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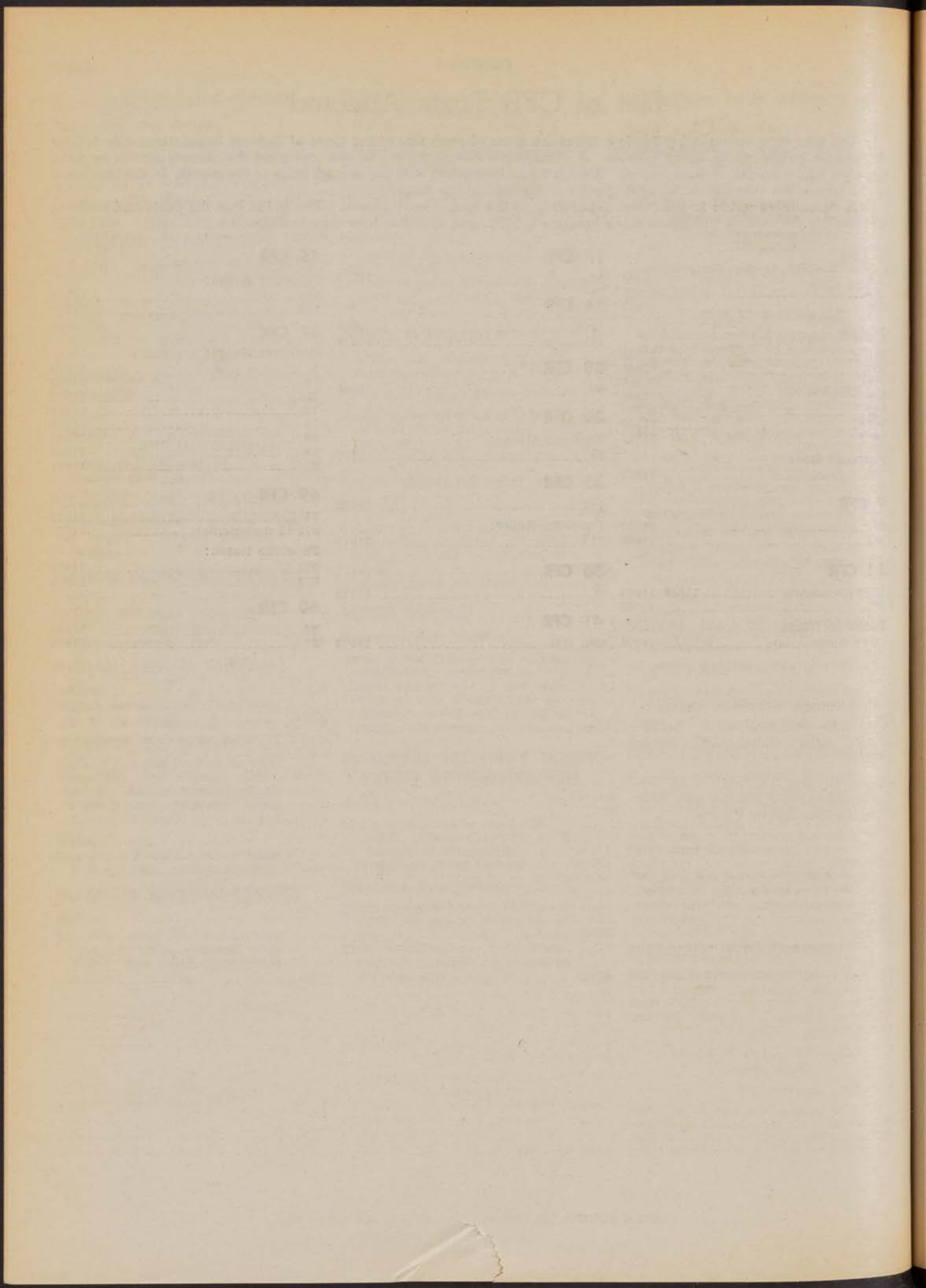
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# List of CFR Parts Affected

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE Department of State

Section 213.3304 is amended to show that one position of Personal Assistant to the Under Secretary for Coordinating Security Assistance Programs is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (6-16-72), subparagraph (11) is added to paragraph (a) of § 213.3304 as set out below.

#### § 213.3304 Department of State.

##### (a) Office of the Secretary. \* \* \*

(11) One Personal Assistant to the Under Secretary for Coordinating Security Assistance Programs.

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

#### UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.72-9073 Filed 6-15-72; 8:47 am]

### PART 300—EMPLOYMENT (GENERAL) PART 330—RECRUITMENT, SELECTION, AND PLACEMENT (GENERAL)

#### Restrictions on Time-In-Grade Requirements and Movements After Competitive Appointments

Parts 300 and 330 are amended to remove time-in-grade requirements for movements from wage to General Schedule positions, and to bring Part 300 up to date by revoking Subpart I which pertains to employment of substitutes in the Field Service of the Post Office Department since Post Office Department is no longer covered by this regulation.

Effective on publication in the FEDERAL REGISTER (6-16-72), Subpart F is amended by revising § 300.601 and Subpart I is revoked of Part 300, and §§ 330.501 and 330.503 of Subpart E of Part 330 are amended as set out below.

#### Subpart F—Time-In-Grade Restrictions

##### § 300.601 Applicability.

(a) This subpart applies to any advancement from a competitive or excepted position that is subject to the General Schedule to a competitive position

that is subject to the General Schedule by:

- (1) Promotion;
- (2) Transfer to a higher grade; or
- (3) Any type of appointment under this chapter (including reemployment and reinstatement) made within 1 year after separation from a nontemporary appointment.

(b) This subpart does not apply:

(1) When the position from which the advancement is made is outside the competitive service and in the legislative or judicial branch; or

(2) When the position from which the advancement is made is not subject to the General Schedule unless the employee advanced held a position of this type within the preceding year.

#### Subpart I—[Revoked]

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

#### Subpart E—Restrictions To Protect Competitive Principles

##### § 330.501 General restriction on movement after competitive appointment.

An agency may promote an employee or reassign him to a different line of work, or to a different geographical area, and it may transfer a present employee or reinstate a former employee of the same or another agency to a higher grade or different line of work, or to a different geographical area, only after 3 months have elapsed since the employee's latest nontemporary competitive appointment. The Commission may waive the restriction against movement to a different geographical area when it is satisfied that the waiver is consistent with the principles of open competition.

##### § 330.503 Assessment of compliance with competitive principles.

As one factor in assessing an agency's compliance with competitive principles, the Commission will consider the relationship between appointments from competitive examinations and subsequent position changes. When the Commission finds that an agency has not complied with competitive principles, either in an individual case or on a program basis, the Commission will require the agency to take appropriate corrective action.

(5 U.S.C. secs. 1302, 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.72-9072 Filed 6-15-72; 8:47 am]

## Title 7—AGRICULTURE

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

#### SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 8]

#### PART 722—COTTON

##### Subpart—Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton

#### DATES FOR RELEASE AND REAPPORTIONMENT FOR STATE OF TEXAS

This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.). The purpose of this amendment is to change the closing date for release and reapportionment of cotton acreage for Texas.

Since farmers and the local committees need to know the provisions of this amendment as soon as possible, it is hereby found that compliance with the notice, public procedure, and 30-day effective date requirements of 5 U.S.C. 553, is impracticable and contrary to the public interest.

The Subpart—Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton, of Part 722—Subchapter B of Chapter VII, Title 7 (31 F.R. 6247, 13530, 32 F.R. 5416, 33 F.R. 8427, 16066, 16434, 34 F.R. 5, 808, 37 F.R. 9202), is hereby amended by amending the table in § 722.513(b)(7)(iv) by changing the closing date for Texas to read as follows:

##### § 722.513 Release and reapportionment of ELS cotton allotments.

- (b) \* \* \*
- (7) Closing date. \* \* \*
- (iv) \* \* \*

State	Closing date for release and requests reapportionment	Final date for reapportionment
.....	.....	.....
Texas.....	April 1.....	1 month following applicable closing dates for release and requesting reapportionments.

(Secs. 344, 347, 375, 63 Stat. 670, as amended, 675, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1347, 1375)

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

Signed at Washington, D.C., on June 10, 1972.

KENNETH E. FRICK,  
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72-9117; Filed 6-15-72;8:50 am]

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

[Orange Reg. 69, Amdt. 11]

#### PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

##### Limitation of Shipments

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, 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 recommendation of the committee established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, except Navel, Temple, and Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendation by the Growers Administrative Committee for less restrictive grade limitations on fresh shipments of oranges, other than Navel, Temple, and Murcott Honey oranges, is consistent with the external appearance and remaining supply of such oranges and the current and prospective demand for such fruit by fresh market outlets. The recommended grade regulation is necessary to insure a supply of good quality fruit to consumers and to improve overall returns to producers.

(3) 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 amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of varieties of oranges grown in Florida.

*Order.* The provisions of paragraph (a) (1) of § 905.536 (Orange Regulation 69; 36 F.R. 20215, 22054, 22666, 23353, 23617, 23575, 25401; 37 F.R. 2660, 5813, 6729, 7582) are amended to read as follows:

#### § 905.536 Orange Regulation 69.

(a) \* \* \*

(1) Any oranges, except Navel, Temple, and Murcott Honey oranges, grown in the production area, which do not grade at least U.S. No. 1;

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

Dated, June 13, 1972, to become effective June 19, 1972.

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

[FR Doc.72-9075 Filed 6-15-72;8:47 am]

#### PART 911—LIMES GROWN IN FLORIDA

##### Expenses and Rate of Assessment and Carryover of Unexpended Funds

On June 1, 1972, notice of rule making was published in the FEDERAL REGISTER (37 F.R. 10956) regarding proposed expenses and the related rate of assessment for the period April 1, 1972, through March 31, 1973, and carryover of unexpended funds, pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911; 37 F.R. 10497), regulating the handling of limes grown in Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Florida Lime Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

##### § 911.211 Expenses, rate of assessment, and carryover of unexpended funds.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Florida Lime Administrative Committee during the period April 1, 1972, through March 31, 1973, will amount to \$22,420.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 911.41, is fixed at \$0.035 per bushel of limes.

(c) *Reserve.* Unexpended assessment funds in the amount of approximately \$20,000, which are in excess of expenses incurred during the fiscal year ending March 31, 1972, shall be carried over as a reserve in accordance with §§ 911.42 and 911.204 of said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of limes are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable limes handled during the aforesaid period, and (3) such period began on April 1, 1972, and said

rate of assessment will automatically apply to all such limes beginning with such date.

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

Dated: June 13, 1972.

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

[FR Doc.72-9113 Filed 6-15-72;8:50 am]

#### PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

##### Expenses and Rate of Assessment and Carryover of Unexpended Funds

On June 1, 1972, notice of rule making was published in the FEDERAL REGISTER (37 F.R. 10957) regarding proposed expenses, and the related rate of assessment for the period beginning April 1, 1972, through March 31, 1973, and carryover of unexpended funds, pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in South Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Avocado Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

##### § 915.211 Expenses, rate of assessment, and carryover of unexpended funds.

(a) *Expenses.* Expenses which are reasonable and likely to be incurred by the Avocado Administrative Committee during the period April 1, 1972, through March 31, 1973, will amount to \$22,420.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 915.41, is fixed at \$0.035 per bushel of avocados.

(c) *Reserve.* Unexpended assessment funds in the amount of approximately \$12,646.27, which are in excess of expenses incurred during the fiscal year ending March 31, 1972, shall be carried over as a reserve in accordance with §§ 915.42 and 915.205 of said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of avocados are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable avocados handled during the aforesaid period, and (3) such period began on April 1, 1972, and said rate of assessment will automatically apply to all such avocados beginning with such date.



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

Dated: June 13, 1972.

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

[FR Doc.72-9114 Filed 6-15-72;8:50 am]

**PART 923—SWEET CHERRIES GROWN  
IN DESIGNATED COUNTIES IN  
WASHINGTON**

**Expenses, Rate of Assessment, and  
Carryover of Unexpended Funds**

On June 1, 1972, notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 10957) regarding proposed expenses and the related rate of assessment for the period April 1, 1972, through March 31, 1973, and approval of carryover of unexpended funds from the fiscal period April 1, 1971, through March 31, 1972, pursuant to the marketing agreement and Order No. 923 (7 CFR Part 923) regulating the handling of sweet cherries grown in designated counties in Washington. This notice allowed interested persons 10 days during which they could submit written data, views, or arguments pertaining to the proposals. None were submitted. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Washington Cherry Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

**§ 923.212 Expenses, rate of assessment,  
and carryover of unexpended funds.**

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Washington Cherry Marketing Committee during the period April 1, 1972, through March 31, 1973, will amount to \$15,419.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 923.41, is fixed at \$0.70 per ton of sweet cherries.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal period ended March 31, 1972, shall be carried over as a reserve in accordance with the applicable provisions of §§ 923.42 and 923.202 of said marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of sweet cherries grown in the designated counties in Washington are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be appli-

cable to all assessable cherries handled during the aforesaid period; and (3) such period began on April 1, 1972, and said rate of assessment will automatically apply to all such cherries beginning with such date.

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

Dated: June 13, 1972.

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

[FR Doc.72-9115 Filed 6-15-72;8:50 am]

**Chapter XIV—Commodity Credit Corporation,  
Department of Agriculture**

**SUBCHAPTER B—LOANS, PURCHASES, AND  
OTHER OPERATIONS**

[Amdt. 3]

**PART 1424—BULK OILS**

**Standards for Approval of Bulk Oil  
Warehouses**

The Standards for Approval of Bulk Oil Warehouses, as issued, corrected, and amended by the Commodity Credit Corporation (34 F.R. 4880, 5300, and 13734, and 35 F.R. 6701), are hereby further amended to reflect a change in the address for the New Orleans Agricultural Stabilization and Conservation Service Commodity Office. Since the amendment does not change the substantive terms and conditions of the Standards, it is determined that compliance with the proposed rule making procedures is not necessary.

Paragraph (b) of § 1424.1 is amended to read as follows:

**§ 1424.1 General statement and administration.**

(b) Copies of the applicable CCC storage contract and other forms required to obtain approval under this subpart may be obtained from the following offices:

- (1) For bulk linseed oil, from the Minneapolis Agricultural Stabilization and Conservation Service Commodity Office, 6400 France Avenue South, Minneapolis, MN 55435; and
- (2) for all other bulk oils, including cottonseed oil, castor oil, and tung oil, from the New Orleans Agricultural Stabilization and Conservation Service Commodity Office, Post Office Box 60121, New Orleans, LA 70160.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b)

Effective date: Date of publication in the FEDERAL REGISTER (6-16-72).

Signed at Washington, D.C., on June 10, 1972.

KENNETH E. FRICK,  
Executive Vice President,  
Commodity Credit Corporation.

[FR Doc.72-9119 Filed 6-15-72;8:50 am]

[Amdt. 1]

**PART 1427—COTTON**

**Subpart—Standards for Approval of  
Warehouses for Cotton or Cotton  
Linters**

**CHANGE IN NEW ORLEANS OFFICE ADDRESS**

The regulations appearing in this subpart, which were published on March 6, 1969 (34 F.R. 4882), are amended to reflect a change in the address for the New Orleans Agricultural Stabilization and Conservation Service Commodity Office. Since the amendment does not change the substantive terms and conditions of the regulations, it is determined that compliance with the proposed rule making procedures is not necessary.

Paragraph (b) of § 1427.1081 is amended to read as follows:

**§ 1427.1081 General statement and administration.**

(b) Copies of the applicable storage agreement and other forms required to obtain approval under this subpart may be obtained from the New Orleans Agricultural Stabilization and Conservation Service Commodity Office, Post Office Box 60121, New Orleans, LA 70160 (hereinafter referred to as the "New Orleans Office").

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b)

Effective date: Date of publication in the FEDERAL REGISTER (6-16-72).

Signed at Washington, D.C., on June 10, 1972.

KENNETH E. FRICK,  
Executive Vice President,  
Commodity Credit Corporation.

[FR Doc.72-9118 Filed 6-15-72;8:50 am]

**Title 9—ANIMALS AND  
ANIMAL PRODUCTS**

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

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

[Docket No. 72-527]

**PART 76—HOG CHOLERA AND OTHER  
COMMUNICABLE SWINE DISEASES**

**Areas Quarantined**

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products

because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, paragraph (e) (5) relating to the State of Georgia is deleted.

2. In § 76.2, the reference to the State of Illinois in paragraph (f) is deleted and paragraph (g) is amended by adding thereto the name of the State of Illinois.

(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; sec. 1, 75 Stat. 481; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

**Effective date.** The foregoing amendments shall become effective upon issuance.

The amendments exclude a portion of Tattall County in Georgia from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas contained in 9 CFR Part 76, as amended, do not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 apply to the excluded area. No areas in Georgia remain under quarantine.

The amendments delete Illinois from the list of hog cholera Eradication States in § 76.2(f) and add Illinois to the list of hog cholera Free States in § 76.2(g). The special provisions pertaining to the interstate movement of swine and swine products from Eradication and Free States remain applicable to Illinois.

Insofar as the amendments relieve restrictions presently imposed but no longer deemed necessary to prevent the spread of hog cholera, they should be made effective promptly in order 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 the 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 amendments are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of June 1972.

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

[FR Doc. 72-9074 Filed 6-15-72; 8:47 am]

### Chapter III—Animal and Plant Health Inspection Service (Meat and Poultry Inspection), Department of Agriculture

#### SUBCHAPTER A—MANDATORY MEAT INSPECTION

### PART 331—SPECIAL PROVISIONS FOR DESIGNATED STATES AND TERRITORIES; AND FOR DESIGNATION OF ESTABLISHMENTS WHICH ENDANGER PUBLIC HEALTH AND FOR SUCH DESIGNATED ESTABLISHMENTS

#### Designation of Pennsylvania Under Federal Meat Inspection Act

**Statement of considerations.** Subsection 301(c) (3) of the Federal Meat Inspection Act (21 U.S.C. 661(c) (3)) authorizes the Secretary of Agriculture to designate any State, upon 30 days' notice to the Governor and publication of the designation order in the FEDERAL REGISTER, as a State in which the requirements of titles I and IV of said Act shall apply to intrastate operations and transactions, and to persons, firms, and corporations engaged therein, with respect to meat products and other articles and animals subject to the Act, if he determines that the State involved is not effectively enforcing requirements, at least equal to those imposed under titles I and IV, with respect to establishments within the State at which cattle, sheep, swine, goats, or equines are slaughtered, or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State.

The Secretary heretofore determined that the State of Pennsylvania had developed and activated the prescribed requirements. However, the Secretary has now determined that Pennsylvania currently is not effectively enforcing the prescribed requirements, and he has notified the Governor of the State of such determination and of the intended designation of the State. Therefore, notice is hereby given that the Secretary of Agriculture designates said State under section 301(c) of the Act. Upon the expiration of 30 days after publication of this notice in the FEDERAL REGISTER, the provisions of titles I and IV of the Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce," within the meaning of the Act, and any establishment in Pennsylvania which conducts any slaughtering or preparation of carcasses or parts or products thereof as described above must have Federal inspection or cease its operations, unless it qualifies for an exemption under section 23(a) or 301(c) of the Act. The exemption provisions of the Act are very limited.

Therefore, the operator of each such establishment who desires to continue

such operations after designation of the State becomes effective should immediately communicate with the Regional Director for Meat and Poultry Inspection, listed below, for information concerning the requirements and exemptions under the Act and application for inspection and a survey of the establishment:

Dr. C. F. Diehl, Director, Northeastern Region for Meat and Poultry Inspection Program, Seventh Floor, 1421 Cherry Street, Philadelphia, PA 19102, A/C 215-597-4219.

Accordingly, § 331.2 of the regulations under the Federal Meat Inspection Act (9 CFR 331.2) is amended pursuant to said Act by adding the following State name (in alphabetical order) and effective date of designation to the list set forth in said section:

State	Effective date of designation
Pennsylvania	July 17, 1972

(Secs. 21, 301(c), 34 Stat. 1260, as amended, 21 U.S.C. 621, 661; 29 F.R. 16210, as amended, 37 F.R. 6327, 6505)

This amendment of the regulations is necessary to reflect the determination of the Secretary of Agriculture under 301(c) of the Federal Meat Inspection Act. It does not appear that public participation in this rule making proceeding would make additional information available to the Secretary. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such public procedure is impracticable and unnecessary, and good cause is found for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

This amendment and the notice given hereby shall become effective upon publication in the FEDERAL REGISTER (6-16-72).

Done at Washington, D.C., on June 13, 1972.

RICHARD E. LYG, *Assistant Secretary.*

[FR Doc. 72-9120 Filed 6-15-72; 8:51 am]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 72-CE-1]

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

#### Designation of Transition Area

On pages 6209 and 6210 of the FEDERAL REGISTER dated March 25, 1972, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Lyons, Kans.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

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

This amendment shall be effective 0901 G.m.t., August 17, 1972.

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

Issued in Kansas City, Mo., on May 24, 1972.

CHESTER W. WELLS,  
*Acting Director, Central Region.*

1. § 71.181 (37 F.R. 2143), the following transition area is added:

LYONS, KANS.

That airspace extending upward from 700 feet above the surface, within a 5-mile radius of the Lyons Airport (latitude 38°20'30" N., longitude 98°13'45" W.) and 3 miles either side of the 350° bearing from the airport, extending from 5 miles to 8.5 miles north and that airspace extending upward from 1,200 feet above the surface, 9.5 miles west of and 4.5 miles east of the 350° bearing from 1.5 miles south to 18.5 miles north of the airport, excluding that airspace that overlies the Hutchinson, Kans., transition area.

[FR Doc.72-9063 Filed 6-15-72;8:46 am]

[Airspace Docket No. 72-CE-5]

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

**Designation of Transition Area**

On page 6210 of the FEDERAL REGISTER dated March 25, 1972, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Rolla, Mo.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

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

This amendment shall be effective 0901 G.m.t., August 17, 1972.

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

Issued in Kansas City, Mo., on May 24, 1972.

CHESTER W. WELLS,  
*Acting Director, Central Region.*

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

ROLLA, MO.

That airspace extending upward from 700 feet above the surface within a 5.5-statute-mile radius of the Rolla Downtown Airport (latitude 37°56'10" N., longitude 91°48'55" W.).

[FR Doc.72-9064 Filed 6-15-72;8:46 am]

[Airspace Docket No. 72-EA-89]

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

**Alteration of Transition Area**

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the West Virginia transition area (37 F.R. 2303). The purpose of the alteration is to record the description so as to exclude any portions of Ohio airspace contained within the description.

Since the foregoing is editorial in nature, notice and public procedure hereon are unnecessary.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 17, 1972, as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the West Virginia Transition Area and insert in lieu thereof of the following:

That airspace extending upward from 1,200 feet above the surface within the boundary of the State of West Virginia.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on June 2, 1972.

ROBERT H. STANTON,  
*Acting Director, Eastern Region.*

[FR Doc.72-9066 Filed 6-16-72;8:46 am]

[Airspace Docket No. 72-EA-64]

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

**Revocation of Control Zone**

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to revoke the Blackstone, Va., control zone (37 F.R. 2064).

Since this amendment is relaxatory and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. August 17, 1972, as follows:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations so as to revoke the Blackstone, Va., control zone.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on June 1, 1972.

ROBERT H. STANTON,  
*Acting Director, Eastern Region.*

[FR Doc.72-9067 Filed 6-15-72;8:46 am]

[Airspace Docket No. 72-GL-12]

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

**Designation of Transition Area**

On Page 6406 of the FEDERAL REGISTER dated March 29, 1972, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Cambridge, Ohio.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment. Grant L. Services, Inc., suggested an additional approach using the Newcomerstown and Zanesville VOR's as approach nav aids. This is being considered.

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

This amendment shall be effective 0901 G.m.t., August 17, 1972.

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

Issued in Des Plaines, Ill., on June 2, 1972.

R. O. ZIEGLER,  
*Acting Director,  
Great Lakes Region.*

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

CAMBRIDGE, OHIO

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Cambridge Municipal Airport, Ohio (latitude 39°58'33" N., longitude 81°34'37" W.); and within 3 miles each side of the 214° bearing from the Cambridge Municipal Airport extending from the 5-mile radius to 8 miles southwest.

[FR Doc.72-9065 Filed 6-15-72;8:46 am]

[Docket No. 11995, Amdt. 814]

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

**Miscellaneous Amendments**

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAP's) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAP's for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 F.R. 5609).

SIAP's are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591. Copies

of SIAP's adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAP's may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, DC 20591, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$125 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by establishing, revising, or canceling the following VOR-VOR/DME SIAP's, effective June 22, 1972.

Laredo, Tex.—Laredo International Airport; VOR/DME Runway 15, Amdt. 7; Revised.  
Laredo, Tex.—Laredo International Airport; VOR Runway 33, Amdt. 10; Revised.

2. Section 97.23 is amended by establishing, revising, or canceling the following VOR-VOR/DME SIAP's, effective July 13, 1972.

Doylestown, Pa.—Doylestown Airport; VOR Runway 23, Amdt. 2; Revised.  
Elizabethtown, Ky.—Ben Floyd Field; VOR-A, Amdt. 3; Revised.  
Elizabethtown, Ky.—Ben Floyd Field; VOR/DME-A, Amdt. 1; Revised.  
Lorain (Elyria), Ohio—Lorain County Regional Airport; VOR Runway 7, Amdt. 2; Revised.  
Middletown, N.Y.—Randall Airport; VOR Runway 7, Amdt. 4; Revised.  
Vineland, N.J.—Rudys Airport; VOR-A, Amdt. 3; Revised.

3. Section 97.25 is amended by establishing, revising, or canceling the following SDF-LOC-LDA SIAP's, effective July 13, 1972.

St. Petersburg-Clearwater, Fla.—St. Petersburg-Clearwater International Airport; LOC (BC) Runway 35, Amdt. 10; Revised.

4. Section 97.27 is amended by establishing, revising, or canceling the following NDB/ADF SIAP's, effective June 15, 1972.

Covington, Ky.—Greater Cincinnati Airport; NDB Runway 9R, Amdt. 4; Revised.

5. Section 97.27 is amended by establishing, revising, or canceling the following NDB/ADF SIAP's, effective June 22, 1972.

Laredo, Tex.—Laredo International Airport; NDB Runway 15, Original; Established.

6. Section 97.27 is amended by establishing, revising, or canceling the follow-

ing NDB/ADF SIAP's, effective July 13, 1972.

Middletown, N.Y.—Randall Airport; NDB-A, Original; Established.

7. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAP's, effective June 15, 1972.

Covington, Ky.—Greater Cincinnati Airport; ILS Runway 9R, Amdt. 2; Revised.

8. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAP's, effective June 22, 1972.

Laredo, Tex.—Laredo International Airport; ILS Runway 15, Original; Established.

9. Section 97.31 is amended by establishing, revising, or canceling the following Radar SIAP's, effective July 13, 1972.

Atlanta, Ga.—Fulton County Airport; Radar-1, Amdt. 9; Revised.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510, sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on June 8, 1972.

CLARENCE R. MELUGIN, Jr.,  
Acting Director,  
Flight Standards Service.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 F.R. 5610) approved by the Director of the Federal Register on May 12, 1969.

[FR Doc. 72-8991 Filed 6-15-72; 8:45 am]

## Title 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

[Release No. 34-9633]

#### PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

##### Net Capital of Certain Brokers-Dealers; Restricted Rates and Minimum Requirements

The Securities and Exchange Commission today announced the amendment of Rule 15c3-1 [17 CFR 240.15c3-1] under the Securities Exchange Act of 1934 (the Act). This rule imposes specified financial responsibility requirements on brokers and dealers. In general, and subject to certain exceptions, the amendment of Rule 15c3-1 ("the net capital rule") restricts the net capital ratio of new brokers and dealers for the first year of their operations, and increases the minimum net capital required of certain brokers and dealers.

On August 13, 1971, in Securities Exchange Act Release No. 9288, published in the FEDERAL REGISTER for August 25, 1971 (36 F.R. 16695), the Commission proposed to amend Rule 15c3-1 by restricting the net capital ratio of certain brokers and dealers and by increasing the minimum net capital required of

most brokers and dealers to \$25,000. It has considered the comments and suggestions received in response to that proposal and now amends that rule as set forth below.

The inadequacy of the former net capital requirements of brokers and dealers has been well demonstrated in recent years by the financial losses suffered by customers with respect to funds and securities in the possession of brokers and dealers who are in financial difficulty. The recent Staff Study for the Special Subcommittee on Investigations of the House Committee on Interstate and Foreign Commerce stated:

Our review of broker-dealers recently involved in liquidation proceedings or adjudged bankrupt, disclosed that many of these firms were relatively newly organized firms and had small initial capitalization ranging from the minimum of \$5,000 to as much as \$250,000. The small capitalization tended to produce a rapid and a relatively serious deterioration in financial stability during the period of market decline in 1969 and 1970.<sup>1</sup>

While the severity of customer losses may be tempered by the recent creation of the Securities Investor Protection Corporation (SIPC), which protects against customer losses of funds and securities up to \$50,000, hardships to customers still may result from the liquidation of a broker or dealer. For example, if a customer cannot obtain his securities in a reasonable period of time he may lose the ability to sell that security to realize a profit or cut his losses. Hardships such as that will not be prevented by SIPC.

The Staff Study suggested, and the Commission concurs with the recommendation, that consideration be given to the need for "strengthening the minimum net capital requirements of brokers and dealers, particularly those just entering the securities industry."<sup>2</sup>

As amended, the net capital rule imposes a maximum ratio of aggregate indebtedness to net capital ("the net capital ratio") of eight-to-one for the first 12 months of the existence of any broker or dealer. This will help assure some financial stability for new brokers and dealers. With the exception noted below, the rule as amended requires all new brokers and dealers to have minimum net capital of not less than \$25,000 on and after August 30, 1972. Subject to the same exception, brokers and dealers who were in existence before August 13, 1971, must have minimum net capital of \$15,000 and \$25,000 within 12 and 24 months, respectively, after July 31, 1972. The exception relates to a broker or dealer who promptly transmits all funds and delivers all securities received in connection with his activities as a broker or dealer, and does not otherwise hold funds or securities for customers, or owe funds or securities to

<sup>1</sup> Review of SEC Records of the Demise of Selected Broker-Dealers, Staff Study for the Special Subcommittee on Investigations of the Committee on Interstate and Foreign Commerce, House of Representatives, 92d Cong., first session, pp. 26-27 (July 1971).

<sup>2</sup> Id. at 33.

customers. He need only maintain minimum net capital of \$5,000. The amendment does not change the requirement of a minimum net capital of \$2,500 for those brokers and dealers who are entitled to that lower minimum as the rule now stands.

The Commission believes in the necessity of assuring that smaller brokers and dealers have a secure position in the securities community, and that entry into that community be preserved to the greatest extent compatible with the public interest and the protection of investors. While the Commission believes that the increase in minimum net capital to \$25,000 for brokers and dealers who carry customer accounts is necessary for the protection of investors, it feels that such an increase for those brokers and dealers who do not carry customer accounts and do not hold customers' funds and securities, might be unduly burdensome in view of the lesser risks to the customers of such brokers and dealers. The Commission therefore has retained the present \$5,000 minimum with respect to such brokers and dealers. In this connection, it should be noted that the Commission has today proposed to amend Rule 17a-3(b) (17 CFR 240.17a-3(b)) to permit broker-dealers to introduce accounts to other broker-dealers on a fully disclosed basis and to carry accounts of other broker-dealers, provided that the clearing broker-dealer has and maintains net capital of not less than \$25,000 and is otherwise in compliance with the capital rules to which he is subject.<sup>2</sup> The proposal would also permit exchange members and other broker-dealers to clear transactions through banks under certain circumstances.<sup>4</sup> The Commission believes that the ability to clear through other broker-dealers, or through banks, and the lower minimum net capital requirement for broker-dealers who transact their business in such a manner, will assure the continued existence of small broker-dealers and the important service such broker-dealers provide to the securities markets and public investors.

The Commission has also amended paragraph (b) (2) of Rule 15c3-1, which exempts from the rule members of certain national securities exchanges if the capital rules of such exchanges impose requirements more comprehensive than those imposed by Rule 15c3-1. That provision has been amended to condition continued exemption from Rule 15c3-1 upon the exchanges having rules providing for ratios and net capital at least equal to the minimums required by Rule 15c3-1. The exchanges will have until September 29, 1972, to amend their rules or to otherwise bring their requirements into conformance with Rule 15c3-1 in these respects.

*Commission action.* The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, and particularly sec-

tions 15(c) (3) and 23(a) thereof, and deeming it in the public interest and for the protection of investors, hereby amends § 240.15c3-1 of Chapter II of Title 17 of the Code of Federal Regulations (1) by amending paragraph (a) thereof, and (2) by adding a new sentence at the end of paragraph (b) (2).

As amended, paragraphs (a) and (b) would read as follows:

**§ 240.15c3-1 Net capital requirements for brokers and dealers.**

(a) No broker or dealer shall permit his aggregate indebtedness to all other persons to exceed 2,000 per centum of his net capital, and every broker or dealer shall have the net capital necessary to comply with the following conditions:

(1) If he becomes registered as a broker or dealer on and after August 13, 1971, his aggregate indebtedness to all other persons on and after August 30, 1972, and for 12 months after becoming registered shall not exceed 800 per centum of his net capital, and except as provided for in subparagraphs (3) and (4) of this paragraph, he shall have and maintain net capital of not less than \$25,000; and

(2) If he became registered as a broker or dealer before August 13, 1971, and he does not come within the provisions of subparagraph (3) or (4) of this paragraph, he shall have and maintain net capital of not less than \$15,000 commencing July 31, 1973, and \$25,000 commencing July 31, 1974;

(3) Notwithstanding the provisions of subparagraphs (1) and (2) of this paragraph, if he promptly transmits all funds and delivers all securities received in connection with his activities as a broker or dealer, and does not otherwise hold funds or securities for, or owe money or securities to, customers he shall have and maintain net capital of not less than \$5,000 if he does not otherwise carry accounts of or for customers; and

(4) The minimum net capital to be maintained by a broker or dealer meeting all of the following conditions shall be \$2,500:

(i) His dealer transactions (as principal for his own account) are limited to the purchase, sale and redemption of redeemable shares of registered investment companies; except that a broker or dealer transacting business as a sole proprietor may also effect occasional transactions in other securities for his own account with or through another registered broker-dealer;

(ii) His transactions as broker (agent) are limited to: (a) The sale and redemption of redeemable securities of registered investment companies; (b) the solicitation of share accounts for savings and loan associations insured by an instrumentality of the United States; and (c) the sale of securities for the account of a customer to obtain funds for immediate reinvestment in redeemable securities of registered investment companies; and

(iii) He promptly transmits all funds and delivers all securities received in connection with his activities as a broker or dealer, and does not otherwise hold

funds or securities for, or owe money or securities to, customers.

