City stations decided not to do so.

It seeks by this waiver request to make the total 5½ (or 5¼ on one occasion) out of the 6 hours between 5 and 11 p.m. m.t. Thus, while it is under 21 hours weekly for the 7-11 "prime time" period, it presents considerable NBC prime-time material during the hours just before this.

3. In our judgment, the requested waiver cannot be justified under the circumstances, taking into account the impingement on the availability of prime time to nonnetwork sources which would be entailed on six occasions, and also the fact that KUTV could achieve compliance with the 3-hour limitation without either cutting short the movie or omitting any NBC Saturday night prime-time material.

4. There is one other circumstance involved here, which KUTV urges as it did earlier in connection with its recent request concerning Winter Olympic coverage. That is its position as feeding NBC programming to some 10 other stations in smaller markets in the Mountain time zone (Idaho, Montana, and Wyoming). We are not persuaded that, under the circumstances, this is enough to justify grant of the waiver as requested. However, in an informal submission since its January 31 filing, KUTV has asked that if its request is denied, at least the other stations have time to make alternate arrangements if they wish to do so. Accordingly, it appears appropriate to grant waiver as requested for the first 3 weeks (February 19 and 26, and March 4) while denying the waiver for other dates. This will give KUTV and the other stations nearly 4 weeks notice so that they can make alternative arrangements.

5. In view of the foregoing: *It is ordered*, That waiver of § 73.658(k) of the Commission's rules is granted to Station KUTV, Salt Lake City, Utah, to present up to 3½ hours of NBC programs during prime time on Saturdays, February 19 and 26 and March 4, 1972; and waiver of this rule is denied with respect to the other Saturdays in March.

Adopted: February 16, 1972.

Released: February 22, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc. 72-2909 Filed 2-25-72; 8:51 am]

² Commissioners Nicholas Johnson and H. Rex Lee absent.

[Report 584]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

FEBRUARY 22, 1972.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 5097-C2-P-72—United Telephone Co. of Florida (KJ354), for additional facilities to operate on 152.60 MHz and change the antenna system located at 1620 Lee Street, Fort Myers, FL.
- 5103-C2-P-72—Beep Communication Systems, Inc. (New), for a new two-way station to be located at 110-11 Queens Boulevard, Forest Hills, NY, to operate on 152.18 MHz.
- 5104-C2-P-72—Mobilone Radio System (KEA254), for additional facilities to operate on 152.18 MHz at location No. 3: 110-11 Queens Boulevard, Forest Hills, NY.
- 5105-C2-P-72—Westco Radio Dispatch (KAD511), replace transmitter operating on 152.03 MHz, change the antenna system and relocate facilities from location No. 1 to a new site described as location No. 5: Monument Peak, 2 miles southeast of Rio Blanco, Colo., also at same location, establish repeater facilities to operate on 459.10 MHz and at a new site described as location No. 6: 17 miles east of Grand Junction, Colo., establish control facilities to operate on 454.10 MHz.
- 5216-C2-P-72—Professional Administrative Services, Inc. (KIG300), add standby facilities to operate on 43.58 MHz, at the First National Bank Building, 2 Peachtree Street, Atlanta, GA.
- 5217-C2-P-72—Rogers Radio Communication Services, Inc. (KSA262), add standby facilities on 152.12 MHz at location No. 1: Pittsfield Building, 55 East Washington Street, Chicago, IL.
- 5218-C2-P-72—Airsignal International of Pittsburgh Pennsylvania, Inc. (New), for a new one-way station to be located at 1715 Grandview Avenue, Pittsburgh, PA, to operate on 158.70 MHz.
- 5237-C2-P-72—Rogers Radio Communication Services, Inc. (KSA262), replace transmitters, change the antenna system and relocate facilities on 152.03, 152.12, and 152.15 MHz from location No. 1 to a new site described as The John Hancock Center, Chicago, IL.
- 5239-C2-P-72—Kidd's Communications, Inc. (KMA257), change the antenna system and relocate facilities operating on 72.70 and 459.15 MHz (control) at location No. 7 to: 1226 High Street, Delano, CA.
- 5244-C2-P-72—Mobile Radiotelephone Corp. (KIY725), for additional facilities to operate on 152.12 MHz, located on Highway No. 118, 2.1 miles east of Grifton, NC.
- 5245-C2-MP-72—Advanced Electronics (KSV927), relocate facilities operating on 158.70 MHz to San Pedro Hill, San Pedro, Calif.
- 5247-C2-TC-72—Tel-Missouri, Inc. Consent to transfer of control from Richard Park Whitton and Carolyn Wood Whitton, Transfers, to Tel-Illinois, Inc., Transference. Stations: KAA888, KDN396 (one-way), and KRS636 (one-way) all in St. Louis, Mo.
- Renewal of license expiring Apr. 1, 1972. Term: Apr. 1, 1972, to Apr. 1, 1974. Mobile Radio Communications of Gary KSD311 and KSD315 (one-way), Gary, Ind. The Champaign National Bank, Executor of the Last Will and Testament of L. Frank Stewart, KSJ811, Champaign, Ill.

Major Amendment

- 4246-C2-MP-71—RCC of Virginia, Inc. (KRS676), replace transmitter and change the antenna system located at 2215 Jefferson Davis Boulevard, Fredericksburg, VA. See Public Notice dated Feb. 16, 1971, Report No. 531.

INFORMATIVE: It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference. Frequency 158.70 MHz.

Kansas and Missouri

- Mobile Radio Communications Inc. (KSV904), 324-C2-MP-72.

The Allied Companies, Inc. (New), 507-C2-P-72.

RURAL RADIO SERVICE

- 5098-C1-ML-72—United Telephone Co. of Florida (WGH57), add frequency 157.86 MHz communicating with Station KJ354, Fort Myers, Fla., located at Cabbage Key Island, 4.25 miles west of Pineland, Fla.
- 5099-C1-ML-72—United Telephone Co. of Florida (WEJ25), same except, located at 3.9 miles west-northwest of Pineland, Mondongo Island, Fla.
- 5232-C1-P-72—Continental Telephone Co. of California (KZS90), replace transmitter operating on 157.89 MHz and add frequency 158.01 MHz communicating with Station KOF901, Boulder, Nev.

RURAL RADIO SERVICE—continued

- 5238-C1-P-72—The Mountain States Telephone & Telegraph Co. (KPF294), replace the transmitter operating on 157.98 MHz and add frequencies 157.77, 157.83, 157.86, 157.89, 157.92, and 158.07 MHz communicating with Station KOA607, Phoenix, Ariz.

- 5246-C1-P/L-72—Atlas Radiophone (New), for a new rural subscriber station to operate on 459.20 MHz with (15 units) in any temporary fixed location within territory of applicant.
- 5247-C1-TC-72—Tel-Missouri, Inc. Consent to transfer of control from Richard Park Whitton and Carolyn Wood Whitton, Transfers, to Tel-Illinois, Inc., Transference. Station: KBO86 (Temp-Fixed).

Major Amendment

- 2359-C1-P/ML-71—United Telephone Co. of Florida (KJC34), amend to add 157.86 MHz. See Public Notice dated Nov. 9, 1970.

POINT-TO-POINT MICROWAVE RADIO SERVICE

- 5100-C1-P-72—New England Telephone & Telegraph Co. (KCK89), on Dutton Hill, 2.6 miles southwest of Gray, Maine. C.P. to add frequencies 6256.5V and 6197.2V MHz toward Bowdoin, Maine.
- 5101-C1-P-72—New England Telephone & Telegraph Co. (KCO96), on Whitten Hill, 4.9 miles northwest of the village of Bowdoin Center, Maine. C.P. to add frequencies 6004.5V and 5945.2V MHz toward Gray, Maine, and 6004.5H and 5945.2H MHz toward Vassalboro, Maine.
- 5102-C1-P-72—New England Telephone & Telegraph Co. (KCO97), on Teico Hill, 3 miles northeast of the village of East Vassalboro, Maine. C.P. to add frequencies 6256.5H and 6197.2H MHz toward Bowdoin, Maine.
- American Telephone & Telegraph Co., 32 applications for permits to construct additional Western Electric Co. Type TH and Type TD-2/TD-3 radio relay channels for telephone use between Oakland, Calif., and Lodi, Calif.; Lodi, Calif., and Salt Lake City Junction, Utah; Longmont, Calif., and Buckhorn Mountain, Colo.; and Buckhorn Mountain, and Prospect Valley, Colo.
- 5106-C1-P-72—American Telephone & Telegraph Co. (KKN99), 1587 Franklin Street, Oakland, CA. C.P. to add frequency 6256.5H MHz toward Round Top, Calif.
- 5107-C1-P-72—American Telephone & Telegraph Co. Round Top, 1.5 miles east of Oakland, Calif. C.P. to add frequencies 6004.5V MHz toward Oakland, Calif., and 6004.5H MHz toward Clayton, Calif.
- 5108-C1-P-72—American Telephone & Telegraph Co. (KKNK97), 3.7 miles east of Clayton, Calif. C.P. to add frequencies 6256.5V MHz toward Round Top, Calif., and 6256.5H MHz toward Lodi, Calif.
- 5109-C1-P-72—American Telephone & Telegraph Co. (KKNK96), 1.2 miles west-northwest of Lodi, Calif. C.P. to add 6004.5V MHz toward Clayton, Calif., and 6004.5H and 6123.1H MHz toward Ben Bolt, Calif.
- 5110-C1-P-72—American Telephone & Telegraph Co. (KKNK95), 3 miles northwest of Latrobe, Calif. C.P. to add frequencies 6256.5V and 6375.2V MHz toward Lodi, Calif., and 6256.5H and 6375.2H MHz toward Union Hill, Calif.
- 5111-C1-P-72—American Telephone & Telegraph Co. (KKNK94), 1.7 miles east of Pollock Pines, Calif. C.P. to add 6004.5V and 6123.1V MHz toward Ben Bolt, Calif., and 6004.5H and 6123.1H MHz toward Echo Summit, Calif.
- 5112-C1-P-72—American Telephone & Telegraph Co. (KKNK93), 4.5 miles south-southwest of Meyers, Calif. C.P. to add 6256.5V and 6375.2V MHz toward Union Hill, Calif., and 6256.5H and 6375.2H MHz toward Topaz Lake, Nev.
- 5113-C1-P-72—American Telephone & Telegraph Co. (KFPW86), 11 miles west-southwest of Wellington, Nev. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Echo Summit, Calif., and 6004.5H and 6123.1H MHz toward Wassuk, Nev.
- 5114-C1-P-72—American Telephone & Telegraph Co. (KPW85), 5.5 miles southwest of Schurz, Nev. C.P. to add 6256.5V and 6375.2V MHz toward Topaz Lake, Nev., and 6256.5H and 6375.2H MHz toward Kinkaid, Nev.
- 5115-C1-P-72—American Telephone & Telegraph Co. (KFW84), 11 miles east of Hawthorne, Nev. C.P. to add 6004.5V and 6123.1V MHz toward Wassuk, Nev., and 6004.5H and 6123.1H MHz toward Table Mountain, Nev.