(b) Exemptions:

(2) The provisions of this section shall not apply to any member in good standing and subject to the capital rules of the American Stock Exchange, the Boston Stock Exchange, the Midwest Stock Exchange, the New York Stock Exchange, the Pacific Coast Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, or the Pittsburgh Stock Exchange, whose rules, settled practices, and applicable regulatory procedures are deemed by the Commission to impose requirements more comprehensive than the requirements of this section: *Provided, however,* That the exemption as to the members of any exchange may be suspended or withdrawn by the Commission at any time, by sending ten (10) days written notice to such exchange, if it appears to the Commission to be necessary or appropriate in the public interest or for the protection of investors so to do. This exemption shall not be available to the members of any exchange whose capital rules do not provide that in the computation of net capital there shall be a deduction of not less than 10 percent of the contract price of each item in the securities failed to deliver account which is outstanding 40 to 49 calendar days; 20 percent of the contract price of each item in the securities failed to deliver account which is outstanding 50 to 59 calendar days; and 30 percent of the contract price of each item in the securities failed to deliver account which is outstanding 60 or more calendar days. This exemption shall not be available to the members of any exchange whose rules do not provide after September 29, 1972, for ratios and net capital at least equal to the minimum ratios and net capital required by paragraphs (a) (1) and (2) of this section.

The foregoing action shall be effective on July 31, 1972.

(Secs. 15(c) (3), 23(a), 48 Stat. 895, 901, secs. 3, 8, 49 Stat. 1377, 1379, sec. 2, 52 Stat. 1075, 15 U.S.C. 78o(c) (3), 78w(a))

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

JUNE 14, 1972.

[FR Doc.72-9081 Filed 6-15-72;8:48 am]

**Title 29—LABOR**

**Subtitle A—Office of the Secretary of Labor**

**PART 5a—LABOR STANDARDS FOR RATIOS OF APPRENTICES AND TRAINEES TO JOURNEYMEN ON FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION**

**Equal Employment Obligations**

On March 21, 1972, notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 5759) to indicate

<sup>2</sup> Securities Exchange Act Release No. 9634, June 14, 1972.

<sup>4</sup> Id.

the various Department of Labor equal employment opportunity programs applicable to the ratio requirements contained in 29 CFR Part 5a.

Interested persons were given 30 days in which to submit written comments regarding the proposal. After consideration of all comments received, the proposal is hereby adopted without change.

Section 5a.1 is amended by the addition of a new paragraph (d) as follows:

§ 5a.1 Purpose and scope.

(d) The utilization of apprentices, trainees, and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended; Part 30 of this subtitle and State plans approved by the U.S. Department of Labor pursuant thereto; and Part 31 of this subtitle.

*Effective date.* This amendment is effective upon publication in the FEDERAL REGISTER (6-16-72).

Signed at Washington, D.C., this 9th day of June 1972.

J. D. HODGSON,  
Secretary of Labor.

[FR Doc.72-9080 Filed 6-15-72;8:48 am]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter I—Coast Guard, Department of Transportation

[CGD 72-106R]

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

##### Passaic River, N.J.

This amendment adds regulations for the highway bridge across the Passaic River between Bellville and Arlington to require at least 6 hours' notice from 7 a.m. to 6 p.m. from June 19, 1972, through July 28, 1972. The purpose of this amendment is to allow repair to the deck section of this bridge and other maintenance work, as appropriate.

This rule is issued without notice of proposed rule making and is effective in less than 30 days. The Coast Guard has found that good cause exists for taking this action on the basis that it would be contrary to the public interest to delay this work.

Accordingly, Part 117 of Title 33, of the Code of Federal Regulations is amended by adding paragraph (j) to § 117.200 to read as follows:

§ 117.200 Newark Bay, Passaic and Hackensack Rivers, and their navigable tributaries; general regulations.

(j) *Passaic River, highway bridge between Bellville and Arlington.* The draw need not open from 7 a.m. to 6 p.m. from June 19, 1972, through July 28, 1972, unless at least 6 hours' notice has been

given. At all other times the draw shall open on signal.

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

*Effective date.* This revision is effective from June 19, 1972, through July 28, 1972.

Dated: June 12, 1972.

W. M. BENKERT,  
Rear Admiral, U.S. Coast  
Guard, Chief, Office of Marine  
Environment and Systems.

[FR Doc.72-9107 Filed 6-15-72;8:49 am]

## Title 36—PARKS, FORESTS, AND MEMORIALS

### Chapter I—National Park Service, Department of the Interior

#### PART 6—MISCELLANEOUS FEES

##### Motor Vessel Transportation and Commercial Fishing

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 567), §§ 6.5 and 6.6 are hereby deleted from Title 36 of the Code of Federal Regulations.

The purpose of this deletion is to remove purely informational material concerning motor vessel transportation and commercial fishing at Isle Royale National Park from the Code of Federal Regulations, and to permit a more flexible method of handling frequently changing motor vessel transportation rates.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. However, since this deletion will not impose any additional restrictions on the public, comment thereon is deemed to be unnecessary and not in the public interest. This amendment will thus take effect upon its publication in the FEDERAL REGISTER (6-16-72) (5 U.S.C. 553).

Section 6.5 entitled *Motor vessel transportation* and § 6.6 entitled *Commercial fishing* are hereby deleted.

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

[FR Doc.72-9059 Filed 6-15-72;8:46 am]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 12B—Coast Guard, Department of Transportation

[CGD 72-77CR]

#### REVOCATION OF CHAPTER

##### Effective Date; Correction

In F.R. Doc. 72-8063, appearing at page 10834 in the May 31, 1972, issue of the

FEDERAL REGISTER, the effective date of the revocation of Chapter 12B of Title 41, Code of Federal Regulations is May 31, 1972. This date is in error and the effective date is corrected to June 2, 1972. As corrected, the effective date reads as follows:

*Effective date.* This amendment shall become effective on June 2, 1972.

Dated: June 8, 1972.

E. D. SCHEIDERER,  
Comptroller.

[FR Doc.72-9105 Filed 6-15-72;8:49 am]

## Title 49—TRANSPORTATION

### Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 30, Amdt. 71-12]

#### PART 71—STANDARD TIME ZONE BOUNDARIES

##### Relocation of Eastern-Central Standard Time Zone Boundary in State of Florida

The purpose of this amendment to Part 71 of Title 49 of the Code of Federal Regulations is to change the existing boundary line between the eastern time zone and the central time zone as it relates to the State of Florida.

On April 13, 1972, the Department of Transportation published in the FEDERAL REGISTER (37 F.R. 7344), a notice of proposed rule making on a proposal to relocate a segment of the boundary between the eastern and central time zones from its present location along the middle of the main channel of the Apalachicola River westward so as to place that small portion of Franklin County not already in the eastern time zone and the coastal region of Gulf County in the eastern time zone.

The proposal was based on a petition from the five members of the Florida Legislature who constitute the entire legislative delegation from the area concerned. The petition pointed out that notwithstanding the existing location of the time zone boundary, which places the 150-square-mile area concerned in the central time zone, the citizens of that area have always observed eastern time.

Interested persons were given a 47-day period within which to comment on the proposed change. No adverse comment was received. The mayor of the principal community in the area concerned, Port St. Joe, advised the Department that he and the community support the change.

In consideration of the foregoing, the change is being made as proposed. Accordingly, effective July 15, 1972, paragraphs (f) and (h) of § 71.5 of Title 49 of the Code of Federal Regulations are amended to read as follows:

§ 71.5 Boundary line between eastern and central zones.

(f) *Florida.* From the southwest corner of the State of Georgia to the midpoint of the Apalachicola River on the

downstream side of Jim Woodruff Dam; thence southerly along the middle of the main channel of the Apalachicola River to its intersection with the Jackson River; thence westerly along the center of the Jackson River to its intersection with the Intracoastal Waterway; thence westerly along the center of the Intracoastal Waterway to the west line of Gulf County; thence southerly along the west line of Gulf County to the Gulf of Mexico.

(h) *Municipalities on boundary line.* All municipalities located upon the zone boundary line described in this section are in the central standard time zone.

Since it will no longer be necessary, the operating exception granted to the Apalachicola Northern Railroad allowing it to operate on eastern time between the Apalachicola River and Port St. Joe is being withdrawn by striking out the item entitled "Apalachicola Northern" in § 71.5(g) (2) of Title 49 of the Code of Federal Regulations.

(Act of Mar. 19, 1918, as amended by the Uniform Time Act of 1966, 15 U.S.C. 260-267; sec. 6(e) (5), Department of Transportation Act, 49 U.S.C. 1655(e) (5) )

Issued in Washington, D.C., on June 8, 1972.

JOHN A. VOLPE,  
Secretary of Transportation.

[FR Doc.72-9068 Filed 6-15-72;8:46 am]

**Chapter V—National Highway Traffic Safety Administration, Department of Transportation**

[Docket No. 69-18; Notice 9]

**PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS**

**Lamps, Reflective Devices, and Associated Equipment**

This notice specifies a permissible method of certifying replacement lighting equipment for vehicles manufactured on or after January 1, 1973, to conform to Federal Motor Vehicle Safety Standard No. 108a, *Lamps, Reflective Devices, and Associated Equipment*.

On January 12, 1972, paragraph S4.7 of Standard No. 108 was amended (37 F.R. 445) to permit manufacturers to certify lighting equipment items by placing the symbol "DOT" directly on the item, if they choose to do so. A corresponding amendment was not made to Standard No. 108a, effective January 1, 1973, as NHTSA intends to propose a comprehensive marking and certification code effective at a later date. The amendment to S4.7 adopted today will permit manufacturers to continue the optional means of certification until such time as the NHTSA proposes and adopts a comprehensive code.

In consideration of the foregoing, S4.7 of 49 CFR 571.108a, Motor Vehicle Safety Standard No. 108a, *Lamps, Reflective Devices, and Associated Equipment*, is amended to read as follows:

*S4.7 Replacement equipment.*

S4.7.1 Each lamp, reflective device, or item of associated equipment manufactured to replace any lamp, reflective device, or item of associated equipment on any vehicle to which this standard applies shall be designed to conform with this standard.

S4.7.2 Each lamp, reflective device, or item of associated equipment to which section S4.7.1 applies may be labeled with the symbol DOT, which shall constitute a certification that it conforms to applicable Federal motor vehicle safety standards.

Effective date: January 1, 1973.

(Secs. 103, 112, 114, 119, National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1392, 1401, 1403, and 1407; delegation of authority from the Secretary of Transportation to the National Highway Traffic Safety Administrator, 49 CFR 1.51)

Issued on June 9, 1972.

DOUGLAS W. TOMS,  
Administrator.

[FR Doc.72-9091 Filed 6-15-72;8:48 am]

**PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS**

**Motorcycle Brake Systems; Response to Petitions for Reconsideration**

This notice responds to petitions for reconsideration of Motor Vehicle Safety Standard No. 122 (49 CFR 571.122), and changes the effective date of the standard to January 1, 1974.

Motor Vehicle Safety Standard No. 122 establishing requirements for motorcycle braking equipment, stopping distance, brake system fade and recovery, and wet brake recovery, effective September 1, 1973, was published on March 9, 1972 (37 F.R. 5033). Thereafter, pursuant to 49 CFR 553.35, petitions for reconsideration of the rule were filed by Japan Automobile Manufacturers Association, Inc. (JAMA), and Cushman Motors (Cushman) through counsel. In response to these petitions, the effective date of the standard is being changed. The Administrator has declined to grant requested relief from other requirements of the standard.

1. *Lining inspection requirement.* S5.1.5 of Standard No. 122 requires a brake system to be installed "so that the lining thickness of drum brake shoes may be visually inspected, either directly or by use of a mirror without removing the drums \* \* \*." JAMA has petitioned that the word "indirectly" be substituted for "by use of a mirror" in order to allow use of a device such as a wear indicator on the outside of front and rear brake panels. The NHTSA considers wear indicators to be a "direct" method of visual inspection since the extent of lining wear may be determined without removal of the drums. There is no need to amend the standard to allow their use, and JAMA's petitioned is denied.

2. *Brake wetting procedure.* The procedure for wetting the brakes prior to testing for wet brake recovery (S7.10.2) specifies the complete immersion of brake assemblies.

JAMA has petitioned that a water trough be substituted, with water depth varying according to the cycle's tire rim size, through which the cycle would be driven for 2 minutes at a speed of 10 m.p.h. JAMA notes that this is similar to the procedure NHTSA proposed in Docket No. 70-27, *Hydraulic Brake Systems*, and commented that the same procedure should apply to all motor vehicles.

The NHTSA has determined that the inherent instability of two- and three-wheeled vehicles under wet road conditions justifies a different test procedure. The difference in configuration between motorcycles and four-wheeled vehicles is distinct enough that there is no assurance motorcycle brakes will be wet, or wet uniformly, by the trough method. It is recognized that neither method may represent the way brakes become wet under actual road conditions, but immersion of brake assemblies has been determined to be the more efficiently reproducible method of establishing a condition under which motorcycle brake system performance may be evaluated. The petition is denied.

3. *Stopping distance.* JAMA and Cushman petitioned for a relaxation of the stopping distance requirements of Table I. JAMA recommended that the stopping distance values in Column II (preburnish effectiveness, partial mechanical system) and Column III (effectiveness—total system) up to and including 70 m.p.h. be the stopping distances specified in SAE Recommended Practice J109a. This would mean an increase in range of 39-136 feet for the preburnish stopping distances, and 1-15 feet for total system effectiveness over the values of Standard No. 122. JAMA alleges that stopping distance is highly dependent upon the rider's ability to control the brakes, and it requested the increased stopping distances to compensate for variations in the rider's skill. Cushman, whose three-wheeled vehicles have a top speed of 38 m.p.h., requests that all stopping distances from 30 m.p.h. and 35 m.p.h. be modified, alleging that the only way it can meet the stopping distances is by redesigning its vehicle. Cushman also states that it is unaware of any incident where the stopping distances achieved by its present vehicle has become a factor in an accident, and that accordingly there is no need for the stopping distances set forth in Table I, as they apply to Cushman, in order to protect the public.

The NHTSA recognizes that its standards on braking (the forthcoming amendment to Standard No. 105, *Hydraulic Brake Systems*, Standard No. 121, *Air Brake Systems*, and Standard No. 122, *Motorcycle Brake Systems*) impose stringent requirements on the manufacturers of all types of vehicles, and that, in some instances, redesign may be necessary. But because of the ever-increasing numbers of vehicles on urban

and interstate roadways, and of passenger-miles traveled, the NHTSA considers improved braking systems to be the highest priority in its program of accident avoidance. Prompt and accurate braking response is deemed especially critical in providing a margin by which the vulnerable motorcyclist may escape death or serious injury. While the fatality rate for all motor vehicle occupants fell 3.8 percent in 1970, it rose 18.9 percent for motorcycle riders. Motorcycles account for less than 2.3 percent of total vehicle registrations, but they are involved in 3.6 percent of all fatal accidents. Therefore, the necessity that the industry achieve the full capability of the present state of the art has been found to outweigh the problems caused the individual manufacturers by compliance.

The NHTSA recognizes the effect of rider control upon stopping distance in the wording of S7 which deems stopping distance requirements met if only one of the specified number of stops occurs within the maximum allowable stopping distances. Comments to Docket No. 1-3 indicate that it is clearly reasonable and practicable to require motorcycles to meet the stopping distances adopted for Standard No. 122. The petitions of JAMA and Cushman are denied.

4. *Effective date.* JAMA has requested a 4-month delay in the effective date of Standard No. 122 because model change-over time for Japanese manufacturers extends through autumn to the end of the year. It estimates that only 50 percent of the industry could be brought into compliance by September 1, 1973. In light of the design changes that may be necessitated, the Administrator finds this request reasonable and that for good cause shown a later effective date is in the public interest. The effective date of Standard No. 122 is hereby changed to January 1, 1974.

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1392, 1407; delegation of authority from the Secretary of Transportation to the National Highway Traffic Safety Administrator, 49 CFR 1.51)

Issued on June 9, 1972.

DOUGLAS W. TOMS,  
*Administrator.*

[FR Doc. 72-9098 Filed 6-15-72; 8:51 am]

## Title 50—WILDLIFE AND FISHERIES

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

### PART 28—PUBLIC ACCESS, USE, AND RECREATION

Kenai National Moose Range, Alaska

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (6-16-72).

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

#### ALASKA

##### KENAI NATIONAL MOOSE RANGE

The landing of aircraft in the Kenai National Moose Range, under other than emergency conditions, is prohibited except as authorized in the following designated areas: North of the Sterling Highway aircraft may land on public air strips and all lakes, except those lakes with recreational developments including campgrounds, campsites, road waysides with connecting hiking trails, and the canoe system lakes. Furthermore, the Swan Lake Canoe Route area and the several public recreational lakes bounded on the west by the Swanson River Road, bounded on the north by the Swan Lake Road, bounded on the east by the north-south section line immediately west of Arrow Lake (located at the eastern terminus of Swan Lake Road) and continuing south 5.8 miles to its intersection with the Moose River one-half mile southeast of the eastern most shore of Swan Lake), thence downstream the Moose River, and bounded on the south by the Moose Range boundary, is not a designated aircraft landing area; south of north shore of the Kenai River and Skilak Lake, aircraft may land on lakes and rivers except the following lakes not authorized for aircraft operation include, Benchland, Cirque, Crater, Horsetrail, Marmot, Newman's, Timberline, Trophy, and Wolverine.

a. The landing of aircraft on any road, glacier, or snow field is prohibited.

b. Hidden Lake is a designated aircraft landing area, in season, for the purpose of sport ice fishing only.

c. Bottenintnin Lake is a designated aircraft landing area.

Regulations and maps describing designated aircraft landing areas are available at the Kenai National Moose Range Headquarters, Box 500, Kenai, AK 99611, phone 283-4877.

The provisions of this special regulation supplement the regulations which govern public access, use, and recreation on wildlife refuge areas generally and which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through May 31, 1973.

DAVID L. SPENCER,  
*Refuge Supervisor, Alaska Area,  
Bureau of Sport Fisheries and  
Wildlife, Anchorage, Alaska.*

JUNE 9, 1972.

[FR Doc. 72-9056 Filed 6-15-72; 8:45 am]

### PART 33—SPORT FISHING

Merritt Island National Wildlife Refuge, Fla.

The following special regulations are furnished and are effective on date of

publication in the FEDERAL REGISTER (6-16-72).

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

#### FLORIDA

##### MERRITT ISLAND NATIONAL WILDLIFE REFUGE

Sport fishing on the Merritt Island National Wildlife Refuge, Titusville, Fla., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 78,000 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except for the following special conditions:

(1) Sport fishing is permitted in the open areas year round except during the waterfowl hunting season when certain areas will be closed to fishing. These closed areas will be clearly marked by signs.

(2) Bank fishing along Banana Creek and Banana River, except that portion around Canaveral Harbor, is prohibited.

(3) Fishing may be prohibited at certain times in all or part of Mosquito Lagoon, Banana Creek, Banana River, and along the ocean beach when safety and operational factors by NASA so require. At such times the areas will be posted as closed.

(4) Fishermen may not leave fishing rods and/or poles unattended.

(5) Trot lines, set lines, or bush hooks are prohibited.

(6) Air-thrust boats are prohibited. Inboard and outboard boats are permitted in the waters open to fishing except in areas specifically designated by posting by the refuge officer-in-charge as closed to motor boat operation.

(7) Fishing is permitted 24 hours a day on those open water portions of Mosquito Lagoon, Banana Creek, Banana River, and the Indian River lying within the refuge. Access to other areas is permitted only during the period from 1 hour before sunrise to 1 hour after sunset.

(8) Taking of any fish with spears or bow and arrow is prohibited. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33 and are effective through December 31, 1972.

C. EDWARD CARLSON,  
*Regional Director, Bureau of  
Sport Fisheries and Wildlife.*

JUNE 7, 1972.

[FR Doc. 72-9057 Filed 6-15-72; 8:45 am]



**Title 24—HOUSING AND URBAN DEVELOPMENT**

**Chapter X—Federal Insurance Administration**

**SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM**

**PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE**

**List of Eligible Communities**

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table. This entry differs from prior entries to the table in that a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program. The 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
California	Los Angeles	Industry	I 06 037 1692 05 through I 06 037 1692 12	Department of Water Resources, Post Office Box 388, Sacramento, CA 95802.	Office of the City Clerk, City of Industry, Post Office Box 3366, Industry, CA 91744.	Oct. 30, 1970. Emergency. June 16, 1972. Regular.
Florida	Brevard	Cocoa Beach	I 12 009 0630 04 through I 12 009 0630 06	California Insurance Department, 107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San Francisco, CA 94103. Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301.	Building Inspection Department, Department, City of Cocoa Beach, Cocoa Beach, Fla. 32931.	Nov. 20, 1970. Emergency. June 16, 1972. Regular.
Do.	do	Indian Harbour Beach	I 12 009 1471 01 I 12 009 1471 02	State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	do	Aug. 20, 1971. Emergency. June 16, 1972. Regular.
Do.	do	Titusville	I 12 009 3000 09 through I 12 009 3000 14	do	Office of the City Engineer, City Hall, Titusville, Fla. 32780.	Mar. 12, 1971. Emergency. June 16, 1972. Regular.
New Jersey	Hunterdon	Stockton Borough	I 34 019 3250 01	Division of Water Resources, Department of Environmental Protection, Post Office Box 1390, Trenton, NJ 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Borough Hall, Main Street, Stockton, N.J. 08559.	Apr. 27, 1971. Emergency. June 16, 1972. Regular.
Do.	Union	Fanwood Borough				June 16, 1972. Emergency.
Do.	Mercer	Lawrence Township				Do.
Pennsylvania	Chester	East Whiteland Township				Do.
Do.	Delaware	Haverford Township				Do.
Do.	Crawford	Meadville				Do.
South Carolina	Georgetown	Waccamaw Neck Flood District				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: June 8, 1972.

GEORGE K. BERNSTEIN,  
Federal Insurance Administrator.

[FR Doc.72-8948 Filed 6-15-72; 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
California	Los Angeles	Industry	H 06 037 1692 05 through H 06 037 1692 12	Department of Water Resources, Post Office Box 388, Sacramento, CA 95802. California Insurance Department, 107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San Francisco, CA 94103.	Office of the City Clerk, City of Industry, Post Office Box 3366, Industry, CA 91744.	Oct. 30, 1970.
Florida	Brevard	Cocoa Beach	H 12 009 0630 04 through H 12 009 0630 06	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Building Inspection Department, City of Cocoa Beach, Cocoa Beach, Fla.	Nov. 20, 1970.
Do	do	Indian Harbour Beach	H 12 009 1471 01 H 12 009 1471 02	do	City Hall, 40 Cheyenne Court, Indian Harbour Beach, FL 32937.	Aug. 20, 1971.
Do	do	Titusville	H 12 009 3000 09 through H 12 009 3000 14	do	Office of the City Engineer, City Hall Titusville, Fla. 32780.	Mar. 12, 1971.
New Jersey	Hunterdon	Stockton Borough	H 34 019 3250 01	Division of Water Resources, Department of Environmental Protection, Post Office Box 1390, Trenton, NJ 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Borough Hall, Main St., Stockton, N.J. 08569.	Apr. 27, 1971.
Do	Union	Fanwood Borough				June 16, 1972.
Do	Mercer	Lawrence Township				Do.
Pennsylvania	Chester	East Whiteland Township				Do.
Do	Delaware	Haverford Township				Do.
Do	Crawford	Meadville				Do.
South Carolina	Georgetown	Waccamaw Neck Flood District				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: June 8, 1972.

GEORGE K. BERNSTEIN,  
Federal Insurance Administrator.

[FR Doc.72-8949 Filed 6-15-72;8:45 am]

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

Bureau of Mines

[ 30 CFR Part 58 ]

### OCCUPATIONAL HEALTH AND SAFETY

Notification, Investigation, Reports, and Records of Accidents, Injuries and Occupational Illnesses in Metal and Nonmetal Mines

Correction

In F.R. Doc. 72-6850 appearing on page 9125 of the issue for Friday, May 5, 1972, the line "the operator shall record the informa-" should be inserted between the second and third lines of § 58.31(e) (1).

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[ 7 CFR Part 999 ]

### RAISIN IMPORTS

Proposed Grade and Size Requirements; Extension of Time for Receipt of Written Data, Views, or Arguments

Pursuant to the requirements of section 8e (7 U.S.C. 608e-1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), a notice of proposed rule making was published in the June 7, 1972, issue of the FEDERAL REGISTER (37 F.R. 11339) regarding a proposal to amend paragraphs (b) and (e) of § 999.300 (7 CFR 999.300; 37 F.R. 5282) governing the importation of raisins, to permit importation of raisins which do not meet the applicable grade and size requirements set forth in paragraph (b) of § 999.300 for use in the production of alcohol, or syrup for industrial use.

The notice afforded interested persons opportunity to submit written data, views, or arguments to be received by the hearing clerk not later than 7 days after publication of the aforesaid notice.

Request for extension of the time for the receipt of comments has been made to afford interested persons additional time to consider the proposal.

Notice is hereby given that the time for receipt of written data, views, or ar-

guments on the aforesaid proposal is extended to June 26, 1972.

Dated: June 13, 1972.

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

[FR Doc.72-9116 Filed 6-15-72; 8:50 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service

[ 45 CFR Parts 233, 248 ]

### FINANCIAL AND MEDICAL ASSISTANCE PROGRAMS

Citizenship and Alienage

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations amend §§ 233.50 and 248.50 to implement the Supreme Court decision in *Graham v. Richardson et al.*, June 14, 1971, the syllabus of which states:

State statutes, like the Arizona and Pennsylvania statutes here involved, that deny welfare benefits to resident aliens or to aliens who have not resided in the United States for a specified number of years are violative of the Equal Protection Clause and encroach upon the exclusive federal power over the entrance and residence of aliens; \* \* \*

The amendments specify that, as a condition of approval, a State plan may not exclude an otherwise eligible individual solely on the basis that he is not a citizen or because of his alien status.

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions, or objections thereto which are submitted in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, DC 20201, within a period of 30 days from date of publication of this notice in the FEDERAL REGISTER. Comments received will be available for public inspection in room 5121 of the Department's offices at 301 C Street SW., Washington, DC, on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (area code 202-963-7361).

The provisions of these sections are to be issued under section 1102, 49 Stat. 647, 42 U.S.C. 1302.

Dated: April 21, 1972.

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

Approved: June 1, 1972.

ELLIOT L. RICHARDSON,  
Secretary.

1. Section 233.50 is revised to read as follows:

§ 233.50 Citizenship and alienage.

Condition for plan approval: A State plan under title I, IV-A, X, XIV, or XVI of the Social Security Act may not exclude an otherwise eligible individual on the basis that he is not a citizen, or because of his alien status.

2. Section 248.50 is revised to read as follows:

§ 248.50 Citizenship and alienage.

Condition for plan approval: A State plan under title XIX of the Social Security Act may not exclude an otherwise eligible individual on the basis that he is not a citizen, or because of his alien status.

[FR Doc.72-9077 Filed 6-15-72; 8:48 am]

## DEPARTMENT OF TRANSPORTATION

Coast Guard

[ 33 CFR Part 110 ]

[CGD 72-103P]

### CASCO BAY, MAINE

#### Special Anchorage Areas

The Coast Guard is considering amending the anchorage regulations to enlarge the special anchorage area located in Mussel Cove and adjacent waters, at Falmouth Foreside, Falmouth, Maine, as described in 33 CFR 110.5(d). The existing special anchorage area is presently crowded, thus requiring the use of short scope and heavy ground tackle. Enlargement of the special anchorage area would eliminate this problem and give maneuvering room for the users.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander, First Coast Guard District, J. F. Kennedy Federal Building, Government Center, Boston, Mass. 02203. Each person submitting comments should include his name and address, identify this notice (CGD 72-103P), and give

reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, First Coast Guard District.

The Commander, First Coast Guard District will forward any comments received before July 19, 1972, and his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that § 110.5(d) be revised to read as follows:

§ 110.5 Casco Bay, Maine.

(d) *Mussel Cove and adjacent waters at Falmouth Foreside, Falmouth.* All of the waters enclosed by a line beginning at the Dock House (F.S.) located at latitude 43°44'22" N., longitude 70°11'41" W.; thence 123°, 200 yards; thence 204°, 1,760 yards; thence 220°, 1,950 yards to Prince Point.

(Sec. 1, 30 Stat. 98, as amended, sec. 6(g) (1) (B), 80 Stat. 937; 33 U.S.C. 180, 49 U.S.C. 1655(g) (1) (B), 49 CFR 1.46 (c) (2), 33 CFR 1.05-1(c) (1))

Dated: June 9, 1972.

W. M. BENKERT,  
Rear Admiral, U.S. Coast  
Guard, Chief, Office of Marine  
Environment and Systems.

[FR Doc.72-9106 Filed 6-15-72; 8:49 am]

Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 72-SO-58]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the London, Ky., control zone.

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 pro-

posal 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 London control zone described in § 71.171 (37 F.R. 2056) would be amended as follows: " \* \* \* longitude 84°64'38" W.) \* \* \* " would be deleted and " \* \* \* longitude 84°04'38" W.)"; within 2 miles each side of London VOR 030° radial, extending from the 5-mile-radius zone to 10 miles northeast of the VOR \* \* \* " would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for IFR aircraft executing a proposed VOR/DME Runway 23 Instrument Approach Procedure to Corbin-London War Memorial Airport.

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 June 8, 1972.

DUANE W. FREER,  
Acting Director, Southern Region.

[FR Doc.72-9069 Filed 6-15-72; 8:46 am]

[ 14 CFR Part 71 ]

[Airspace Docket No. 72-SO-59]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Biloxi, Miss., control zone.

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 Biloxi control zone described in § 71.171 (37 F.R. 2056) would be redesignated as:

Within a 5-mile radius of Keesler AFB (lat. 30°24'39" N., long. 88°55'26" W.); within 3 miles each side of the 036° bearing from Keesler RBN, extending from the 5-mile-radius zone to 8.5 miles northeast of the RBN; within 1.5 miles each side of Keesler TACAN 050° and 200° radials, extending from the 5-mile-radius zone to 7 miles northeast and southwest of the TACAN; excluding the portion west of long. 89°00'00" W. This control zone is effective from 0600 to 2200 hours, local time, daily.

The proposed alteration is required to provide controlled airspace protection for IFR aircraft executing the NDB Runway 21, TACAN Runway 3 and TACAN Runway 21 Instrument Approach Procedures to Keesler AFB.

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 June 8, 1972.

DUANE W. FREER,  
Acting Director, Southern Region.

[FR Doc.72-9070 Filed 6-15-72; 8:46 am]

[ 14 CFR Part 71 ]

[Airspace Docket No. 72-EA-61]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area over Hornell-Maple City Municipal Airport, Hornell, N.Y.

The development of a new IFR procedure for the airport requires the designation of controlled airspace to protect aircraft executing IFR approaches and departures for the airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, NY 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building,

## PROPOSED RULE MAKING

John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Hornell, N.Y., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Hornell, N.Y., 700-foot floor transition area as follows:

## HORNELL, N.Y.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center 42°22'30" N., 77°40'45" W. of Hornell-Maple City Municipal Airport, extending clockwise from a 319° bearing to a 352° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 352° bearing to a 028° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 028° bearing to a 074° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 074° bearing to a 096° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 096° bearing to a 131° bearing from the airport; within an 11.5-mile radius of the center of the airport, extending clockwise from a 131° bearing to a 157° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 252° bearing to a 290° bearing from the airport and within a 10.5-mile radius of the center of the airport, extending clockwise from a 290° bearing to a 319° bearing from the airport. This transition area is effective from sunrise to sunset, daily.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on June 2, 1972.

ROBERT H. STANTON,  
Acting Director, Eastern Region.

[FR Doc.72-9071 Filed 6-15-72; 8:46 am]

## National Highway Traffic Safety Administration

## [49 CFR Part 571]

[Docket No. 70-7; Notice 3]

## FIELDS OF DIRECT VIEW

## Proposed Motor Vehicle Safety Standards; Extension of Time To Comment

Automobile Manufacturers Association, General Motors, and Ford have requested an extension of time to comment on the proposed standard on Fields of Direct View (37 F.R. 7210, April 12, 1972). Each petitioner cited the need for additional time to evaluate the complex proposal and conduct tests in order to submit a meaningful response.

The requests have been found to have merit, and the comment period on the proposal is hereby extended 90 days to October 5, 1972.

Issued under the authority of sections 103, 112, and 119 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C.

1392, 1401, 1407) and the delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.

Issued on June 12, 1972.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc.72-9097 Filed 6-15-72; 8:49 am]

## [49 CFR Part 574]

[Docket No. 70-12; Notice 14]

## TIRE IDENTIFICATION AND RECORDKEEPING

## Proposed Change in Method of Assigning Tire Size Code

The purpose of this notice is to propose an amendment to Part 574, Tire Identification and Recordkeeping, that would allow each tire manufacturer or retreader to devise and use his own tire size code, appearing as the second group of symbols within the tire identification number.

Under the present system, whereby the NHTSA has assigned a unique two-digit code to each tire size that is sold in this country, a maximum of 784 tire size codes can be assigned. Due to the many new tire sizes being introduced, available new codes have been exhausted, and it is necessary to change the system to allow more flexibility. It is therefore proposed that the NHTSA-assigned codes be deleted from the regulations, and that each manufacturer assign his own two-digit codes to his own tire sizes. Each new tire manufacturer would maintain a record of his coding system, to be provided to the National Highway Traffic Safety Administration upon written request. In addition, it is proposed that the symbols allowed to be used in the tire identification number be expanded to include the numeral "0" and the letter "R".

In consideration of the foregoing, it is proposed that Table I of Part 574 be deleted and § 574.5 be amended as follows:

## § 574.5 Tire identification requirements.

Each tire manufacturer shall conspicuously label on one sidewall of each tire he manufactures, except tires manufactured exclusively for mileage contract purchasers, by permanently molding into or onto the sidewall, in the manner and location specified in Figure 1, a tire identification number containing the information set forth in paragraphs (a) through (d) of this section. Each tire retreader, except tire retradders who retread tires for their own use, shall conspicuously label one sidewall of each tire he retrads by permanently molding or branding into or onto the sidewall, in the manner and location specified in Figure 2, a tire identification number containing the information set forth in paragraphs (a) through (d) of this section. In addition, the DoT symbol required by Federal Motor Vehicle Safety Standards shall be located as shown in

Figures 1 and 2. The DoT symbol shall not appear on tires to which no Federal Motor Vehicle Safety Standard is applicable. The symbols to be used in the tire identification number for tire manufacturers and retradders are "A, B, C, D, E, F, H, J, K, L, M, N, P, R, U, V, W, X, Y, 1, 2, 3, 4, 5, 6, 7, 8, 9, 0." Tires manufactured or retreaded exclusively for mileage contract purchasers are not required to contain the tire identification number if the tire contains the phrase "for mileage contract use only" permanently molded into or onto the tire sidewall in lettering at least one-quarter inch high.

(b) *Second grouping.* For new tires, the second group, of no more than two symbols, shall be used to identify the tire size. For retreaded tires, the second group, of no more than two symbols, shall identify the retread matrix in which the tire was processed, or a tire size code if a matrix was not used to process the retreaded tire. Each new tire manufacturer and retreader shall maintain a record of each symbol used, with the corresponding matrix or tire size, which shall be provided to the NHTSA upon written request.

Proposed effective date: 30 days after issuance of the final rule.

Interested persons are invited to submit written data, views, and arguments concerning the proposed amendment. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street SW., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on July 11, 1972, will be considered, and will be available for examination in the docket at the above address both before and after the closing date. To the extent possible, comments filed after the above date will also be considered by the Administration. However, the rule making action may proceed at any time after the date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rule making. The Administration will continue to file relevant material, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

This notice of proposed rule making is issued under the authority of sections 103, 112, 113, 119, and 201 of the National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1401, 1402, 1407, and 1421, and the delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.

Issued on June 12, 1972.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc.72-9096 Filed 6-15-72; 8:48 am]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Parts 2, 18, 21, 73, 74, 89,  
91, 93 ]

[Docket No. 18262]

### LAND MOBILE SERVICE

#### Order Extending Time To File Reply Comments

In the matter of an inquiry relative to the future use of the frequency band 806-960 MHz; and amendment of Parts 2, 18, 21, 73, 74, 89, 91, and 93 of the rules relative to operations in the Land Mobile Service between 806 and 960 MHz, Docket No. 18262.

1. The Commission has before it for consideration a motion for extension of time in the above-named proceeding filed on behalf of Motorola, Inc., requesting that the date for filing reply comments, as requested in FCC order for further procedure (36 F.R. 20769), be extended from June 20, 1972, to July 20, 1972.

2. In support of its request Motorola points out the complexity and diversity of technical subjects raised in this proceeding. It says the material submitted regarding costs and spectrum efficiencies of new land mobile communications systems requires substantial analysis and evaluation. The company requests an additional 30 days to complete its evaluation of these matters, particularly with regard to information being provided by independent consultants. Motorola claims that the additional time will not seriously delay the proceeding and will permit a more complete analysis of the important issues pending before the Commission.

3. It appears that good cause has been shown and that the public interest would be served by granting an additional 30 days extension of time to all parties wishing to file reply comments. However, we caution that no further extension of this date should be expected. Although we fully appreciate the importance and complexity of this undertaking, it is equally important that regulatory mat-

ters be resolved in a timely fashion so that development and testing of new systems and techniques can proceed without undue delay. More than 2 years has passed since adoption of the basic 900 MHz spectrum allocations (first report and order and second notice of inquiry 35 F.R. 8644), and interested parties have had 6 months to prepare their responses to initial proposals filed on December 20, 1971. An additional month should be ample time for the completion of these responses and their filing with the Commission.

4. Accordingly, it is ordered, Pursuant to § 0.251(b) of the Commission's statement of delegations of authority, That the time for filing reply comments in this proceeding is extended to July 20, 1972.

Adopted: June 9, 1972.

Released: June 12, 1972.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] JOHN W. PETTIT,  
General Counsel.

[FR Doc.72-9103 Filed 6-15-72; 8:49 am]

# Notices

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[Cost of Living Council Ruling 1972-60; Pay Board Ruling 1972-41; Price Commission Ruling 1972-185]

#### EFFECTIVE DATE OF REGULATIONS

#### Cost of Living Council, Pay Board, and Price Commission Ruling

**Facts.** A corporation, B, has been uncertain as to the application of a specific section of the Economic Stabilization Regulations to a firm in its situation. On May 8, 1972, a ruling is published which demonstrates that because of the regulations section, certain practices of B are not permissible.

**Issue.** Does this mean that the practices were not permissible from the time of the effective date of the regulation, or only that they will not be permitted after publication of the ruling?

**Ruling.** The practices were not permissible from the time of the effective date of the regulation. A published ruling represents the application of the existing law as expressed in the regulations to the particular facts involved. In appropriate circumstances, however, a ruling may indicate specifically that it is to be applied without retroactive effect. Unless otherwise indicated, a published ruling is to be applied with retroactive effect.

This ruling has been approved by the General Counsels of the Cost of Living Council, Pay Board, and Price Commission.

Dated: June 13, 1972.

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

Approved: June 13, 1972.

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

[FR Doc.72-9083 Filed 6-15-72; 8:45 am]

[Price Commission Ruling 1972-186]

#### CUSTOM CONTRACT PRENOTIFICATION

#### Price Commission Ruling

**Facts.** A manufacturer which is a prenotification firm is producing a custom product. It has determined a base price for this product in accordance with Economic Stabilization Regulations § 300.410, 37 F.R. 5223 (1972), at \$1,100,000 payable on the delivery date, June 1, 1973.

A service organization, also a prenotification firm, is under contract to provide custom services to a customer. The base price of these services is determined to be \$1,200,000 computed in accordance with § 300.410 of the regulations. This fee is payable upon termination of the service contract in December 1972.

**Issue.** When must the manufacturer or service organization prenotify the Price Commission of the base price determined for the custom product or custom service?

**Ruling.** Both firms must prenotify now. A prenotification firm may not determine a base price with respect to a contract or a group of related contracts for custom products or services involving an amount in excess of \$1 million until the Price Commission has approved the determination of that base price, § 300.51(a), 37 F.R. 5223 (1972). Therefore, the prices set must be considered subject to review and possible change by the Price Commission.

This prenotification requirement refers specifically to the determination of a base price and not to any increased price prenotification requirements as provided in any other ruling or regulation. If the Commission does not act upon a request for approval of a base price determination within 30 days after receiving it, the base price prenotified becomes the base price. Both the manufacturer and the service organization in this case are subject to the rule stated above.

If any firm does not fix a contract price until completion of the contract, then the base price of the custom product or service is not determined until that time. However, the charging of partial payments or interim billing under such contracts, if such payments are allocable to specific portions of the custom product or services being provided and for which they are payment in full or substantially so, is considered the determination of a base price for such portion of the product or service.

The Price Commission must be prenotified of such charges. The prenotification is required regardless of the amount of such partial payment if the overall contract or group of related contracts can reasonably be anticipated to have an ultimate total price in excess of \$1 million.

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

Dated: June 13, 1972.

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

Approved: June 13, 1972.

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

[FR Doc.72-9084 Filed 6-15-72; 8:45 am]

[Price Commission Ruling 1972-187]

#### RESTAURANT PRICING—ALLOWABLE COST INCREASES

#### Price Commission Ruling

**Facts.** X restaurant has experienced a cost increase in the potatoes it purchases. X also has incurred increased wage costs. X wants to raise the price of a cup of coffee to reflect all of the above increased costs even though the price of coffee has remained constant. This is a historical pricing practice of X. X tries to increase prices on items that have great demand where costs on slower moving items have increased.

**Issue.** Can X increase the price of coffee to reflect cost increases in wages and potatoes?

**Ruling.** X cannot increase the price of coffee to reflect cost increases in the price of potatoes. A restaurant is considered to be a service organization. Price Commission ruling 1972-7, 37 F.R. 762 (1972). "A service organization may charge a price in excess of the base price only to reflect increases in allowable costs that it incurred since the last price increase in the item concerned, or that it incurred after January 1, 1971, whichever was later \* \* \*". Economic Stabilization Regulation, 6 CFR 300.14 (1972).

"Item concerned" means each individual item the service organization provides. If the price of potatoes rises, such increases must be reflected in dinners where potatoes are served or in side order of french fries.

In respect to general wage increases, X must raise the price of all products to reflect his increased wage costs. He cannot increase the price of only coffee, since all increased wage costs are not allocable to coffee.

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

Dated: June 13, 1972.

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

Approved: June 13, 1972.

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

[FR Doc.72-9085 Filed 6-15-72; 8:45 am]

[Price Commission Ruling 1972-188]

#### BASE RENT DETERMINATION

#### Price Commission Ruling

**Facts.** Lessor L and his present tenant executed a new 12-month lease on July 1, 1971, providing for a monthly rent of \$250 per month with possession to begin

under the new lease on September 1, 1971. Phase I restricted payments to \$200 per month which was the monthly rent under the previous lease. After November 13, 1971, and for the remainder of the lease term L may charge \$250 which is the amount permitted under "10 percent rule". See Price Commission Ruling 1972-79, 37 F.R. 4369 (1972).

*Issue.* What is the base rent of this residence when a new lease is executed for possession on September 1, 1972?

*Ruling.* The base rent is the \$250 monthly rent specified in the lease executed on July 1, 1971.

Economic Stabilization Regulations, 6 CFR 301.202 (1972) provides that when a residence becomes occupied between May 16, 1971 and August 14, 1971, the base rent for that residence is "the most recent monthly rent charged during that period."

6 CFR 301.3 (1972) defines the time at which a rent is considered to be charged as "either when a transaction occurs or when rent is paid." For purposes of the computation of the base rent under these facts, the rent is to be considered "charged" on the date on which the transaction occurs. This is because § 301.202 specifies that the base rent computation is dependent upon when the residence becomes occupied. The time of a residence becoming occupied is determined to be "the time when a transaction involving that residence \* \* \* occurs \* \* \*" 6 CFR 301.3 (1972).

The \$250 per month rent specified in the lease executed on July 1, 1971, is the price of a year's tenancy which was agreed upon by the parties to the lease. The effect is that L "charged" this price to his tenant and his tenant accepted this price. The \$250 is, then, "the most recent monthly rent charged" during the May 16, 1971 to August 14, 1971, period.

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

Dated: June 13, 1972.

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

Approved: June 13, 1972.

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

[FR Doc.72-9086 Filed 6-15-72; 8:45 am]

## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs  
RAMAH NAVAJO AGENCY  
Establishment of Agency

JUNE 9, 1972.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2 (32 F.R. 13938).

Notice is hereby given that the Ramah Navajo Agency will be established effective May 19, 1972. The headquarters office for the Ramah Navajo Agency will be located at Ramah, N. Mex. 87321. The Agency will be under the jurisdiction of the Albuquerque Area Office.

LOUIS R. BRUCE,  
Commissioner.

[FR Doc.72-9058 Filed 6-15-72; 8:45 am]

### Bureau of Land Management CALIFORNIA

#### Notice of Amendment and Partial Termination of Proposed Withdrawal and Reservation of Lands

JUNE 8, 1972.

Notice of Forest Service application serial number Sacramento 047049, for the withdrawal and reservation of lands was published as F.R. Doc. 57-7081 on pages 6995 and 6996 of the issue for August 30, 1957.

The Forest Service has canceled its application, as it affects the following described land:

MOUNT DIABLO MERIDIAN  
STANISLAUS NATIONAL FOREST  
Roadside Zone

T. 3 N., R. 16 E.,  
Sec. 25, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ .

The Forest Service has also requested that certain portions be excluded from their roadside zone as published in the original withdrawal application:

A strip of land 200 feet on each side of the center line of the Sonora Pass Highway Project 38-H, State of California Route 108 through the following subdivision:

MOUNT DIABLO MERIDIAN  
T. 3 N., R. 17 E.,  
Sec. 2, lots 1, 2, 3, and S $\frac{1}{2}$ NW $\frac{1}{4}$ ; excepting therefrom, however, those portions of lots 2 and 3 as conveyed to the State of California by deed recorded in the Tuolumne County Recorder's Office in Book 5 of Official Records at page 82, described as follows:

Commencing at the southeast corner of the northwest quarter of northeast quarter of said sec. 2; running thence along the east line of said quarter quarter section 1068.4 feet to a point 300 feet northwesterly at right angles from center line of the U.S. Bureau of Public Roads survey 2-Calif-38-C (State Highway Route X-Tuo-13-E between 1 mile north of Stoddard Springs and McCoy Saddle); thence parallel to said survey center line south 56°42' west 446.5 feet; thence south 70°26' west 2,458.2 feet to the southwest corner of the northeast quarter of the northwest quarter of said sec. 2; thence along quarter quarter section line east 2,689.4 feet to the point of commencement.

T. 4 N., R. 17 E.,  
Sec. 35, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 36, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ; excepting therefrom, that portion of the southeast quarter of the southeast quarter of said sec. 35 and those portions of the southeast quarter of the northwest quarter, northeast quarter of southwest quarter and southwest quarter of southwest quarter of said sec. 36 as conveyed to the State of California by deed recorded in the Tuolumne County Recorder's Office in Book 5 of Official Records at page 82, described as follows, to-wit:

Parcel 1: Commencing at southwest corner of said sec. 36; running thence along the south line of said sec. 36 east 1,332.2 feet to the southeast corner of the southwest quarter of the southwest quarter of said sec. 36; thence along quarter quarter section line north 1,197.4 feet to a point 50 feet northwesterly at right angles from the center line of the U.S. Bureau of Public Roads Survey 2-Calif-38-C (State Highway Route X-Tuo-13-E between 1 mile north of Stoddard Springs and McCoy Saddle); thence parallel to said survey center line and along the northwesterly line of the existing State Highway right of way described in deed dated October 18, 1933, and recorded in Volume 102 of Deeds at page 427, Tuolumne County Records, south 70°34' west 187.37 feet; thence continuing along said northwesterly line by a curve to the left, radius 2,050 feet through an angle of 19°56' a distance of 713.20 feet; thence continuing along said northwesterly line south 50°38' west 695.0 feet to a point in the east line of sec. 35, T. 4 N., R. 17 E., M.D.M.; thence south 69°43' west 989.1 feet to a point in the south line of said sec. 35 that is 300 feet northwesterly at right angles from said survey center line; thence along section line south 89°49' east 927.8 feet to the point of commencement.

Parcel 2: Commencing at the southeast corner of the northeast quarter of the southwest quarter of said sec. 36; running thence along quarter section line north 2,708.8 feet to the northeast corner of the southeast quarter of the northwest quarter of said section 36; thence south 26°35'50" west 2,902.1 feet to a point in the west line of the northeast quarter of the southwest quarter of said sec. 36 that is 300 feet northwesterly radially opposite the center line of the U.S. Bureau of Public Roads Survey 2-Calif-38-C (State Highway Route X-Tuo-13-E between 1 mile north of Stoddard Springs and McCoy Saddle); thence along quarter quarter section line south 113.8 feet to the southwest corner of the northeast quarter of the southwest quarter of said sec. 36; thence along quarter quarter section line east 1,299.3 feet to the point of commencement.

The area described aggregates approximately 233.14 acres in Tuolumne County. Therefore, pursuant to the regulations in 43 CFR 2350, the above-described lands at 10 a.m. on July 18, 1972, will be relieved of the segregative effect of the above-mentioned application.

WALTER F. HOLMES,  
Chief, Branch of  
Lands and Minerals Operations.

[FR Doc.72-9054 Filed 6-15-72; 8:45 am]



[Wyoming 35498]

## WYOMING

## Notice of Proposed Classification

JUNE 9, 1972.

Pursuant to 43 CFR 2462.1, notice is hereby given of a proposal to classify the lands described below for disposal through private exchange under section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272), as amended (43 U.S.C. 315g).

These lands consist of thirteen tracts of public land. Their primary current use is for grazing. The ownership pattern makes them difficult to manage, and their exchange for other lands having equal or greater dollar value and important public values, would be in the public interest.

Publication in the FEDERAL REGISTER of this notice of proposed classification segregates the affected lands from all forms of disposal under the public land laws, including the mining laws, except exchange under section 8 of the Taylor Grazing Act. It does not, however, affect the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources, other than under the mining laws.

For a period of 60 days from the date of this publication, interested parties may submit comments to the district manager of the Rawlins District Office, Bureau of Land Management, Suite 22, Osborne Building, Rawlins, Wyo. 82301.

The lands affected by this proposal are described as follows:

SIXTH PRINCIPAL MERIDIAN, WYOMING  
SWEETWATER COUNTY

- T. 19N., R. 95W.,  
Sec. 6, all of lots 1, 2, 3, 4, 5, and 6, N $\frac{1}{2}$  of lot 7, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ .
- T. 20N., R. 95W.,  
Sec. 6, all of lots 1, 2, 3, 4, 5, and 6, E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 8, all;  
Sec. 18, all of lots 1, 2, 3, and 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , E $\frac{1}{2}$ ;  
Sec. 20, all;  
Sec. 30, all of lots 1, 2, 3, and 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , E $\frac{1}{2}$ .
- T. 19N., R. 96W.,  
Sec. 2, all of lots 1, 2, 3, and 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ .
- T. 20N., R. 96W.,  
Sec. 2, all of lots 1, 2, 3, and 4, S $\frac{1}{2}$ ;  
Sec. 12, all;  
Sec. 14, all;  
Sec. 24, all;  
Sec. 26, all;  
Sec. 36, all.

The areas described aggregate 7,966.72 acres.

DANIEL P. BAKER,  
State Director.

[FR Doc.72-9055 Filed 6-15-72;8:45 am]

National Park Service  
OZARK NATIONAL SCENIC  
RIVERWAYS, MISSOURI

## Designation and Establishment

The Act of August 27, 1964 (78 Stat. 608, 16 U.S.C. 460m), requires the Secretary of the Interior to designate for establishment as the Ozark National Scenic Riverways, the area generally depicted on map NR-OZA 7002, entitled "Proposed Ozark National Rivers" dated December 1963, subject (1) to the limitation that the designated area shall not include more than 65,000 acres of land in private ownership on the date of the act and (2) to the further restriction that no land shall be designated within 2 miles of the then existing boundaries of the municipalities of Eminence and Van Buren, Mo. The Act of April 11, 1972 (86 Stat. 121), authorized the Secretary to revise the boundaries of the Riverways and provide, among other things, for the inclusion of some 1,670 acres of private land not heretofore included. The Secretary, with the concurrence of the State, is required to designate for inclusion in the Ozark National Scenic Riverways, the lands comprising Big Springs, Alley Springs, and Round Spring State Parks. The State of Missouri has concurred in the designation of these parks as a part of the riverways and has donated the lands or interests in lands comprising them to the United States.

In furtherance of the purposes of the 1964 act, as amended, the Ozark National Scenic Riverways is hereby designated as embracing the areas depicted on boundary map numbered 614-92001, dated November 1970, which map is on file in the administrative office of the Ozark National Scenic Riverways and in the offices of the National Park Service, Department of the Interior, Washington, D.C.

Further, since lands and waters, or interests therein, have been acquired in sufficient quantity within the designated area to provide an administrable unit, the Ozark National Scenic Riverways, pursuant to section 4 of the aforesaid act, is hereby declared established.

Dated: June 10, 1972.

NATHANIEL P. REED,  
Assistant Secretary of the Interior.

[FR Doc.72-9060 Filed 6-15-72;8:46 am]

## Office of Hearings and Appeals

[Docket No. M72-33]

## JACK OTANI MINING CO.

## Petition for Modification of Mandatory Safety Standard

In accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. section 861(c) (1970)), notice is given that the Jack Otani Mining Co. has filed a petition to modify the application of

30 CFR 77.1605(k), 36 F.R. 9380, to petitioner's mine I.D. 42-00690-0.

30 CFR 77.1605(k) reads as follows:

(k) Berms or guards shall be provided on the outer bank of elevated roadways.

Petitioner asks that the standard be modified because its mine road is at an elevation of 8,400 to 9,800 feet, snow falls at any time from September to April, and the snowfall ranges from 20 to 30 feet. Snow removal is accomplished by pushing it over the side of the road, and a berm or guard would create a hazardous condition as it would act as a snow trap. Also in the summer berms would cause undue damage to the road because of trapped rainfall.

Petitioner states that the miners recognize the increased problems caused by berms and agree that the present situation is satisfactory.

Parties interested in this petition should file their answers or comments within 30 days from the date of publication of this notice in the FEDERAL REGISTER with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84111. Copies of the petition are available for inspection at that address.

JAMES M. DAY,  
Director.

Office of Hearings and Appeals.

JUNE 8, 1972.

[FR Doc.72-9061 Filed 6-15-72;8:47 am]

[Docket No. M 72-41]

## PEABODY COAL CO.

## Petition for Modification of Mandatory Safety Standard

In accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. sec. 861(c) (1970)), notice is given that the Peabody Coal Co. has filed a petition to modify the application of 30 CFR 77.1605(k), 36 F.R. 9380, to petitioner's mine, I.D. 05-00304-0, located near Hayden, Colo.

30 CFR 77.1605(k) reads as follows:

(k) Berms or guards shall be provided on the outer bank of elevated roadways.

Petitioner asks that the standard be modified on the ground that its application to the Seneca Mine would result in a diminution of safety at the mine. Petitioner asserts that the mine is located at elevations between 6,600 and 7,220 feet, that because of such elevations and climatic conditions the weather is subject to sudden changes, with snow and high winds being frequent between November and April. Berms or guards would cause accumulations of snow because of drifting and piling up of snow along the berms and guards and would prevent effective snow removal and retard drainage of water from the roadways. Additional hazards would be created by haulage truck wheels catching in the berms or guards and by reduction

in the width of roadways due to the installation of the berms or guards. There are five roadways at the mine.

Parties interested in this petition should file their answers or comments within 30 days from the date of publication of this notice in the FEDERAL REGISTER with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84111. Copies of the petition are available for inspection at that address.

JAMES M. DAY,  
Director,  
Office of Hearings and Appeals.

JUNE 8, 1972.

[FR Doc. 72-9062 Filed 6-15-72; 8:47 am]

**Office of the Secretary**  
**DISASTER AT SUNSHINE SILVER**  
**MINE, KELLOGG, IDAHO**  
**Notice of Public Hearing**

Notice of public hearing regarding cause of bodily injury and loss of life, etc., at the Sunshine Silver Mine, Kellogg, Idaho, on May 2, 1972.

Notice is hereby given that the Secretary of the Interior has authorized and directed the Office of Hearings and Appeals to conduct a hearing, in accordance with the provisions of the Federal Metal and Nonmetallic Mine Safety Act of 1966, 30 U.S.C. Sec. 721 et seq., for the purpose of obtaining, utilizing, and disseminating information relating to health and safety conditions at the Sunshine Silver Mine, Kellogg, Idaho, the cause of the accident involving bodily injury and loss of life on or about May 2, 1972, and whether or not there was compliance with the health and safety standards or orders issued under the Act.

The hearing will commence at 9:30 a.m. on July 18, 1972, at the Kellogg Junior High School, 800 Bunker Avenue, Kellogg, ID.

All parties having direct information relating to health and safety conditions, compliance with health and safety standards, or the cause of the May 2, 1972, accident involving bodily injury and loss of life at said mine, who desire to give testimony, are requested to contact the Director, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203 (telephone: 703-557-1500) on or before 5 p.m., July 11, 1972. Witnesses are advised that they may be required to attend a prehearing conference in Kellogg, Idaho, on July 17, 1972.

Dated: June 14, 1972.

JAMES M. DAY,  
Director,  
Office of Hearings and Appeals.

[FR Doc. 72-9218 Filed 6-15-72; 10:15 am]

## DEPARTMENT OF COMMERCE

Office of Import Programs  
RUTGERS, THE STATE UNIVERSITY  
ET AL.

### Notice of Application 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 is 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 February 24, 1972, 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. 72-00448-98-34060. Applicant: Rutgers, The State University, Nuclear Physics Laboratory, University Heights, New Brunswick, N.J. 08903. Article: Negative polarized ion source. Manufacturer: Auckland Nuclear Accessory Co., Ltd., New Zealand. Intended use of article: The article is intended to be used to investigate spins, parities, energy levels, etc., of isotopes ranging in number from 1 through 92. The objectives pursued in the course of the investigations are to study the spin-dependent effects of nuclear forces and those properties of nuclear states which require the use of the polarized ion source. The article will also be used as part of the research and education program by graduate students studying for the Ph. D. degree in the Physics Department at the University. Application received by Commissioner of Customs: March 17, 1972.

Docket No. 72-00543-75-20900. Applicant: University of California, Lawrence Livermore Laboratory, 7000 East Avenue, Livermore, CA 94550. Article: 50 hydrogen thyratron tubes, Model FX2520. Manufacturer: English Electric, United Kingdom. Intended use of article: The article is intended to be used in the development of a thermonuclear fusion power source. The present stage of research of the fusion reaction is the creation and study of the magnetic container of the fusion plasma, and its instabilities. In the Astron Machine, the magnetic bottle is created by a sheet of high energy electrons interacting with a strong ex-

ternally applied magnetic field. In creating this magnetic bottle a linear accelerator supplies the high energy, high current electron beam for the Astron experiment. Application received by Commissioner of Customs: May 10, 1972.

Docket No. 72-00544-33-90000. Applicant: University of Pennsylvania, Johnson Research Foundation, A. N. Richards Building, 37th and Hamilton Walk, Philadelphia, PA 19104. Article: Rotating anode X-ray generator, Model GX-6. Manufacturer: Elliott Automation Radar Systems, Ltd., United Kingdom. Intended use of article: The article is intended to be used for X-ray diffraction studies centered upon a determination of the molecular structure of the photo-pigment-containing retinal receptor disk membrane, the nerve axonal membrane and the chlorophyll- and carotenoid-containing chromatophore membrane. Changes in these structures which accompany certain functional processes of these membranes will be investigated. Application received by Commissioner of Customs: May 10, 1972.

Docket No. 72-00545-01-74600. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Digital correlator and probability analysis system, Type K7023. Manufacturer: Precision Devices and Systems, Ltd., United Kingdom. Intended use of article: The article will be used initially in an investigation of the variation of the relaxation time of local fluctuations in the order parameter of nematic, smectic, and cholesteric liquid crystals in their isotropic phases very near the phase transition between the isotropic phase and a liquid crystal phase. The materials to be studied include p-methoxy benzylidene, p-n-butyl aniline and p-ethoxy benzylidene, p-amino benzonitrile (nematic liquid) and several p-alkoxybenzylidene-p-aminoacetophenons (smectic liquid). Application received by Commissioner of Customs: May 10, 1972.

Docket No. 72-00546-33-46040. Applicant: University of Iowa, Department of Anatomy, University of Iowa Hospitals, 356 Medical Laboratories, Iowa City, Iowa 52240. Article: Electron microscope Model EM 300. Manufacturer: Philips Electronic Instruments NVD, the Netherlands. Intended use of article: The article is intended to be used for ultrastructural studies on human pituitary tissue obtained from surgical and autopsy material. These studies will be coordinated with and complement conventional light microscopic observations in an ongoing comprehensive survey of the human pituitary in disease states. Application received by Commissioner of Customs: May 10, 1972.

Docket No. 72-00548-65-46070. Applicant: Iowa State University of Science and Technology, Ames, Iowa 50010. Article: Scanning electron microscope, Model JSM-U3. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used in microstructural and microchemical-property correlation investigations for a variety

of materials in several research programs, in particular, research on fabric and structure of clays, studies of aluminum oxide fracture surfaces, studies of inorganic materials of colloidal origin. The article will also be used by multiple graduate students for thesis research in the following projects: (1) Studies of aluminum oxide fracture surfaces; and (2) studies of inorganic materials of colloidal origin. Application received by Commissioner of Customs: May 10, 1972.

Docket No. 72-00549-33-46070. Applicant: The Children's Hospital Medical Center, 300 Longwood Avenue, Boston, MA 02115. Article: Scanning electron microscope, Model JSM 50-A. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used to study the chemical composition of subcellular structure and macromolecular components of cartilage, bones, and teeth and other selected organs involved in mineral metabolism. The article will also be for the investigation of other tissues and biologically important materials from either normal or pathological subjects. In addition the article will be available to selected post-doctoral and research fellows for training in the proper applications of the techniques used in carrying out the research described above. Application received by Commissioner of Customs: May 15, 1972.

Docket No. 72-00550-33-46040. Applicant: University of Washington, Friday Harbor Laboratories, Friday Harbor, Wash. 98250. 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 the investigation of the ultrastructure of dividing animal cells (cultured mammalian cells, marine invertebrate eggs, amphibian eggs, etc.). The research will include high resolution studies of microtubules of the mitotic apparatus and of microfilaments of the contractile ring, with emphasis on the latter. Application received by Commissioner of Customs: May 15, 1972.

Docket No. 72-00551-33-46040. Applicant: University of California, San Diego, Post Office Box 109, La Jolla, CA 92037. Article: Electron microscope, Model JEM 100B. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used in the investigation of a number of different biological problems. The problems will include:

(1) The structure at nerve-nerve and nerve-muscle synapses in vertebrate nervous systems;

(2) The structure of cell membranes, and the location and distribution of specific antigens and enzymes in the membranes;

(3) The development of new techniques for visualizing specific macromolecules inside cells and tissues using frozen-sectioning methods and ferritin-antibody staining procedures;

(4) The properties of intracellular microfilament systems, and their relationship to membrane movements; and

(5) The development of sperm cells in *Drosophila* and related organisms, and the relationship of material transport to this development.

The article will also be used to train graduate students and post graduate fellows in the techniques of biological electron microscopy. Application received by Commissioner of Customs: May 15, 1972.

Docket No. 72-00552-33-46040. Applicant: Scheie Eye Institute of the Presbyterian-University of Pennsylvania Medical Center, Myrin Circle, 51 North 39th Street, Philadelphia, PA 19104. Article: Electron microscope; Model HU-12 and accessories. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used in studies of cells and organelles of cornea, ciliary body and retina. Specific projects will include the following:

(1) The interaction of vitamin A depleted-rhodopsin and vitamin A analogies will be attempted to see what role if any, hydrophobic bonding has on the configuration of these unique molecules.

(2) The pathogenesis of malignancies of the eye, such as retinoblastoma, will be studied by conventional thin-sectioning techniques and attempts to find the etiology of this malignancy will be done on cell cultures or maintain in vitro (in tissue culture).

(3) Differentiation studies on cells which make up the eye will be done following separation of cells by proteolytic enzymes, growth in tissue culture and cloning of appropriate cell aggregates as visualized by light microscopy; these aggregates will form the nucleus for experimental studies of cellular organization.

(4) The effect of laser beams on retinal tissues will be done using appropriate thin-sectioning as well as electron-histochemical techniques.

(5) Electron autoradiographic studies will be done using appropriate precursor molecules, e.g. (<sup>3</sup>H)-valine and (<sup>14</sup>C)-choline to study the effect of herpes simplex infections on the metabolism and transport of lipid and protein molecules to membranes (and the nucleus) to allow the assembly of the viral envelope.

(6) Freeze etching studies will be done using a Denton apparatus and the specimens examined directly in the electron microscope; emphasis will be directed towards the visualization of cell-surface mediated phenomena, such as fusion and the structural rearrangements of lipid and protein molecules which make up membranes.

The article is also intended to be used by medical students, graduate students, postdoctoral fellows, and molecular biologists in carrying out various studies and/or thesis work in microbiology, pathology, anatomy, and molecular biology and for training in electron microscopy techniques. Application received by Commissioner of Customs: May 15, 1972.

Docket No. 72-00553-33-46070. Applicant: City College of the City University of New York, 138th Street and Convent Avenue, New York, NY 10031. Article:

Scanning electron microscope, Model S4. Manufacturer: Cambridge Scientific Instruments, Ltd., United Kingdom. Intended use of article: The article is intended to be used to examine and record (in micrographs) the surface contours of biological materials. Specific purposes include the following:

(1) Determination of morphological characteristics of a variety of fresh water and deep sea organisms;

(2) Investigation of surface features such as integument, mouth parts, and appendages of several invertebrates;

(3) Study of the specializations of parasite surfaces and host-tissue damage sites stemming from parasitic infections; and

(4) Exploration by microsurgical probing or with a laser probe of a variety of nerve cells; including cells grown in isolation, that specialize in the production of neurohormones.

The teaching materials and information derived from the use of this instrument will be used in a variety of courses at the City College including: Biology of the invertebrates, cell physiology, vertebrate histology, and biological oceanography. The article may be used by other disciplines within the College of Liberal Arts and Sciences, such as the Department of Geology, and is related to their academic programs by supporting graduate students studying for the Master's and Doctoral degrees. Application received by Commissioner of Customs: May 15, 1972.

Docket No. 72-00554-33-46040. Applicant: City College of the City University of New York, 138th Street and Convent Avenue, New York, NY 10031. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments NVD, the Netherlands. Intended use of article: The article is intended to be used for studies at all levels of resolution, including very high resolution of different cytological phenomena occurring in a variety of cell types from a variety of animals and plants. Specific projects include the following:

(1) Cytochemical testing of different cell types, e.g., to identify membrane-associated enzyme activities in cell membranes of parasitic flatworms (*Schistosoma japonicum*, *S. haematobium*), to probe the chemical nature of the "synaptoid" nerve endings of those specialized neurons that release neurohormones.

(2) High resolution studies of the cell bodies or cytoplasmic areas of those neurosecretory cells that produce the neurohormones vasopressin and oxytocin. In particular neurons maintained in organ-cultures will be examined in order to provide data concerning the intracellular origin and pathway of neurohormone biosynthesis.

(3) Replicas examined in the electron microscope at high resolution will facilitate the systematic classification of such diverse organisms as fresh water and deep-sea vertebrates and invertebrates, as well as insects and other terrestrial forms of life, in addition to providing basic morphological data.

(4) Studies of microtubular systems; their structural and functional roles in a variety of adult and developing plant cells. Application received by Commissioner of Customs: May 15, 1972.

Docket No. 72-00555-33-11000. Applicant: Stanford Research Institute, 333 Ravenswood Avenue, Menlo Park, CA 94025. Article: Gas chromatograph mass spectrometer, Model LKB 9000. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in research on various health-related problems. The primary uses of the article will include the following:

(1) Identification of metabolites of drugs administered to experimental animals and humans.

(2) Elucidation of structures of the active components of *Phytolacca dodecandra*.

(3) Studies on the biosynthesis of antibiotics, terpenes, and other microbial metabolites by the use of stable isotope-labeled precursors.

(4) Determination of the identity and purity of drugs from the Pharmaceutical Analysis Program.

(5) Structure determinations of natural products, particularly compounds of high molecular weight such as peptide and polysaccharide derivatives.

Application received by Commissioner of Customs: May 16, 1972.