- 5116-C1-P-72—American Telephone & Telegraph Co. (KFW83), 11 miles northeast of Mina, Nev. C.P. to add 6256.5V and 6375.2V MHz toward Kinkaid, Nev., and 6256.5H and 6375.2H MHz toward Gilbert, Nev.
- 5117-C1-P-72—American Telephone & Telegraph Co. (KFW82), 6.3 miles north of Gilbert, Nev. C.P. to add 6004.5V and 6123.1V MHz toward Table Mountain, Nev., and 6004.5H and 6123.1H MHz toward Booker, Nev.
- 5118-C1-P-72—American Telephone & Telegraph Co. (KFW81), 2.6 miles northeast of Tonopah, Nev. C.P. to add 6256.5V and 6375.2V MHz toward Gilbert, Nev., and 6256.5H and 6375.2H MHz toward Stone Cabin, Nev.
- 5119-C1-P-72—American Telephone & Telegraph Co. (KFW80), 21 miles southwest of Warm Springs, Nev. C.P. to add 6004.5V and 6123.1V MHz toward Booker, Nev., and 6004.5H and 6123.1H MHz toward Warm Springs, Nev.
- 5120-C1-P-72—American Telephone & Telegraph Co. (KFW79), 2.2 miles west of Warm Springs, Nev. C.P. to add 6256.5V and 6375.2V MHz toward Stone Cabin, Nev., and 6256.5H and 6375.1H MHz toward Lockes, Nev.
- 5121-C1-P-72—American Telephone & Telegraph Co. (KFW78), 5.8 miles west-southwest of Lockes, Nev. C.P. to add 6004.5V and 6123.1V MHz toward Warm Springs, Nev., and 6004.5H and 6123.1H MHz toward Currant, Nev.
- 5122-C1-P-72—American Telephone & Telegraph Co. (KFW77), 11.6 miles northeast of Currant, Nev. C.P. to add 6256.5V and 6375.2V MHz toward Lockes, Nev., and 6256.5H and 6375.2H MHz toward Murry Summit, Nev.
- 5123-C1-P-72—American Telephone & Telegraph Co. (KFW76), 1.4 miles west of Ely, Nev. C.P. to add 6004.5V and 6123.1V MHz toward Currant, Nev., and 6004.5H and 6123.1H MHz toward Connors Pass, Nev.
- 5124-C1-P-72—American Telephone & Telegraph Co. (KFW28), 20 miles southeast of Ely, Nev. C.P. to add 6256.5V and 6375.2V MHz toward Murry Summit, Nev., and 6256.5H and 6375.2H MHz toward Sacramento Pass, Nev.
- 5125-C1-P-72—American Telephone & Telegraph Co. (KFW27), 14 miles northwest of Baker, Nev. C.P. to add 6004.5V and 6123.1V MHz toward Connors Pass, Nev., and 6004.5H and 6123.1H MHz toward Confusion Mountain, Utah.
- 5126-C1-P-72—American Telephone & Telegraph Co. (KFW26), 25.3 miles east-northeast of Garrison, Utah. C.P. to add 6256.5V and 6375.2V MHz toward Sacramento Pass, Nev., and 6256.5H and 6375.2H MHz toward Clear Lake, Utah.
- 5127-C1-P-72—American Telephone & Telegraph Co. (KFW25), 8.7 miles west-southwest of Clear Lake, Utah. C.P. to add 6004.5V and 6123.1V MHz toward Confusion Mountain, Utah, and 6004.5H and 6123.1H MHz toward Delta, Utah.
- 5128-C1-P-72—American Telephone & Telegraph Co. (KFW24), 4.4 miles south-southeast of Delta, Utah. C.P. to add 6256.5V and 6375.2V MHz toward Clear Lake, Utah, and 6256.5H and 6375.2H MHz toward Scipio, Utah.
- 5129-C1-P-72—American Telephone & Telegraph Co. (KFM69), 5 miles southwest of Scipio, Utah. C.P. to add 6004.5V and 6123.1V MHz toward Delta, Utah, and 6004.5H and 6123.1H MHz toward Levan, Utah.
- 5130-C1-P-72—American Telephone & Telegraph Co. (KFM68), 5.5 miles north-northwest of Levan, Utah. C.P. to add 6256.5V and 6375.2V MHz toward Clear Lake, Utah, and 6256.5H and 6375.2H MHz toward Payson, Utah.
- 5131-C1-P-72—American Telephone & Telegraph Co. (KFM67), 5.5 miles northwest of Payson, Utah. C.P. to add 6004.5V and 6123.1V MHz toward Levan, Utah, and 6004.5H and 6123.1H MHz toward Riverton, Utah.
- 5132-C1-P-72—American Telephone & Telegraph Co. (KFM66), 0.5 mile west of Riverton, Utah. C.P. to add 6256.5V and 6375.2V MHz toward Payson, Utah, and 6256.5H and 6375.2H MHz toward Salt Lake City Junction, Utah.
- 5133-C1-P-72—American Telephone & Telegraph Co. (KOB26), 3100 Kennedy Drive, Salt Lake City Junction, Utah. C.P. to add 6004.5V and 6123.1V MHz toward Riverton, Utah.
- 5134-C1-P-72—American Telephone & Telegraph Co. (KAM69), 9 miles southeast of Greeley, Colo. C.P. to add 6370V MHz toward Prospect Valley, Colo.
- 5135-C1-P-72—American Telephone & Telegraph Co. (KAC61), 8 miles west of Bellvue, Colo. C.P. to add 3770H MHz toward Greeley, Colo., and 4090V MHz toward Timnath, Colo.
- 5136-C1-P-72—American Telephone & Telegraph Co. (KZI45), 5 miles north-northeast of Timnath, Colo. C.P. to add 4050 MHz toward Buckhorn Mountain, Colo., and Longmont, Colo.

- 5137-C1-P-72—American Telephone & Telegraph Co. (KZI44), 3.3 miles north-northeast of Mead, Colo. C.P. to add 4090V MHz toward Timnath, Colo.
- INFORMATIVE: Nebraska Consolidated Communications Corp. is filing 12 applications proposing an extension of its previously filed for network television distribution system in the State of Texas (Of. FCC Files Nos. 1922/1839-C1-P-72 Public Notice Report No. 565, Oct. 12, 1971) to serve San Antonio south to Harlingen, Tex., and intermediate points.
- 5138-C1-P-72—Nebraska Consolidated Communications Corp. C.P. for a new fixed station near junction of Highways 10 and 37, San Antonio, Tex., at latitude 29°24'22" N, longitude 98°26'36" W. Frequencies 3890V, 3970V, 4050V, and 4130V on azimuth 167°12' toward Fairview, Tex.
- 5139-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station at Fairview, Tex., at latitude 29°01'40" N, longitude 98°20'44" W. Frequencies 3770H, 3850H, 3930H, and 4010H on azimuth 113°13' toward Karnes City, Tex., and 3710H on azimuth 347°14' toward San Antonio, Tex.
- 5140-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 1.5 miles south-southwest of Karnes City, Tex., at latitude 28°51'39" N, longitude 97°54'19" W. Frequencies 3730H, 3810H, 3890H, and 3970H MHz on azimuth 165°12' toward Beeville, Tex., and 3710H on azimuth 293°25' toward Fairview, Tex.
- 5141-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 4.5 miles north-northwest of Beeville, Tex., at latitude 28°27'54" N, longitude 97°47'13" W. Frequencies 3770H, 3850H, 3930H, and 4010H on azimuth 148°50' toward Sinton, Tex., and 3750H on azimuth 345°15' toward Karnes City, Tex.
- 5142-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 1 mile east-southeast of Sinton, Tex., at latitude 28°01'39" N, longitude 97°29'21" W. Frequencies 3790H, 3870H, 3950H, and 4030H on azimuth 207°24' toward Robstown, Tex., and 3730V on azimuth 328°59' toward Beeville, Tex.
- 5143-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 1 mile east of Robstown, Tex., at latitude 27°46'43" N, longitude 97°38'03" W. Frequencies 4909H and 4170H on azimuth 194°53' toward Kingsville, Tex., and 4070V on azimuth 27°20' toward Sinton, Tex.
- 5144-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 10 miles east of Kingsville, Tex., at latitude 27°31'30" N, longitude 97°42'35" W. Frequencies 4050H and 4130H on azimuth 206°45' toward Riviera, Tex., and 3730V on azimuth 14°50' toward Robstown.
- 5145-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 4 miles southwest of Riviera, Tex., at latitude 27°15'32" N, longitude 97°51'35" W. Frequencies 4090H and 4170H on azimuth 164°20' toward Armstrong, Tex., and 3770V on azimuth 26°41' toward Kingsville, Tex.
- 5146-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station at Armstrong, 1 mile east of Tuscotie Station, Tex., at latitude 27°00'50" N, longitude 97°46'59" W. Frequencies 4050H and 4130H on azimuth 188°23' toward Norias, Tex., and 3730V on azimuth 344°22' toward Riviera, Tex.
- 5147-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 3 miles west-southwest of Norias, Tex., at latitude 26°45'30" N, longitude 97°49'30" W. Frequencies 4090H and 4170H on azimuth 163°33' toward Raymondville, Tex., and 3770V on azimuth 8°22' toward Armstrong, Tex.
- 5148-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 1 mile northeast of Raymondville, Tex., at latitude 26°30'00" N, longitude 97°44'25" W. Frequencies 4110H and 4030H on azimuth 173°55' toward Harlingen, Tex., and 4110V on azimuth 343°35' toward Norias, Tex.
- 5149-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new fixed station 1 mile east of junction of Highways 77 and 83, Harlingen, Tex., at latitude 26°11'40" N, longitude 97°42'15" W. Frequencies 4070H on azimuth 353°56' toward Raymondville, Tex.
- 4850-C1-R-72—The Bell Telephone Co. of Pennsylvania (KOC47), within the territory of grantee. Renewal of a Developmental license expiring Mar. 1, 1972. Mar. 11, 1972, to Mar. 11, 1973.

Major Amendments—Continued

6494-C1-P-70—Southern Pacific Communications Co. (New), Holiday Hill, 2 miles southwest of Wrightwood, Calif. Delete frequency 6093.5V MHz toward Lancaster; frequency 6123.1H MHz toward Los Angeles and delete frequencies 6004.5H and 6123.1H toward Running Springs.
6495-C1-P-70—Southern Pacific Communications Co. (New), 610 South Main Street, Los Angeles, Calif. Delete frequency 6375.2V MHz toward Holiday Hill and frequency 11.685H MHz toward Long Beach.
4553-C1-P-70—Southern Pacific Communications Co. (New), Seventh and Pico Streets, Long Beach, Calif. Delete frequency 11.055H MHz toward Los Angeles.

All other particulars same as reported on Public Notices dated Feb. 16, 1970; Mar. 9, 1970; May 4, 1970; Nov. 23, 1970; Apr. 27, 1970; May 25, 1970; Dec. 21, 1970; Mar. 15, 1971 and Aug. 2, 1971.

5478-C1-P-71—Southwestern Bell Telephone Co. (KY447), change frequencies from 6308.4 and 11.685 MHz to 6286.2V MHz toward Old Austin, Ark.
5479-C1-P-71—Southwestern Bell Telephone Co. (New), change frequencies from 6056.4 and 10.755 MHz to 6034.2H MHz toward Little Rock, Ark., and 6071.2 and 10.955 to 6034.2V MHz toward Searcy, Ark.
5480-C1-P-71—Southwestern Bell Telephone Co. (New), change frequencies from 6323.3 and 11.405 MHz to 6286.2H MHz toward Old Austin, Ark.

All other particulars the same as reported in public notice, Report No. 538, dated Apr. 5, 1971.

Corrections

4752-C1-P-72—Electro-Media Multipoint Service, Inc. (New), correct to add city and State; Salt Lake City, Utah. All other terms same as listed in Report No. 582, dated Feb. 7, 1972.

Under Informative Items

Maryland—Berlin:
For American Communication's & Electronics Corp. (New), correct file number to read: 3228-C1-P-72.

[FR Doc. 72-2799 Filed 2-25-72; 8:45 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below-indicated vessels, pursuant to Part 542 of Title 46 CFR and section 11(p) (1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner/operator and vessels
01011----	Aktieselskabet Det Ostasiatiske Kompagni: Ponna.
01039----	Den Norske Amerikaln,je A/S: Tyrifjord.
01051----	Van Nievelt, Goudriaan & Co., Stoomvaart Maatschappij (Hamburg) G.m.b.H.: Splice.

Certificate No. 01054----
Owner/operator and vessels
Themis.
Theben.
Texas.
Terrier.
Tennessee.
Temeriere.
Tatra.
Taronga.
Tarn.
Tarantel.
Turcoman.
Tonsberg.
Tysla.
Tyr.
Turnandot.
Tungsha.
Tulane.
Tugela.
Troubadour.
Trinidad.
Tricolor.
Trianon.
Traviata.
Toulouse.
Talisman.
Talabot.
Tai Ping.
Talmyr.
Talko.

POINT-TO-POINT MICROWAVE RADIO SERVICE—Continued

The following applicant proposes to establish omnidirectional facilities for the provision of common carrier "Subscriber-Programmed" television service.