Docket No. 72-00556-33-46500. Applicant: West Virginia University, School of Medicine, Department of Anesthesiology, Morgantown, W. Va. 26506. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in experiments on the normal, physiological behavior of cells and tissues in regard to the transport and ingestion of macromolecules. In addition, variations in the behavior of cells and tissues under experimental pathological conditions will be studied. For instance: (1) The passage of protein into skeletal muscle cells during pathological conditions induced by degeneration and (2) the localization of proteins of the autonomic nervous system are currently being investigated. Studies will also be conducted to determine the effect of anesthetic agents on lung cytology and to study the damage of lung tissue resulting from pulmonary edema. Furthermore, investigations are underway to determine the subcellular localization of skeletal muscle blocking agents. The article will also be used for graduate level teaching. Application received by Commissioner of Customs: May 16, 1972.

Docket No. 72-00558-33-46500. Applicant: DHEW, HSMHA, Center for Disease Control, 255 East Paces Ferry Road NE., Atlanta, GA 30305. Article: Ultramicrotome, Model OM U2. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The article is intended to be used to automatically cut ultrathin sections of uniform thickness from blocks of plastic embedded tissue for examination with an

electron microscope. These tissues will be from organs which are directly and indirectly associated with the disease being studied. The article will also be used for teaching purposes. Application received by Commissioner of Customs: May 16, 1972.

SETH M. BODNER,  
Director, Office of Import Programs.  
[FR Doc.72-9099 Filed 6-15-72; 8:49 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Public Health Service

#### HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

##### Statement of Organization, Functions, and Delegations of Authority

Part 3 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 F.R. 15953, October 30, 1968), as amended, is hereby amended with regard to section 3-20, *Organization and functions*, as follows:

After the paragraph entitled *Office of the Associate Director (3F02)*, insert a new sidehead and text, as follows:

*Sickle Cell Disease Office (3F15)*. Plans, directs, coordinates, and serves as lead program for the sickle cell disease services in HSMHA. Specifically: (1) Develops HSMHA policy on matters pertaining to sickle cell service activities; (2) develops operational planning objectives including both intramural and extramural activity components; (3) in cooperation with NIH, HEW's Sickle Cell lead agency, formulates guidelines governing the preparation of sickle cell disease service activities; (4) serves as HSMHA focal point for dissemination of sickle cell disease information; (5) provides technical assistance and consultation to public and private organizations involved in sickle cell disease activities; and (6) coordinates sickle cell activities of HSMHA with those of other operating agencies of the Department, other Departments and agencies, and interested private institutions and organizations.

Dated: June 9, 1972.

RODNEY H. BRADY,  
Assistant Secretary  
for Administration and Management.  
[FR Doc.72-9076 Filed 6-15-72; 8:47 am]

### Office of the Secretary

#### OFFICE OF INTERNAL SECURITY

##### Statement of Organization, Functions, and Delegations of Authority

Part 1 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health,

Education, and Welfare is amended to add a new chapter 1U12 as follows:

SECTION 1U12.00 *Mission*. The Office of Internal Security, under the general direction of the Assistant Secretary for Administration and Management, serves as the Secretary's staff for ensuring the internal security of the Department.

Sec. 1U12.10 *Organization*. The Office of Internal Security under the supervision of the Director of Security who reports to the Deputy Assistant Secretary for Administration consists of:

Office of the Director of Security, Personnel Security Division, Physical Security Division.

Sec. 1U12.20 *Functions*—1. *Office of the Director of Security*. Provides executive leadership, policy direction, planning, coordination and management of the internal security program of the Department; departmentwide policy for physical security, including facility protection, and operational responsibility for physical security in and for the southwest area building complex; provides staff assistance to the Secretary and the Assistant Secretary for Administration and Management in the administration of the internal security program; provides centralized security and investigative services to the Office of the Secretary and the operating agencies at headquarters and in the field; is responsible for plans and procedures to provide for the personal safety of the Secretary and members of his family; and formulates, prescribes and issues directives and instructions to the designated security representatives within the Department.

2. *Personnel Security Division*. A. Establishes and maintains an internal employee Security program pursuant to and in accordance with the provisions of the Act of August 26, 1950, Executive Order 10450, as amended, 42 CFR Part 21, Regulations Relating to the Security Program of the Department of Health, Education, and Welfare and other applicable laws and regulations.

B. Determines the scope and extent of investigation of matters relating to security, loyalty or subversion under the criteria set forth in Executive Order 10450; conducts such investigations or arranges for investigation by other Federal investigative agencies.

C. Receives investigative data from the Civil Service Commission, the Federal Bureau of Investigation and other sources. Reviews and evaluates such investigative data as to the security, subversive or loyalty aspects. Grants or withholds clearance to occupy a sensitive position or to have access to classified information.

D. Conducts checks upon request of Office of the Secretary or operating agency officials for subversive-type information as to individuals, organizations, or other matters of interest to the Department. Maintains liaison with other Federal agencies and outside organizations on matters pertaining to security.

E. Carries out any other functions as assigned for the establishment and maintenance of personnel security within the Department.

3. *Physical Security Division.* A. Establishes and maintains an internal physical security program including document security and facility protection pursuant to and in accordance with the provisions of Executive Order 10501, as amended, General Services Administration FPMR 101-19.5—Physical Protection, Department security regulations and other applicable laws and regulations.

B. Controls all investigative files and records relating to security, loyalty, and subversion.

C. Carries out any other functions as assigned for the establishment and maintenance of physical and document security within the Department.

D. Maintains an up-to-date Facility Self-Protection Operational Plan for the southwest building complex and provides policy guidance on facility protection to all departmental installations in the field.

Sec. 1U12.30 *Delegations of authority.* The Secretary has delegated through the Assistant Secretary for Administration and Management to the Director of Security, Office of Internal Security, the authority specified for the head of the department in Executive Order 10450, as amended, and Executive Order 10501, as amended, except as set forth in section 1U12.40.

Sec. 1U12.40 *Reservation of authority.* The Secretary reserves authority:

1. To determine that the suspension or termination of any employee is necessary in the interests of national security.
2. For original classification of information or material pursuant to Executive Order 10501.

Sec. 1U12.50 *Redelegation of authority.* The Assistant Secretary for Administration and Management and the Director of Security may redelegate the authorities and functions set forth in section 1U12.20 and 1U12.30.

Dated: June 8, 1972.

RODNEY H. BRADY,  
Assistant Secretary for  
Administration and Management.

[FR Doc. 72-9100 Filed 6-15-72; 8:49 am]

## CIVIL AERONAUTICS BOARD

[Docket No. 21385; Order 72-6-49]

### ALDO DEL NOCE AND AMERICAN AIRLINES, INC.

#### Order Dismissing Complaint

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of June 1972.

By Order 70-7-53 (July 13, 1970) the Board solicited comments from the parties to this proceeding and other airlines, passengers and interested persons pertaining to the issues of discrimination and unlawful rebating arising from carrier practices with respect to the provision of various so-called courtesy services such as meals, telephone, or telegraph privileges, ground transportation, and lodging, to passengers inconvenienced as a result of delayed or can-

celed flights. Pending the receipt and consideration of such comments, we deferred further action on portions of the motion of Aldo Del Noce for review of the decision of the Director, BOE, declining to institute an enforcement proceeding based upon Mr. Del Noce's complaint in this docket.<sup>1</sup> We felt that any determination in this case as to the issues of discrimination and unlawful rebating could serve as a precedent governing the future practices of air carriers with respect to the provision of courtesy services in the event of flight delays or cancellations, and therefore desired the views of the carriers and other interested parties.

Six carriers have filed individual comments,<sup>2</sup> and the Air Transport Association filed comments on behalf of 16 member carriers.<sup>3</sup> Upon consideration of the comments received, and in light of all the circumstances of this case, the Board will deny the motion for review to the extent previously deferred. On the other hand, we have also determined that a proper interpretation of Part 221 of the Board's Economic Regulations (14 CFR Part 221 et seq.) will require that air carriers file in their tariffs a statement of their rules and regulations pertaining to the provision to passengers of hotel accommodations, meals and other services, or reimbursement therefor, in the event of a delayed or interrupted trip. A statement of our reasons follows.

*Carrier practices.* While the ATA-represented carriers broadly assert that "there are no standardized practices" with respect to courtesy services provided to passengers in the event of inconvenience occasioned by a delayed or canceled flight, it is apparent from the comments received that carrier policies, whether denominated "internal guidelines" (e.g., Allegheny, National) or published in employee practice manuals (e.g., Delta, Northeast), are often quite detailed and show a basic similarity. Most, if not all, carriers provide telephone or telegraph privileges, meals during appropriate hours, hotel accommodations, and local ground transportation, or reimburse-

<sup>1</sup>The complaint charged that American Airlines, Inc. (American) failed to announce a flight delay, causing complainant's daughter, a tourist-class passenger, to miss a connecting flight, and that American discriminated by failing to pay for his daughter's hotel room although it provides such accommodations for first-class passengers. The Director, BOE, determined not to institute an enforcement proceeding. Upon motion for review, the Board agreed with the Director as to the first charge and denied the motion to review in that respect.

<sup>2</sup>Allegheny Airlines, Inc., Delta Air Lines, Inc., National Airlines, Inc., Northeast Airlines, Inc., Pan American World Airways, Inc., and United Air Lines, Inc.

<sup>3</sup>Air West, Inc., Alaska Airlines, Inc., Aloha Airlines, Inc., American Airlines, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., Hawaiian Airlines, Inc., Mohawk Airlines, Inc., North Central Airlines, Inc., Northeast Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Piedmont Aviation, Inc., Trans World Airlines, Inc., Western Air Lines, Inc.

ment therefor, where such unanticipated expenses are necessitated by a delay, cancellation, overflight, or missed connection.

In the main, most such amenities are uniform in their application among all classes of passenger service and irrespective of the fares paid.<sup>4</sup> As such they are to be distinguished from the additional practice of some carriers, discussed below, of limiting certain expensive amenities to first-class passengers. Class-of-service distinctions aside, however, there is still the potential for a considerable variation in the amenities accorded individual passengers, since amenities are basically distributed on the basis of personal need and circumstances. In the carriers' view interrupted-trip amenities are justified as necessary to alleviate hardship and maintain goodwill. Such goals should be effectuated, it is argued, as economically as possible and with avoidance of "windfalls" to passengers not truly inconvenienced. Therefore, since passenger needs and preferences, as well as the circumstances affecting facilities, vary greatly, the carriers stress that maximum discretion in the handling of each passenger's problem must be left to local carrier personnel. Company guidelines and personnel training will insure nondiscriminatory treatment for passengers in approximately equal circumstances, they assert. However, there is also some indication in the comments that a passenger's relief might well depend on the unequal circumstances of his knowledge of the availability of such services and his disposition to argue his case with the carrier.<sup>5</sup> Unfortunately, there is little discussion of the important issue of notification procedures in the comments.

With respect to distinctions between amenities available to different classes of passengers, Pan American acknowledges that when meals are provided for delayed or stranded passengers, liquor service is provided gratis to first class, but not to thrift or economy passengers, on the theory that this is consistent with normal inflight amenity differences. More importantly, it appears that various carriers similarly restrict the more essential amenities. Speaking generally, the ATA comments indicate that, of the carriers which do have such restrictions, "certain of those carriers limit hotel accommodations to first-class passengers while others will provide such accommodations to other than domestic coach passengers. In still other cases, neither meal

<sup>4</sup>None of the comments indicated any distinction in amenities on the basis of discount, as compared to regular fares.

<sup>5</sup>Allegheny, for example, states that it issues meal vouchers to qualifying passengers "upon request," and at the same time acknowledges that "to avoid litigation" it may reimburse a complaining passenger who does not meet the guidelines. Delta asserts that "the carrier should not be under a duty to seek out all passengers who would be entitled to amenities due to missed connections but rather only to make available such amenities to those passengers requesting them \* \* \*"

nor hotel accommodations are made available to economy passengers." No specific figures were given, however. Of the individual comments received, only United acknowledges a policy similar to American's, stating that coach passengers are usually denied hotel accommodations "except in cases of extreme hardship, i.e., those instances involving handicapped or elderly persons and unaccompanied children."

While it is therefore still unclear whether such service-class restrictions are the industry norm, it is apparent that a substantial percentage of delayed passengers may be affected by such policies. By themselves American and United accounted for almost 31 percent of the total revenue passenger enplanements in domestic certificated service during 1970.<sup>8</sup>

**Section 403(b): Rebating.** As we noted in Order 70-7-53, subsection 403(b) states, in part:

No air carrier \* \* \* shall \* \* \* extend to any person any privileges or facilities, with respect to matters required by the Board to be specified in \* \* \* tariffs, except those specified therein.

Moreover, § 211.3(a) of the Economic Regulations requires tariff filings for " \* \* \* all classifications, rules, regulations, practices, and service in connection with \* \* \* air transportation." We suggested that the provision of free hotel accommodations "may be a service or practice in connection with air transportation, and one of a substantial nature." (Order 70-7-53 at 3, footnote 2.)

The responding carriers uniformly take the position that the furnishing of interrupted-flight amenities which are not provided for in filed tariffs<sup>9</sup> does not constitute the granting of unlawful rebates within the meaning of subsection 403(b) of the Act. Three arguments are advanced: (1) All carriers emphasize that the Board has followed a policy of leaving such relief services to management discretion, expressly and by implication; (2) Delta, National, and Pan American also assert that such amenities are an integral part of the value of service; and (3) Allegheny argues that such practices are not within the category of "hidden inducements" condemned by subsection 403(b).

Several of the carriers<sup>10</sup> additionally argue that subsection 221.3(a) does not require tariff filings in this instance, because it requires only that tariffs show such practices and services "to the extent required by regulations of the Board." Nowhere, they assert, is there a Board regulation expressly requiring that interrupted-trip practices be filed in tariffs. On the

contrary, all of the comments argue, the Board has long been aware of such practices and in at least one instance has expressly approved of them as being consistent with, and supplemental to the statutory scheme.<sup>11</sup>

We think that the essential question with respect to the lawfulness pursuant to section 403(b) of the interrupted-trip amenities hinges upon a determination of whether the "privileges or facilities" extended to inconvenienced fare-payers are "with respect to matters required by the Board to be specified" in the carriers' "currently effective tariffs." A reasonable reading of § 221.38 of the regulations gives strong support to the proposition that the regulations presently require the inclusion of interrupted-trip amenities in filed tariffs. Section 221.38(a) requires that the rules and regulations of each tariff contain, *inter alia*, "all of the terms, conditions, or other provisions which affect the rates, fares or charges for air transportation named in the tariff" (subparagraph (2));<sup>12</sup> "all of the \* \* \* provisions governing terminal services and all other services which the carrier undertakes or holds out to perform \* \* \* in connection with air transportation" (subparagraph (3)); and "all other provisions \* \* \* which in any way increase or decrease the value of the services rendered to the \* \* \* passenger \* \* \*" (subparagraph (4)). With respect to the latter provision, it could certainly be concluded that the provision of hotel accommodations and other amenities in case of service interruptions, however infrequent, increases the value of air transportation to those passengers who may qualify under the carrier's guidelines and correspondingly decreases the value of such service to those not normally qualifying.

Read together, the above provisions in our opinion evince a strong policy of full disclosure to the passenger of all valuable services which are extended to the traveling public on a regular or standardized basis, and particularly of any restrictions or conditions relating to such services as may differentiate one passenger from another. A somewhat related situation involves the requirement in § 250.3 of the Economic Regulations that the carriers file with the Board (although not in their tariffs) a description of their practices and rules governing boarding priorities on oversold flights. This regulation is precedent for requiring effective notice to the Board

<sup>8</sup> In the course of the proceedings leading to the adoption of Part 250 of the Economic Regulations, the Board took note of the carriers' arguments with respect to the granting of amenities, such as hotels, meals, telephone calls, and ground transportation, and stated in a footnote that its denied boarding compensation regulation was "not intended to preclude carriers from according these amenities to passengers" (ER-503, adopted Aug. 3, 1967, p. 6).

<sup>10</sup> Since fares are cost-related, the costs for the amenities of necessity affect fares.

and the public of carrier practices which, as in this case, affect passengers stranded and unable to deal at arm's length with the carrier.

In short, the potential passenger deserves, and in our view the regulations under Part 221 require, effective tariff notice of such courtesy service distinctions as might bear on which carrier he chooses, on which class of ticket he purchases, and on whether and to what extent he must request specific assistance in case of an interrupted trip.

Notwithstanding the above, we do not think that the carriers' past practices of providing interrupted-trip amenities should be held to be violative of the Act. The Board's past position on this specific issue has been unclear, and in fact the Board has never had occasion to take a position. Nor can the Board's brief note of these practices in connection with the adoption of Part 250 be considered dispositive of the question of whether they should or should not be included in tariffs, since in that proceeding the focus was clearly elsewhere. However, a good-faith assessment of the Board's position, when viewed in the context of the long-standing applicability of the practices at issue, could lead to the conclusion that, in the Board's view at the time, neither the Act nor its regulations required the filing of tariffs describing interrupted-trip amenities.

Although we do not now subscribe to that position, we do not believe it desirable in this instance to apply our interpretation retroactively. Our purpose herein is to provide the traveling public with adequate notice of services to be provided and to regularize such services. This purpose would not be advanced by making our ruling retrospective, for whatever shortcomings in notice or equal treatment existed in the past will not be corrected by exposing the carriers to potential civil liability for past transgressions of the tariff rules. Nor do we feel that the enforcement and administration of the Act would be served, since we have no reason to doubt at this time the carriers' compliance with the tariffs filed in response to our action herein.<sup>13</sup> Accordingly, the Board finds that it would not be consistent with the public interest, as defined in section 102 of the Act, to apply our interpretive ruling herein retrospectively.

**Section 404(b): Discrimination.** Section 404(b) of the Act precludes air carriers from subjecting any "description of traffic in air transportation to any unjust discrimination or any unjust or unreasonable prejudice or disadvantage in any respect whatsoever." The comments uniformly take the position that numerous service distinctions based on class

<sup>13</sup> In light of the absence of willful tariff violations by the carriers, the extent of any potential civil liability, while unknown, could likely be totally out of proportion to whatever regulatory purpose might be said to inhere in a retrospective ruling, inasmuch as it appears that the carriers' reliance on a not unreasonable interpretation of the Board's past position has been extensive and of long standing.

<sup>8</sup> Includes Pan American's domestic operations. Air Carrier Traffic Statistics, December 1970.

<sup>9</sup> Such amenities have in fact been excluded as obligations of the carriers by provisions in their tariffs, as in the case of American's Passenger Rule Tariff No. PR-5, CAB No. 117, Rule 75(G).

<sup>10</sup> United and National.

of service have long been known to, and approved by, the Board. One further distinction to which a higher fare entitles a passenger, it is argued, is the security involved in knowing that his hotel accommodations and perhaps meals are paid for in case of overnight delay. According to United, a coast passenger can readily upgrade to first class if he values this assurance sufficiently.

We are not persuaded that the recognized service distinctions between first class and coach necessarily extend to the practice of including interrupted-trip hotel accommodations or other amenities in the former, but not the latter, service. Absent carrier tariffs (and advertising), the average passenger may not know in advance whether a given carrier restricts certain amenities to certain classes, and under the present situation neither he nor his travel agent has a convenient way of finding out. Therefore any analogy to normal inflight service distinctions is unrealistic. Since the average passenger probably has no knowledge of such a "first-class amenity," its existence cannot reasonably be said to have influenced him to travel first class. Conversely, the elimination of this distinction between first class and coach will not likely cause any passengers to downgrade from first class to coach.

It is also urged, with respect to distinctions within each class of service, that there is no unjust discrimination when the extension of amenities or services is not uniform, as long as all passengers within the same class of service are treated equally under "like or substantially similar circumstances." Thus, it is alleged that trained carrier personnel, using company guidelines, assure that, systemwide, the treatment of all passengers is as equal in this sense as can be achieved.

Here again, we feel that the apparent absence of any notification procedures vitiates the carriers' argument. While it may well be that all passengers within a class, similarly situated, are treated essentially equally if their needs are known to the carrier, it is by no means clear to what extent the needs are made known. Thus, an experienced traveler may receive services which the uninitiated may also require but do not know enough to request. Also, the comments received do not make clear the extent to which the services actually provided depend upon the vociferousness of passenger complaints.

**Conclusion.** While we have strong reservations about the carriers' practices with respect to discrimination between as well as within classes, as measured by the antidiscrimination provisions of section 404(b) of the Act, the comments received herein do not, we feel, provide a suitable basis for a final ruling on the matter. Nor are we prepared to proceed upon the basis of the complaint filed by Mr. Del Noce. Rather than making determinations in enforcement proceedings on a case-by-case basis, we believe that an overall, general approach would be desirable from the standpoint of uni-

formity of passenger treatment and administrative convenience.<sup>12</sup>

Accordingly, and in light of our discussion above, we will deny, to the extent previously deferred, the motion of Aldo Del Noce for review of the decision of the Director, BOE, declining to institute an enforcement proceeding upon Mr. Del Noce's complaint. We find that under all of the circumstances the complaint does not state facts warranting an investigation. This represents a composite judgment on the facts, the law, and the search for the optimum policy for achieving the public interest objectives of the Act within a pragmatic administrative framework.

On the other hand, the Board believes that, for the reasons stated, Part 221 of its Economic Regulations and section 403(b) of the Act require that carrier practices pertaining to the provision of interrupted-trip amenities are matters which should now be contained in air carrier tariffs. Specifically, we think it essential that the basic rules affecting the kind, nature, and distribution of interrupted-trip amenities be made known to the public and to the Board.<sup>13</sup> As a minimum, we would expect carriers to file basic statements in their tariffs of their interrupted-trip policies, setting forth in general the services and amenities provided and the conditions under which these are made available, showing in particular any distinctions made on the basis of class of service, and including also a statement as to whether, and to what extent, the amenities are provided only upon request and are not made known to passengers by either written or oral notice of availability.

The carriers argue that these matters are inappropriate for tariff filing because of the flexibility necessary to cope with the varied needs of passengers. They assert such filings would limit the necessary flexibility of response, result in slow attention, and, by increasing costs, possibly cause a reduction in interrupted-trip services.<sup>14</sup> While there is undoubtedly some merit to the carriers' contention that highly specific rules filed in the tariffs would cause some restriction in the carriers' ability to meet some situa-

<sup>12</sup> Moreover, we feel that an enforcement approach would be somewhat heavyhanded and inequitable to the carriers in view of the Board's past lack of a cognizable position with respect to these practices, and would not in any case materially aid the consumers of air transportation vis-a-vis the carriers.

<sup>13</sup> Our present position does not represent a change in prior policy but a clarification of our interpretation of the Act and Part 221 of the Economic Regulations in an area upon which the Board has not previously focused its attention and wherein the Board has not expressed any concrete policy.

<sup>14</sup> United estimates that its interrupted-trip expenditures would increase from \$1,500,000 to \$4,000,000 annually if its first-class amenities were made available regardless of class. Most of this increase would presumably be due to added hotel costs. While this percentage increase, if accurate, would be substantial, the absolute amount is negligible compared to typical air carrier public relations and advertising costs.

tions, this should not be the case with the filing of basic statements of policy, as we have suggested. Some carriers have already shown more than sufficient detail in their comments and guidelines.<sup>15</sup>

With respect to the discrimination issue, we feel that such filings as we hereby suggest will more clearly delineate the exact practices of the carriers and will serve to focus our inquiry more precisely. To the extent that the carriers' filings appear to be unlawfully discriminatory, the Board can investigate further.

While we do not wish to unduly burden carriers with tariff filings, we believe that the Act requires such filings and that the traveling public has a right to be informed of the carriers' basic rules affecting the distribution of interrupted-trip amenities. We are not persuaded by the comments that the filing of a summary statement would be an undue burden on the carriers or that it would unduly restrict a carrier's ability to respond flexibly to valid emergency situations. Nor, in the final analysis, are we persuaded that a Board finding of unlawful discrimination in the case of service class distinctions filed in tariffs would lead, as implied in the comments, to a termination of certain amenities.

In light of the Board's views herein and consonant with our expressed purposes, the Board expects that all certificated carriers providing interrupted-trip amenities to passengers will file appropriate tariffs consistent with this order within thirty (30) days from the date hereof, effective on not less than 45 days' notice. The provision of any such amenities by any certificated carrier subsequent to this period shall be viewed as prima facie evidence of violation of the Act and the Board's Economic Regulations in the absence of such a filing by such a carrier, provided that after such filing carriers may provide services consistent with the filed tariffs until the effective date thereof.

*Accordingly, it is ordered, That:*

1. The motion of Aldo Del Noce for review of the decision of the Director, BOE, declining to institute an enforcement proceeding based upon his complaint in Docket 21385 be and it hereby is denied to the extent deferred in Order 70-7-53 (July 13, 1970).

2. This order shall be served upon the parties herein, upon carriers Allegheny Airlines, Inc., Delta Air Lines, Inc., National Airlines, Inc., Northeast Airlines, Inc., Pan American World Airways, Inc., and United Air Lines, Inc., upon the Air Transport Association, and upon all other

<sup>15</sup> United's claim, that a tariff provision limiting hotel accommodations to first-class passengers would prevent its personnel from responding to the emergency needs of coach passengers, is too simplistic. As we have already suggested, what we believe to be required is fair notice of the basic kinds of distinctions drawn among passengers; each carrier would therefore be able to provide for categories of "emergency cases" such as the handicapped, the elderly, or unaccompanied minors.

carriers certificated by the Board to provide air transportation.

3. This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

[FR Doc. 72-9110 Filed 6-15-72; 8:49 am]

[Docket No. 24539; Order 72-6-43]

### EASTERN AIR LINES, INC.

#### Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of June 1972.

By tariff revisions<sup>1</sup> marked to become effective June 24, 1972, Eastern Air Lines, Inc. (Eastern), proposes to provide for the use of dual configured DC-9 and B-727 aircraft in its shuttle services. The effect of the proposal is to permit Eastern to utilize in its shuttle markets aircraft which are now used to provide first-class and coach services in other markets. The present shuttle (coach) fares would apply in both the forward and the aft compartments. The current air shuttle operation employs single configuration DC-9's as first-section aircraft and single-configuration Electras as backups.

Eastern alleges that the dual-configuration aircraft will be used only as backup equipment and for unplanned substitutions on first sections, and that the purpose of the revision is to allow it to phase out the Electras with B-727's. Eastern alleges that the single-configuration DC-9's will continue to account for the vast bulk of the shuttle operations and estimates that the B-727's will account for approximately 10 percent of total shuttle departures for the July-December period of 1972, with forward compartment seats offered at the coach fare amounting to less than 3 percent of the total seats offered during that period.

The carrier alleges that a dual-configuration aircraft can be operated at two fare levels only by establishing ticketing and seat selection on the ground and that this is obviously impractical within the scope of current shuttle operations; that charging a single level fare on dual-configuration aircraft in shuttle markets does not have the ramifications that would occur in other markets; that there will be no different service in the front than in the rear compartment and the only difference would be that passengers in the front compartment would have a wider seat and more leg room; and that because of the short duration of the trip, the more commodious space will be of less value to the passenger than on a longer trip.

Eastern alleges that it does not intend to promote the substitute aircraft in order to gain a competitive advantage over

other carriers in the market; that it is difficult to imagine that the introduction of dual-configuration B-727 equipment as second-section aircraft would have any noticeable marketing effect in view of the fact that passengers generally intend to arrive for the first-section departure and only unintentionally end up traveling on a second section; and that it is merely attempting to retain the scheduling flexibility and aircraft utilization implicit in use of B-727 equipment without modifying the successful concept of a guaranteed seat without a reservation.

Northeast Airlines, Inc. (Northeast), has filed a complaint requesting that Eastern's proposal be suspended and investigated alleging that, while Eastern has given its assurance that the use of B-727 aircraft will be limited, there is no restriction whatsoever in the tariff, and that it would be a simple matter for Eastern to introduce as many dual-configuration aircraft into shuttle service as they wish by merely changing their operating policies, without Board control. Northeast also alleges that shuttle fares are already underpriced and that the additional giveaway of first-class accommodations at coach fares is wholly unwarranted; that while Eastern has alleged that there are no alternatives to its proposal, Eastern could operate second sections in single-configuration aircraft or the first-class section could be blocked off leaving over 70 percent of the aircraft available for use. In addition, Northeast alleges that it is not necessary to provide ground ticketing service in order to collect a different fare in the first-class compartment.

Northeast further alleges that Eastern's domination of the shuttle markets does not serve the public in general; and that Eastern's domination prevents other carriers from profitably operating through flights beyond the shuttle markets since the through flights depend upon local traffic which moves on Eastern flights.

In answer to the complaint, Eastern alleges that the fact that it is the dominant carrier in the market is no argument against its efforts to introduce cost savings and economies in the shuttle markets; and that Northeast has not pointed to any beyond segment market which requires additional frequencies which it supposedly would operate if Eastern was a lesser competitor in the shuttle markets. Eastern alleges that the premium ordinarily charged passengers traveling in the forward compartment is based not on cost but value of service considerations which are nonexistent with respect to backup service. Eastern also reiterates that its use of dual-configuration aircraft in shuttle service will be limited solely to extra-section operations; and alleges that Northeast's suggested alternatives are not acceptable.

Upon consideration of the tariff filing, the complaint and answer thereto, and all other relevant matters, the Board finds that the proposal may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board

further concludes that the proposal should be suspended pending investigation.

The provisions of the proposed tariff do not restrict the use of dual-configured aircraft to backup flights and unplanned substitutions for a transition period in its operational plan for the shuttle service as Eastern may well intend. Also, the tariff, as filed, would apply indefinitely. We are unable to discern any basis for the unrestricted use of dual-configuration aircraft in shuttle service for an indefinite period of time (and at present fare levels) as the proposed tariff would permit, and for this reason, we will suspend.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204, 403, 404, and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the provisions applicable to B-727 and DC-9-31 Type of Aircraft for Seating Configurations Air Shuttle on 49th Revised Page 15 of Airline Tariff Publishers, Inc., agents' CAB No. 65 provisions and rules, regulations, and practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions, and rules, regulations, or practices affecting such provisions;

2. Pending hearing and decisions by the Board, the provisions applicable to B-727 and DC-9-31 Type of Aircraft for Seating Configurations Air Shuttle on 49th Revised Page 15 of Airline Tariff Publishers, Inc., agents' CAB No. 65 are suspended and their use deferred to and including September 21, 1972, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. Except to the extent granted herein, the complaint in Docket 24491 is hereby dismissed;

4. The proceeding ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

5. Copies of this order be filed in the aforesaid tariffs and be served upon Eastern Air Lines, Inc., and Northeast Airlines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

[FR Doc. 72-9109 Filed 6-15-72; 8:49 am]

[Docket No. 24475]

### NOVO CORP.

#### Notice of Proposed Approval of Application

Application of Novo Corp. for approval pursuant to section 408 of the Federal

<sup>1</sup>Revisions to Airline Tariff Publishers, Inc., agent, tariff CAB No. 65.



Aviation Act of 1958, as amended, Docket 24475.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the attached order under delegated authority. Interested persons are hereby afforded a period of 10 days from the date of this notice within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., June 9, 1972.

[SEAL] A. M. ANDREWS,  
Director,  
Bureau of Operating Rights.

ORDER OF APPROVAL

Application of Novo Corp. for approval pursuant to section 408 of the Federal Aviation Act of 1958, as amended; Docket 24475.

Pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), Novo Corp (Novo) requests that the Board approve the acquisition of control by Novo of a 49-percent ownership interest in John G. Stephenson & Co. Pty., Ltd. (Stephenson).

Novo is a diversified company which controls, among other entities, two indirect air carriers, Novo Airfreight Corp. which engages in domestic air freight forwarding pursuant to Part 296 of the Board's Economic Regulations, and Novo International Corp. doing business as Novo International Airfreight, which engages in international air freight forwarding pursuant to Part 297. Novo Corp. also holds 50 percent of the stock of Novo International Airfreight (Far East) S.A., which engages in air freight forwarding, clearing and distribution in Japan, Hong Kong, the Philippines, and the Republic of Korea.<sup>1</sup> Stephenson and its wholly owned subsidiaries, John G. Stephenson (Cartage) Pty., Ltd., and John G. Stephenson (Freight) Pty., Ltd., engage in air freight and maritime forwarding and in customs brokerage in Australia. Novo International does not engage in air freight forwarding operations in Australia.

Under the terms of their agreement, Novo proposes to acquire 3,436 of Stephenson's 7,012 issued shares for \$312,000. Though the acquisition agreement does not specifically so state, neither Novo nor Novo International Corp. will perform outbound air freight forwarding services to the United States from Australia so long as Novo remains a major holder of Stephenson's stock and such service is provided by Stephenson or its related companies.<sup>2</sup>

In support of the application Novo contends that, as the Board observed in the recent Novo Corporation—Estate of Edward L. Richter proceeding,<sup>3</sup> Novo Airfreight has not been able to establish itself as a material factor in international air freight forwarding; and that the present arrangement, like a previously approved agreement between Novo and Everett Steamship Corp. regarding air freight forwarding services in the Far East,<sup>4</sup> is designed to help alleviate that prob-

lem by providing Novo market identity and exposure in Australia.

No comments relative to the application have been received.

Upon consideration of the foregoing, it is concluded that Novo Corp. is a person in control of an air carrier and Stephenson is a person engaged in a phase of aeronautics, both within the meaning of section 408 of the Act, and that the transaction described herein is subject to subsection (a)(6) thereof. However, it is further concluded that the application does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly, and does not tend to restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing, nor does the public interest require one.<sup>5</sup> The relationship is similar to others which have been approved by the Board and do not present any new substantive issues.<sup>6</sup> The arrangement appears to provide Novo with an opportunity to expand its international freight operations by use of an established market identity, without any effect on the manner in which its U.S.-based international forwarder, Novo International, conducts its outbound operations. Therefore, it appears that the conditions of section 408 of the Act have been met and that approval of this application will not be inconsistent with the public interest.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.13, it is found that the foregoing control relationships should be approved without a hearing under the third proviso of section 408(b) of the Act.

Accordingly, it is ordered, That:

The control of John C. Stephenson Co. Pty., Ltd., by the Novo Corp. be and it hereby is approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HARRY J. ZINE,  
Secretary.

[FR Doc.72-9108 Filed 6-15-72; 8:49 am]

<sup>5</sup> Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy of such notice has been furnished to the Attorney General in accordance with sec. 408(b) of the Act.

<sup>6</sup> See Wings and Wheels Express, Inc., Order 71-7-60, July 9, 1971; Del Monte Corp., Order 71-6-90, June 16, 1971; Emery Air Freight Corp., Order 71-5-88, May 18, 1971, and Novo Corp., Order 72-2-40, Feb. 11, 1972, wherein various indirect air carriers or persons who controlled such carriers have each been permitted to acquire equity interests in local corporations conducting outbound air freight forwarding operations from foreign lands.