5233-C1-P-72—Colony Communications, Inc. (New), Potter Hill Road, Westerly (Washington), R.I., latitude 41°24'20" N., longitude 71°48'37" W. Frequencies 2150.20 (aural) 2152.325 (visual) toward various receiving points within system and 2154.00 (aural) 2158.50 (visual) toward various receiving points within system.

5227-C1-MP-72—American Telephone & Telegraph Co. (KQ082), 1.2 miles southeast of Blue Ball, Ohio. Modification of C.P. to change polarization from V to H on frequency 6315.9H MHz toward Wilmington, Ohio, and H to V on frequency 3870V MHz toward Shandon, Ohio.

5228-C1-MP-72—American Telephone & Telegraph Co. (KQ072), 3.2 miles northeast of Washington Court House, Ohio. Modification of C.P. to change polarization from V to H on frequency 6315.9H MHz toward Frankfurt, Ohio.

5229-C1-P-72—American Telephone & Telegraph Co. (KAN22), 2.5 miles north of Portsmouth, Iowa. Modification of C.P. to change polarization from V to H on frequency 4030H MHz toward Elkhorh, Iowa.

5230-C1-MP-72—American Telephone & Telegraph Co. (KAB20), 3 miles south of Elkhorh, Iowa. Modification of C.P. to change polarization from V to H on frequency 4070H MHz toward Portsmouth, Iowa.

5231-C1-P-72—Laredo Microwave, Inc. (KLH79), 12 miles west of Encinal, Tex., at latitude 27°59'37" N., longitude 99°32'13" W. C.P. to change frequency from 6226.8 to 5952.6V MHz on azimuth 176°44'.

4240-C1-P-72—The Pacific Telephone & Telegraph Co. (KMN21), Sugar Loaf Mountain, 4 miles south-southwest of Delta, Calif. C.P. to add frequency 4070H MHz toward Redding, Calif., on azimuth 172°36'.

5241-C1-P-72—Western States Telephone Co., Inc. (New), Old Highway 44, Cuba, N. Mex. C.P. for a new station to add frequency 2115.6V MHz toward Jemez, N. Mex., on latitude 36°01'36" N., longitude 106°57'17" W.

5242-C1-P-72—The Pacific Telephone & Telegraph Co. (KMQ36), 1587 Franklin Street, Oakland, CA. C.P. to add frequency 6226.9H MHz toward San Francisco, Calif.

5243-C1-P-72—The Pacific Telephone & Telegraph Co. (KNB53), 99 Moultrie Street, San Francisco, CA. C.P. to add frequency 6974.8V MHz toward Oakland, Calif.

Major Amendments

4532-C1-P-70—Southern Pacific Communications Co. (New), Mount Yaca, 7 miles northwest of Vacaville, Calif. Delete frequencies 6212.1H and 6330.6H MHz toward Sacramento and change polarization of frequency 6315.9 MHz toward San Francisco to vertical.

4533-C1-P-70—Southern Pacific Communications Co. (New), 1 Market Street, San Francisco, CA. Change frequency to 6004.8V MHz toward Mount Yaca; delete frequency 11.175V MHz toward Oakland and frequency 6123.1V MHz toward Loma Prieta.

4534-C1-P-70—Southern Pacific Communications Co. (New), Seventh and Bay Streets, Oakland, CA. Delete frequency 11.625V MHz toward San Francisco.

4538-C1-P-70—Southern Pacific Communications Co. (New), Southern Pacific Depot, Stockton, Calif. Delete frequency 6094.2H MHz toward Tracy.

4539-C1-P-70—Southern Pacific Communications Co. (New), Southern Pacific Yard, Tracy, Calif. Delete frequency 6404.8H MHz toward Stockton.

4548-C1-P-70—Southern Pacific Communications Co. (New), Southern Pacific Yard, Famoso, Calif. Delete frequency 5974.8H MHz toward Pampa Peak.

4547-C1-P-70—Southern Pacific Communications Co. (New), Pampa Peak, 3 miles north of Bens, Calif. Delete frequency 6286.2H MHz toward Famoso; frequency 6256.5H MHz toward Bakersfield and frequency 6404.8H MHz toward Oak Creek Pass.

4548-C1-P-70—Southern Pacific Communications Co. (New), Southern Pacific Depot, Bakersfield, Calif. Delete frequency 6004.5H MHz toward Pampa Peak.

4549-C1-P-70—Southern Pacific Communications Co. (New), Oak Creek Pass, 6 miles southeast of Tehachapi, Calif. Delete frequency 6152.8H MHz toward Pampa Peak and frequency 6034.2V MHz toward Lancaster.

4550-C1-P-70—Southern Pacific Communications Co. (New), Southern Pacific Yard, Lancaster, Calif. Delete frequency 6286.2V MHz toward Oak Creek Pass and frequency 6404.8V MHz toward Holiday Hill.

Certificate No.	Owner/operator and vessels	Certificate No.	Owner/operator and vessels	Certificate No.	Owner/operator and vessels
01054---	Wilhelm Wilhelmsen—Continued Tagus. Tagaytay. Troll Forrest. Tanabata. Takara. Teheran. Tuarey. Troms. Toscana. Toluma. Tibetan. Tiberius. Templar. Taurus. Tarim. Tamano. Tabriz. Tortugas. Torrens. Toronto. Toro. Toreador. Toledo. Tirrana. Tijuca. Tiber. Talleyrand. Tampa. Tamerlane. Titus.	02016---	A. L. Mechling Barge Lines, Inc.— Continued JIH-15. JIH-17. JIH-18T.	03404---	Helios Shipping Co., S.A.: Alexandros S.
01092---	Thor Dahls Hvalfangerselskap A/S: Thorsheimer. Thorstar.	02136---	A/S Anatina: Anatina.	03415---	Chiyoda Kisen K.K.: Mikasa Maru. Mishima Maru.
01093---	Buckingham Tanker Co., Ltd.: Warwick Fort.	02156---	Lorentzens Skibs A/S: Alette Stove.	03436---	Iino Kaiun K.K.: Olympus.
01097---	Glendon Shipping Co., Ltd.: Beaufort Sea. Greenland.	02157---	St. George Shipping Corp.: Panagiots K.	03447---	K.K. Kyokuyo: Taishim Maru No. 12. Taishim Maru No. 22. Taishim Maru No. 23.
01247---	Tonnevolds Tankrederi A/S: Thorunn.	02238---	John T. Essberger: Ubena.	03453---	Kyosei Kisen Kabushiki Kaisha: Seisho Maru. Seizan Maru. Yeikaku.
01268---	Tonnevolds Rederi A/S: Thordis.	02242---	Dal Deutsche Afrika-Linien G.m.b.H. & Co.: Tanganyika.	03496---	OSG International Inc., Liberia: Tyne Ore.
01291---	Eicapitaine Inc.: Fontini L.	02246---	Blue Star Line Ltd.: Caledonia Star.	03501---	Osaka Shosen Mitsui Sempaku K.K.: Santos Maru. Nagaosan Maru. Akashisan Maru.
01334---	American President Lines, Ltd.: President McKinley. President Taft.	02247---	Union International Co., Ltd.: Imperial Star.	03502---	Shinyei Sempaku K.K.: Azuchisan Maru.
01341---	John I. Jacobs & Co., Ltd.: Oakwood.	02332---	Lykes Bros. Steamship Co., Inc.: Sue Lykes.	03611---	Villain & Fassio e Compagnia In- ternazionale di Genova So- cietà Riunite di Navigazione S.p.A.: Nando Fassio.
01360---	Midland Enterprises Inc.: Eastern 3.	02338---	Central Gulf Steamship Corp.: S/S Green Bay. S/S Green Island.	03623---	Smith-Rice Derrick Barges, Inc.: Derrick Barge 8.
01464---	Christian Salvesen Ltd.: Salvada.	02354---	Armatrice Santa Lucia S.p.A.: Vioca.	03632---	A/S Turid: Skauma.
01561---	Lubeck Linie Aktiengesellschaft: Senator Possehl. Hanse.	02416---	Boland & Cornellus, Inc.: Chicago Trader. Joe S. Morrow. William A. Reiss. John P. Reiss. Otto M. Reiss. Raymond H. Reiss. George D. Goble.	03660---	Sea Liberties, Inc., New York: Overseas Explorer.
01744---	Valida Compania Naviera S.A. Panama: Taxiarchis.	02430---	The Buckeye Steamship Co.: Buckeye Pacific.	03661---	Overseas Carriers Corp., New York: Overseas Daphne.
01760---	Kornelius Olsen: Puna. Pisang.	02448---	Rederiaktiebolaget Nordstjernen: Los Angeles. Paraguay.	03727---	Continental Oil Co.: Bill Lueck.
01806---	Partenrederi M/S "Cimbria", Managers: Christian F. Ahrenkiel: Cimbria.	02585---	Koch Refining Co.: GOC 1.	03733---	Great Lakes Dredge & Dock Co.: William P. Feeley.
01861---	BP Tanker Co., Ltd.: British Oak.	02602---	Fyffes Group Ltd.: Golfito.	03738---	Marven Steamship Corp.: Oswego Liberty. Oswego Independence.
01910---	Deutsche Dampfschiffahrts- Gesellschaft "Hansa": Spitzfels. Neldenfels. Braunfels.	02663---	Partenrederi MC "Braunsfeld" ("Nicosia") Korrespondentree- der Hans Kruger G.m.b.H.: Nicosia.	03814---	Reymar Compania Naviera S.A.: Ephesos.
01983---	Aktiebolaget August Leffler & Son: Tigris.	02707---	Ernst Komrowski Reederei: Balkan.	03841---	American Export Isbrandtsen Lines, Inc.: S/S Flying Endeavor. Container Despatcher.
01985---	Aktiebolaget Svenska Atlant Linien: Blankaholm. Vretaholm.	02849---	Herald Shipping Lines, Ltd.: Ise.	03865---	Oceanic Navigating Co., Ltd.: Aegis Strength.
02016---	A. L. Mechling Barge Lines Inc.: JIH-2. JIH-3. JIH-4. JIH-5. JIH-6. JIH-7.	02942---	Seereederei "Frigga" Aktiengesell- schaft: Anita Thyssen.	03875---	Ingram Ocean Systems Inc.: Martha B. Ingram.
		02956---	Ashland Oil, Inc.: MOS 104. Ellis 2003. Ellis 2004.	03915---	Mobil Oil Corp. Syosset. Colina.
		02958---	Kawasaki Kisen K.K.: Tomishima Maru. Yashiokawa Maru.	03923---	Shinwa Kain Kaisha, Ltd.: Toyokuni.
		02961---	Kobe Kisen Kabushiki Kaisha: Nikkoh Maru.	04002---	Compagnie des Messageries Mari- times: Tahitien.
		02999---	Ormos Maritime Co., Ltd., Cyprus: Jane.	04077---	Fritzen Schiffsagentur und Be- reederungs-UMBG: Stolt Fritzen.
		03008---	Rederi AB Walltank: Soya-Atlantic.	04105---	Safety Shipping Co., S.A.: Liziana.
		03019---	Gulf-Canal Lines, Inc.: Beverly Ann.	04107---	True Mariners, S.A.: Jullana.
		03020---	Western Pacific Shipping Corp.: Hispaniola.	04118---	Mon River Towing, Inc.: MRT-21.
		03090---	Malaysia Overseas Lines Ltd., Li- beria: Oriental Lady. Oriental Warrior. Oriental Ruler.	04163---	Cenac Towing Co. Inc.: E.A.C. 151. E.A.C. 152.
		03111---	Hvalfangeraktieselskapet "Rosshav- vet": Ross Cape.	04173---	Foss Launch & Tug Co.: Foss 180.
		03152---	Mundial Comp. Naviera: Pationik.	04209---	Sea-Cargo Navigation Ltd.: Esperanza.
		03214---	Salenrederierna Aktiebolag: Hispaniola. Sea Scout.	04276---	Rivtow Straits Ltd.: Rivtow Viking. Rivtow Carrier.
		03277---	Duncan Bay Tankships Ltd.: Cedros Pacific.	04290---	Angela Shipping Corp.: Angela.
		03301---	Prudential-Grace Lines, Inc.: Santa Regina.	04298---	Utah Construction & Mining Co.: Franciscan.
				04359---	Reederei Nord Klaus E. Olden- dorff: Ingrid.

Certificate No.	Owner/operator and vessels
04391	Columbia Steamship Co., Inc.: Columbia Trader.
04398	Hapag-Lloyd Aktiengesellschaft: Göttingen. Bremen. Pratita. Lindenstein.
04423	San Juan Carriers, Ltd.: S/S San Juan Prospector. S/S San Juan Exporter. S/S San Juan Traveler. S/S San Juan Venturer. S/S San Juan Vanguard. S/S Marconaflo Merchant.
04433	Allied Chemical Corp.: ETT 114. HTC 101. WHAL No. 2.
04516	Shunkai Gyogyo Kabushiki Kaisha: Ohlyo Maru No. 25.
04564	Yamshita-Shinnihon Kisen Kaisha: Hiyeharu Maru.
04638	McAllister Bros. Inc. (Delaware): McAllister 21.
04676	Nabieradde Canarias, S.A.: Playa de la Aldea. Playa de los Cristianos. Playa de Jandla.
04705	Deutsch-Nordische Schiffahrtsgesellschaft m.b.h.: Sagafo.
04750	Tosul Enyo Gyogyo Kabushiki Kaisha: Tosulmaru No. 8.
04794	Sea King Corp.: Grand State.
04921	Cod Towing Co.: Cape Cod.
04922	Shasta Barge Co.: Shasta.
04925	Largo Towing Co.: Key Largo.
04927	May Towing Co.: Cape May.
04926	West Towing Co.: Key West.
04928	Rainier Barge Co.: Rainier.
04929	Shavano Barge Co.: Shavano.
04930	Keith S. Edwards—doing business as Delta Barge Line: George E. Hiram King. Trinity. Curtis Jr. C. W. Dove.
04989	Rederij M.S. "Atlantic": Atlantic.
05026	Naviera Maritima Fluvial S.A.: Alisios.
05036	Companhia Nacional de Navegacao: Porto Amelia.
05100	Coral Petroleum Co., Ltd.: Esso Andina.
05161	Dolphin Shipping Co.: Bluedolphin.
05169	Mid-Pacific Compania Naviera S.A.: South Venture.
05224	Sulina Compania Naviera Corp.: Kerkennah.
05277	Skips A/S Abu and Hvalfangstelskapet Blaaahval: Magna.
05288	Evansville Materials Inc.: Dredge No. 7.
05348	Yellow Globe Shipping S.A.: Tropicco. Trolcalla.
05582	Mesa Industri-og Skipservice A/S: Elisabeth.
05725	Efmarners Co., Ltd.: Kaptastamati.

Certificate No.	Owner/operator and vessels
05741	Willi Maurer: Mia Maurer.
05803	Partenreederei MS "Brunsgard": Brunsgard.
05865	Chelsea Compania Naviera S.A.: Aegis Strength.
05948	Estrellamar Compania Maritima S.A., Panama R.P.: Sunday.
06092	John W. Stone Oil Distributor Inc.: S No. 3.
06100	Anglomar Shipping Co., Ltd., London: Stolt Lion.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-2939 Filed 8-25-72;8:54 am]

FEDERAL POWER COMMISSION

[Docket No. G-5766 etc.]

CONTINENTAL OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

FEBRUARY 15, 1972.

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

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

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-5766 C 1-17-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	El Paso Natural Gas Co., Langlie-Mattix and Cooper-Jal Fields, Lea County, N. Mex.	111.0	14.65
G-7223 C 12-29-71	Chevron Oil Co., Western Division, Post Office Box 599, Denver, CO 80201.	El Paso Natural Gas Co., acreage in Lea County, N. Mex.	111.0	14.65
G-18726 D 2-4-72	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, TX 77001.	Transwestern Pipeline Co., Ellis County Area, Ellis County, Okla.	Assigned	.....
CI61-986 D 1-31-72	Northern Natural Gas Producing Co., Post Office Box 1774, Houston, TX 77001.	Northern Natural Gas Co., Fellsburg Field, Edward County, Kans.	Assigned	.....
CI62-71 C 2-7-72	Marathon Oil Co. et al., 539 South Main St., Findlay, OH 45840.	Texas Gas Transmission Corp., Calhoun Field, Lincoln and Jackson Parishes, La.	26.0	15.025
CI69-1117 D 2-7-72	Cities Service Oil Co., Post Office Box 300, Tulsa, OK 74102 (partial abandonment).	Tennessee Gas Pipeline Co., a Division of Tennessee Inc., Blocks 33 and 34, Grand Isle Area, Offshore Louisiana.	(?)	.....
CI72-386 12-27-71	Gulf Energy & Development Corp., 508 Broadway National Bank Bldg., 1177 Northeast Loop 410, San Antonio, TX 78209.	United Gas Pipe Line Co., acreage in Bee County, Tex.	24.0	14.65
CI72-461 (G-6352) F 1-24-72	Duer Wagner & Co. (successor to Continental Oil Co.), 909 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	United Gas Pipe Line Co., South Cabeza Creek Field, Goliad County, Tex.	19.0	14.65
CI72-470 (G-4579) F 1-27-72	Amoco Production Co. (successor to Cities Service Oil Co., Operator) et al., Security Life Bldg., Denver, Colo. 80202.	Cities Service Gas Co., Hugoton Field, Haskell County, Kans.	12.0	14.65
CI72-477 1-28-72	Texas Oil & Gas Corp., Fidelity Union Tower Bldg., Dallas, Tex. 75201.	Natural Gas Pipeline Co. of America, Los Mogotes Field, Zapata County, Tex.	17.0638	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 10, 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.

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

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

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI72-479 B 2-2-72	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Natural Gas Pipeline Co. of America, Clayton Field, Live Oak County, Tex.	Depleted	
CI72-481 B 2-2-72	Mobil Oil Corp., Post Office Box 1774, Houston, TX 77001.	United Gas Pipe Line Co., Bethany Field, Panola County, Tex.	Depleted	
CI72-483 2-1-72 ¹	CRA International, Ltd., Fourth National Bank Bldg., Tulsa, Okla. 74119.	Panhandle Eastern Pipe Line Co., Hansford Field, Hansford County, Tex.	*18.45	14.65
CI72-484 B 2-1-72	Briscoe Valley Development Association, 1033 Rhawn St., Philadelphia, PA 19111.	Consolidated Gas Supply Corp., Williams District, Wood County, W. Va.	(?)	
CI72-485 B 2-2-72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	Lone Star Gas Co., Katie Field, Garvin County, Okla.	Depleted	
CI72-486 B 2-1-72	Logue and Patterson, 628 Meadows Bldg., Dallas, Tex. 75206.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., acreage in Nueces County, Tex.	Depleted	
CI72-487 2-2-72 ¹⁰	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, TX 76107.	Panhandle Eastern Pipe Line Co., acreage in Morton County, Kans.	16.0	14.65
CI72-488 B 2-2-72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	Lone Star Gas Co., Katie Field, Garvin County, Okla.	Depleted	

¹ Casinghead gas.
² Applicant proposes to sell gas from additional acreage and gas made available by cessation of field cycling operations.
³ Acreage is nonproductive.
⁴ Applicant proposes to purchase gas from Gibraltar Oil Corp. in Live Oak County, Tex., gather and deliver the gas to United Gas Pipe Line Co. in Bee County, Tex.
⁵ Application previously noticed Feb. 8, 1972, in G-2629 et al. By letter filed Feb. 3, 1972, applicant amended its application to change the successor in interest from Continental Oil Co. et al., to "Continental Oil Company."
⁶ Price as filed by Assignor, Cities Service Oil Co. (Operator) et al.
⁷ Applicant proposes to continue the sale of its own gas heretofore authorized in Docket No. CI62-1544 to be made pursuant to Amerada Hess Corp. (Operator) et al.
⁸ Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. G-14287 to be made pursuant to Nafco Oil & Gas Inc., FPC Gas Rate Schedule No. 14.
⁹ Includes 0.45 cent per Mcf tax reimbursement.
¹⁰ Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. G-15531 to be made pursuant to Kirby Petroleum Co. (Operator) et al., FPC Gas Rate Schedule No. 11.

[FR Doc.72-2749 Filed 2-25-72;8:45 am]

[Docket No. CS72-687 etc.]

FRED H. GRAY ET AL.

Notice of Applications for "Small Producer" Certificates¹

FEBRUARY 15, 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 March 9, 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.

Take further notice that, pursuant to the authority contained in and subject to

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

15 of the Natural Gas Act and the Commission's rules of practice and procedure, the jurisdiction conferred upon the Federal Power Commission by sections 7 and 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
CS72-687...	2-2-72	Fred H. Gray et al., 2322 Line, Shreveport, LA 71104.
CS72-688...	2-2-72	Capitol Oil Corp., 6116 North Central Expressway, Dallas, TX 75206.
CS72-689...	2-2-72	The First National Bank of Midland, Trustee—Trust No. 555, 1006 Midland National Bank Bldg., Midland, Tex. 79701.
CS72-690...	2-2-72	Frank P. Parish, Route 1, Taneytown, Md. 21787.
CS72-691...	2-2-72	H.A. & Jody N. Koch, d./b./a. Koch Production Co., Box 850, Worland, WY 82401.
CS72-692...	2-3-72	Maurice B. Bullock, 1006 Midland National Bank Bldg., Midland, Tex. 79701.
CS72-693...	2-4-72	W.H. Hightower, Post Office Box 1785, Midland, TX 79701.
CS72-694...	2-4-72	Consolidated Oil & Gas, Inc., 1860 Lincoln St., Suite 1300, Denver, CO 80203.

Docket No.	Date filed	Name of applicant
CS72-695...	2-4-72	William T. Campbell, 528 Capital National Bank Bldg., Houston, Tex. 77002.
CS72-696...	2-4-72	Greenbrier 72 Limited, 3330 Republic National Bank Tower, Dallas, Tex. 75201.
CS72-697...	2-4-72	Thunderbird Oil Corp., Post Office Box 1097, Midland, TX 79701.
CS72-698...	2-7-72	Mary Newton Wofford, 1009 San Jacinto Bldg., Houston, Tex. 77002.
CS72-699...	2-7-72	Robert Brandt, 1365 First National Center, Oklahoma City, Okla. 73102.
CS72-700...	2-7-72	W. O. Heinze, Empire State Bldg., 380 Fifth Ave., Room 6001, New York, NY 10001.
CS72-701...	2-7-72	Frio Production Co., Post Office Box 290, Alice, TX 78332.

[FR Doc.72-2750 Filed 2-25-72;8:45 am]

[Docket No. RI72-177 et al.]

**HUMBLE OIL & REFINING CO. ET AL.
Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹**

FEBRUARY 16, 1972.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.
 (B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] **KENNETH F. PLUMB,
Secretary.**

¹ Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI72-177	Humble Oil & Refining Co.	296	16	El Paso Natural Gas Co. (Walker Hollow Unit, Uintah County, Utah).		1-17-72	3-20-72	Accepted			RI70-870.
			7		\$24,911	1-17-72		3-21-72	19.5	21.75	RI70-870.
RI72-178	Pubco Petroleum Corp.	17	1	Mountain Fuel Supply Co. (West Side Canal Area Field, Moffat County, Colo.).	1,632	1-17-72		3-19-72	15.0	16.0	

* Unless otherwise stated, the pressure base is 15.025 p.s.i.a.
 † Amendatory agreement containing new pricing, quality, and term provisions.

‡ Includes 1.25 cents upward adjustment for B.t.u. content.
 § Accepted to be effective on the date shown in the "Effective Date" column.

The proposed increased rates of Humble and Pubco relate to sales outside the southern Louisiana area and do not exceed the corresponding rate filing limitation for increased rates in southern Louisiana. They are therefore suspended for a period ending 61 days from the date of filing, or 1 day from the contractual due date, whichever is later.

The producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[FR Doc. 72-2751 Filed 2-25-72; 8:45 am]

[Docket No. RI72-179 etc.]