## ENVIRONMENTAL PROTECTION AGENCY

[Dockets No. 42, 44, 45, 48]

### CANCELLATION OF REGISTRATION OF HERBICIDE 2,4,5-T(2,4,5-TRICHLOROPHENOXYACETIC ACID)

#### Notice of Objection and Request for Hearing

Notice is hereby given, pursuant to § 164.20 of the rules of practice (37 F.R. 9476) issued pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 135-135k), that objections and requests for a public hearing were filed by the Dow Chemical Co., under protest, and Transvaal, Inc. in connection with cancellations of registrations of economic poisons containing the herbicide 2,4,5-T (2,4,5-Trichlorophenoxyacetic acid). These proceedings were consolidated with similar proceedings instituted by Amchem Products, Inc., and Thompson-Hayward Chemical Co., who had previously filed objections and requested hearings with respect to cancellations of registrations of economic poisons containing 2,4,5-T.

For information concerning the issues involved and other details of these proceedings, interested persons are referred to the dockets of these proceedings on file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th and Independence Avenue SW., Washington, D.C.

ROBERT W. FRI,  
Acting Administrator.

JUNE 13, 1972.

[FR Doc.72-9111 Filed 6-15-72; 8:51 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 19500, 19501; FCC 72-420]

### ATS MOBILE TELEPHONE, INC. ET AL.

#### Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues; Correction

In regard applications of ATS Mobile Telephone, Inc., Docket No. 19500, File No. 4034-C2-P-70; Paul D. Jones & Jon N. Farrington, doing business as Council Bluffs Mobilephone, Docket No. 19501, File No. 2675-C2-P-70; Curtin Call Communications, Inc., Docket No. 19502, File No. 4032-C2-P-70, for construction permits to establish new facilities in the domestic public land mobile service at Council Bluffs, Iowa; and in regard applications of ATS Mobile Telephone, Inc., Files Nos. 4033-C2-P-(4)-70, 7983-C2-P-(3)-70; Paul D. Jones & Jon N.

<sup>1</sup> See Order 72-2-40, Feb. 11, 1972.

<sup>2</sup> Novo has so stated in its application, and disposition of the application is made in reliance on such representation.

<sup>3</sup> Order 71-4-41, Apr. 7, 1971, initial decision, p. 12.

<sup>4</sup> Order 72-2-40, Feb. 11, 1972.

Farrington, doing business as Council Bluffs Mobilephone, File No. 2674-C2-P-70; Curtin Call Communications, Inc., File No. 3743-C2-P-71, for construction permits to establish new facilities in the domestic public land mobile service at Omaha, Nebraska and Council Bluffs, Iowa. Paul D. Jones, doing business as Answer All of Grand Island, Assignor, and Charles P. Oden, doing business as Oden Communications Co., Assignee, File No. 2239-C2-AP/AL-(2)-72, for consent to assignment of license of Station KLF552 and construction permit of Station KSV931 at Grand Island, Nebr.; in regard petitions for the institution of revocation proceedings against ATS Mobile Telephone, Inc., Files Nos. 7275-C2-ML-70, 5209-L-70, permittee of Stations KMB512 and KQZ745, Omaha, Nebr.; Curtin Call Communications, Inc., Files Nos. 6525-C2-AL-(3)-70, 1713-C2-L-69, 7288-C2-L-70, 751-C2-R-69, licensee of Stations KLF478, KSD318, and KQZ785, Madison, Wis.; Licensee of Station KRS630 at La Crosse, Wis., File No. 1811-C2-L-71; permittee of Station KSV988 at Eau Claire, Wis., File No. 6800-C2-P-70; permittee of Station KSV989 at Fond du Lac, Wis., File No. 6799-C2-P-70; permittee of Station KSV995 at Janesville, Wis., File No. 7519-C2-P-70; licensee of Station KFQ 940 at Clayton, Mo., File No. 2735-C2-ML-70; Errata re FCC 72-420 (37 F.R. 11199).

1. The caption for the memorandum opinion and order (FCC 72-420, Mimeo No. 75750) released June 1, 1972, is amended as follows:

After "For Construction Permits to Establish New Facilities in the Domestic Public Land Mobile Service at Omaha, Nebr., and Council Bluffs, Iowa." insert the following:

Curtin Call Communications, Inc., File Nos. 6063-C2-P-70, 6801-C2-P-70, 6975-C2-P-70, for construction permits to establish new facilities in the domestic public land mobile radio service at Wausau, and Eau Claire, Wis.

2. Delete paragraph 65; and renumber paragraph 66 as paragraph 65.

3. Amend paragraph 64 by deleting the period at the end of the paragraph, and in its place inserting a semicolon followed by the word "and".

Released: June 8, 1972.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc.72-9101 Filed 6-15-72;8:51 am]

[Docket No. 19517; FCC 72-468]

## COMMUNICATIONS AND SYSTEMS, INC.

### Notice of Inquiry Regarding Frequency Assignment Techniques Study

In the matter of the report on a study of frequency assignment techniques for microwave systems prepared for the Commission by Communications and Systems, Inc. (subsidiary of Computer Sciences Corp.), Docket No. 19517.

1. In June of 1969, the Commission awarded a contract to Communications and Systems, Inc. (a subsidiary of Computer Sciences Corp.), to conduct a study of "Frequency Assignment Techniques for Microwave Systems." The general objective of Phase I of the two-part study was to analyze the present frequency assignment techniques and utilization of the frequency bands allocated to microwave fixed point-to-point radio services between 1850 MHz and 13,250 MHz and to recommend changes which would result in the more effective utilization of the spectrum by these services and which would be practicable in consideration of technical, economic, social, and administrative aspects of the recommended changes. Phase II of the study had, as its general objective, to examine and analyze the results of Phase I to determine the mechanics of data gathering, identification of specific data to be gathered, and how the data should be stored, processed, and analyzed to bring about the objective of more effective use of the microwave frequencies. CSC has completed its study and the results are contained in its final reports (hereafter called the CSC report) on Phase I and Phase II submitted in February 1971, and February 1972, respectively. Both reports have been published and copies may be obtained from the National Technical Information Service in accordance with details given in paragraph 4 of this notice.

2. Commission study and evaluation of the findings and recommendations are in process. It is evident that implementation of the recommendations would have a far-reaching effect on microwave radio systems, especially on the methods of assignment and management of the radio spectrum allocated to these systems. Understandably, the report has generated much interest and discussion. We believe that it would be desirable to have the views of interested persons thereon so as to have as broad a basis as possible for any determination we may reach.

3. Accordingly, we hereby invite interested persons to submit comments, views, and information relevant to the matters covered in the CSC report. The comments may be directed to the entire report or to any part or aspect of it on which the respondent may feel particularly interested or qualified. It should be emphasized that the purpose of this inquiry is primarily to enable us to evaluate better the impact on the industry of CSC's findings and recommendations and to provide a forum for the discussion of this important work. Accordingly, all comments will be considered to the extent that we feel they are helpful to our considerations of this work, but we do not at this time anticipate issuing any report on the comments received except to the extent they may be relevant to any rule making proposals that may ensue.

4. Copies of the CSC Report, "Frequency Assignment Techniques for Microwave Systems," may be obtained from the National Technical Information Service, Springfield, Va. 22151. A copy of the original Commission work statement is attached.

Report	Accession No.	Price per volume	
		Printed	Microfiche
Phase I:			
Vol. I.....	PB 205-747	\$6.00	\$0.95
Vol. II.....	PB 205-748	3.00	.95
Phase II.....	PB 207-536	3.00	.95

5. Interested persons may submit their comments by August 31, 1972. An original and 14 copies of each response should be filed.

Adopted: June 1, 1972.

Released: June 12, 1972.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

WORK STATEMENT

FREQUENCY ASSIGNMENT TECHNIQUES FOR  
MICROWAVE RADIO SYSTEMS

### Phase I

*General objective.* The general objective of Phase I of this contract is to analyze the present frequency assignment techniques and utilization of the frequency bands allocated to microwave fixed point-to-point radio services between 1850 MHz and 13,250 MHz and to recommend changes which would result in the more effective utilization of the spectrum by these services and would be practicable when consideration is given to the technical, economic, social and administrative aspects of the recommended changes.

*Specific areas of investigation.* In considering the requirements and characteristics of the systems to be accommodated, the contractor shall:

(1) Review for background information the current frequency assignment policies and procedures of the Commission with respect to microwave radio stations and/or systems in all radio services, including the effect of existing eligibility requirements, block allocations policies, licensing procedures, reliability criteria, and technical standards upon the practicable density of microwave radio relay assignments.

(2) Assess and evaluate the present systems in which separate bands of frequencies are allocated for Broadcast Auxiliaries, Common Carrier Fixed and Operational Fixed Systems, e.g., Industrial, Public Safety, Land Transportation, Aviation and Marine Radio Services. The Community Antenna Relay Service shares part of one Broadcast Auxiliaries band. The major point for consideration is whether the present "block" structure should be retained or whether it should be partially or totally abandoned in favor of multi-service sharing of the various allocated bands. The evaluation criterion should be the most effective feasible use of the allocated bands. The potential effects of current and new technological developments should be considered in this evaluation.

<sup>1</sup> Commissioners Robert E. Lee and Johnson absent.

(3) Analyze and report upon the following factors and specific questions:

(a) Reliability in microwave radio relay systems:

1. How should reliability be specified?
2. What is the degree of reliability appropriate for various grades or classes of service?
3. What techniques should be used to obtain reliability and how do they compare in effectiveness and cost?
4. How is reliability related to the frequency used?
5. How is reliability related to the path length?
6. How is reliability related to system installation cost?
7. How is reliability related to system operating cost?

(b) Technical merits of modulation systems for accommodating maximum information in a minimum radio frequency bandwidth:

8. What are the relative requirements for bandwidth as between modulating systems?

9. What technical standards are required?

10. What are related relative costs?

(c) Technical and economic considerations affecting the density of systems:

11. With frequency bands and geography as fixed parameters, what other technical and economic factors affect the practicable density of systems?

12. What practicable increases in the effective assignment of frequencies could be realized by modifying technical factors (e.g. antennas)?

13. How do these factors (other than frequency band and geography) affect administrative costs to the Government, operating costs for the licensee, communications costs for the user?

(d) Determination of interference criteria:

14. What criteria should be used in predicting the probable occurrence of interference to planned microwave systems?

15. What parameters should be used and what technical standards (both transmitting and receiving) should be adopted in order to achieve a maximum practicable density of systems?

16. What order of increase in relay or terminal station population would these standards permit, as compared with present assignment practices?

(e) Basic data requirements:

17. What basic data (engineering or other) is needed concerning each system and its individual stations in order to realize the increased effectiveness of frequency usage (density of systems) described in (c) above?

18. What would be the economic burden that the collection and evaluation of such data would impose upon applicants and upon the Commission?

(f) Feasibility of early expansion into higher microwave bands (above 13,250 MHz):

19. What technological problems must be overcome?

20. What new techniques, materials, and components promise to accelerate early expansion into higher frequency bands?

21. What reasonable regulatory steps may the Commission undertake to facilitate or encourage such expansion?

(g) Organization of engineering:

22. To obtain maximum effectiveness, should system engineering be done by a centralized organization for all systems?

23. Should systems engineering be provided by a number of organizations and individuals whose work is monitored and/or reviewed by a central organization?

24. What, if any, would be the difference in effectiveness of these approaches?

#### Phase II

*General objective.* The general objective of Phase II of this contract is to examine and analyze the results of Phase I to determine the mechanics of data gathering, identification of specific data to be gathered, and how the data should be stored, processed, and analyzed to bring about the objective of more effective use of the microwave frequencies.

*Specific areas of investigation.* (1) Determine what data is needed from each microwave station and system to enable the systems engineering and reviewing authorities to most effectively select and assign frequencies as recommended in Phase I.

(2) Determine the most efficient method of collecting the data identified in (1) above from present licensees and from new applicants.

(3) Determine the format of form letters, punched data cards, etc., that would be required to collect the needed data.

(4) Determine the analytical technique most suitable for analyzing the required data to determine if the objective of this study is being met. If a math model is felt to be useful in this effort, it should be developed and verified to the extent practicable.

(5) Determine the mechanics of conducting the analysis of (3) above. If the use of a computer is felt to be useful, the necessary program should be developed for a specific computer chosen in consultation with the FCC staff.

(6) Determine the resources which would be required on the part of the FCC to execute and manage the recommendations of Phase I in accord with (1) through (5) above.

*General requirements of Phase I and Phase II.* (1) A final type report will be required at the completion of both Phase I and Phase II. The reports shall be in conformance with good professional practice, and each shall contain recommendations by the contractor in sufficient detail for the Commission to take appropriate actions.

(2) It is the desire of the Commission to award a single contract for Phases I

and II of this study. However, the Commission reserves the right to cancel Phase II if it decided that the benefits, as determined in Phase I, do not warrant, in the Commission's opinion, the continuation with Phase II.

(3) Because of (2) above, prospective contractors are required to bid on both Phase I and Phase II and submit separate pricing schedules for each.

(4) The final report on Phase I shall be submitted in draft form within 12 months from date of contract. The FCC will complete review of the draft report within 30 days of submission, and 50 copies of the final report shall be delivered to FCC within 14 months from date of contract.

(5) The FCC will advise the contractor within 45 days of the receipt of the Phase I report whether to proceed with Phase II or terminate the Phase II requirement. No costs will be incurred relative to the Phase II effort prior to formal notification from the contracting officer to proceed.

(6) The final report on Phase II shall be submitted in draft form within 9 months from the date of notification to proceed. The FCC will complete review of the draft report within 30 days of submission, and 50 copies of the final report shall be delivered to the FCC within 11 months from date of notification to proceed.

(7) During the course of both Phase I and Phase II, the contractor shall submit 6 copies of a brief narrative progress report each 60 days. The first report shall be due 60 days from the date of contract for Phase I and 60 days from date of notification to proceed for Phase II. The first progress report for each phase shall contain a PERT or similar type analysis of the work to be accomplished during the phase, and subsequent reports shall analyze progress in accordance with the original analysis.

(8) Prospective contractors' proposals will be evaluated with regard to the following points:

(a) Previous experience in conducting studies of a similar nature.

(b) Technical expertise of the personnel assigned to the contract.

(c) Competence and past experience and accomplishments in the field of telecommunications, particularly in the field of study.

(d) Proposed approach to the problem.

(e) Proposed organization of the final reports.

(f) Total cost of Phase I and Phase II.

(g) The degree to which the contractor assures that the personnel assigned to the study, as described in the proposal, will remain assigned to the study until its completion.

(9) Necessary "Boiler Plate" per GC and ED plus a disclaimer of FCC endorsement of the final report.

[FR Doc. 72-9102 Filed 6-15-72; 8:51 am]

[Report 600]

## COMMON CARRIER SERVICES INFORMATION<sup>1</sup>

### Domestic Public Radio Services Applications Accepted For Filing<sup>2</sup>

JUNE 12, 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 attached list, 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 in the appendix 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.

#### APPLICATIONS ACCEPTED FOR FILING

##### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 8630-C2-P-72—Oregon Telephone Corp. (KOK332), replace transmitter operating on 152.810 MHz located at 1.6 miles northeast of Mount Vernon, Ore.
- 8641-C2-AL-72—Marietta Telephone Co., consent to assignment of license from Marietta Telephone Co., assignor, to Four States Telephone Co., assignee. Station: KKK710 Marietta, Tex.
- 8642-C2-AL-72—Radiofone, consent to assignment of license from Radiofone, assignor, to Ranch Radio, Inc., assignment. Station: KKK713 Victoria, Tex.
- 8643-C2-P-72—E & J Mobile Radio Service (KFV887), for additional facilities to operate on 454.175 MHz at a new site described as location No. 2: On Bone Road, approximately 7 miles southwest of Jamestown, Ohio.
- 8644-C2-P-(2)-72—Metro Fone Communications, Inc. (KRS655), for additional facilities to operate on 454.100 and 454.150 MHz located at 4659 Stinson Boulevard NE., Columbia Heights, MN.
- 8659-C2-P-(5)-72—Tel-Missouri, Inc. (KAA888), replace transmitters operating on 152.03, 152.06, and 152.18 MHz, change the antenna system for same and relocate facilities to 7777 Bonhomme Avenue, Clayton, MO, replace transmitters operating on 454.050 and 454.300 MHz, change the antenna system and relocate facilities to the site herein described.
- 8660-C2-P-72—Kidds, Communications, Inc. (KMA257), relocate control facilities operating on 73.50 MHz at location No. 3 to: 107 Asher Street, Taft, CA.
- 8663-C2-TC-72—Central Telephone Co., Inc., consent to transfer of control from S. T. Meador, et al., transferors, to: Mid-Texas Communications Systems, Inc., transferee. Station: KLB325 Decatur, Tex.

##### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—Continued

- 8664-C2-AL-(2)-72—Tidewater Telephone Co., consent to assignment of license from Tidewater Telephone Co., assignor, to: New Tidewater Telephone Co., assignee. Stations: KIY767 Warsaw, Va., and KIY768 Kilmarnock, Va.
- 8665-C2-P-72—Tel-Missouri, Inc. (KDN396), replace transmitter operating on 35.58 MHz, change the antenna system and relocate facilities to 7777 Bonhomme Avenue, Clayton, MO.
- 8666-C2-P-72—Same as above (KRS636), same as above except, frequency 158.700 MHz.
- 8728-C2-P/L-72—Kalamazoo Telephone Answering Service (KRAM951), to reinstate expired C.P. for facilities to operate on 152.240 MHz to be located at 5735 Parkview, Kalamazoo, MI.
- 8736-C2-P-72—Radio Telephone Service (KFQ936), relocate facilities operating on 152.210 MHz to near the WPAV-FM Tower, 0.2 mile south of South Portsmouth, Ky.
- 8737-C2-P-(2)-72—Radio Broadcasting Co. (KGB874), for additional facilities to operate on 454.150 and 454.350 MHz at location No. 3: River Park House Apartments, 3600 Conshohocken Avenue, Philadelphia, Pa.
- 8738-C2-P-72—American Radio-Telephone Service, Inc. (KGA248), change the antenna system operating on 152.030 MHz located 3206 Wisconsin Avenue NW., Washington, DC.
- 8739-C2-P-72—Southwestern Communications Service (New), for a new two-way station to be located 0.5 mile west of Carrizo Springs, Tex., to operate on 152.030 MHz.
- 8740-C2-P-72—Mobilradio Telephone Service (KQC576), for additional facilities to operate on 454.050 and 454.250 MHz at location No. 1: State Route 4 and Gettsburg Avenue, Dayton, Ohio, and add 454.225 and 454.325 MHz at location No. 2: 3,500 feet northeast of Brandt, Brandt, Ohio.
- 8766-C2-P-(5)-72—(KKK707) CFR Corp., doing business as Mobilfone of Baton Rouge. For additional facilities to operate on 454.025, 454.350, 454.325, 454.100, and 454.075 MHz, at location No. 2: Louisiana National Bank Building, 451 Florida Avenue, Baton Rouge, La.
- 2841-C2-P-72—Pacific Northwest Bell Telephone Co. (KOA738), to change antenna system and correct coordinates of facilities operating on 35.26 MHz at location No. 1: 7 miles south of Roseburg, Ore., and 152.63 MHz at location No. 2: Mount Nebo, 2.4 miles west-southwest of Roseburg, Ore.

#### Major Amendment

3140-C2-P-72—Tri-Cities Answering Services, Inc. (KEC930), Binghamton, N.Y. Amended to change base station location to: 0.26 mile north of Pierce Hill Road, on Country Road Binghamton, N.Y. All other particulars to remain as stated in public notice dated December 6, 1971, Report No. 573.

#### RURAL RADIO SERVICE

- 8658-C1-P/ML-72—Western States Telephone Co. (KPY289), for additional facilities to operate on 157.83, 157.86, and 157.95 MHz with (50) units in any temporary fixed location within the territory of the grantee.
- 8669-C1-P-(16)-72—Puerto Rico Communications Authority (New), for a new central office to be located at Cerro de Punta, 3.1 km. south of Jayuya, Puerto Rico to operate on frequencies 453.425, 453.475, 453.525, 453.575, 453.625, 453.675, 453.725, 453.775, 453.825, 453.875, 453.925, 453.975, 454.025, 454.075, 454.125, 454.175, 454.225, 454.275, 454.325, 454.375, 454.425, 454.475, 454.525, 454.575, 454.625, 454.675, 454.725, 454.775, 454.825, 454.875, 454.925, 454.975, 455.025, 455.075, 455.125, 455.175, 455.225, 455.275, 455.325, 455.375, 455.425, 455.475, 455.525, 455.575, 455.625, 455.675, 455.725, 455.775, 455.825, 455.875, 455.925, 455.975, 456.025, 456.075, 456.125, 456.175, 456.225, 456.275, 456.325, 456.375, 456.425, 456.475, 456.525, 456.575, 456.625, 456.675, 456.725, 456.775, 456.825, 456.875, 456.925, 456.975, 457.025, 457.075, 457.125, 457.175, 457.225, 457.275, 457.325, 457.375, 457.425, 457.475, 457.525, 457.575, 457.625, 457.675, 457.725, 457.775, 457.825, 457.875, 457.925, 457.975, 458.025, 458.075, 458.125, 458.175, 458.225, 458.275, 458.325, 458.375, 458.425, 458.475, 458.525, 458.575, 458.625, 458.675, 458.725, 458.775, 458.825, 458.875, 458.925, 458.975, 459.025, 459.075, 459.125, 459.175, 459.225, 459.275, 459.325, 459.375, 459.425, 459.475, 459.525, 459.575, 459.625, 459.675, 459.725, 459.775, 459.825, 459.875, 459.925, 459.975, 460.025, 460.075, 460.125, 460.175, 460.225, 460.275, 460.325, 460.375, 460.425, 460.475, 460.525, 460.575, 460.625, 460.675, 460.725, 460.775, 460.825, 460.875, 460.925, 460.975, 461.025, 461.075, 461.125, 461.175, 461.225, 461.275, 461.325, 461.375, 461.425, 461.475, 461.525, 461.575, 461.625, 461.675, 461.725, 461.775, 461.825, 461.875, 461.925, 461.975, 462.025, 462.075, 462.125, 462.175, 462.225, 462.275, 462.325, 462.375, 462.425, 462.475, 462.525, 462.575, 462.625, 462.675, 462.725, 462.775, 462.825, 462.875, 462.925, 462.975, 463.025, 463.075, 463.125, 463.175, 463.225, 463.275, 463.325, 463.375, 463.425, 463.475, 463.525, 463.575, 463.625, 463.675, 463.725, 463.775, 463.825, 463.875, 463.925, 463.975, 464.025, 464.075, 464.125, 464.175, 464.225, 464.275, 464.325, 464.375, 464.425, 464.475, 464.525, 464.575, 464.625, 464.675, 464.725, 464.775, 464.825, 464.875, 464.925, 464.975, 465.025, 465.075, 465.125, 465.175, 465.225, 465.275, 465.325, 465.375, 465.425, 465.475, 465.525, 465.575, 465.625, 465.675, 465.725, 465.775, 465.825, 465.875, 465.925, 465.975, 466.025, 466.075, 466.125, 466.175, 466.225, 466.275, 466.325, 466.375, 466.425, 466.475, 466.525, 466.575, 466.625, 466.675, 466.725, 466.775, 466.825, 466.875, 466.925, 466.975, 467.025, 467.075, 467.125, 467.175, 467.225, 467.275, 467.325, 467.375, 467.425, 467.475, 467.525, 467.575, 467.625, 467.675, 467.725, 467.775, 467.825, 467.875, 467.925, 467.975, 468.025, 468.075, 468.125, 468.175, 468.225, 468.275, 468.325, 468.375, 468.425, 468.475, 468.525, 468.575, 468.625, 468.675, 468.725, 468.775, 468.825, 468.875, 468.925, 468.975, 469.025, 469.075, 469.125, 469.175, 469.225, 469.275, 469.325, 469.375, 469.425, 469.475, 469.525, 469.575, 469.625, 469.675, 469.725, 469.775, 469.825, 469.875, 469.925, 469.975, 470.025, 470.075, 470.125, 470.175, 470.225, 470.275, 470.325, 470.375, 470.425, 470.475, 470.525, 470.575, 470.625, 470.675, 470.725, 470.775, 470.825, 470.875, 470.925, 470.975, 471.025, 471.075, 471.125, 471.175, 471.225, 471.275, 471.325, 471.375, 471.425, 471.475, 471.525, 471.575, 471.625, 471.675, 471.725, 471.775, 471.825, 471.875, 471.925, 471.975, 472.025, 472.075, 472.125, 472.175, 472.225, 472.275, 472.325, 472.375, 472.425, 472.475, 472.525, 472.575, 472.625, 472.675, 472.725, 472.775, 472.825, 472.875, 472.925, 472.975, 473.025, 473.075, 473.125, 473.175, 473.225, 473.275, 473.325, 473.375, 473.425, 473.475, 473.525, 473.575, 473.625, 473.675, 473.725, 473.775, 473.825, 473.875, 473.925, 473.975, 474.025, 474.075, 474.125, 474.175, 474.225, 474.275, 474.325, 474.375, 474.425, 474.475, 474.525, 474.575, 474.625, 474.675, 474.725, 474.775, 474.825, 474.875, 474.925, 474.975, 475.025, 475.075, 475.125, 475.175, 475.225, 475.275, 475.325, 475.375, 475.425, 475.475, 475.525, 475.575, 475.625, 475.675, 475.725, 475.775, 475.825, 475.875, 475.925, 475.975, 476.025, 476.075, 476.125, 476.175, 476.225, 476.275, 476.325, 476.375, 476.425, 476.475, 476.525, 476.575, 476.625, 476.675, 476.725, 476.775, 476.825, 476.875, 476.925, 476.975, 477.025, 477.075, 477.125, 477.175, 477.225, 477.275, 477.325, 477.375, 477.425, 477.475, 477.525, 477.575, 477.625, 477.675, 477.725, 477.775, 477.825, 477.875, 477.925, 477.975, 478.025, 478.075, 478.125, 478.175, 478.225, 478.275, 478.325, 478.375, 478.425, 478.475, 478.525, 478.575, 478.625, 478.675, 478.725, 478.775, 478.825, 478.875, 478.925, 478.975, 479.025, 479.075, 479.125, 479.175, 479.225, 479.275, 479.325, 479.375, 479.425, 479.475, 479.525, 479.575, 479.625, 479.675, 479.725, 479.775, 479.825, 479.875, 479.925, 479.975, 480.025, 480.075, 480.125, 480.175, 480.225, 480.275, 480.325, 480.375, 480.425, 480.475, 480.525, 480.575, 480.625, 480.675, 480.725, 480.775, 480.825, 480.875, 480.925, 480.975, 481.025, 481.075, 481.125, 481.175, 481.225, 481.275, 481.325, 481.375, 481.425, 481.475, 481.525, 481.575, 481.625, 481.675, 481.725, 481.775, 481.825, 481.875, 481.925, 481.975, 482.025, 482.075, 482.125, 482.175, 482.225, 482.275, 482.325, 482.375, 482.425, 482.475, 482.525, 482.575, 482.625, 482.675, 482.725, 482.775, 482.825, 482.875, 482.925, 482.975, 483.025, 483.075, 483.125, 483.175, 483.225, 483.275, 483.325, 483.375, 483.425, 483.475, 483.525, 483.575, 483.625, 483.675, 483.725, 483.775, 483.825, 483.875, 483.925, 483.975, 484.025, 484.075, 484.125, 484.175, 484.225, 484.275, 484.325, 484.375, 484.425, 484.475, 484.525, 484.575, 484.625, 484.675, 484.725, 484.775, 484.825, 484.875, 484.925, 484.975, 485.025, 485.075, 485.125, 485.175, 485.225, 485.275, 485.325, 485.375, 485.425, 485.475, 485.525, 485.575, 485.625, 485.675, 485.725, 485.775, 485.825, 485.875, 485.925, 485.975, 486.025, 486.075, 486.125, 486.175, 486.225, 486.275, 486.325, 486.375, 486.425, 486.475, 486.525, 486.575, 486.625, 486.675, 486.725, 486.775, 486.825, 486.875, 486.925, 486.975, 487.025, 487.075, 487.125, 487.175, 487.225, 487.275, 487.325, 487.375, 487.425, 487.475, 487.525, 487.575, 487.625, 487.675, 487.725, 487.775, 487.825, 487.875, 487.925, 487.975, 488.025, 488.075, 488.125, 488.175, 488.225, 488.275, 488.325, 488.375, 488.425, 488.475, 488.525, 488.575, 488.625, 488.675, 488.725, 488.775, 488.825, 488.875, 488.925, 488.975, 489.025, 489.075, 489.125, 489.175, 489.225, 489.275, 489.325, 489.375, 489.425, 489.475, 489.525, 489.575, 489.625, 489.675, 489.725, 489.775, 489.825, 489.875, 489.925, 489.975, 490.025, 490.075, 490.125, 490.175, 490.225, 490.275, 490.325, 490.375, 490.425, 490.475, 490.525, 490.575, 490.625, 490.675, 490.725, 490.775, 490.825, 490.875, 490.925, 490.975, 491.025, 491.075, 491.125, 491.175, 491.225, 491.275, 491.325, 491.375, 491.425, 491.475, 491.525, 491.575, 491.625, 491.675, 491.725, 491.775, 491.825, 491.875, 491.925, 491.975, 492.025, 492.075, 492.125, 492.175, 492.225, 492.275, 492.325, 492.375, 492.425, 492.475, 492.525, 492.575, 492.625, 492.675, 492.725, 492.775, 492.825, 492.875, 492.925, 492.975, 493.025, 493.075, 493.125, 493.175, 493.225, 493.275, 493.325, 493.375, 493.425, 493.475, 493.525, 493.575, 493.625, 493.675, 493.725, 493.775, 493.825, 493.875, 493.925, 493.975, 494.025, 494.075, 494.125, 494.175, 494.225, 494.275, 494.325, 494.375, 494.425, 494.475, 494.525, 494.575, 494.625, 494.675, 494.725, 494.775, 494.825, 494.875, 494.925, 494.975, 495.025, 495.075, 495.125, 495.175, 495.225, 495.275, 495.325, 495.375, 495.425, 495.475, 495.525, 495.575, 495.625, 495.675, 495.725, 495.775, 495.825, 495.875, 495.925, 495.975, 496.025, 496.075, 496.125, 496.175, 496.225, 496.275, 496.325, 496.375, 496.425, 496.475, 496.525, 496.575, 496.625, 496.675, 496.725, 496.775, 496.825, 496.875, 496.925, 496.975, 497.025, 497.075, 497.125, 497.175, 497.225, 497.275, 497.325, 497.375, 497.425, 497.475, 497.525, 497.575, 497.625, 497.675, 497.725, 497.775, 497.825, 497.875, 497.925, 497.975, 498.025, 498.075, 498.125, 498.175, 498.225, 498.275, 498.325, 498.375, 498.425, 498.475, 498.525, 498.575, 498.625, 498.675, 498.725, 498.775, 498.825, 498.875, 498.925, 498.975, 499.025, 499.075, 499.125, 499.175, 499.225, 499.275, 499.325, 499.375, 499.425, 499.475, 499.525, 499.575, 499.625, 499.675, 499.725, 499.775, 499.825, 499.875, 499.925, 499.975, 500.025, 500.075, 500.125, 500.175, 500.225, 500.275, 500.325, 500.375, 500.425, 500.475, 500.525, 500.575, 500.625, 500.675, 500.725, 500.775, 500.825, 500.875, 500.925, 500.975, 501.025, 501.075, 501.125, 501.175, 501.225, 501.275, 501.325, 501.375, 501.425, 501.475, 501.525, 501.575, 501.625, 501.675, 501.725, 501.775, 501.825, 501.875, 501.925, 501.975, 502.025, 502.075, 502.125, 502.175, 502.225, 502.275, 502.325, 502.375, 502.425, 502.475, 502.525, 502.575, 502.625, 502.675, 502.725, 502.775, 502.825, 502.875, 502.925, 502.975, 503.025, 503.075, 503.125, 503.175, 503.225, 503.275, 503.325, 503.375, 503.425, 503.475, 503.525, 503.575, 503.625, 503.675, 503.725, 503.775, 503.825, 503.875, 503.925, 503.975, 504.025, 504.075, 504.125, 504.175, 504.225, 504.275, 504.325, 504.375, 504.425, 504.475, 504.525, 504.575, 504.625, 504.675, 504.725, 504.775, 504.825, 504.875, 504.925, 504.975, 505.025, 505.075, 505.125, 505.175, 505.225, 505.275, 505.325, 505.375, 505.425, 505.475, 505.525, 505.575, 505.625, 505.675, 505.725, 505.775, 505.825, 505.875, 505.925, 505.975, 506.025, 506.075, 506.125, 506.175, 506.225, 506.275, 506.325, 506.375, 506.425, 506.475, 506.525, 506.575, 506.625, 506.675, 506.725, 506.775, 506.825, 506

## RURAL RADIO SERVICE—continued

8678-C1-P-72—Same (New), same except, to be located at Juana Diaz, Road No. 535, km. 0.5, Bo. Rio Canas, P.R.

8679-C1-P-72—Same (New), same except, to be located at Aguirre, Road No. 3, km. 155.3, Bo. San Felipe, P.R.

8680-C1-P-72—Same (New), same except, to be located at Bayamon, Road 812, km. 3.8, Bo. Dajaoes, P.R., to operate on frequencies 458.425, 458.475, 458.525, 458.575, 458.625, 458.675, 458.725, and 458.775 MHz.

8681-C1-P-72—Same (New), same except, to be located at Morovis, Road No. 155, km. 16.2, Bo. Morovis Sur, P.R.

8682-C1-P-72—Same (New), same except, to be located at Quebradillas, Road No. 119, km. 4.3, Bo. San Antonio, P.R.

8683-C1-P-72—Same except, to be located at Manati, Road No. 2, km. 46.7, Bo. Campo Alegre, P.R.

8684-C1-P-72—Same except, to be located at Vega Alta, Road No. 691, km. 0.1, Bo. Sabana Hoyos, P.R.

8685-C1-P-72—Same except, to be located at Vega Alta, Road No. 160, km. 8.2, Bo. Almirante Sur, P.R.

8686-C1-P-72—Same except, to be located at Arecibo, Road No. 639, km. 4.0, Bo. Sabana Hoyos, P.R.

8687-C1-P-72—Same except, to be located at Vega Alta, Road No. 695, km. 2.3, Bo. Higulliar, P.R.

8688-C1-P-72—Same except, to be located at Camuy, Road No. 119, km. 7.9, Bo. Piedra Gorda, P.R.

8689-C1-P-72—Same except, to be located at Barceloneta, Road No. 2, km. 59.1, Bo. Florida Atuera, P.R.

8690-C1-P/L-72—Same except, to operate with (200) units in any temporary fixed location within the territory of the grantee.

8691-C1-P-(8)-72—Same except for a new central office to be located at El Yunque (U.S. Forest), Road No. 191, Luquillo, P.R., to operate on 453.825, 453.875, 453.925, 453.975, 453.575, 453.600, 453.625, and 453.650 MHz.

8692-C1-P-72—Same except, for a rural subscriber station to be located at Carolina, Road No. 185, km. 14.0, Bo. Cedro, P.R., to operate on 458.825, 458.875, 458.925, 458.975, 458.575, 458.600, 458.625, and 458.650 MHz.

8693-C1-P-72—Same except, to be located at Ceiba, Road No. 3, km. 61.2, Bo. Quebrada Sec, P.R.

8694-C1-P-72—Same except, to be located at Naguabo, Road No. 973, km. 1.9, Bo. Mariana, P.R.

8695-C1-P-72—Same except, to be located at Humacao, Road No. 922, km. 1.2, Bo. Mabu Coto, P.R.

8696-C1-P-72—Same except, to be located at Yabucoa, Road No. 906, km. 0.0, Bo. Aguacate, P.R.

8697-C1-P-72—Same except, to be located at Patillas, Road No. 758, km. 1.9, Bo. Jacoboa, P.R.

8697-C1-P-72—Same except, to be located at Rio Grande, Road No. 958, km. 2.3, Bo. Cienaga Baja, P.R.

8699-C1-P-72—Same except, to be located at Trujillo Alto, Road No. 852, km. 1.8, Bo. Dos Bocas, P.R.

8700-C1-P-72—Same except, to be located at Canovanas, Road No. 185, km. 5.4, Bo. Campo Rico, P.R.

8701-C1-P-72—Same except, to be located at Luquillo, Road No. 3, km. 41.4, Bo. Juan Martin, P.R.

8702-C1-P/L-72—Same except, to operate with (200) units in any temporary fixed location within the territory of the grantee.

8703-C1-P/L-72—Same as above except, to operate on frequencies 458.225, 458.275, 458.325, 458.375, 458.800, 458.850, 458.900, and 458.950 MHz.

8704-C1-P/L-72—Same except, to operate on frequencies 459.375, 459.400, 459.425, 459.450, 459.475, 459.500, 459.525, and 459.550 MHz.

8705-C1-P-(8)-72—Same except, for a new central office fixed station to be located at Cerro Las Pinas, 5.9 miles southwest of Caguas, P.R., to operate on 454.375, 454.400, 454.425, 454.450, 454.475, 454.500, 454.525, and 454.550 MHz.

## RURAL RADIO SERVICE—continued

8706-C1-P-72—Same except, for a new rural subscriber station to be located at Caguas, Road No. 784, km. 1.0, Bo. Camaboncito, P.R., to operate on 459.375, 459.400, 459.425, 459.450, 459.475, 459.500, 459.525, and 459.550 MHz.

8707-C1-P-72—Same except, to be located at Juncos, Road No. 183, km. 16.4, Bo. Valenciano Arriba, P.R.

8708-C1-P-72—Same except, to be located at Cayey, Road No. 741, km. 0.7, Bo. Culebras Alto, P.R.

8709-C1-P-72—Same except, to be located at Albonito, Road No. 728, km. 0.3, Bo. La Piata, P.R.

8710-C1-P-72—Same except, to be located at Cidra, Road No. 178, km. 10.8, Bo. Rio Abajo, P.R.

8711-C1-P-72—Same except, to be located at Cidra, Road No. 172, km. 5.2, Bo. Certenejas, P.R.

8712-C1-P-72—Same except, to be located at Cayey, Road No. 14, km. 65.5, Bo. Tofta, P.R.

8713-C1-P-72—Same except, to be located at San Lorenzo, Road No. 745, km. 0.1, Bo. Espino, P.R.

8714-C1-P-72—Same except, to be located at Las Piedras, Road No. 921, km. 1.1, Bo. Tejas, P.R.

8715-C1-P-72—Same except, to be located at Juncos, Road No. 185, km. 19.1, Bo. Gurabo Abajo, P.R.

8716-C1-P-(9)-72—Same except, for a new central office fixed station to be located at Monte del Estado, Public Road No. 120, km. 15.2, Maricao, P.R., to operate on frequencies 454.375, 454.400, 454.425, 454.450, 454.475, 454.500, 454.525, and 454.550 MHz.

8717-C1-P-72—Same except, for a new rural subscriber station to be located at Anasco, Road No. 109, km. 6.3, Bo. Espino, P.R., to operate on 459.375, 459.400, 459.425, 459.450, 459.475, 459.500, 459.525, and 459.550 MHz.

8718-C1-P-72—Same except, to be located at San Sebastian, Road No. 447, km. 2.5, Bo. Albonito, P.R.

8719-C1-P-72—Same except, to be located at Sabana Grande, Road No. 2, km. 224.3, Bo. Susua Baja, P.R.

8720-C1-P-72—Same except, to be located at Maricao, Road No. 105, km. 31.3, Bo. Rio Prieto, P.R.

8721-C1-P-72—Same except, to be located at Las Marias, Road No. 124, km. 4.0, Bo. Cerrote, P.R.

8722-C1-P-72—Same except, to be located at Las Marias, Road No. 408, km. 2.1, Bo. Palma Escrita, P.R.

8723-C1-P-72—Same except, to be located at Rincon, Road No. 115, km. 15.6, Bo. Ensenada, P.R.

8724-C1-P-72—Same except, to be located at Lares, Road No. 128, km. 44.04, Bo. Buenos Aires, P.R.

8725-C1-P-72—Same except, to be located at Cabo Rojo, Road No. 307, km. 4.1, Bo. Pedernales, P.R.

8726-C1-P-72—Same except, to be located at Lajas, Road No. 306, km. 3.6, Bo. Paris, P.R.

8727-C1-P/L-72—Same except, to operate with (200) units in any temporary fixed location within the territory of the grantee.

8642-C1-AL-72—Radiofone, consent to assignment of license from Radiofone, assignor, to Ranch Radio, Inc., assignment. Station: KLU32 Temp-Fixed.

## POINT-TO-POINT MICROWAVE RADIO SERVICE

INFORMATIVE: This application is associated with applications 7443 through 7456-C1-P-72 which appeared on public notice April 24, 1972, Report No. 593.

8632-C1-P-72—Nebraska Consolidated Communications Corp. (New), C.P. for a new station 3.5 miles north-northwest of Scottsbluff, Nebr., at latitude 41°55'05" N., longitude 103°42'18" W. Frequency 6404.8H MHz on azimuth 247°23' toward Castle Rock, Wyo.

8693-C1-MP-72—American Telephone & Telegraph Co. (KNE66), 9.2 miles northwest of Kelso, Calif. Latitude 35°06'14" N., longitude 115°46'33" W. Modification of C.P. to change polarization from H to V on frequency 3730V toward Cima, Calif.

## POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

- 8634-C1-MP-72—American Telephone & Telegraph Co. (KFM70), 1.5 miles northeast of Meadow, Utah, latitude 38°53'59" N., longitude 112°22'29" W. Modification of C.P. to change polarization from V to H on 3770H MHz toward Scipio, Utah.
- 8635-C1-MP-72—American Telephone & Telegraph Co. (KFPW98), 6.2 miles east of Cave-creek, Ariz. Latitude 33°50'54" N., longitude 111°49'56" W. Modification of C.P. to change polarization from H to V on 4030V MHz toward Morrastown, Ariz.
- 8637-C1-MI-72—American Telephone & Telegraph Co. (KPM69), 5 miles southwest of Scipio, Utah, latitude 39°11'45" N., longitude 112°10'54" W. Modification of license to change polarization from H to V on 3710V, 3790V, 3870V, 3950V, 4030V, and 4110V and change polarization from V to H on 3730H, 3970H, 4050H, and 4130H MHz toward Meadow, Utah.
- 8638-C1-MI-72—American Telephone & Telegraph Co. (KPM70), 1.5 miles northeast of Meadow, Utah, latitude 38°53'59" N., longitude 112°22'29" W. Modification of license to change polarization from H to V on 3750V, 3830V, 3910V, 3990V, 4070V, and 4150V and change polarization from V to H on 4010H, 4090H, and 4170H MHz toward Scipio, Utah.
- 8639-C1-MI-72—American Telephone & Telegraph Co. (KNE54), 4.5 miles east of China, Calif. Latitude 35°14'12" N., longitude 115°25'22" W. Modification of license to change polarization from V to H on 3750H, 3830H, 3910H, 3990H, 4070H, and 4150H and change polarization from H to V on 3770V, 4090V, and 4170V MHz toward Kalso, Calif.
- 8640-C1-MI-72—American Telephone & Telegraph Co. (KNE56), 9.2 miles northwest of Kalso, Calif. Latitude 35°06'14" N., longitude 115°46'33" W. Modification of license to change polarization from V to H on 3710H, 3790H, 3870H, 3950H, 4030H, and 4110H and change polarization from H to V on 4050V and 4130V MHz toward China, Calif.
- 8646-C1-P-72—South Central Bell Telephone Co. (KIW76), 425 Grant Street, Decatur, AL. Latitude 34°36'05" N., longitude 86°58'53" W. C.P. to add 4050V MHz toward Huntsville R.S., Ala.
- 8647-C1-P-72—South Central Bell Telephone Co. (KIT23), 1.5 miles east of Huntsville, Ala. Latitude 34°44'13" N., longitude 86°33'44" W. C.P. to add 4090V MHz toward Decatur, Ala.
- 8648-C1-P-72—American Telephone & Telegraph Co. (KKC90), West 10th and West Lynn Streets, Austin, Tex. Latitude 30°16'40" N., longitude 97°45'30" W. C.P. to add 3710H MHz toward Pfugerville, Tex.
- 8649-C1-P-72—American Telephone & Telegraph Co. (KKM29), 2.75 miles west of Pfugerville, Tex. Latitude 30°26'34" N., longitude 97°39'12" W. C.P. to add 3750H MHz toward Florence, Tex.
- 8650-C1-P-72—American Telephone & Telegraph Co. (KKM28), 4.75 miles northeast of Florence, Tex. Latitude 30°52'44" N., longitude 97°43'27" W. C.P. to add 3710H MHz toward Moody, Tex.
- 8651-C1-P-72—American Telephone & Telegraph Co. (KKM27), 2.5 miles northeast of Moody, Tex. Latitude 31°19'16" N., longitude 97°19'06" W. C.P. to add 3750H MHz toward Waco, Tex.
- 8652-C1-P-72—American Telephone & Telegraph Co. (KKM26), 48 and Bosque Streets, Waco, Tex. Latitude 31°32'18" N., longitude 97°11'12" W. C.P. to add 4050V MHz toward Woodbury, Tex.
- 8653-C1-P-72—American Telephone & Telegraph Co. (KKM25), 1.6 miles northeast of Woodbury, Tex. Latitude 32°03'59" N., longitude 97°12'40" W. C.P. to add 3750H MHz toward Waco, Tex., and 4090V MHz toward Midlothian, Tex.
- 8654-C1-P-72—American Telephone & Telegraph Co. (KKL89), 3.5 miles southwest of Midlothian, Tex. Latitude 32°26'17" N., longitude 97°01'28" W. C.P. to add 3710H MHz toward Woodbury, Tex., and 4050 MHz toward Dallas, Tex.
- 8655-C1-P-72—American Telephone & Telegraph Co. (KKH65), 4100 Bryan Street, Dallas, Tex. Latitude 32°47'51" N., longitude 96°46'49" W. C.P. to add 3750H MHz toward Midlothian, Tex.
- 8661-C1-P-72—Wyoming Microwave Corp. (KPS25), Dome Mountain, Wyo. Latitude 44°35'43" N., longitude 107°22'56" W. C.P. to add transmitter on existing power split frequency 6130.5V MHz toward Kingsbury, Wyo., on azimuth 108°11'.

## POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

- 8662-C1-P-72—Wyoming Microwave Corp. (KITG48), Kingsbury, Wyo. Latitude 44°12'05" N., longitude 105°45'50" W. C.P. to add frequency 6308.4H MHz toward Buffalo, Wyo., on azimuth 282°25'. (INFORMATIVE: Applicant requests waiver of section 21.701(i) of the rules. Applicant proposes to provide the television signals of stations KHSD-TV and KULR-TV to Buffalo Televents in Buffalo, Wyo., and the television signal of station KULR-TV to Wyoming Televents in Gillette, Wyo. The signal of KULR-TV is proposed to replace the signal of KWGN-TV currently authorized.)
- 8663-C1/C2-TC-(8)-72—Central Telephone Co., Inc. (KRR53), Decatur, Tex. S.T. Meader et al., transferor, to Mid-Texas Communications Systems, Inc., transferee.
- 8664-C1/C2-AL-(8)-72—Tidewater Telephone Co. (KIY34), Tidewater Telephone Co., assignor, to New Tidewater Telephone Co., assignee.
- 7685-C1-P-72—Pilot Butte Transmission Co., Inc. (KPK29), White Mountain, 5 miles west of Rock Springs, Wyo. C.P. to add frequency 6300.0H MHz, via power split, toward Medicine Butte, Wyo., on azimuth 259°48'. Resubmitted with accepted for filing date of May 1, 1972.
- 7686-C1-P-72—Pilot Butte Transmission Co., Inc. (KPK28), Medicine Butte, 6 miles north-east of Evanston, Wyo. C.P. to add frequency 6256.5H MHz toward Kemmerer, Wyo., on azimuth 31°25'. (INFORMATIVE: Pilot Butte proposes to deliver the signal of television station KTWQ-TV, Casper, Wyo., to CATV system serving Kemmerer, Wyo.) Resubmitted with accepted for filing date of May 1, 1972.
- 8742-C1-P-72—United Telephone Co. of the Northwest (New), Roxy Ann Peak near Medford, 3 miles northwest of Medford, Ore. Latitude 42°21'18" N., longitude 122°47'03" W. C.P. for a new station on frequencies 2121.6V and 2112.0H MHz toward White City via passive reflector and 2128.0V MHz toward Crater Lake via passive reflector.
- 8743-C1-P-72—United Telephone Co. of the Northwest (KPKX86), Crater Lake, located at Crater Lake Park, Headquarters Building, Oregon. Latitude 42°53'50.5" N., longitude 122°08'03.5" W. C.P. to change 2178.4V to 2178.0 toward Roxy Ann Peak, Ore., via passive reflector.
- 8744-C1-P-72—United Telephone Co. of the Northwest (New), telephone office in Prospect, Ore. Latitude 42°45'04" N., longitude 122°29'19" W. C.P. for a new station on 2162.0H MHz toward Roxy Ann Peak, via passive reflector.
- 8745-C1-P-72—United Telephone Co. of the Northwest (KPB89), 2650 Avenue G, White City, Ore. Latitude 42°26'11.5" N., longitude 122°50'33" W. C.P. to change frequency 2172.0V to 2171.6V MHz toward Roxy Ann Park, Ore.
- 8747-C1-P-72—RCA Alaska Communications, Inc. (WGF57), 500 East Bluff Drive, Anchorage, AK. Latitude 61°13'56" N., longitude 149°52'22" W. C.P. to add 6286.6V MHz toward Hope (Windy Point), Alaska.
- 8748-C1-P-72—RCA Alaska Communications, Inc. (New), Windy Point (Hope), Alaska. Latitude 60°55'53" N., longitude 149°33'50" W. C.P. for a new station on frequencies 6004.8H toward Bird Point, Alaska, and 6084.2V MHz toward Anchorage, Alaska.
- 8749-C1-P-72—RCA Alaska Communications, Inc. (New), Bird Point, 6.5 miles west-south-west of Girdwood, Alaska. Latitude 60°55'42" N., longitude 149°21'00" W. C.P. for a new station on frequencies 6256.5H toward Hope, Alaska; 6286.5V MHz toward Girdwood, Alaska; 6404.8H MHz toward Tern Lake, Alaska, and 2175.4V MHz toward Bird Creek, Alaska.
- 8750-C1-P-72—RCA Alaska Communications, Inc. (New), Gold Avenue and Main Street, Girdwood, Alaska. Latitude 60°56'28" N., longitude 149°10'00" W. C.P. for a new station on 6004.8H MHz toward Portage, Alaska, and 6084.2V MHz toward Bird Point, Alaska.
- 8751-C1-P-72—RCA Alaska Communications, Inc. (New), 1 mile south of Portage, Alaska. Latitude 60°49'12" N., longitude 148°58'26" W. C.P. for a new station on frequencies 6256.5H MHz toward Girdwood, Alaska.
- 8752-C1-P-72—RCA Alaska Communications, Inc. (New), Tern Lake, 6 miles west by north-west of Moose Pass, Alaska. Latitude 60°32'00" N., longitude 149°31'58" W. C.P. for a new station on frequencies 6152.8V MHz toward Bird Point, Alaska, and 6123.1H MHz toward Moose Pass, Alaska.
- 8753-C1-P-72—RCA Alaska Communications, Inc. (New), Moose Pass, Alaska. Latitude 60°29'15" N., longitude 149°22'09" W. C.P. for a new station on frequencies 6404.8H MHz toward Seward, Alaska, and 6375.2V MHz toward Tern Lake, Alaska.

## POINT-TO-POINT MICROWAVE RADIO SERVICE—Continued

- 8754-C1-P-72—RCA Alaska Communications, Inc. (WGF62), Bird Creek, Alaska. Latitude 60°57'52" N., longitude 149°26'19" W. C.P. to add Bird Point as a point of communication for frequency 2125.4H MHz.
- 8755-C1-P-72—RCA Alaska Communications, Inc. (New), Seward, Alaska. Latitude 60°07'18" N., longitude 149°26'25" W. C.P. for a new station on frequency 5945.2V MHz toward Moose Pass, Alaska.
- 8756-C1-P-72—American Telephone & Telegraph Co. (KID70), Graniteville, within city limits of Charlotte, N.C. Latitude 35°15'07" N., longitude 80°49'45" W. C.P. to add 3710H, 3770V, 3850V, 3980V, 4010V, 4030H, and 4110H MHz toward Lambert, N.C.
- 8757-C1-P-72—American Telephone & Telegraph Co. (KJM61), 1 mile southwest of Lambert, N.C. Latitude 35°18'36" N., longitude 80°22'31" W. C.P. to add 3750H, 3890V, 3970V, 4050V, 4070H, 4130V, and 4150H MHz toward Graniteville, N.C., and 3730V, 3750H, 3810V, 3890V, 3970V, 4050V, and 4130V MHz toward Troy, N.C.
- 8758-C1-P-72—American Telephone & Telegraph Co. (KJM62), 4.9 miles northwest of Troy, N.C. Latitude 35°24'33" N., longitude 79°57'16" W. C.P. to add 3710H, 3770V, 3850V, 3930V, 4010V, 4090V, and 4170V MHz toward Lambert, N.C., and 3710V, 3730H, 3810H, 3970H, 4050H, and 4130H MHz toward Coleridge, N.C.
- 8759-C1-P-72—American Telephone & Telegraph Co. (KJM63), 4.8 miles southwest of Coleridge, N.C. Latitude 35°34'41" N., longitude 79°39'40" W. C.P. to add 3750V, 3770H, 3850H, 3930H, 4010H, 4090H, and 4170H MHz toward Troy, N.C., and 3750H, 3770V, 3850V, 3930V, 4010V, 4090V, and 4170V MHz toward Silk Hope, N.C.
- 8760-C1-P-72—American Telephone & Telegraph Co. (KJM64), 3 miles south-southeast of Snow Camp, N.C. Latitude 35°51'08" N., longitude 79°24'37" W. C.P. to add 3710H, 3730V, 3810V, 3890V, 3970V, 4050V, and 4130V MHz toward Coleridge, N.C., and 3710V, 3730H, 3810H, 3890H, 3970H, 4050H, and 4130H MHz toward Hillsboro, N.C.
- 8761-C1-P-72—American Telephone & Telegraph Co. (KIL27), 3.5 miles south of Hillsboro, N.C. Latitude 36°01'32" N., longitude 79°07'15" W. C.P. to add 3750H, 3770H, 3850H, 3930H, 4010H, 4090H, and 4170H MHz toward Silk Hope, N.C., and 3930H, 4010H, and 4090H MHz toward Browns Summit, N.C.
- 8762-C1-P-72—American Telephone & Telegraph Co. (KIL28), 0.5 mile southwest of Westover, N.C. Latitude 35°47'17" N., longitude 78°43'35" W. C.P. to add 3810H MHz toward Hillsboro, N.C.
- 8763-C1-P-72—American Telephone & Telegraph Co. (KJES8), 121 West Morgan Street, Raleigh, N.C. Latitude 35°46'44" N., longitude 78°38'30" W. C.P. to add 4170V MHz toward Westover, N.C.
- 8764-C1-P-72—American Telephone & Telegraph Co. (KIG99), 124 South Eugene Street, Greensboro, N.C. Latitude 36°04'19" N., longitude 79°47'42" W. C.P. to add 3770V, 3850V, and 3930V MHz toward Thomasville, N.C.
- 8765-C1-P-72—American Telephone & Telegraph Co. (KID72), 3 miles southeast of Thomasville, N.C. Latitude 35°50'22" N., longitude 80°03'33" W. C.P. to add 3730V, 3810V, and 3890V MHz toward Greensboro, N.C.

## MULTIPOINT DISTRIBUTION SERVICE

- 8681-C1-P-72—AAA Telephone Answering Service and Medical Exchange, Inc. (New), Louisiana National Bank Building, Baton Rouge, La. Latitude 30°26'58" N., longitude 91°11'10" W. C.P. for a new station on frequencies 2150.25(Aural) 2154.75(Visual) toward various receiving points of the system.
- 8645-C1-P-72—Montgomery Signal Co. (New), 934 Madison Avenue, Montgomery, AL. Latitude 32°22'44" N., longitude 86°17'45" W. C.P. for a new station on frequencies 2154.75(Visual) 2150.25(Aural) toward various receiving points of the system.
- 8746-C1-P-72—Microwave Relay Services, Inc. (New), Banco Popular Building, San Juan, Commonwealth of Puerto Rico. Latitude 18°25'46" N., longitude 66°03'32" W. C.P. for a new station on 2154.75(Visual) 2150.25(Aural) toward various receiving points of the system.

INFORMATIVE: It appears that the following applications may be mutually exclusive subject to the Commission's rules regarding ex parte presentations, reasons of potential electrical interference.

## Alabama—Montgomery

Microwave Relay Services, Inc. (New), 6584-C1-P-72.  
Montgomery Signal Co. (New), 8645-C1-P-72.

## Puerto Rico—San Juan

Microwave Relay Services, Inc. (New), 8746-C1-P-72.  
A. Michael Lipper (New), 7681-C1-P-72.

## POINT-TO-POINT MICROWAVE RADIO SERVICE: MAJOR AMENDMENTS

INFORMATIVE: Applicant MCI Kentucky Central, Inc., is amending six of its previously filed applications to construct a new specialized common carrier system from Atlanta to St. Louis and Cincinnati.

6704-C1-P-70—MCI Kentucky Central, Inc. (New), Site 1, Atlanta, Ga. Change frequency and azimuth to 6226.9V MHz on azimuth 270°51' toward Mableton, Ga. Delete frequency 6626.9V MHz on azimuth 271°57'. All other particulars are as reported in public notice No. 589 dated March 27, 1972.

6705-C1-P-70—MCI Kentucky Central, Inc. (New), Site 2, Mableton, Ga. Change proposed station location to 4 miles southwest of Mableton, Ga., at latitude 33°45'33" N., longitude 84°38'21" W. Correct azimuths and frequencies to 5974.8V MHz on azimuth 90°44' toward Atlanta, Ga., and 6123.1H MHz on azimuth 316°13' toward Dallas, Ga. Delete frequency 5974.8V MHz on azimuth 91°50' and 6123.1H MHz on azimuth 314°17'.

6226-C1-P-72—MCI Kentucky Central, Inc. (New), Site 3, Dallas, Ga. Change proposed station location to 3 miles east of Dallas, Ga., at latitude 33°55'10" N., longitude 84°47'25" W. Correct azimuth and frequencies to 6226.9H MHz on azimuth 136°07' toward Mableton and 6404.8V MHz on azimuth 317°11' toward Wax, Ga. Delete frequencies 6226.9H MHz on azimuth 134°01' and 6404.8V MHz on azimuth 317°24'.

6227-C1-P-72—MCI Kentucky Central, Inc. (New), Site 4, Wax, Ga. Change frequency and azimuth to 5974.8V MHz on azimuth 137°01' toward Dallas, Ga. Delete frequency 5974.8V MHz on azimuth 137°24'. All other particulars are as reported in public notice No. 589 dated March 27, 1972.

6724-C1-P-70—MCI Kentucky Central, Inc. (New), Site 29, Louisville South, Ky. Change frequencies and azimuth to 10,735.0H and 11,135.0H MHz on azimuth 344°53' toward Louisville, Delete frequencies 10,735.0V and 11,135.0V MHz on azimuth 344°53'. All other particulars are as reported in public notice No. 589 dated March 27, 1972.

6725-C1-P-70—MCI Kentucky Central, Inc. (New), Site 30, Louisville, Ky. Change frequencies and azimuth to 11,265.0H and 11,665.0H MHz on azimuth 164°51'. Delete frequencies 11,265.0V and 11,665.0V MHz on azimuth 164°51'. All other particulars are as reported in public notice No. 589 dated March 27, 1972.

7520-C1-P-72—Indiana Telephone Corp. (KSO46), change frequency 6360.3V to 6241.7V MHz on azimuth 264°28'. Location: Suicide Cave, 5.7 miles north of Salem, Ind. Latitude 38°41'23" N., longitude 86°06'40" W. All other particulars same as reported on public notice May 1, 1972.

## POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

## Major Amendments

INFORMATIVE: Applicant, MCI Mid-South, Inc., is amending five of its previously filed applications for authority to construct new specialized common carriers in a four-State area from Atlanta, Ga., through Mississippi and Alabama into Louisiana. The applications now being amended were originally filed either on June 19, 1970, or March 20, 1972. They appeared on public notice on June 29, 1970, and April 3, 1972, respectively. Each application now amended is referenced to the date originally filed.

6633-C1-P-72—MCI Mid-South, Inc. (New), Site 24, Pittsboro, Miss. Correct azimuth towards Troy, Miss., from 67°30' to 66°54'. All other particulars remain the same as reported in public notice No. 590 dated April 3, 1972.

6634-C1-P-72—MCI Mid-South, Inc. (New), Site 25, Troy, Miss. Change proposed station location to 7.4 miles southwest of Troy, Miss., at latitude 34°02'32", longitude 88°58'47". Correct frequencies and azimuths to 6004.5H MHz on azimuth 247°04' toward Pittsboro, Miss., and 6152.8H MHz on azimuth 87°50' toward Nettleton, Miss. Delete frequencies 6004.5H MHz on azimuth 247°39' and 6152.8V MHz on azimuth 86°37'.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)—continued

## Major Amendments—Continued

- 6635-C1-P-72—MCI Mid-South, Inc. (New), Site 26, Nettleton, Miss. Change proposed station location to 6.9 miles east-southeast of Nettleton, Miss., at latitude 34°03'23", longitude 88°30'04". Correct frequencies and azimuths to 6256.5H MHz on azimuth 268°06' toward Troy, Miss., and 6404.8V MHz on azimuth 62°45' toward Bexar, Ala. Delete frequencies 6256.5V MHz on azimuth 266°53' and 6404.8V MHz on azimuth 62°38'.
- 6636-C1-P-72—MCI Mid-South, Inc. (New), Site 27, Bexar, Ala. Correct azimuth towards Nettleton, Miss., from 242°48' to 242°56'. All other particulars remain the same as reported in public notice No. 590 dated April 3, 1972.
- 6667-C1-P-72—MCI Mid-South, Inc. (New), Site 71, Lizana, Miss. Correct frequency to 5945.2H MHz on azimuth 87°47' toward Cedar Lake, Miss. Delete frequency 6123.1H MHz on azimuth 87°47'. All other particulars remain the same as reported in public notice No. 590 dated April 3, 1972.

[FR Doc.72-9035 Filed 6-15-72;8:45 am]

## FEDERAL MARITIME COMMISSION

[Docket No. 72-23]

AMERICAN PRESIDENT LINES, INC.,  
ET AL.Order of Investigation and Hearing  
Regarding Possible Violations

American President Lines, Inc. (APL), American Mail Line, Inc. (AML), Sea-Land Service, Inc. (Sea-Land), and United States Lines, Inc. (USL), are all common carriers by water, operating, inter alia, between the west coast of the United States and Japan.

On February 7, 1972, the Military Sealift Command (MSC) issued Request for Proposals (RFP)—700, First Cycle, for the carriage of military cargo. Participating carriers submitted their bids pursuant to this RFP, and on May 23, 1972, the bids were awarded, were published, and the pecking order was established. Following APL's lead in the pecking order with a bid of 10.66M on cargo n.o.s., moving from the U.S. west coast to Japan, are Sea-Land with a bid of \$11.51M, AML with a bid of \$11.90M, and USL with a bid of \$12.94M.

The subject carriers' bids on the prior cycle, RFP-600, Second Cycle, on the same classification of military cargo, moving on the same military trade route, are as follows: APL: \$18.75; AML: \$15.25; Sea-Land: \$13.20; and USL: \$12.09.

Comparing the bids of these two RFP cycles, and considering the rising costs of operation in the industry, the subject carriers' bid submitted pursuant to RFP-700, First Cycle, appear to be so unreasonably low as to be detrimental to the commerce of the United States in possible violation of section 18(b) (5) of the Shipping Act, 1916.

The Commission is charged with the responsibility of administering the Shipping Acts and possesses the authority to initiate investigations to assure itself that the provisions of these Acts are not being violated. The Military Sealift Procurement System and its effects on the U.S. Merchant Marine have long been a concern of this Commission as evinced by the many proceedings inquiring into the workings of said system and the extremely low rates that appear to flow therefrom. The subject carriers' submission to the involved bids requires

another facet of such an inquiry. Since the subject bids are effective for only a 6-month period, and because the Commission wants the issue seasonably resolved, we are directing expedition of the proceeding ordered herein.

In order, therefore, to allow the Commission to explore the possibility that APL's, AML's, Sea-Land's, and USL's bids for the carriage of cargo n.o.s. from the west coast of the United States to Japan, pursuant to RFP-700, First Cycle, violate section 18(b) (5); moreover since there appears to be some relationship between the cargo n.o.s. rate and the rate for vehicles, on which Sea-Land bid \$24.04, AML bid \$26 and USL bid \$27.34, the investigation shall likewise explore the possibility that these rates violate section 18(b) (5);

Now, therefore, it is ordered, That, pursuant to section 22 of the Shipping Act, 1916, as amended, an investigation and hearing is hereby instituted to determine the lawfulness of APL's, AML's, Sea-Land's, and USL's RFP-700 Military Cargo n.o.s., bid rate of \$10.66, \$11.90, \$11.51, and \$12.94, respectively, per measurement ton from the west coast of the United States to Japan under section 18(b) (5) of the Shipping Act, 1916, as amended; and

It is further ordered, That the investigation determine the lawfulness of AML's, Sea-Land's, and USL's RFP-700, vehicle rates as heretofore set forth; and

It is further ordered, That AML, APL, Sea-Land, and USL be made respondents in the proceeding; and

It is further ordered, That this proceeding be referred for public hearing before an examiner of the Commission's Office of Hearing Examiners, with directions that the proceeding be expedited to the fullest extent possible, and that upon completion of the hearing the record developed therein be certified to the Commission; and that the hearing be held at a date and place to be determined and announced by the presiding examiner; and

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and a copy thereof and notice of hearing be served upon respondents; and

It is further ordered, That any person, other than respondents who desires to become a party to this proceeding and to participate therein shall file a petition to intervene with the Secretary, Federal

Maritime Commission, Washington, D.C. 20573, promptly with copies to parties; and

Finally, it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9121 Filed 6-15-72;8:50 am]

AUSTRALIA/U.S. ATLANTIC AND  
GULF CONFERENCE

## Notice of Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1405 I Street NW., room 1015 or at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, DC 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed modification of the contract form and/or the approved contract system shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the petition (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of petition to extend the term of a dual rate contract system filed by: Elmer C. Maddy, Esq., Kiriln, Campbell & Keating, 120 Broadway, New York, NY 10005.

The Australia/U.S. Atlantic and Gulf Conference has filed a petition (No. 9450-DR-4) with the Commission requesting that the term of its approved form of exclusive patronage dual rate contract be extended indefinitely. The contract applies to cargoes moving from the range of Australian ports Fremantle to Cairns,



both included, to U.S. Atlantic and Gulf ports.

Dated: June 13, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9125 Filed 6-15-72;8:51 am]

### CITY OF LONG BEACH AND INTERNATIONAL TRANSPORTATION SERVICE, INC.

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Leonard Putnam, City Attorney, City of Long Beach, Suite 600, City Hall, Long Beach, Calif. 90802.

Agreement No. T-2491-1, between the City of Long Beach (City) and International Transportation Service, Inc. (ITS), modifies the basic agreement between the City and Kawasaki Kisen Kaisha, Ltd. (subsequently assigned to ITS), which is a 5-year nonexclusive preferential assignment agreement providing for the use of the wharf and contiguous wharf premises, together with improvements, located at Berth 234, Pier J, at Long Beach, Calif. The purpose of the modification is to reduce the land area of Parcel I of the premises and to

allocate the water areas for Parcels I, II, and III of the premises.

Dated: June 13, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9123 Filed 6-15-72;8:50 am]

### DEN NORSKE AMERIKALINJE A/S AND COSTA ARMATORI S.P.A.

#### Certificate of Financial Responsibility; Order of Revocation

Certificate of financial responsibility for indemnification of passengers for nonperformance of transportation No. P-76 and certificate of financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages No. C-1,074.

Den Norske Amerikaline A/S c/o Norwegian America Line, 29 Broadway, New York, NY 10006; and Costa Armatori S.P.A. c/o Costa Line, Inc., Chrysler Building, Suite 3206, 405 Lexington Avenue, New York, NY 10017.

Whereas, Den Norske Amerikaline A/S (Norwegian America Line) and Costa Armatori S.P.A., as owner and charterer respectively, have ceased to operate the passenger vessel Fulvia.

It is ordered, That certificate (Performance) No. P-76 and certificate (Casualty) No. C-1,074 covering the Fulvia be and are hereby revoked effective June 7, 1972.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the Certificants.