GETTY OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

FEBRUARY 17, 1972.

Respondents have filed proposed changes in rates and charges for juris-

¹ Does not consolidate for hearing or dispose of the several matters herein.

dictional sales of natural gas, as set forth in Appendix A below.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are

suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the respondent or by the Commission. Each respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI72-179	Getty Oil Co.	104	18	El Paso Natural Gas Co. (Dakota Field, San Juan County, N. Mex.) (San Juan Basin).	\$57,947	1-18-72		3-20-72	14.0578	21.33	RI69-542.
RI72-180	Mobil Oil Corp.	17	24	Northern Natural Gas Co. (Blinbery and Tubb Fields, Lea County, N. Mex.) (Permian Basin).	14,700	1-25-72		3-27-72	16.1576	16.8050	RI71-696.
	do.	80	9	Northern Natural Gas Co. (Eumont Field, Lea County, N. Mex., Permian Basin).	350	1-25-72		3-27-72	14.03	16.76076	
RI70-1113	Texaco, Inc.	396	2-2	Colorado Interstate Gas Co. (Table Rock (Below Almond) Field, Sweetwater County, Wyo.).	(956)	1-27-72	1-31-72	Accepted	17.265	17.1275	RI70-1113.

* Unless otherwise stated, the pressure base is 15.025 p.s.i.a.
 † Not applicable to acreage added by Supplements Nos. 3 through 8 and 10 which are dated after Apr. 3, 1961.
 ‡ Applicable to high pressure gas only. Low pressure gas price is 12 cents plus tax reimbursement.
 § Increase based on the increase in the Bureau of Labor Statistics Wholesale Price

Index for all commodities other than farm products and food.
 † 13.68 cents at 14.65 p.s.i.a.
 ‡ Accepted subject to the existing suspension proceeding in Docket No. RI70-1113 to be effective Jan. 31, 1972, the requested effective date.
 § The pressure base is 14.65 p.s.i.a.

The proposed increase to 21.33 cents per Mcf was fractured to avoid a suspension period of longer than 1 day by Getty for a sale to El Paso in San Juan Basin and is based on a favored-nations clause which was allegedly activated by Amoco Production Co.'s favored nations increases which were suspended in Docket No. RI72-70 and became effective subject to refund on November 14,

1971.¹ El Paso is expected to protest this favored-nation increase, as it has previous filings, on the basis that it is not contractually authorized. In view of the contractual

¹ Amoco's increases allegedly were triggered by the Aztec Oil & Gas Co.'s unilateral increase which was suspended in Docket No. RI71-744.

problem presented, the hearing herein shall concern itself with the contractual basis for this favored-nation filing as well as the justness and reasonableness of the proposed increased rate. The proposed increase does not exceed the corresponding rate filing limitations imposed in southern Louisiana and is suspended for 1 day, provided Getty within 30 days of the issuance of this order files a document waiving its right to file for any

increase for 1 year, subject to the two exceptions permitted in the Commission's order issued December 17, 1971, in Amoco Production Company, Docket No. RI72-70. In the event Getty does not file the required waiver, the suspension period for the proposed increase, without further order of this Commission, will be 5 months from the expiration of the statutory notice period.

Texaco has been collecting a double amount of the contractually due reimbursement for taxes applicable to future production as well as past production back to January 1, 1968, for sales under its FPC Gas Rate Schedule No. 396. Since tax reimbursement applicable to past production has been recovered, Texaco has filed a rate decrease reducing its rate so as to provide for tax reimbursement for future production only. Consistent with Commission action on similar filings, the proposed decrease is accepted for filing subject to refund in existing suspension proceedings to be effective as of the requested effective date.

Mobil's increases do not exceed the corresponding rate filing limitations imposed in southern Louisiana and therefore they are suspended herein for 1 day.

All of the producers' proposed rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[FR Doc.72-2793 Filed 2-25-72;8:45 am]

FEDERAL RESERVE SYSTEM

FIRST SOUTHWEST BANCORPORATION, INC.

Order Denying Acquisition of Banks

First Southwest Bancorporation, Inc., Waco, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the successors by reorganization to Bellmead State Bank, Waco, and East Texas Bank & Trust Co., Longview, and the successors by merger to Kilgore National Bank, Kilgore, and Sabine National Bank of Port Arthur, Port Arthur, all in Texas.

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

On the basis of the record, the applications are denied for the reasons set forth in the Board's Statement¹ of this date.

By order of the Board of Governors,² February 18, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2885 Filed 2-25-72;8:49 am]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Dallas.

² Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Maisel, Brimmer, and Sheehan.

FIRST UNITED BANCORPORATION, INC.

Acquisition of Banks

First United Bancorporation, Inc., Fort Worth, Tex., has applied for the Board's approval, in three separate applications as set forth below, 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 (less directors' qualifying shares) of the successor by merger to The First National Bank of Fort Worth, Fort Worth, Tex.;

(2) To acquire indirectly 24.3 percent of the voting shares of Seminary State Bank, Fort Worth, Tex. (applicant presently owns 24 percent of the voting shares of this bank); and

(3) To acquire indirectly 27 percent of the voting shares of Security State Bank, Fort Worth, Tex. (applicant presently owns 24 percent of the voting shares of this bank). 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 Dallas. 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 March 13, 1972.

Board of Governors of the Federal Reserve System, February 22, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2886 Filed 2-25-72;8:49 am]

HUNTINGTON BANCSHARES INC.

Order Approving Acquisition of Bank

Huntington Bancshares Inc., Columbus, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of The First National Bank of Wadsworth, Wadsworth, Ohio (Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant has 10 subsidiary banks holding aggregate deposits of approximately \$880.9 million, representing 4 percent of the commercial bank deposits in Ohio. Acquisition of Bank would increase applicant's control of commercial bank deposits in the State by approximately 0.1 percent, and applicant's rank as the sixth largest banking organization in the State would remain unchanged. Bank (\$22.2 million in deposits) is the eleventh largest of 14

banks in the Akron banking market (approximated by Summit and Portage Counties and the city of Wadsworth), controlling 1.6 percent of market deposits. (Banking data are as of June 30, 1971, and reflect holding company formations and acquisitions approved through December 31, 1971.)

The nearest subsidiary of applicant to Bank is the Portage National Bank (Portage Bank) in Kent, located 25 miles northeast of Bank. Although Portage Bank competes in the Akron banking market, holding 4.6 percent of market deposits, direct competition between Bank and Portage Bank is not substantial due to the location of the city of Akron and 60 banking offices of other banking institutions in the area intervening between Bank and Portage Bank and the absence of any overlap in the service areas of the two banks. Consummation of the proposed acquisition would not, therefore, eliminate substantial existing competition. Furthermore, the development of potential competition appears unlikely, in view of application of the State's restrictive branching law and in view of the sizable number of intervening banking offices separating them.

The financial and managerial resources and future prospects of applicant and Bank are satisfactory and consistent with approval of the application. Applicant intends to provide Bank's customers with a qualified trust officer and to assist Bank in the provision of international banking services, as well as to assist Bank in locating future branch sites. Considerations relating to the convenience and needs of the community to be served lend weight toward approval. It is the Board's judgment that the transaction is in the public interest and should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

By order of the Board of Governors,¹ February 18, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2887 Filed 2-25-72;8:49 am]

UNITED BANKS OF COLORADO, INC.

Order Approving Acquisition of Bank

United Banks of Colorado, Inc., Denver, Colo., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting

¹ Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, and Sheehan. Absent and not voting: Governor Maisel.

shares of The St. Vrain Valley Bank, Longmont, Colo. (Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant controls 10 banks with aggregate deposits of \$684.7 million, which amounts to 14.9 percent of the total commercial bank deposits in Colorado.

Bank (deposits \$6.8 million) is the smallest of three banks in Longmont and the eighth largest of nine banking organizations in Boulder County, holding 2.9 percent of deposits in commercial banks in that county. Applicant's nearest subsidiary is located 15 miles from Bank in the city of Boulder, and holds 11.8 percent of the deposits in Boulder County. Consummation of the proposed transaction would increase applicant's share of deposits to 14.7 percent. However, the largest and second largest banking organizations in the county control 40.9 percent and 15.6 percent of deposits, respectively, and affiliation with applicant should enable Bank to compete more effectively with these two larger banking organizations and with the larger banks in Longmont. It appears that consummation of the proposal would not eliminate any meaningful existing competition, and in view of the distance involved and Colorado's laws prohibiting branching, it does not appear that any such competition is likely to develop.

Applicant intends to enlarge Bank's lending capacity through participations, to assist Bank in making agricultural loans, to provide trust services through applicant's lead bank, and to aid Bank in advertising and market research. Considerations related to the convenience and needs of the community to be served lend some weight in favor of approval. Considerations related to the financial and managerial resources and future prospects of applicant and its present subsidiaries and of Bank are generally satisfactory and consistent with approval. It is the Board's judgment that the proposed transaction is in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,¹ February 18, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc. 72-2888 Filed 2-25-72; 8:49 am]

¹ Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, and Sheehan. Absent and not voting: Governor Maisel.

UNITED JERSEY BANKS

Order Approving Acquisition of Bank

United Jersey Banks, Hackensack, N.J., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to The City National Bank of Millville, Millville, N.J. (City National). The bank into which City National is to be merged has no significance except as a means of acquiring all of the shares of City National. Accordingly, the proposed acquisition of the shares of the successor organization is treated herein as the proposed acquisition of shares of City National.

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant, with nine subsidiary banks holding aggregate deposits of \$956.9 million, is the largest banking organization in New Jersey with 6.1 percent of the commercial bank deposits in the State. (All banking data are as of June 30, 1971, and reflect holding company formations and acquisitions approved through November 30, 1971.) Consummation of the proposed acquisition of City National (deposits of \$12.4 million) would increase only slightly Applicant's share of statewide commercial bank deposits.

Applicant, through its subsidiary, The Cumberland National Bank of Bridgeton, N.J. (Cumberland National), is the fifth largest banking organization within the relevant market (which is approximated by Cumberland County and adjacent portions of Salem, Gloucester, and Atlantic Counties) with 12.3 percent of deposits. Approval of the acquisition of City National, the smaller of two banks in Millville and the eighth largest bank in the market, would result in applicant becoming the largest of 12 banking organizations in the market with 17.2 percent of deposits.

Although City National and Cumberland National (deposits of \$25.5 million) are located 11 miles apart, there appears to be no significant existing competition between the two banks. Moreover, based on the facts of record, it is considered unlikely that potential competition would develop between applicant and Bank since applicant is unlikely to enter Millville by chartering a new bank and since de novo branching into Millville is barred by the home office protection provision of the New Jersey Banking Statute. Nevertheless, unconditional approval of this application would appear to have an adverse competitive impact in that home office protection could be perpetuated in Millville thus foreclosing competitors from branching into Millville. This possible anticompetitive effect of approval

could be eliminated if home office protection were not perpetuated. Accordingly, approval of the application is conditioned upon applicant filing a merger application and, subject to supervisory approval, merging City National into Cumberland National within 1 year of the date of this order so as to remove home office protection from Millville unless, within such 1-year period, there is a change in New Jersey law which would accomplish the same result. On that basis and after consideration of the record, the Board concludes that no significant adverse competitive effects are likely to result from approval of the application.

The financial and managerial resources and future prospects of applicant, its subsidiaries, and the proposed subsidiary appear to be satisfactory. Applicant's ability to provide City National with management succession lends some weight for approval. Applicant proposes to expand City National's trust and investment services, to expand City National's commercial loan programs to include new types of loans, such as accounts receivable financing and construction financing, to provide data processing services, and to improve facilities. Convenience and needs factors, therefore, lend some weight toward approval.

It is the Board's judgment that the proposed acquisition as conditioned is in the public interest and should be approved.

On the basis of the record, the application is approved for the reasons summarized above.¹ This order is entered on the condition that United Jersey Banks will file a merger application and, subject to supervisory approval, merge The City National Bank of Millville, Millville, N.J., into The Cumberland National Bank of Bridgeton, Bridgeton, N.J., within 1 year of the date of this order so as to remove home office protection from Millville unless, within such 1-year period, there is a change in New Jersey law which would accomplish the same result.