By the Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9090 Filed 6-15-72;8:48 am]

### FLORIDA-CARIBBEAN CRUISE ASSOCIATION

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evi-

dence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed for approval by:

Edward Schmeltzer, Esq., Morgan, Lewis & Bockius, 1140 Connecticut Avenue NW., Washington, DC 20036.

Agreement No. 9857, between the parties identified hereafter, will establish a cooperative working arrangement of lines operating between ports in the State of Florida and ports in the Caribbean Sea, the Bahamas or the Gulf of Mexico. The Florida-Caribbean Cruise Association Agreement includes, among other things, provisions for its organization and operation; jurisdiction; membership; discussions and exchange of information; advertising ethics; and amendments.

The lines may exchange views and information concerning rates, traffic, operations, costs, advertising, and marketing, legal questions, proposed legislation, and the establishment and maintenance of a credit system. This agreement does not permit joint action upon rates, commissions and other matters related to passenger ship operation, which require approval under section 15 of the Shipping Act, 1916, without amendment of this agreement and prior approval of the Federal Maritime Commission.

A line may qualify for membership as either a member line or an associate member line depending upon the extent of its operations, as defined therein, within the jurisdiction of the agreement.

The stated purpose of the Florida-Caribbean Cruise Association is the general promotion and fostering of vessel travel within its area of jurisdiction through meetings of the member lines, exchange of information and views between the member lines and meetings, seminars, informal discussions, or other means with organizations, institution, and persons involved in developing Caribbean ocean passenger travel.

The parties to this agreement are:

Bahama Cruise Line, a division of Freeport Cruise Lines, Ltd.  
Commodore Cruise Lines, Ltd.  
Costa Line, Inc., for Costa Armatori S.p.A.  
Eastern Steamship Lines, Inc., for Tropical Steamship Cruises, Inc.  
Klosters Rederi A/S doing business as Norwegian Caribbean Lines.  
Royal Caribbean Cruise Line, Inc., for Royal Caribbean Cruise Line A/S.

By order of the Federal Maritime Commission.

Dated: June 8, 1972.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9088 Filed 6-15-72;8:48 am]

[Docket No. 71-98]

**SEA-LAND SERVICE, INC.****Order Dismissing Proceeding In Part and Expanding Investigation Regarding Possible Violation**

On December 28, 1971, the Commission issued an order requiring Sea-Land Service, Inc. (Sea-Land), to show cause why its bid of \$11.69M on cargo, n.o.s., submitted to the Military Sealift Command (MSC) pursuant to RFP-600, Second Cycle, should not be found unreasonably preferential to shippers of military cargo and unreasonably prejudicial or disadvantageous to commercial shippers in violation of section 16, First of the Shipping Act, 1916 (Act); unjustly discriminatory between shippers and ports in violation of section 17 of the Act; and so unreasonably low as to be detrimental to the commerce of the United States in contravention of section 18(b) (5) of the Act.

Because the memoranda of law and affidavits of fact filed in response to the Commission's order raised certain factual disputes, the Commission issued an order referring the proceeding to an examiner for a full evidentiary investigation and hearing within the confines of the specific issues set forth in its original order to show cause. Subsequent to the issuance of this order of investigation and hearing on March 16, 1972, a pre-hearing conference was held and the parties initiated their discovery requests.

In response to MSC's RFP-700, First Cycle (July 1, 1972-December 31, 1972) Sea-Land has now rebid the \$11.69M military cargo n.o.s. rate and is, once again, first in MSC's packing order for the carriage of military cargo in the North Atlantic trade. Inasmuch as the bid, on the same commodity, on the same MSC trade route has been submitted by Sea-Land pursuant to the latest RFP, as is the subject of this proceeding, the RFP-700, First Cycle, bid is equally suspect for the reasons stated in the two previous orders. Furthermore, the Commission is aware of no circumstances that would tend to explain or justify the repeated quoting of so low a bid.

Because of the nature of this proceeding and the time element involved in military rates generally, we are dismissing those portions of this proceeding which deal with the lawfulness of the Sea-Land rate in question under sections 16 First and 17 of the Act and limiting the issues in this case to the reasonableness of the \$11.69M rate under section 18(b) (5). In this manner, we hope to facilitate the expedition and disposition of the proceeding within the applicable 6-month time frame and assure the development of a requisite record on the one issue which we believe is paramount in this proceeding—the compensatoriness of the rate.

There are also pending before the Commission at this time separate petitions by Sea-Land and AEIL seeking clarification of our order of investigation and hearing and a further alternative request by Sea-Land that the proceeding

be dismissed. In moving for dismissal, Sea-Land suggests that, if the Commission allows "to stand unchallenged" the "comparable" rates of all other operators carrying military cargo on the North Atlantic range pursuant to MSC bids, no regulatory purpose can be served by continuing the present proceeding. By separate orders served this date, this Commission is undertaking a comprehensive investigation of critical military cargo rates bid pursuant to MSC's negotiated competitive procurement system. In view of that action and our limitation and clarification of the issues herein, we believe that all the motions presently before the Commission have been disposed of.

*Now therefore it is ordered*, That, pursuant to section 22 of the Shipping Act, 1916, the proceeding instituted by orders of December 28, 1971, and March 16, 1972, is hereby continued and expanded to include the issue of the lawfulness of Sea-Land's RFP-700, First Cycle bid of \$11.69 per measurement ton for cargo, n.o.s. on the North Atlantic Range under section 18(b) (5) of the Act; and

*It is further ordered*, That because of the time element involved, those portions of the December 28, 1971, order and the March 16, 1972, order dealing with section 16 First, and 17 of the Act are hereby discontinued; and

*It is further ordered*, That in all other respects the orders of December 28, 1971, and March 16, 1972, shall remain in effect; and

*It is further ordered*, That notice of this order be published in the FEDERAL REGISTER and a copy thereof and notice of hearing be served upon respondent; and

*It is further ordered*, That, except to the extent granted herein, all motions now pending before the Commission in this proceeding are hereby denied.

*Finally, it is further ordered*, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9122 Filed 6-15-72;8:50 am]

**UNITED STATES GULF/JAPAN COTTON POOL****Notice of Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., room 1015; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San

Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Elkan Turk, Jr., Esq., Burlington, Underwood & Lord, 25 Broadway, New York, NY 10004.

Agreement No. 8882-7 modifies the basic agreement of the United States Gulf/Japan Cotton Pool by amending Article 10 suspending the accounting and payment provisions for the accounting period August 1, 1971, to July 31, 1972.

Dated: June 13, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9124 Filed 6-15-72;8:51 am]

**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
01004---	Aktieselskabet Dux: Skandia.
01092---	Thor Dahl's Hvalfangerselskap A/S: Thorsdrott.
01122---	Getty Oil Co.: Wilmington Getty. Providence Getty. New York Getty. Louisiana Getty. Delaware Getty.
01201---	K/S A/S Lysefjell & Co.: Lysefjell.
01213---	A/S Tanktransport: Marita.
01256---	Skibsaktieselskapet Orenor: Enduro.
01347---	Partenrederet Mts. St. Michaelis: St. Michaelis.

Certifi-  
cate No. Owner/operator and vessels

01431--- The Bolton Steam Shipping Co.,  
Ltd.:  
Ripon.

01530--- Herm. Dauelsberg, Bremen:  
Lobivia.

01767--- Gulf & South American Steam-  
ship Co., Ltd.:  
Gulf Trader.

02013--- Granges AB:  
Vasara.

02198--- The Peninsular & Oriental Steam  
Navigation Co.:  
Pando Sound.

02368--- Canadian Pacific Steamships:  
Beaverfir.

02395--- Astrocricido Compania Naviera  
S.A.:  
Aegean.

02438--- Gefo Gesellschaft Fur Oeltrans-  
porte MBH & Co.:  
Gefo Sun.

02449--- A/S Ivarans Rederi:  
Buenos Aires.

02563--- Ion Shipping Co.:  
Pelagos.

02750--- H & S Transportation Co., Inc.:  
Christy 211.

03143--- Macro Shipping Co., Inc.:  
Cosmos Triumph.

03271--- Sea-Land Service, Inc.:  
Malden Creek.

03441--- Japan Line K.K.:  
Korai Maru.

03505--- Showa Yusen Kabushiki Kaisha:  
Matsuyama Maru.

03516--- Toko Kaun K.K.:  
Toko Maru.

03521--- Tokushima Kisen K.K.:  
Yamaki Maru.

03645--- Tidewater Morgan City, Inc.:  
T.G. 105.

03646--- Tidewater Catalina, Inc.:  
Tidemar III.  
Tidemar IV.

03730--- Brown & Root, Inc.:  
Bar 283.

03754--- Carbonavi Societa' Per Azioni di  
Navigazione:  
Simandou.

03881--- Panagua Steamship Corp.:  
Harkland.

04010--- Pretinid Shipping Corp.:  
Intrepid.

04356--- Pacific Far East Line, Inc.:  
Washington Bear.

04393--- World Wide Transport, Inc.:  
Ethali.

04398--- Hapag-Lloyd AG.:  
Wiedstein.  
Illstein.

04410--- Tenneco Oil Co.:  
Tenneco 125.

04455--- Balboa Navigation Lines, S.A.:  
San Luis.

04601--- American Tunaboat Association:  
Wiley V.A.  
Victoria.  
Seafarer.  
Renown.  
Katherine M.

04634--- T. Smith & Son Inc.:  
Arthur Breaux.

05477--- Danaos Compania Naviera S.A.:  
Danaos.

05720--- United International Shipping Co.,  
Ltd.:  
Dona Anita.

05743--- Reederei Barthold Richters:  
Barl.

05761--- Canaan Marine, Inc.:  
Bernes.

05784--- W. R. Grace & Co.:  
Rockland II.

06380--- Garland Transports, Inc.:  
Garland.

Certifi-  
cate No. Owner/operator and vessels

06474--- Laurel, Ltd.:  
Nassau.

By the Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-9087 Filed 6-15-72; 8:48 am]

### CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

#### Notice of Certificates Issued

Notice is hereby given that the follow-  
ing vessel owners and/or operators have  
established evidence of financial re-  
sponsibility, with respect to the vessels  
indicated, as required by section 11(p)  
(1) of the Federal Water Pollution Con-  
trol Act, as amended, and, accordingly,  
have been issued Federal Maritime Com-  
mission Certificates of Financial Re-  
sponsibility (Oil Pollution) pursuant to  
Part 542 of Title 46 CFR.

Certifi-  
cate No. Owner/operator and vessels

01059--- London & Overseas Freighters,  
Ltd.:  
London Grenadier.

01343--- Hamburg - Sudamerikanische  
Dampfschiff - Fahrts - Gesell-  
schaft, Eggert & Amsinck:  
Santa Cruz.  
Santa Fe.

02129--- Ore Carriers, Ltd.:  
Mabel Warwick.  
St. Margaret.  
Orenda Bridge.

02137--- Arne Teigen:  
Rytterfjell.  
Rytterhav.  
Rytterdal.  
Rytterind.  
Rytersund.

02198--- The Peninsular & Oriental Steam  
Navigation Co.:  
Zira.

02199--- Atlantic Richfield Co.:  
Arco Sag River.

02344--- Empresa Lineas Maritimas Argen-  
tinas:  
Rio Marapa.

02385--- Kristiansands Tankrederi A/S,  
A/S Kristiansands, Tankre-  
deri II, A/S Kristiansands  
Tankrederi III, Aksjeselskapet  
Avant and Aksjeselskapet  
Skjolkeheim:  
Polynesia.

02551--- Ellerman Lines, Ltd.:  
Cap Cleveland.

02889--- Showa Kaun K.K.:  
Shinsho Maru.

02920--- Atlantic Shipping, Inc.:  
Concordia Ariana.

02940--- J. S. Gissel & Co.:  
DC-50.

02975--- Ventures Shipping (Managers),  
Ltd.:  
Japan Venture.

02977--- J. Ray McDermott & Co., Inc.:  
BAR-283.

03271--- Sea-Land Services, Inc.:  
Sea-Land McLean.  
Sea-Land Galloway.<sup>1</sup>

03294--- Companhia de Navegacao Lloyd  
Brasileiro:  
Itassuce.  
Itapage.  
Barao de Amazonas.

<sup>1</sup> Certificate effective Sept. 30, 1972.

Certifi-  
cate No. Owner/operator and vessels

03322--- Daichi Chuo Kisen Kabushiki  
Kaisha:  
Pacific Maru.

03483--- Sankyo Kaun Kabushiki Kaisha:  
Kyoju Maru.

03502--- Shinyei Senpaku K.K.:  
Harunasan Maru.

03508--- Taiyo Gyogyo K.K.:  
Taiyo Maru No. 61.

03728--- Ocean Drilling & Exploration Co.:  
Ocean Victory.

04019--- Nord-Transport Strandheim &  
Stensaker:  
Hanseatic.

04077--- Fritzen Schiffsagentur und Be-  
reederungs-G.m.b.H.:  
Port Antonio.  
Port Maria.  
Port Royal.

04170--- Dillingham Corporation-Maritime  
Services:  
HTB-35.

04289--- Dixie Carriers, Inc.:  
Barge 103.

04405--- Continental Dredging Co.:  
Sealane.

04583--- Gatx Oswego Corp.:  
Oswego Merchant.

04769--- Texaco Norway A/S:  
Texaco Amsterdam.

04875--- Letasa, S.A.:  
Pilar Maria.

05035--- Floritaram Compania Naviera  
S.A.:  
Florita.

05236--- Mid-South Towing Co.:  
Eleanor Gordon.

05283--- Peter Pan Seafoods, Inc.:  
Ronnie S.  
Sarichef.

05320--- Madrigal Shipping Co., Inc.:  
Slidre.

05584--- Oficina Naviera Comercial-Mini-  
sterio de Marina:  
Ilo.

06430--- Antilliaanse Vrachtvaart Maats-  
chappij N.V.:  
Nedlloyd Nile.

06511--- Associated Shipping Corp., Ltd.:  
Eastern Rellance.

06577--- Hellenic Cruises S.A.:  
Orion.

06596--- Issel Kisen K.K.:  
Yutai Maru.

06709--- Ahjin Haewoon Jushik Hoesa:  
Star March.  
Victory March.

06770--- Chiao Kuo Navigation Co., Ltd.:  
Overseas Fruit.

06771--- Great Pacific Navigation Co., Ltd.:  
Comfort.

06775--- Whitco (Marine Services), Ltd.:  
London Clipper.

06799--- Compagnie Generale Transbalti-  
que:  
Grieg.

06881--- Compagnie Charentaise de Trans-  
ports Maritimes:  
Rhea.

06892--- Pyramid Container Transport:  
Pyramid Vega.

06906--- Directia Navigatiei Maritime Nav-  
rom:  
Dimbovita.

06937--- Kabushiki Kaisha Usufuku Hon-  
ten:  
Syofukumaru No. 38.  
Syofukumaru No. 58.

06943--- Alphard Navigation Corp.:  
Tychos.

06944--- Edreimar S.A.:  
Silverfir.

06945--- Mother Shipping Corporation of  
Monrovia:  
Oinoussian Mother.

<i>Certificate No.</i>	<i>Owner/operator and vessels</i>
06947---	D. M. Picton & Co., Inc.: El Morro. Esther Moran.
06955---	Shin Ho Marine Enterprise Co., Ltd.: Pacific Shin Ho.
06967---	Mparmpadiamantis Shipping Co., Ltd.: Chrysanthi.
06970---	Navigantes Nacional S.A.: Champion Clocotronis.
06974---	Ake Hogberg: Ariadne.
06977---	Alma Oceanico Naviera S.A.: Morias.
06978---	Acheloos Shipping Co., Ltd.: Polyfyton.
06983---	Spartan Ideal Shipping Co., Ltd.: Anastasis.
06991---	Jose Riva Suardiaz: Chiqui.
06994---	Caribou Reefers Ltd.: Caribou Reefer.
06995---	Novorossiisk Shipping Co.: Iskra. Proletarskaya Pobeda.
06996---	Akita Senpaku K.K.: Akifuji Maru. Uko Maru.
06997---	Kyodo Kisen K.K.: Horai Maru.
06998---	Inter Navigation Shipping Co., Ltd., Limassol: Neptun Trader.
07000---	Andrean Shipping, Ltd.: Lady Sylvia.

By the Commission.

FRANCIS C. HURNEY,  
*Secretary.*

[FR Doc.72-9126 Filed 6-15-72;8:51 am]

### SEATRAN LINES, INC., ET AL.

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Joseph Hodgson, Jr., General Traffic Manager, Seatrain Lines, Inc., Port Seatrain, Weehawken, N.J. 07087.

Agreement No. 9986, between Seatrain Lines, Inc., and Borinquen Lines, Inc., establishes a through billing arrangement for the movement of general cargo, including refrigerated cargo, between U.S. Atlantic ports and ports of call of Borinquen in the Netherlands, Antilles, with transshipment at the port of San Juan, P.R., in accordance with the terms and conditions set forth in the agreement.

By order of the Federal Maritime Commission.

Dated: June 9, 1972.

FRANCIS C. HURNEY,  
*Secretary.*

[FR Doc.72-9089 Filed 6-15-72;8:48 am]

## OFFICE OF ECONOMIC OPPORTUNITY

### SECRETARY OF HEALTH, EDUCATION, AND WELFARE

#### Delegation of Authority Regarding National Summer Youth Sports Program

1. Pursuant to section 602(d) of the Economic Opportunity Act of 1964, as amended (hereinafter the Act), I hereby delegate to the Secretary of Health, Education, and Welfare (hereinafter the Secretary) such authority pursuant to section 222(a) of the Act as may be necessary for the purpose of carrying out a program during 1972 and 1973 to provide sports instruction and competition, supplemental health and nutrition services, and an awareness of career and educational opportunities to disadvantaged youth living in areas of concentrated poverty. The program shall be known as the "National Summer Youth Sports Program." The Director of the Office of Economic Opportunity (hereinafter the Director) shall transfer to the Secretary such funds as the Director and the Secretary agree are necessary to finance this program.

2. In connection with the foregoing delegation, I further delegate to the Secretary authority under section 225(b) to provide a separate allotment, assuring an equitable distribution of funds reflecting the relative incidence in each State of the needs to which this program is directed, of the funds transferred to him for this program.

3. I further delegate to the Secretary such authority under sections 242, 244 (2), 602, and 610-1(c) of the Act as may be necessary and appropriate in order to carry out his functions under this delegation.

4. The powers hereby delegated shall be exercised in accordance with the provisions of the Economic Opportunity Act and with such memoranda of understanding as may be entered into between the Secretary and the Director.

5. All operating information, evaluation reports, and other data concerning the program administered under this delegation shall be freely exchanged between the Department of Health, Education, and Welfare and the Office of Economic Opportunity pursuant to sections 602(d) and 633 of the Act.

6. The powers hereby delegated may be redelegated by the Secretary with or without authority for further redelegation. The Director shall be advised of all such redelegations.

Dated: May 5, 1972.

PHILLIP V. SANCHEZ,  
*Director,*  
*Office of Economic Opportunity.*

Approved: June 2, 1972.

RICHARD NIXON,  
*President of the United States.*

[FR Doc.72-9217 Filed 6-15-72;10:29 am]

## OFFICE OF EMERGENCY PREPAREDNESS NORTH DAKOTA

### Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on June 10, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of North Dakota from severe storms and flooding, beginning about May 17, 1972, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of North Dakota. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. Donald G. Eddy, Regional Director, OEP Region 8, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of North Dakota to have been adversely affected by this declared major disaster:

The counties of:

Grant.	Stark.
Morton.	Steele.
Mountrail.	Ward.
Richland.	

Dated: June 12, 1972.

HAAKON LINDJORD,  
Acting Director,  
Office of Emergency Preparedness.

[FR Doc.72-9078 Filed 6-15-72;8:47 am]

## SOUTH DAKOTA

### Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on June 10, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of South Dakota from severe storms and flooding, beginning about June 9, 1972, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of South Dakota. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. Donald G. Eddy, Regional Director, OEP Region 8, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of South Dakota to have been adversely affected by this declared major disaster:

The counties of:	Lawrence.
Custer.	Pennington.
Meade.	

Dated: June 12, 1972.

HAAKON LINDJORD,  
Acting Director,  
Office of Emergency Preparedness.  
[FR Doc.72-9079 Filed 6-15-72;8:47 am]

## SECURITIES AND EXCHANGE COMMISSION

[70-5210]

### CONSOLIDATED NATURAL GAS CO.

#### Notice of Proposed Acquisition By Registered Holding Company of Qualifying Common Stock of Insurance Company

JUNE 12, 1972.

Notice is hereby given that Consolidated Natural Gas Co. (Consolidated),

30 Rockefeller Plaza, New York, NY, a registered holding company, has filed an application and an amendment thereto with this Commission pursuant to the Public Utility Holding Company of 1935 (Act), designating sections 9(a) and 10 of the Act as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

As a prerequisite to obtaining insurance coverage from Oil Insurance, Ltd. (OIL), as more fully set forth below, Consolidated proposes to acquire for \$10,000 one-half of one share of the Class A capital stock of OIL, with an option to convert such half-share into one full share without payment of further consideration. Consolidated is informed that as of June 1, 1972, OIL had outstanding 19 shares of Class A capital stock, of which one full share was held by each of 19 stockholders consisting of companies engaged primarily in the oil and gas business. Consolidated expects, and herein requests authorization, to exercise its option to convert the one-half share into one full share when and if more than 20 persons hold one full share each.

It is stated that OIL was organized in Bermuda by the petroleum industry as a mutual-type insurance company, and has since January 1, 1972, been engaged in the business of providing coverage to that industry, including persons engaged in natural gas operations, against all risks of direct physical loss or damage to onshore and offshore property, well-control and pollution liability, and similar high-risk, high-liability operations; that OIL's formation resulted principally from the increasing difficulty or outright impossibility of obtaining adequate coverage in the commercial insurance market for business of this character; that in order to qualify for such coverage from OIL the assured must be a holder of OIL's Class A capital stock; and that the proposed transaction would enable Consolidated to obtain substantially improved insurance coverage for its subsidiary companies' properties.

The one-half share to be acquired by Consolidated would constitute 2.56 percent of the total "A" shares presently outstanding; as additional shares are issued, or upon Consolidated exercising its option, this percentage would change accordingly. Each "A" share is entitled to one vote. (OIL is also authorized to issue qualifying nonvoting "B" shares exclusively to its directors in compliance with Bermuda law.) Consolidated would thus initially have a one-half vote and, as in the case of the other "A" assured-stockholders, would have one additional vote for each \$10,000 of total annual premiums paid by it. Consolidated states further it is informed that OIL intends to request the Bermuda legislature to amend its corporate charter so as to permit OIL to become a purely mutual

insurance company, in which event the "A" shares would be canceled and their subscription price refunded.

Consolidated will receive from OIL five separate noncancellable insurance policies, each policy to provide 20 percent of the total insurance limit for 20 percent of the total annual premium. One policy will expire each year for 5 years, with expiring policies being automatically renewed for a noncancellable 5-year period unless notice of cancellation is received from Consolidated 3 calendar months or more prior to the policy expiration date. In the event that any assured-stockholder (including Consolidated) terminates its last policy, it would cease to be a stockholder of OIL and the latter would be obligated to redeem the assured's shareholding at the original subscription price, subject to any prior lien OIL may have for unpaid premiums.

It is stated that no State or Federal Commission other than this Commission has jurisdiction over the proposed transaction. The fees and expenses to be paid in connection with the proposed transaction are estimated at \$2,500 including \$350 payable to Consolidated Natural Gas Service Co., Inc., a subsidiary company, for services at cost.

Notice is further given that any interested person may, not later than June 26, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application as amended or as it may be further amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.72-9082 Filed 6-15-72;8:47 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 11]

### Assignment of Hearings

JUNE 13, 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 116947 Sub 16, Hugh H. Scott, doing business as Scott Transfer Co., and MC 126276 Sub 45, Fast Motor Service, Inc., now being assigned continued hearing July 25, 1972, at the offices of the Interstate Commerce Commission, Washington, D.C.
- MC 124796 Sub 91, Continental Contract Carrier Corp., now being assigned continued hearing June 19, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.
- MC 35320 Sub 128, T.I.M.E.-DC, Inc., assigned hearing July 19, 1972 (1 day), at Nashville, Tenn., in room 661, U.S. Courthouse, Eighth and Broadway, Nashville, Tenn.
- MC 136380, Southern Cartage, Inc., assigned hearing July 25, 1972 (3 days), at Nashville, Tenn., in rooms 651 and 661, U.S. Courthouse, Eighth and Broadway, Nashville, Tenn.
- MC 108006 Sub 20, Maislin Transport, Ltd., now being assigned hearing August 7, 1972, at Buffalo, N.Y., in a hearing room to be later designated.
- MC 114211 Sub 168, Warren Transport, Inc., and MC 118806 Sub 23, Arnold Bros. Transport, Ltd., now being assigned hearing August 7, 1972 (1 week), at Minneapolis, Minn., in a hearing room to be later designated.
- MC 128988 Sub 19, Jo/Kel, Inc., now being assigned hearing August 4, 1972, at Minneapolis, Minn., in a hearing room to be later designated.
- FD 26847, Chicago & North Western Railway Co. Abandonment between Sanborn & Wanda, in Redwood County, Minn., now being assigned hearing July 31, 1972 (3 days), at Red Falls, Minn., in a hearing room to be later designated.
- MC 8964 Sub 28, Witte Transportation Co., now being assigned hearing August 7, 1972 (3 weeks), at Rochester, Minn., at the Kahler Hotel, 20 22d Avenue SW.
- MC 107295 Sub 538, Pre-Fab Transit Co., assigned hearing July 10, 1972, MC 113495 Sub 51, Gregory Heavy Haulers, Inc., assigned hearing July 17, 1972, MC 112304 Sub 51, Ace Doran Hauling & Rigging Co., assigned hearing July 12, 1972, MC 115841 Sub 425, Colonial Refrigerated Transportation, Inc., assigned hearing July 21, 1972, MC 118959 Sub 101, Jerry Lipps, Inc., assigned hearing July 19, 1972, MC 118959 Sub 102, Jerry Lipps, Inc., assigned hearing July 11, 1972, MC 118959 Sub 103, Jerry Lipps, Inc., assigned hearing July 20, 1972, MC 127834 Sub 63, Cherokee Hauling & Rigging, Inc., assigned hearing July 17, 1972, MC 127834 Sub 69, Cherokee Hauling & Rigging, Inc.,

assigned hearing July 12, 1972, MC 129708 Sub 1, McRay Truck Line, Inc., assigned hearing July 14, 1972, MC 133947 Sub 2, McCue Express, Inc., assigned hearing July 13, 1972, in room 829, New Federal Building, Louisville, Ky.

MC 127834 Sub 36, Cherokee Hauling & Rigging, Inc., assigned hearing July 17, 1972, in room 204, Federal Building, 167 North Main Street, Memphis, TN.

MC 61592 Sub 240, Jenkins Truck Line, Inc., now being assigned hearing August 3, 1972, MC 101010 Sub 27, Erie Lackawanna Railway Co., now being assigned hearing July 31, 1972, MC 133070 Sub 5, Trans-Air Service, Inc., now being assigned hearing August 1, 1972, at Buffalo, N.Y., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-9129 Filed 6-15-72; 8:51 am]

[Notice 76]

### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. 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-73421. By order of June 7, 1972, the Motor Carrier Board, on reconsideration, approved the transfer to Garner Trucking, Inc., Findlay, Ohio, of the operating rights in certificates Nos. MC-81908 and MC-81908 (Sub-No. 1) issued October 1, 1962, and March 7, 1969, to William E. Wammes, doing business as H. & W. Motor Freight, Bowling Green, Ohio, authorizing the transportation of household goods, canned goods, and fresh fruits and vegetables, between Bowling Green, Ohio, and points within 10 miles thereof, on the one hand, and, on the other, Pittsburgh, Pa., points as specified in Michigan and Indiana, and canned goods, from Toledo, Ohio, to Pittsburgh, Pa., and points as described in Indiana and Michigan, restricted to traffic originating at the warehouse facilities of H. J. Heinz Co., at Toledo, Ohio. Gerald P. Wadkowski, 85 East Gay Street, Columbus, OH 43215, and James R. Stiverson, 50 West Broad Street, Columbus, OH 43215, attorneys for applicants.

No. MC-FC-73636. By order of June 9, 1972, the Motor Carrier Board approved the transfer to Hagey's Bus Service, Inc., Franconia, Pa., of the operating rights in certificates Nos. MC-745, MC-745 (Sub-No. 6), MC-745 (Sub-No. 9), and MC-745 (Sub-No. 11) issued April 21, 1964, April 21, 1965, April 28, 1966, and May 8, 1968, respectively, to Gerald S. Hagey, doing business as Hagey's Bus Service, Franconia, Pa., authorizing the transportation of passengers and their baggage, in round-trip charter and/or special operations, beginning and ending at named points in Pennsylvania and extending to points in New York, New Jersey, Maryland, Virginia, Connecticut, Florida, Maine, Massachusetts, Michigan, New Hampshire, Ohio, Rhode Island, Vermont, and Indiana, and the District of Columbia. John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011, registered practitioner for applicants.

No. MC-FC-73654. By order of June 7, 1972, the Motor Carrier Board approved the transfer to R. A. N. Trucking Co., a corporation, Butler, Pa., of that portion of the operating rights in certificates Nos. MC-13659, MC-31659 (Sub-No. 3), and MC-31659 (Sub-No. 4) issued November 19, 1963, November 28, 1944, and November 26, 1945, respectively, to Nicholas Transportation Co., a corporation, Butler, Pa., authorizing the transportation of general commodities, with usual exceptions, (1) over regular routes between Pittsburgh, Pa., and Butler, Pa., serving all intermediate points; between Butler, Pa., and Renfrew, Pa., serving no intermediate points, and between Butler, Pa., and Universal, Pa., serving the intermediate and off-route points of Ivywood, Culmerville, Curtisville, Russellton, Cunningham, River Valley, Indianola, and North Bessemer; and (2) over irregular routes, between points in Butler County, Pa., on the one hand, and, on the other, points in Pennsylvania within 125 miles of Butler, Pa. (excluding the barge terminal of Freeport Terminals, Inc., on the Allegheny River near Freeport, Armstrong County, Pa.), and points in a described area of eastern Ohio. John L. Laubach, Jr., Gateway 2, Suite 1677, Pittsburgh, Pa. 15222, attorney for applicants.

No. MC-FC-73659. By order entered June 7, 1972, the Motor Carrier Board approved the transfer to Joseph Sparacino, doing business as Clune Transfer, Scranton, Pa., of a portion of the operating rights set forth in certificate No. MC-135367 (Sub-No. 1), issued May 1, 1972, to Leonard J. Mickavicz, Taylor, Pa., authorizing the transportation of household goods, except office furniture and equipment and store fixtures, between points in Pennsylvania, on the one hand, and, on the other, points in Ohio, New York, Michigan, New Jersey, and Maryland. Kenneth R. Davis, 999 Union Street, Taylor, PA 18517, representative for applicants.

No. MC-FC-73705. By order of June 9, 1972, the Motor Carrier Board approved the transfer to Samuel J. Lansberry,

Woodland, Pa., of the operating rights in certificate No. MC-128169 issued October 28, 1970, to Blake Brown and Howard Brown, a partnership, doing business as Blake Brothers, Curwensville, Pa., authorizing the transportation of coal from points in Clearfield County, Pa., to points in Delaware, Maryland, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties), and New York (except points in Kings, Queens, Nassau, and Suffolk Counties). S. Berne Smith, 100 Pine Street, Post Office Box 1166, Harrisburg, PA 17108, and John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219, attorneys for applicants.

No. MC-FC-73713. By order of June 9, 1972, the Motor Carrier Board approved the transfer to C. D. Elks, doing business as C. D. Elks Truck Line, Chocowinity, N.C., of the operating rights in Certificate No. MC-32083 issued July 9, 1963, to Cleveland W. Hall and Claudious Hall, a partnership, doing business as Hall Truck Line, Ahsokie, N.C., authorizing the transportation of containers for farm products, livestock, poultry, tobacco, lumber, railroad crossties, raw materials used in the manufacture of containers for farm products, agricultural commodities, groceries and feed, and fertilizer and fertilizer materials, from and to points in North Carolina within 50 miles of, and including Murfreesboro, N.C., and Franklin, Suffolk, Portsmouth, Norfolk, Petersburg, Courtland, Lynchburg, Roanoke, Fredericksburg, Richmond, and Tappahannock, Va., and points in Virginia within 10 miles of each; and household goods between Murfreesboro, N.C., and points within 50 miles thereof, on the one hand, and, on the other, points in North Carolina and Virginia. J. Ruffin Bailey, Post Office Box 2246, Raleigh, NC 27602, attorney for applicants.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 72-9128 Filed 6-15-72; 8:51 am]

[Notice 83]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS<sup>1</sup>

JUNE 12, 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

<sup>1</sup>Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

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 protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

#### MOTOR CARRIERS OF PROPERTY

No. MC 50069 (Sub-No. 451 TA), filed May 25, 1972. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, OH 43616. Applicant's representative: Jack A. Gollan (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum*, in bulk, in tank vehicles, from Petrolia, Pa., to London, Ark., for 180 days. Supporting shipper: Viscosity Oil Co., 3200 South Western Avenue, Chicago, IL 60608. Send protests to: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 534 Federal Office Building, 235 Summit Street, Toledo, OH 43604.