The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of New York pursuant to delegated authority.

By order of the Board of Governors,² February 17, 1972.

[SEAL]

TYNAN SMITH,
Secretary of the Board.

[FR Doc. 72-2889 Filed 2-25-72; 8:49 am]

¹ Dissenting Statement of Governor Robertson filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of New York.

² Voting for this action: Chairman Burns and Governors Daane, Maisel, and Sheehan. Voting against this action: Governor Robertson. Absent and not voting: Governors Mitchell and Brimmer.

OFFICE OF EMERGENCY PREPAREDNESS

LIST OF STRATEGIC AND CRITICAL MATERIALS

Pursuant to section 2(a) of the Strategic and Critical Materials Stock Piling Act, as amended (Public Law 520, 79th Congress), the Director of OEP is authorized and directed to determine from time to time which materials are strategic and critical under the provisions of this Act. Listed below are the materials that have been determined to be strategic and critical under the provisions of this Act.

1. Aluminum.
2. Aluminum Oxide:
 - a. Aluminum oxide, fused, crude.
 - b. Aluminum oxide, abrasive grain.
3. Antimony.
4. Asbestos, Amosite.
5. Asbestos, Chrysotile.
6. Bauxite, metal grade, Jamaica type.
7. Bauxite, metal grade, Surinam type.
8. Bauxite, refractory grade.
9. Beryl:
 - a. Beryl ore.
 - b. Beryllium copper master alloy.
 - c. Beryllium metal.
10. Bismuth.
11. Cadmium.
12. Castor oil:
 - a. Castor oil.
 - b. Sebacic acid.
13. Chromite, chemical grade.
14. Chromite, metallurgical grade:
 - a. Chromite, metallurgical grade.
 - b. Chromium, ferro, high carbon.
 - c. Chromium, ferro, low carbon.
 - d. Chromium, ferro, silicon.
15. Chromite, refractory grade.
16. Chromium, metal.
17. Cobalt.
18. Columbium:
 - a. Columbium concentrates.
 - b. Columbium carbide powder.
 - c. Columbium, ferro.
 - d. Columbium, metal.
19. Copper:
 - a. Copper oxygen-free high conductivity.
 - b. Copper, other.
 - c. Beryllium copper master alloy.
20. Cordage fibers, Abaca.
21. Cordage fibers, Sisal.
22. Diamond dies, small:
 - a. Smaller than 0.0004 inch.
 - b. From 0.0004 to 0.00059 inch.
 - c. From 0.0006 to 0.00079 inch.
23. Diamond, industrial: crushing bort.
24. Diamond, industrial: stones.
25. Feathers and Down:
 - a. Down.
 - b. Feathers.
26. Fluorspar, acid grade.
27. Fluorspar, metallurgical grade.
28. Graphite, natural—Ceylon, Amorphous lump.
 - a. Graphite, natural—Malagasy, crystalline.
 - b. Graphite, natural—Malagasy, crystalline fines.
 - c. Graphite, natural—Malagasy, crystalline flakes.
29. Graphite, natural—other than Ceylon and Malagasy crystalline.
30. Graphite, natural—other than Ceylon and Malagasy crystalline.
31. Iodine.
32. Jewel bearings.
33. Lead.
34. Manganese, battery grade, natural ore.
35. Manganese, battery grade, synthetic dioxide.

36. Manganese ore, chemical grade, type A.
37. Manganese ore, chemical grade, type B.
38. Manganese ore, metallurgical grade:
 - a. Manganese ore, metallurgical grade.
 - b. Manganese, Ferro, high carbon.
 - c. Manganese, Ferro, low carbon.
 - d. Manganese, Ferro, medium carbon.
 - e. Manganese Silicon.
 - f. Manganese metal, Electrolytic.
39. Mercury.
40. Mica, Muscovite block, stained and better.
41. Mica, Muscovite film, first and second qualities.
42. Mica, Muscovite splittings.
43. Mica, Phlogopite block.
44. Mica, Phlogopite splittings.
45. Molybdenum:
 - a. Molybdenum disulphide.
 - b. Molybdenum, ferro.
 - c. Molybdenic oxide.
46. Nickel.
47. Opium:
 - a. Opium gum.
 - b. Opium, alkaloids and salts.
48. Platinum group metals, Iridium.
49. Platinum group metals, Palladium.
50. Platinum group metals, Platinum.
51. Pyrethrum.
52. Quartz crystals.
53. Quinidine.
54. Quinine.
55. Rubber.
56. Rutile.
57. Sapphire and ruby.
58. Shellac.
59. Silicon carbide, crude.
60. Silver.
61. Sperm Oil.
62. Talc, Steatite block and lump.
63. Tantalum:
 - a. Tantalum minerals.
 - b. Tantalum carbide powder.
 - c. Tantalum metal.
64. Thorium oxide.
65. Tin.
66. Titanium sponge.
67. Tungsten:
 - a. Tungsten ores and concentrates.
 - b. Tungsten carbide powder.
 - c. Tungsten, ferro.
 - d. Tungsten metal powder, carbon reduced.
 - e. Tungsten metal powder, hydrogen reduced.
68. Vanadium:
 - a. Vanadium, ferro.
 - b. Vanadium pentoxides.
69. Vegetable Tannin extract, Chestnut.
70. Vegetable Tannin extract, Quebracho.
71. Vegetable Tannin extract, Wattle.
72. Zinc.

Dated: February 18 1972.

G. A. LINCOLN,
Director,

Office of Emergency Preparedness.

[FR Doc.72-2911 Filed 2-25-72;8:51 am]

SECURITIES AND EXCHANGE COMMISSION

[812-3058]

E. I. DU PONT DE NEMOURS AND CO.

Notice of Filing of Application for Order Exempting Proposed Trans- action

FEBRUARY 18, 1972.

Notice is hereby given that E. I. du Pont de Nemours and Co. (Applicant),

a Delaware corporation, has filed an application pursuant to Section 17(b) of the Investment Company Act of 1940 (Act) for an order exempting from the provisions of section 17(a), the proposed grant to Mitsui Fluorochemicals Co., Ltd. (formerly Nitto Fluorochemicals Co., Ltd.) (hereinafter MFC), a Japanese corporation, of exclusive rights in Japan to certain technical information and Japanese patents required for the manufacture and sale by MFC of certain fluorocarbon plastic materials.

All interested persons are referred to the application on file with the Commission for a full statement of the representations contained therein, which are summarized below.

Christiana Securities Co. (Christiana), a registered closed-end investment company, owns approximately 28.4 percent of the outstanding common stock of Applicant, which in turn owns 50 percent of the outstanding common stock of MFC. Under section 2(a)(9) of the Act, Applicant and MFC are presumed to be controlled by Christiana and under section 2(a)(3) of the Act, are also affiliated persons of Christiana.

MFC was organized in April of 1963 pursuant to a 1962 agreement between Applicant and Nitto Fluorochemicals Co., Ltd. (Nitto), whereby each would have a 50 percent interest in MFC. In 1966, Nitto sold its 50 percent interest in MFC to Mitsui Petrochemical Industries, Ltd. and MFC assumed its present name. Under the 1962 agreement between Applicant and Nitto, which became effective upon MFC's formation in 1963, Applicant provided MFC, exclusively in Japan, with certain technical information and an exclusive license to manufacture specified types of fluorocarbon plastic materials including certain polymeric materials (hereinafter 1963 Polymers). In return for the above mentioned information and license, MFC agreed to pay to Applicant a 5 percent royalty on all 1963 Polymers sold by it during a 10 year period scheduled to end June 30, 1975, but which might be extended to no later than June 30, 1979. Applicant represents that because the 1962 agreement was entered into prior to the time of any affiliation between it and MFC, it was not necessary to file an application pursuant to, nor were the transactions described above in violation of, the provisions of section 17 of the Act.

The proposed transaction for which Applicant has requested an exemptive order involves an agreement between Applicant and MFC dated April 21, 1971, whereby Applicant will provide MFC with certain additional technical information required to manufacture high surface area fluorocarbon polymeric materials (HSA Polymers) and will grant to MFC and any sublicensee of MFC an exclusive license in Japan to import, make, use, and sell HSA Polymers. Applicant will reserve to itself and to its customers the right to import, use or sell in Japan any quantity of HSA Polymers made by Applicant, including any article or product made using Applicants' HSA Polymers as an intermediate.

MFC has agreed to pay Applicant, in consideration for the granting of this exclusive license, a royalty of 2 percent of the "net selling price", as described in the application, of all quantities of HSA Polymers used or sold by MFC on any sublicensee during the 5½-year period from July 1, 1975 through December 31, 1980. Applicant has agreed to defer the 2 percent royalties on the HSA Polymers until the expiration of the royalty period for the 1963 Polymers. Applicant projects that total royalties on HSA Polymers will amount to approximately \$500,000.

MFC is currently producing and selling HSA Polymers with the understanding that the transfer to MFC by Applicant of the technical information and the license must be deemed nonexclusive so as not to represent a sale and purchase of property prohibited by section 17(a) of the Act.

Applicant represents that the royalty rate and other provisions of the proposed license were negotiated at arm's length, and Applicant believes that the terms of the proposed transaction are fair to both Applicant and MFC.

Section 17(a) of the Act prohibits an affiliated person of a registered investment company from purchasing from such company or any company controlled by such registered investment company any security or other property, with certain exceptions not here applicable. Section 17(b) of the Act provides that the Commission shall issue an order exempting a proposed transaction from one or more provisions of section 17(a) if the Commission finds, upon application, that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of the registered investment company and the general purposes of the Act.

Notice is further given that any interested person may, not later than March 9, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said ap-

plication shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc.72-2903 Filed 2-25-72;8:50 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 879;
Class B]

ARKANSAS

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of December 1971, because of the effects of certain disasters damage resulted to homes and business property located in the State of Arkansas;

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 constitutes a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Assistant Administrator for Administration and Operations 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 Baxter, Boone, Carroll, Conway, Crawford, Franklin, Fulton, Hempstead, Howard, Izard, Johnson, Little River, Logan, Madison, Marion, Miller, Montgomery, Newton, Perry, Polk, Scott, Sebastian, Sevier, Stone, and Yell Counties, Ark., suffered damage or destruction resulting from heavy rains and floods on December 9, 1971.

OFFICE

Small Business Administration District Office, 600 West Capital Avenue, Little Rock, AR 72201.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1972.

Dated: February 11, 1972.

CLAUDE ALEXANDER,
Assistant Administrator
for Administration and Operations.

[FR Doc.72-2899 Filed 2-25-72;8:50 am]

[Declaration of Disaster Loan Area 878;
Class B]

MISSISSIPPI

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of December 1971, because of the effects of certain disasters damage resulted to homes and business property located in the State of Mississippi;

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 Assistant Administrator for Administration and Operations 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 Amite, Copiah, Franklin, Lawrence, Lincoln, Marion, Pike, Walthall, and Wilkinson Counties, Miss., suffered damage or destruction resulting from heavy rains and floods on December 3, 1971.

OFFICE

Small Business Administration District Office, 245 East Capitol Street, Jackson, MS 39205.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1972.

Dated: February 11, 1972.

CLAUDE ALEXANDER,
Assistant Administrator
for Administration and Operations.

[FR Doc.72-2900 Filed 2-25-72;8:50 am]

[License No. 03/03-0037]

SBIC OF THE EASTERN STATES, INC.

Notice of License Surrender

Notice is hereby given that SBIC of the Eastern States, Inc., c/o Becker Clothing Corp., 1216 Arch Street, Philadelphia, PA 19107, has surrendered its license to operate as a small business investment company pursuant to § 107.105 of the Small Business Administration Rules and Regulations governing small business investment companies (13 CFR 107.105 (1971)).

SBIC of the Eastern States, Inc., was licensed as a small business investment company on December 10, 1962, to operate solely under the Small Business Investment Act of 1958 (the act), as amended (15 U.S.C. 661 et seq.), and the regulations promulgated thereunder.

Under the authority vested by the act, and pursuant to the cited regulation, the

surrender of the license is hereby accepted and all rights, privileges, and the franchises therefrom are canceled.

Dated: February 18, 1972.

A. H. SINGER,
Associate Administrator
for Investment.

[FR Doc.72-2901 Filed 2-25-72;8:50 am]

[License No. 03/04-0060]

SECURITY SMALL BUSINESS INVESTMENT CO.

Notice of License Surrender

Notice is hereby given that Security Small Business Investment Co., 4023 Chain Bridge Road, Fairfax, VA 22030, has surrendered its license to operate as a small business investment company pursuant to § 107.105 of the Regulations governing small business investment companies (13 CFR 107.105 (1971)).

Security Small Business Investment Co. was licensed as a small business investment company on June 12, 1962, to operate solely under the Small Business Investment Act of 1958 (the act), as amended (15 U.S.C., 661 et seq.), and the Regulations promulgated thereunder.

Under the authority vested by the act, and pursuant to the cited regulation, the surrender of the license is hereby accepted and all rights, privileges, and the franchises derived therefrom are canceled.

Dated: February 18, 1972.

A. H. SINGER,
Associate Administrator
for Investment.

[FR Doc.72-2902 Filed 2-25-72;8:50 am]

TARIFF COMMISSION CERAMIC ARTICLES

Report to the President

FEBRUARY 22, 1972.

Earthenware industry found seriously injured.

The Tariff Commission today reported to the President the results of its investigation (TEA-I-22) under the Trade Expansion Act of 1962 of a petition for an increase in import restrictions on earthen and china table and kitchen articles.

The Commission found, by majority vote, that the domestic industry producing earthen table and kitchen articles is being seriously injured by increased imports resulting from trade-agreement concessions on certain of the articles concerned. Further, a majority of the Commission found that the rates of duty on imports of those articles should be increased approximately 90 percent, which would establish the same rates of duty which were in effect in 1967 prior to the so-called Kennedy Round reductions. Chairman Bedell, Vice Chairman Parker, and Commissioners Moore and Young constituted the majority; Com-

missioners Sutton and Leonard dissented from the finding.

The Commission found, by unanimous vote, that the domestic industry producing household china table and kitchen articles is not being seriously injured, or threatened with serious injury, by increased imports resulting from trade-agreement concessions on any of the articles concerned.

With respect to the affirmative finding respecting the earthenware industry, Chairman Bedell, Vice Chairman Parker, and Commissioners Moore and Young found that several categories of the ceramic table and kitchen articles covered by the investigation are, as a result in major part of trade-agreement negotiations, being imported into the United States in such increased quantities as to cause serious injury to the domestic industry producing earthen table and kitchen articles. The categories of articles involved in this finding (and the item number under which the articles are classifiable in the Tariff Schedules of the United States (TSUS)) are as follows: (1) Earthen dinnerware valued over \$12 but not over \$22 per norm¹ (533.28 (part)); (2) earthen mugs and miscellaneous articles (533.31); (3) earthen nondinnerware articles (not available in sets) except very high-valued ware (533.33 to 533.36, and 533.38 (part)); (4) china mugs and miscellaneous articles (533.71); and (5) china nondinnerware articles of low and medium value (533.73 and 533.75). The

¹The term "norm" means a specified set made up of the 77 pieces listed in the headnotes to the Tariff Schedules of the United States. The value per norm shown above represents the aggregate value of the 77 pieces in the country of manufacture. The U.S. retail price of imported earthen dinnerware valued for duty purposes at between \$12 and \$22 per norm would range from approximately \$25 to \$50 for a 45-piece set.

categories encompass the bulk of the earthen dinnerware, and the bulk of the earthen and china nondinnerware articles imported into the United States.

The four Commissioners also found that the rates of duty applicable to the categories of articles indicated would have to be increased to the pre-Kennedy Round rates of duty in order to remedy the serious injury. The present rates and the increased rates found by the Commissioners for each of the categories of articles concerned are shown at the end of this release.

Earthen table and kitchen articles are currently produced in the United States at 18 plants. Four are located in Ohio, three in California and West Virginia, two in Pennsylvania, and one each in Arizona, Kentucky, Michigan, New Jersey, Oklahoma, and Tennessee. As a result of the finding of the majority of the Tariff Commission, the President may, under the Trade Expansion Act, certify the firms and workers involved as eligible to apply for adjustment assistance.

A part of the material contained in the Commission's report to the President may not be made public since it includes information that would disclose the operations of individual firms. The Commission, therefore, is releasing to the public only those portions of the report that do not contain such information.

Copies of the public report (TC Publication 466), which contain statements of the reasons for the Commissioners' findings, will be released as soon as possible. Copies will be available upon request as long as the supply lasts. Requests should be addressed to the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, DC 20436.

The present rates of duty and the increased rates of duty found by the Commissioners making an affirmative determination for each of the categories of articles concerned are as follows:

TSUS item	Brief description	Present rate	Proposed rate
533.28 (part)	Earthenware: Dinnerware, over \$12 but not over \$22 per norm.	5 cents per dozen pieces plus 10.5 percent ad val.	10 cents per dozen pieces plus 21 percent ad val.
533.31	Nondinnerware: Mugs, steins, etc.	5 cents per dozen pieces, plus 12.5 percent ad val.	10 cents per dozen pieces plus 25 percent ad val.
533.33	Other: Low-valued ware	do.	Do.
533.35	Medium-valued ware	10 cents per dozen pieces plus 21 percent ad val.	10 cents per dozen pieces plus 40 percent ad val.
533.36	do.	do.	10 cents per dozen pieces plus 22 percent ad val.
533.38 (part)	Part of high valued ware	5 cents per dozen pieces plus 11 percent ad val.	Do.
533.71	Chinaware: Nondinnerware: Mugs, steins, etc.	22.5 percent ad val.	45 percent ad val.
533.73	Other: Low-valued ware	5 cents per dozen pieces plus 22.5 percent ad val.	10 cents per dozen pieces plus 45 percent ad val.
533.75	Medium-valued ware	5 cents per dozen pieces plus 30 percent ad val.	10 cents per dozen pieces plus 60 percent ad val.

¹Cups valued over \$1.70 but not over \$3.10 per dozen; saucers valued over \$0.95 but not over \$1.75 per dozen; plates not over 9 inches in maximum diameter valued over \$1.55 but not over \$2.85 per dozen; plates over 9 but not over 11 inches in maximum diameter valued over \$2.65 but not over \$4.85 per dozen; and other articles valued over \$3.40 but not over \$6.20 per dozen.

By order of the Commission.

[SEAL]

KENNETH R. MASON,
Secretary.

[FR Doc.72-2811 Filed 2-25-72;8:45 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

FEBRUARY 23, 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.

MC 135993, K & T Air Freight, Inc., now being assigned hearing April 24, 1972, at Lansing, Mich., in a hearing room to be designated later.

MC 61592 Sub 219, Jenkins Truck Line, now assigned February 24, 1972, at Salt Lake City, Utah, canceled and application dismissed.

MC 107515 Sub 759, Refrigerated Transport, now assigned March 6, 1972, at Dallas, Tex., postponed indefinitely.

MC 135772, Barrett Transfer & Storage Co., assigned for hearing April 24, 1972, at Seattle, Wash., in a hearing room to be later designated.

MC 61592 Sub 233, Jenkins Truck Line, Inc., assigned March 6, 1972, MC 124174 Sub 85, Momsen Trucking Co., assigned March 13, 1972, and MC 135960, Jacob Sackett, doing business as Fleetwood Ski & Sports Club, assigned March 8, 1972, at Chicago, Ill., will be in Room 1992, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 61592 Sub 232, Jenkins Truck Line, Inc., assigned March 7, 1972, and MC 113678 Sub 434, Curtis, Inc., assigned March 15, 1972, at Chicago, Ill., will be held in Room 1614, U.S. Court of Claims, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 74361 Sub 9, Bob Mendenhall, doing business as Oklahoma Border Express, assigned for hearing April 24, 1972, at Oklahoma City, Okla., in a hearing room to be later designated.

MC 99565 Sub 10, Fore Way Express, Inc., assigned for hearing April 24, 1972, at Madison, Wis., in a hearing room to be later designated.

MC 98952 Sub 25, General Transfer, now being assigned hearing April 24, 1972, at Indianapolis, Ind., in a hearing room to be designated later.

MC 111375 Sub 57, Pirkle Refrigerated Freight Lines, Inc., assigned for hearing on May 8, 1972, at Milwaukee, Wis., in a hearing room to be later designated.

MC 61592 Sub 216, Jenkins Truck Line, Inc., assigned for hearing May 3, 1972, at Chicago, Ill., in a hearing room to be later designated.

MC 135334, Lillian Koppel, doing business as USA Driveaway, assigned for hearing May 1, 1972, at Chicago, Ill., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 72-2945 Filed 2-25-72; 8:54 am]

ASSIGNMENT OF HEARINGS

Correction

In F.R. Doc. 72-2536 appearing at page 3717 in the issue of Friday, February 18, 1972, the text of the final three paragraphs, the signature, and the file line were inadvertently printed in the first column of page 3718 and should be transferred to appear in the third column of page 3717 following the text of MC 117940; the text of MC 1515 and MC 127372 should be transferred to appear under the "Motor Carriers of Property" heading in the first column of page 3718.

[Notice 22]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

Correction

In F.R. Doc. 72-2534 appearing at page 3717 in the issue of Friday, February 18, 1972, the text of MC 1515 and MC 127372 were inadvertently printed in the third column of page 3717 and should be transferred to replace the material following the "Motor Carriers of Property" heading in the first column of page 3718; the text, signature, and file line now appearing under that heading should be transferred to the third column of page 3717 to follow the text of MC 117940.

[Notice 28]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 22, 1972.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 1756 (Sub-No. 20 TA), filed February 9, 1972. Applicant: PEOPLES EXPRESS CO., 497 Raymond Boulevard, Newark, NJ 07105. Applicant's repre-

sentative: Bert Collins, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cans and can ends*, from Hillside, Jersey City, Edison Township, N.J., to Lynbrook, Farmingdale, Long Island, Pelham Manor and Tuckahoe, N.Y., for American Can Co., for 180 days. Supporting shipper: American Can Co., American Lane, Greenwich, Conn. 06830. Send protests to: Robert S. H. Vance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 970 Broad Street, Newark, NJ 07102.

No. MC 51146 (Sub-No. 257 TA), filed February 9, 1972. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Post Office Box 2298, Green Bay, WI 54306. Applicant's representative: D. F. Martin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty metal containers and metal container ends*, from LaPorte, Ind., to Frankenthum, Mich., for 180 days. Supporting shipper: National Can Corp., 5959 South Cicero Avenue, Chicago, IL 60638 (Joseph L. Rich, Eastern Region Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 117686 (Sub-No. 131 TA), filed February 9, 1972. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Post Office Box 417, Sioux City, IA 51102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and coconuts, plantains, pineapples, and other agricultural commodities* exempt from economic regulation under section 203(b)(6) of the Interstate Commerce Act, when transported in mixed loads with bananas, from Tampa, Fla., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota, for 180 days. Supporting shipper: West Indies Fruit Co., Post Office Box 1940, Miami, FL 33101. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 119493 (Sub-No. 90 TA), filed February 7, 1972. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Post Office Box 1196, Joplin, MO 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, from Springfield, Mo., to points in Arkansas, Kansas, and Oklahoma, for 180 days. Supporting shipper: Willchemco, Inc., National Bank of Tulsa Building, Tulsa, Okla. 74103. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 125441 (Sub-No. 4 TA), filed December 27, 1971. Applicant: ERNEST D'ANGELO, Main Street, Reserve Mines, Cape Breton, Nova Scotia, Canada. Applicant's representative: Kenneth B. Williams, 111 State Street, Boston, MA 02109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Albany, N.Y., to points on the international boundary between the United States and Canada at or near Houlton and Calais, Maine, restricted to shipments destined to points in Canada, for 180 days. Supporting shipper: Chiquita Brands, Inc., 1250 Broadway, New York, NY 10001. Send protests to: Donald G. Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, ME 04112.

No. MC 128857 (Sub-No. 4 TA), filed February 7, 1972. Applicant: G. L. GIBBONS, doing business as GIBBONS TRUCKING SERVICE, Post Office Box 5861, Tucson, AZ 85703. Office: 11601 North Cosa Grande Highway, Rillito, AZ 85264. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, from the site of the Southern California Edison Power Plant at the south tip of Nevada to points in Arizona, for 180 days. Supporting shipper: Associated Southern Investment Co., 100 Long Beach Boulevard, Long Beach, CA 90802. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3427 Federal Building, 230 North First Avenue, Phoenix, AZ 85025.

No. MC 128893 (Sub-No. 1 TA), filed February 9, 1972. Applicant: SAM W. CARROLL, doing business as CARROLL TRUCKING, Rural Route 1, Box 1018, Umatilla, FL 32784. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass bottles or jars and honey* when in mixed shipments with glass bottles or jars, from the plantsite or storage facilities of Kerr Glass Co. at Plainfield, Ill., to the plantsite or storage facilities of Sioux Honey Association at or near Waycross, Ga., and Temple, Tex., under continuing contract or contracts with Sioux Honey Association, for 180 days. Supporting shipper: Sioux Honey Association, Post Office Box 1107, Sioux City, IA. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations,

Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 133065 (Sub-No. 11 TA), filed February 9, 1972. Applicant: GERALD ECKLEY, doing business as ECKLEY TRUCKING AND LEASING, Post Office Box 156, Mead, NE 68041. Applicant's representative: Ackley & Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bar mesh, fertilizer wagons and spreaders, and related parts*, from the plantsite and storage facilities of the Behlen Manufacturing Co. at or near Columbus, Nebr., to points in the United States (except Alaska, Hawaii, and Nebraska), under continuing contract with Behlen Manufacturing Co., for 180 days. Supporting shipper: James E. Weldon, Transportation Manager, Behlen Manufacturing Co., Columbus, Nebr. 68601. Send protests to: Max H. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 320 Federal Building and Courthouse, Lincoln, Nebr. 68508.

No. MC 133095 (Sub-No. 22 TA), filed February 9, 1972. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., Post Office Box 434, 2603 West Eules Boulevard, Eules, TX 76039. Applicant's representative: Rocky Moore (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from Boston, Mass., and West Reading, Pa., to Memphis, Tenn., Little Rock, Ark., Tulsa, Okla., Dallas and Odessa, Tex., and Los Angeles and San Francisco, Calif., for 180 days. Supporting shipper: Schrafft Candy Co., 529 Main Street, Charlestown District, Boston, MA 02129. Send protests to: H. C. Morrison, Sr., Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, Room 9A27 Federal Building, 819 Taylor Street, Fort Worth, TX 76102.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 72-2944 Filed 2-25-72; 8:54 am]

[Notice 21]

MOTOR CARRIER TRANSFER PROCEEDINGS

Synopses of orders entered pursuant to Section 212(b) of the Interstate Com-

merce 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-73152. By order of February 14, 1972, the Motor Carrier Board approved the transfer to Berry Van Lines, Inc., 747 North Dupont Highway, Dover, DE 19901 of that portion of the operating rights in Certificate No. MC-133536 (Sub-No. 2), issued December 1, 1969, to Dover Moving & Storage, Inc., 753 North Dupont Highway, Dover, DE 19901, authorizing the transportation of general commodities, with exceptions, from Baltimore, Md., and Philadelphia, Pa., to Dover, Wyoming, and Georgetown, Del., and from points in Pennsylvania, Maryland, and the District of Columbia within 90 miles of Wyoming, Del., to Wyoming, Del., agricultural commodities, from points in Kent and Sussex Counties, Del., and Allen, Md., to Baltimore, Md., Newark, N.J., Philadelphia, Pa., New York, N.Y., and Washington, D.C.; from points in Kent and Sussex Counties, Del., to Baltimore, Md., Philadelphia, Pa., and the District of Columbia; grain, from points in Kent County, Del. to Philadelphia, Pa., Ellcott City, and Baltimore, Md.; and canned goods, apple butter, ketchup, pickles, vinegar, lumber, shingles, coal, tomato plants, empty cartons, concrete pipe and machinery, insecticides and spray materials, fertilizer, and radio cabinets, from specified points in Delaware, North Carolina, Virginia, Pennsylvania, Georgia, New Jersey, Maryland, and the District of Columbia, to specified points and areas in Delaware, Virginia, Maryland, New York, New Jersey, Pennsylvania, and the District of Columbia.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 72-2943 Filed 2-25-72; 8:54 am]

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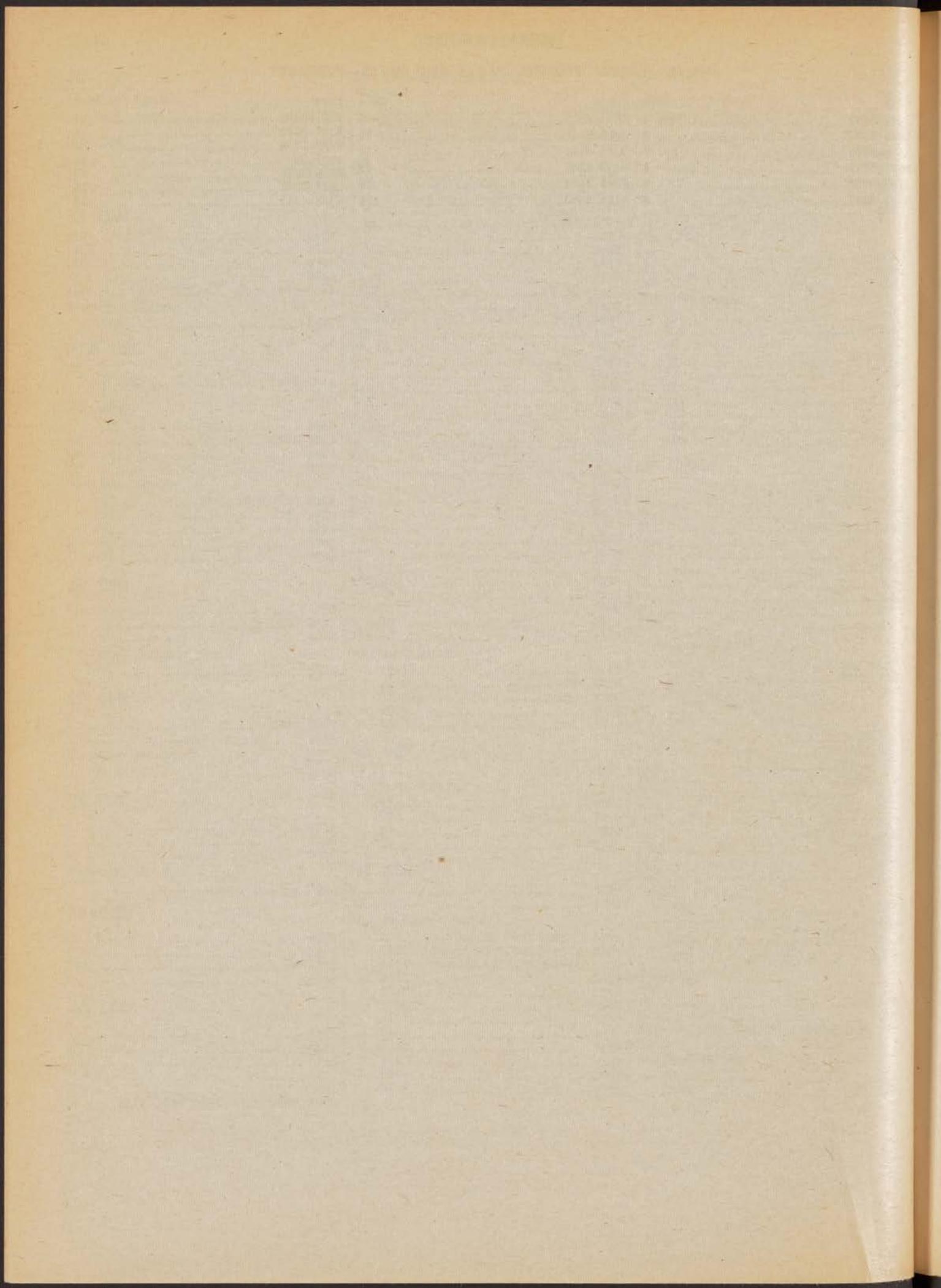
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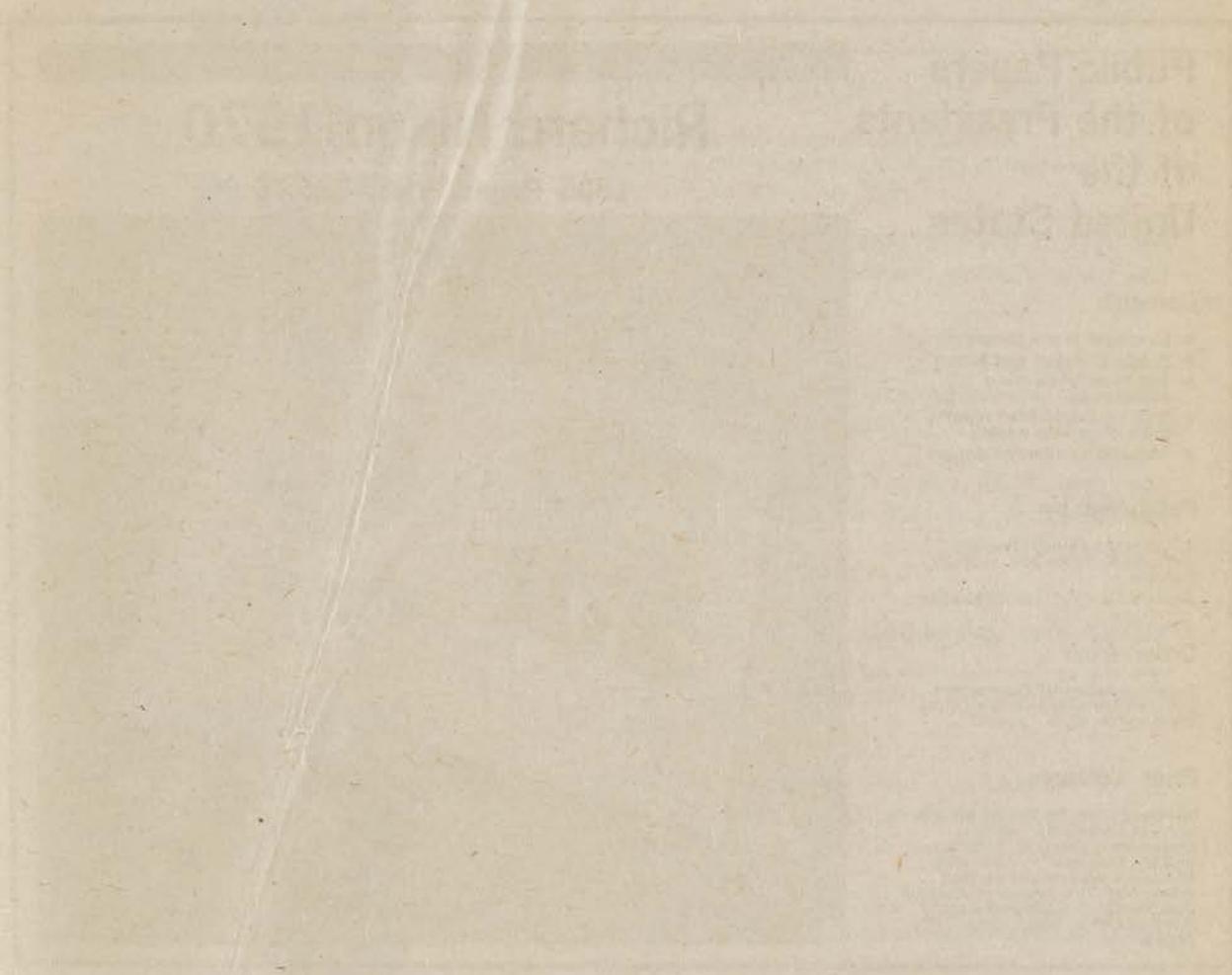
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