No. MC 59367 (Sub-No. 79 TA), filed May 30, 1972. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, 3584 Fifth Avenue South, Fort Dodge, IA 50501. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen packaged meat*, from the facilities of Kold Storage, Inc., at Fort Dodge, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, and South Dakota, for 180 days. Supporting shipper: Lamb-Weston, Inc., Division of Amfac, Inc., Post Office Box 2357, Portland, Ore. 97223. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 73037 (Sub-No. 3 TA), filed May 26, 1972. Applicant: SHROPSHIRE TRUCKING INC., 404 Westwood Avenue, Lindsay, CA 93247. Applicant's representative: Raymond A. Greene, Jr., 405 Montgomery Street, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grape stakes*, in bundles, from points in the Los Angeles Harbor, Calif., commercial zone, as described by the Commission, to points in Kern, Tulare, and Merced Counties, Calif. Supporting shippers: Roberts' Farm, Inc., 15366 Road 192, Porterville, CA 93257; Heggblade-Marguleas-Tenneco Inc., Post Office Box 380, Bakersfield, CA 93302. Send protests to: Walter W. Strakosch, District Supervisor, Interstate Com-

merce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 76472 (Sub-No. 20 TA), filed May 30, 1972. Applicant: MATERIAL TRUCKING, INC., 924 South Heald Street, Wilmington, DE 19801. Applicant's representative: William Saienni (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea*, in bulk, from Wilmington, Del., to points in Delaware, Maryland, Pennsylvania, New York, New Jersey, Connecticut, Massachusetts, and Virginia, for 180 days. Supporting shipper: Transammonia, Inc., 400 Park Avenue, New York, NY 10022. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 85255 (Sub-No. 44 TA), filed May 30, 1972. Applicant: PUGET SOUND TRUCK LINES, INC., Pier 62, Seattle, WA 98101. Applicant's representative: L. S. Carlander (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned seafoods*, from Seattle, Wash., to Astoria, Ore., for 180 days. Supporting shipper: Bumble Bee Seafoods, foot of Sixth Street, Astoria, Ore. 97103. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 96612 (Sub-No. 11 TA), filed May 30, 1972. Applicant: SEA-LAND FREIGHT SERVICE, INC., Corbin and Fleet Streets, Post Office Box 1050, Elizabeth, NJ 07207. Applicant's representative: F. Hiljer, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, including commodities in bulk in marine type containers, except those of unusual value and household goods as defined by the Commission, between Seattle, Wash., and points in the counties of Skagit, Whatcom, and Snohomish, Wash., restricted to the movement of such commodities having a prior or subsequent movement by water, for 180 days. Supporting shippers: Wards Cove Packing Co., Inc., Box 30, University Station, 88 East Hamlin, Seattle, WA 98105; Bumble Bee Seafoods, a division of Castle & Cooke, Inc., Astoria, Ore. 97103; New England Fish Co., Pier 89, Seattle, WA 98119; Pan-Alaska Fisheries, Inc., Post Office Box 647, Monroe, WA 98272. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 99780 (Sub-No. 20 TA), filed May 25, 1972. Applicant: CHIPPER CARTAGE COMPANY, INC., 1327 Northeast Bond Street 61603, Post Office Box 1345, Peoria, IL 61601. Applicant's representative: John R. Zang (same address as

above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise* as is dealt in by wholesale and retail grocery houses, from United Facilities, Inc., at Galesburg, Ill., to points in Iowa, Minnesota, Missouri, Wisconsin, and Illinois, for 180 days. Supporting shipper: United Facilities, Inc., Post Office Box 539, Peoria, IL 61601. Send protests to: Transportation Specialist Don E. Jackson, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Everett McKinley Dirksen Building, Chicago, IL 60604.

No. MC 100666 (Sub-No. 218), filed May 24, 1972. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, 1129 Grimmer Drive, Shreveport, LA 71107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compostion board*, from storage facilities utilized by the Celotex Corp. at Algiers, La., to points in Arkansas, Kansas, Missouri, and Oklahoma, for 180 days. Supporting shipper: The Celotex Corp., Post Office Box 22602, Tampa, Fla. 33622. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room T-9038 Federal Building, 701 Loyola Avenue, New Orleans, LA 70113.

No. MC 106663 (Sub-No. 2 TA), filed May 30, 1972. Applicant: BRENNAN WISHNER, Rural Delivery 2, Ridge Road, Washington, PA 15301. Applicant's representative: Frank C. Carroll, 33 West Beau Street, Washington, PA 15301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated paper boxes and fillers and rejected or damaged shipments of same*, from North Strabane Township, Washington County, Pa., to Pittsburgh, Pa., points in Ohio and Maryland and those in West Virginia on and north of U.S. Highway 50, and from the specified destination points to the designated origin points, for 180 days. Supporting shipper: Union Camp Corp., 1600 Valley Road, Wayne, NJ 07470. Send protests to: District Supervisor John J. England, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 111812 (Sub-No. 475 TA), filed May 26, 1972. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 1233, 405½ East Eighth Street, Wilson Terminal Building, Sioux Falls,

SD 57501. Applicant's representative: R. H. Jinks (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, frozen fried and unfried potato products*, from Caribou, Maine, to points in Delaware, Kansas, Maryland, New Jersey, New York, Pennsylvania, Washington, D.C., and Virginia, for 180 days. Supporting shipper: American Kitchen Foods, Caribou, Maine 04102, Lee M. Greiner, Distribution Manager. Send protests to: District Supervisor J. L. Hammond, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 116133 (Sub-No. 9 TA), filed May 31, 1972. Applicant: POLLARD DELIVERY SERVICE, INC., Washington National Airport, Washington, D.C. 20001. Applicant's representative: Robert M. Sielaty, 1819 H Street NW., Washington, DC. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* with usual exceptions, having an immediately prior or subsequent movement by air, between Dulles International Airport, and York, and Harrisburg, Pa., for 180 days. Supporting shipper: Dulles International Air Freight Corp., Post Office Box 17221, Dulles International Airport, Washington, D.C. 20041. Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, DC 20423.

No. MC 117589 (Sub-No. 21 TA), filed May 24, 1972. Applicant: PROVISIONERS FROZEN EXPRESS, INC., 2535 Airport Way South, Seattle, WA 98134. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen human blood plasma*, from Tacoma, Wash., to Los Angeles, Calif. NOTE: Applicant presently holds authority to transport frozen human blood plasma from Seattle, Wash., and Portland, Oreg., to Los Angeles, Calif., and wishes to use this additional authority in conjunction with the present authority held, for 180 days. Supporting shipper: Abbott, Scientific Products Division of Abbott Laboratories, doing business as United Biologics, 820 Mission Street, South Pasadena, CA 91030. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce

Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 117815 (Sub-No. 193 TA), filed May 24, 1972. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, IA 50317. Applicant's representative: Larry D. Knox, 910 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen packaged meats*, from the storage facilities of Kold Storage, Inc., at Fort Dodge, Iowa, to points in Indiana, Iowa, Missouri, Nebraska, the Lower Peninsula of Michigan, and Chicago, Ill., and Kansas City, Kans., for 180 days. Supporting Shipper: Lamb-Weston, Inc., Division of Amfac, Inc., Post Office Box 23507, Portland, OR 97223. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 127482 (Sub-No. 1 TA), filed May 25, 1972. Applicant: GLENN FERRIS, doing business as FERRIS TRUCKING, Crescent, Iowa 51526. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from Omaha, Nebr., to points in Iowa, Missouri, and South Dakota, for 180 days. Supporting shipper: International Salt Co., 6300 North River Road, Rosemont, IL 60018. Send Protests To: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 128007 (Sub-No. 43 TA), filed May 26, 1972. Applicant: HOFER, INC., Post Office Box 583, 4032 Parkview Drive, Pittsburg, KS 66762. Applicant's representative: Jandera & Christey (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated concrete reinforcing materials and joints*, from Parsons, Kans., to points in Indiana, for 150 days. Supporting shipper: Superior Concrete Accessories, Inc., Parsons, Kans. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 72-9127 Filed 6-15-72; 8:51 am]



CUMULATIVE LIST OF PARTS AFFECTED—JUNE

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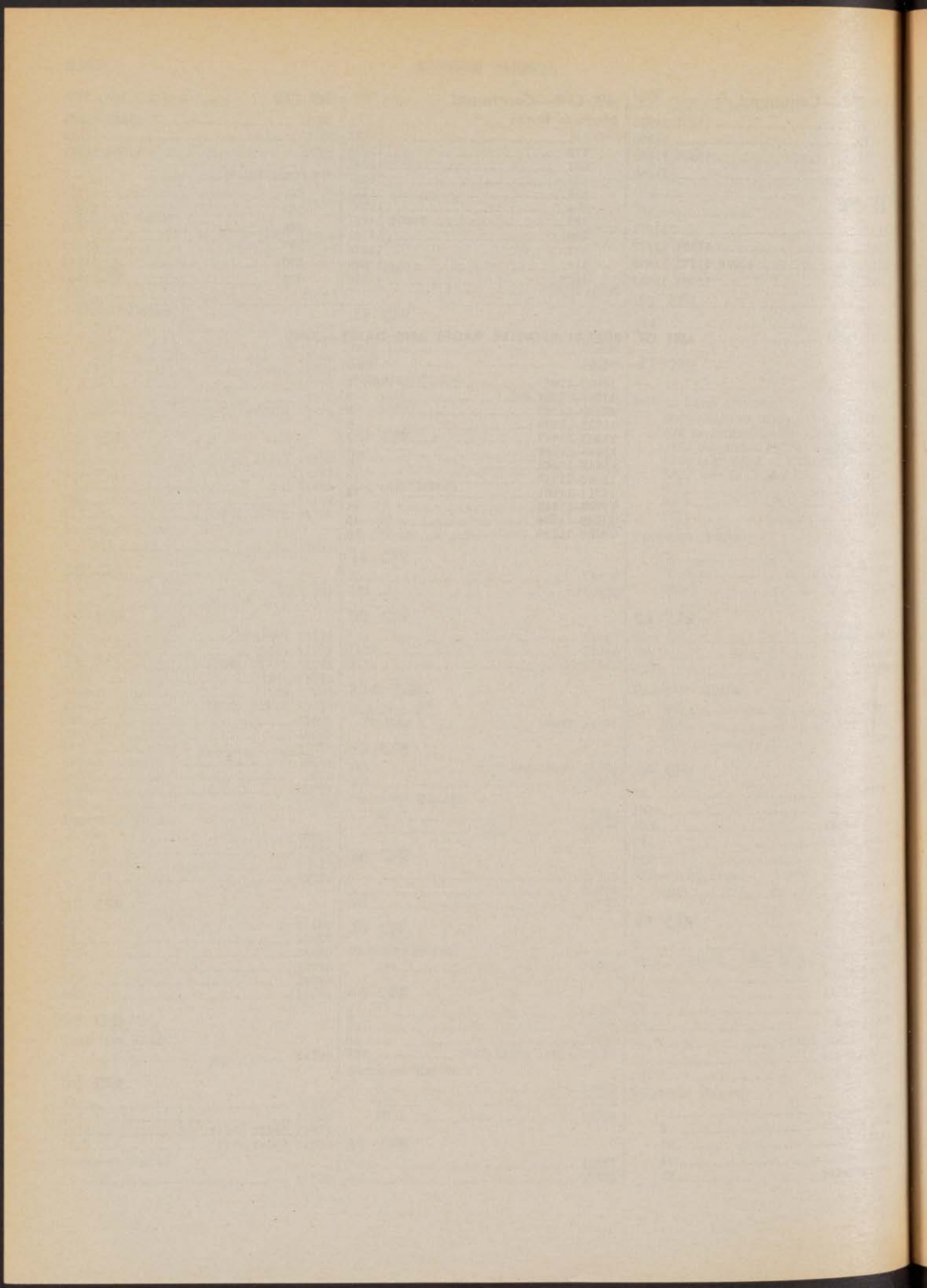
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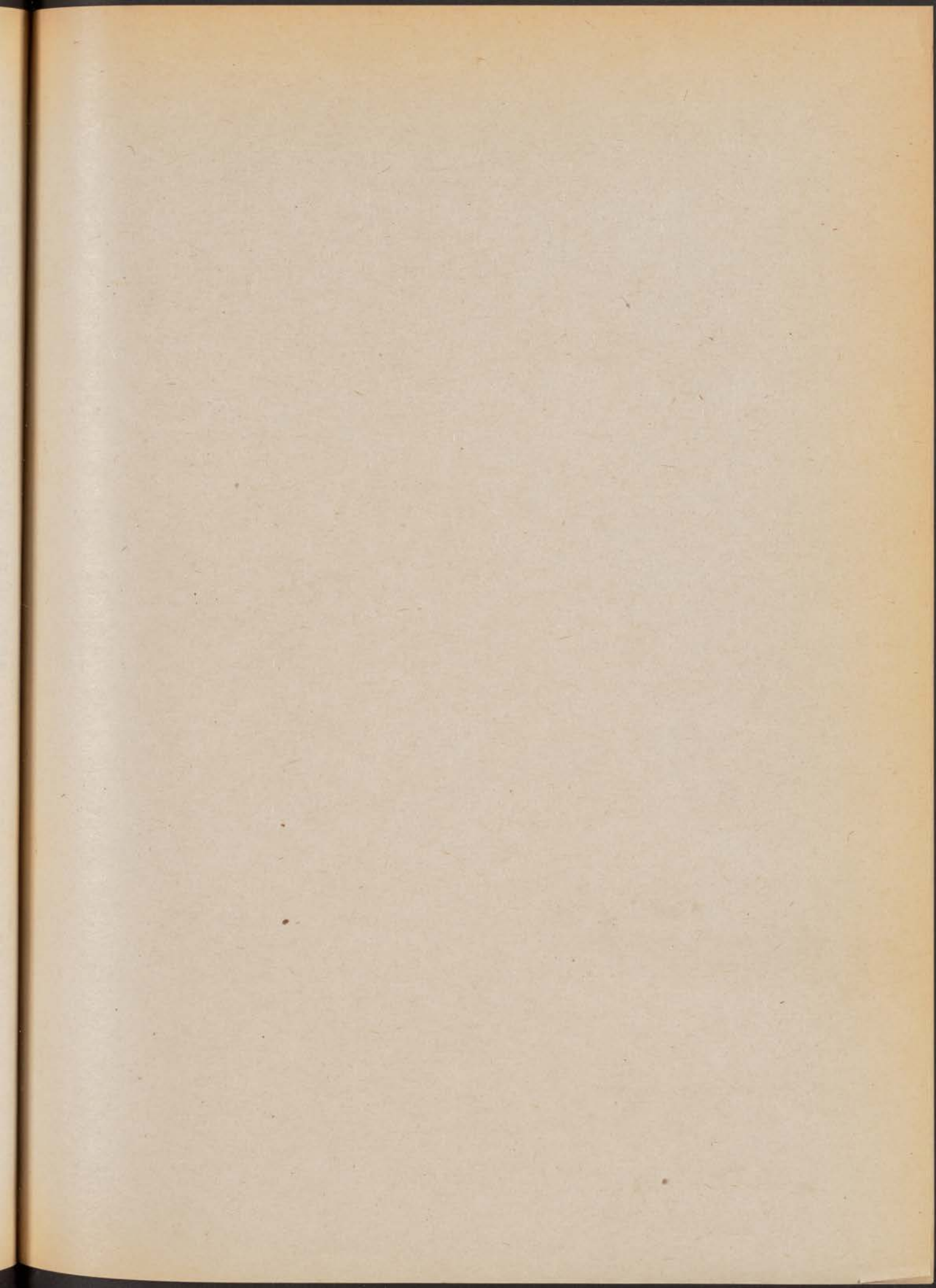
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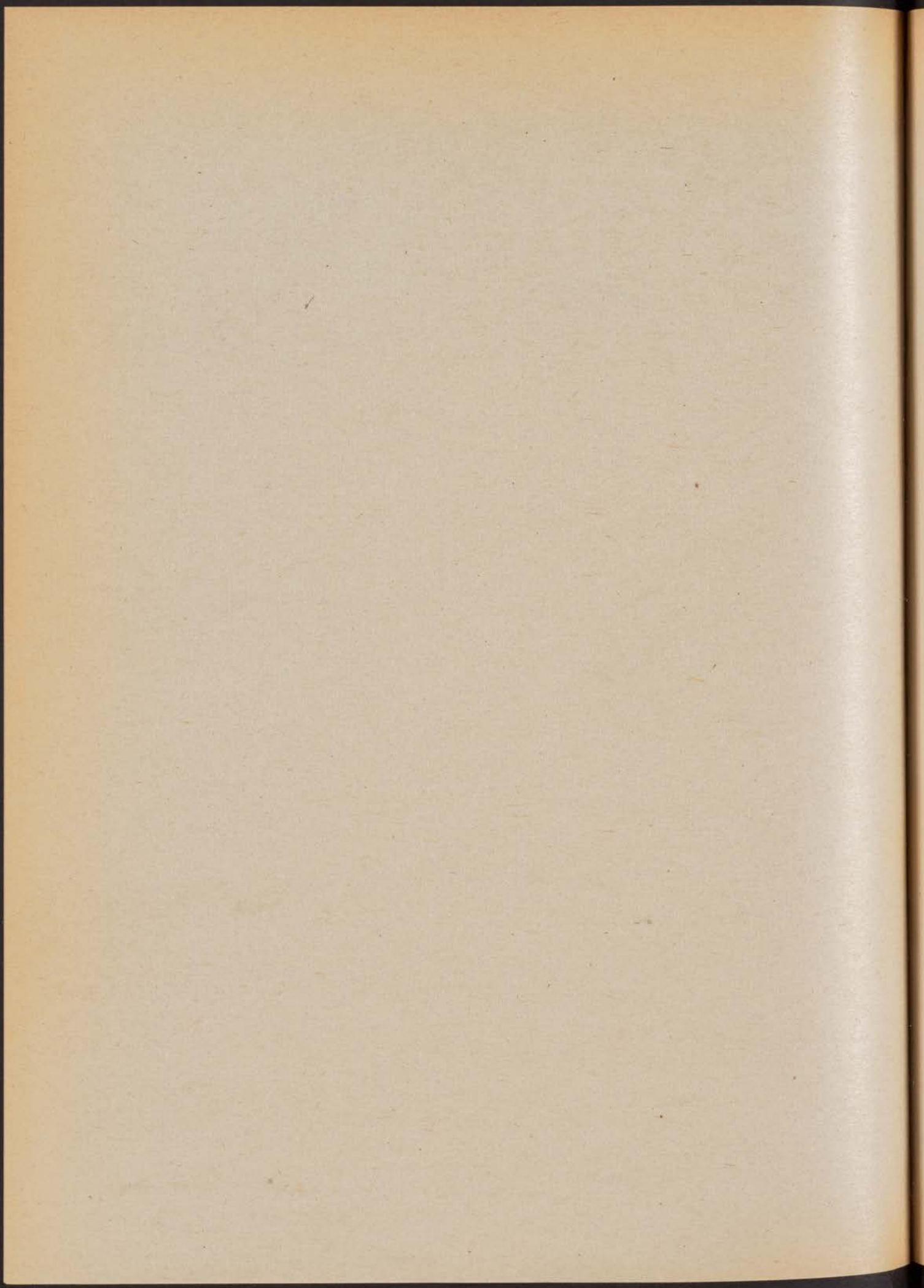
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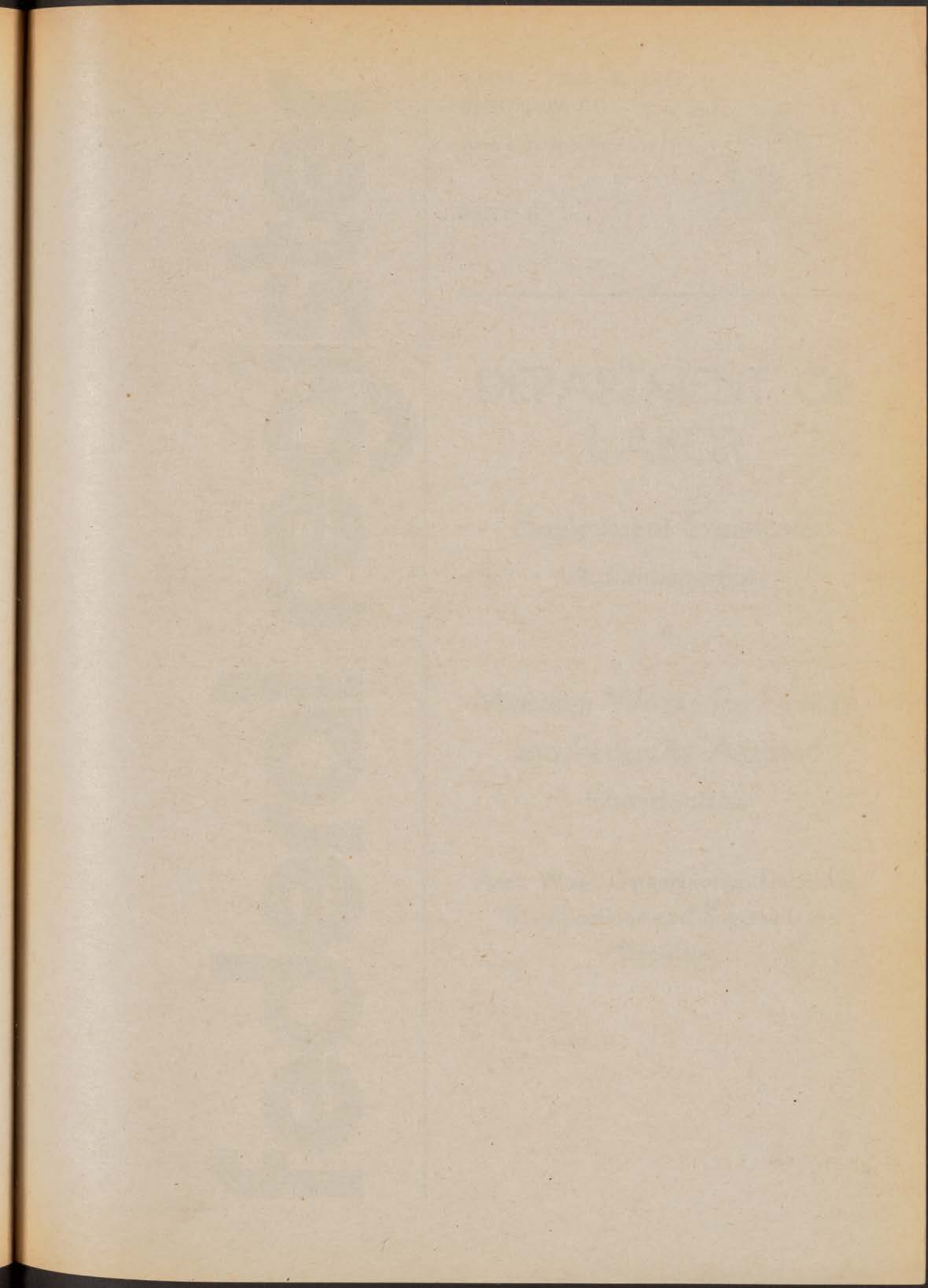
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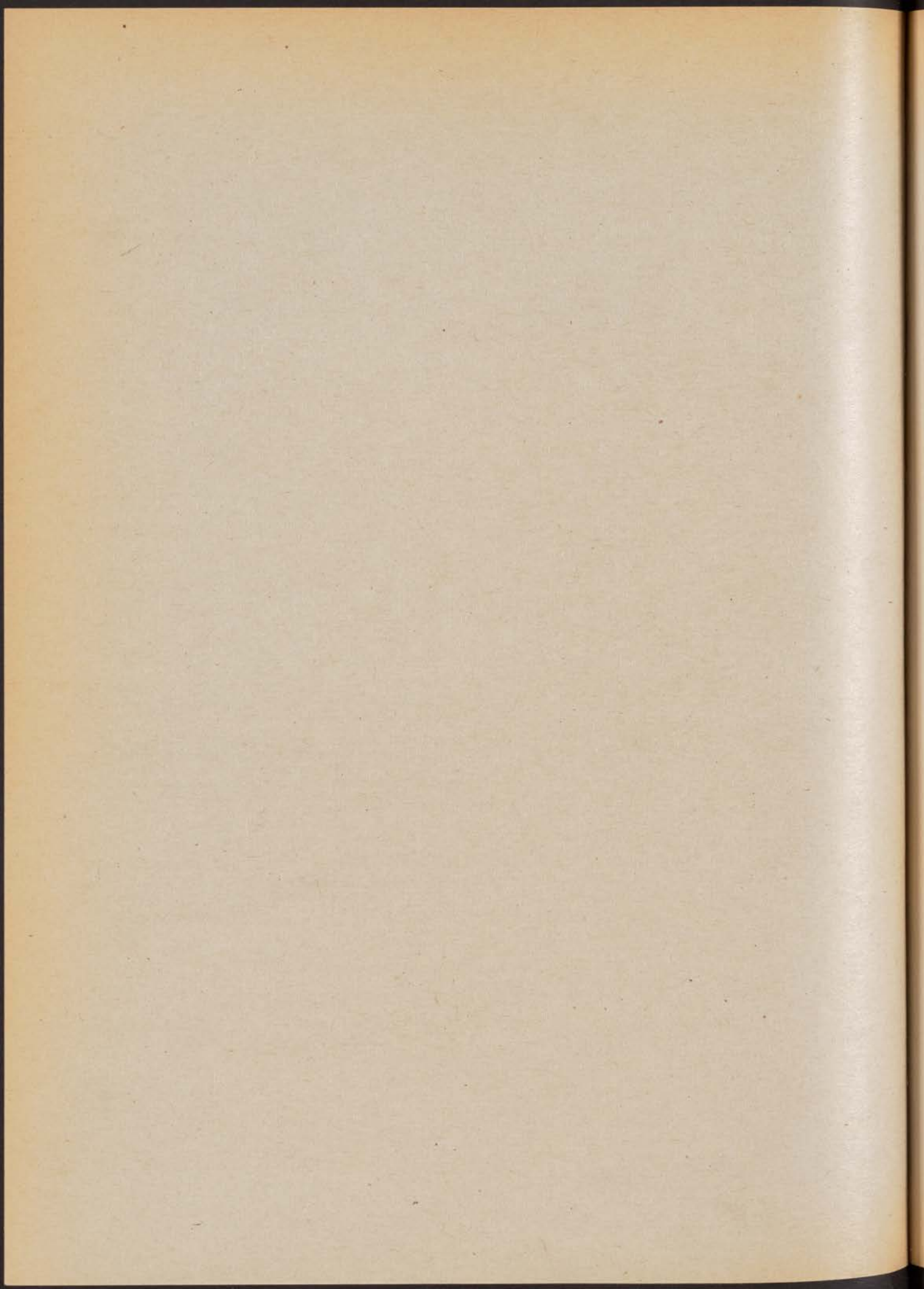
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# federal register

FRIDAY, JUNE 16, 1972

WASHINGTON, D.C.

Volume 37 ■ Number 117



PART II

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## DEPARTMENT OF LABOR

Employment Standards  
Administration



Minimum Wages for Federal  
and Federally Assisted  
Construction

Area Wage Determination Decisions,  
Modifications and Supersedeas  
Decisions

## DEPARTMENT OF LABOR

### Employment Standards Administration

#### MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

#### Area Wage Determination Decisions, Modifications and Supersedeas Decisions

*New determinations.* There are set forth below general Area Wage Determination Decisions Nos. AM-8,623 and AM-11,425 of the Secretary of Labor. These decisions specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein. These decisions are applicable to Federal and federally assisted construction in the described localities within the States of Tennessee and Texas.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of the Code of Federal Regulations, Procedure for Predetermination of Wage Rates, and of Secretary of Labor's Orders 12-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal or federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, be-

cause the necessity to issue construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

These wage determinations are effective for a period of 120 days from the date of publication in the FEDERAL REGISTER and are to be used in accordance with the provisions of 29 CFR Part 5. Accordingly, these determinations together with any modifications issued subsequent to this date during this 120-day period, shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under the contract by contractors and subcontractors on the work.

The area wage determination decisions for the localities within the States of Tennessee and Texas are set forth below.

*Modifications and supersedeas decisions to area wage determination decisions.* Modifications and/or supersedeas decisions to area wage determination decisions for specified localities in Florida, Illinois, Indiana, Iowa, Louisiana, Massachusetts, Michigan, Minnesota, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, and Wisconsin.

Area wage determination decisions published in the FEDERAL REGISTER on the following dates:

Decision No.	Dates
AM-1,721; AM-1,723	Aug. 11, 1971.
AM-458; AM-1,851; AM-1,852; AM-1,862 (9,323)	Aug. 20, 1971.
AM-2,450; AM-3,626 (11,424)	Aug. 25, 1971.
AM-2,510	Aug. 27, 1971.
AM-11,393	Feb. 4, 1972.
AM-9,681	Feb. 25, 1972.
AM-9,684; AM-9,685; AM-9,686; AM-9,687; AM-9,688; AM-9,689	Mar. 10, 1972.
AM-11,407; AM-11,408	Mar. 31, 1972.
AM-11,411; AM-11,412	April 14, 1972.
AM-11,417	April 28, 1972.
AM-11,419	May 5, 1972.
AM-8,609 (8,624)	May 12, 1972.
AM-8,612	May 19, 1972.
AM-11,422	June 2, 1972.

Are hereby modified and/or superseded as set forth below. Supersedeas decision numbers are in parentheses following the number of the decision being superseded.

These modifications and/or supersedeas decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since these determinations were issued.

The determinations of prevailing rates and fringe benefits made in these modifications and/or supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, "Procedure for Predetermination of Wage Rates," and of Secretary of Labor's Orders 13-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in the foregoing area wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

The modifications and/or supersedeas decisions are effective from their date of publication in the FEDERAL REGISTER until the end of the period for which the determinations being modified and/or superseded were issued and are to be used in accordance with the provisions of 29 CFR Part 5. The modifications and/or supersedeas decisions to the area wage determination decisions listed above are set forth below.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. section 553 is set forth in the document being modified.

Signed at Washington, D.C., this 9th day of June 1972.

HORACE E. MENASCO,  
Administrator,  
Wage and Hour Division.

NEW DECISION

STATE: Tennessee COUNTY: Sullivan  
 DECISION NO.: AM-8623 DATE: June 16, 1972  
 DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

82 - Tenn - 1 - B

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
Bricklayers	\$6.00				
Carpenters	4.15				
Cement masons	3.25				
Dry wall hangers	4.25				
Electricians	5.85		1%		½ of 1%
Glaziers	4.00				
Ironworkers:					
Structural and Ornamental Reinforcing	6.17	.125	.10		.025
Laborers:	6.07	.125	.10		.025
Unskilled	2.25				
Air tool op. (jackhammer, vib.)	2.75				
Mason tenders	2.25				
Mortar mixers	2.75				
Plasterers' tenders	2.55				
Lathers	4.50				
Marble setters	3.00				
Painters:					
Brush	2.75				
Spray	3.13				
Plasterers	4.50				
Plumbers	5.75	.20	.30	.15	.01
Roofers	3.00				
Sheet metal workers	4.25				
Soft floor layers	2.90				
Tile setters	4.00				
Acoustical tile installers	2.90				
Truck drivers	3.00				
Power Equipment Operators:					
Air compressors	3.49				
Backhoe	5.65	.20	.20		
Bulldozers	3.50				
Cranes, derricks & draglines	5.65	.20	.20		
Drill operators	5.65	.20	.20		
Finishing machine	3.00				
Fork lift operator	5.24	.20	.20		
Front end loader	3.50				
Graders	3.50				
Hoist	5.65	.20	.20		
Pumps	3.64				
Rollers	2.75				
Scrapers	3.50				
Shovels	3.25				
Trenching machines	3.25				
Welders - Rate for craft.					

AM-11,425 P. 2

15 - Texas - 1 w (2 - 2)

NEW DECISION  
 COUNTY: Nueces  
 DATE: June 16, 1972  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

BUILDING CONSTRUCTION

TERRAZZO WORKERS' HELPERS:  
 Terrazzo helpers  
 Floor machine operators  
 Base machine operators  
 TILE SETTERS  
 TILE SETTERS' HELPERS  
 TRUCK DRIVERS  
 WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:  
 a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 1/2%; over 5 yrs. - 4% of basic hourly rate.  
 b - Paid Holidays - A through F.

PAID HOLIDAYS:  
 A-New Years' Day; B-Memorial Day;  
 C-Independence Day; D-Labor Day;  
 E-Thanksgiving Day; F-Christmas Day.

15 - Texas - 1 w (1 - 2)

	Basic Hourly Rates	Fringe Benefits Payments				Other
		H & W	Pensions	Vacation	App. Tr.	
ASBESTOS WORKERS	\$6.285	.25	.225		.01	
BOILERMAKERS	6.50	.30	.40		.02	
BRICKLAYERS	6.00					
CARPENTERS:	5.40	.21	.07		.02	
Carpenters	6.00				1%	
Millwrights	4.50					
Piledrivemen	5.65					
CEMENT MASONS:	6.90	.25	1%		1/2%	
Electricians	7.025	.25	1%		1/2%	
Cable splicers	3.58	.175	.20	2%+4h		
ELEVATOR CONSTRUCTORS	7.07JR	.175	.20	2%+4h		
ELEVATOR CONSTRUCTORS' HELPERS	5.0%JR		.20			
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	4.40					
GLAZIERS	5.15	.25	.30		.025	
IRONWORKERS:	5.025	.25	.30		.025	
Structural; Ornamental						
Reinforcing						
LABORERS:	2.75					
Common	2.85					
Hod carriers	2.85					
Jackhammer & paving breaker operator	2.85					
Mason tenders	2.85					
Mortar mixers	2.85					
Pipelayers (concrete & clay)	2.85					
Plasterers' tenders	5.825	.125		1.00	.01	
LATHERS	5.50				.02	
MARBLE SETTERS	5.10	.25	.20		2/10%	
PAINTERS:	5.50	.25	.20		2/10%	
Brush	5.35	.25	.20		2/10%	
Spray	6.15					
Sign	5.95					
PLUMBERS - STEAM FITTERS	4.525		.25		.035	
ROOFERS:	4.40		.10			
Roofers	4.40		.10			
Kettlemen	4.525		.10			
Waterproofers	4.525		.10			
Deckmen	5.95					
SHEET METAL WORKERS	5.40	.21	.07		.01	
SOME FLOOR LAYERS	7.60	.25	.40		.05	
SPRINKLER FITTERS	5.50				.02	
TERRAZZO WORKERS						

NOTICES

AM-11,425 P. 4

15 - Texas - 3 F (1 - 2)

Basic Hourly Rates	Fringe Benefits Payments			Other
	H & W	Pensions	Vacation	
\$2.50				
2.00				
2.80				
2.15				
3.00				
2.80				
2.25				
2.90				
2.25				
3.25				
2.40				
3.00				
2.25				
2.00				
2.15				
3.35				
2.30				
2.50				
2.20				
2.40				
2.75				
2.15				
2.85				
2.75				
3.00				
2.85				
3.20				
2.00				
3.00				
2.75				
3.00				
3.50				
3.25				
2.50				
2.75				
3.50				
3.00				
2.45				
2.05				
2.00				
2.75				
3.00				

INCIDENTAL PAVING & UTILITIES

Asphalt Raker  
 Asphalt Shovel  
 Carpenter  
 Carpenter Helper  
 Concrete Finisher (Paving)  
 Concrete Finisher (Structures)  
 Concrete Finisher Helper (Structures)  
 Form Builder (Structures)  
 Form Builder Helper (Structures)  
 Form Liner (Paving and Curb)  
 Form Setter (Paving and Curb)  
 Form Setter (Structures)  
 Form Setter Helper (Structures)  
 Laborer, Common  
 Laborer, Utility Man  
 Mechanic  
 Mechanic Helper  
 Oiler  
 Pipelayer  
 Reinforcing Steel Setter (Paving)  
 Reinforcing Steel Setter (Structures)  
 Reinforcing Steel Setter Helper  
 Spreader Box Man  
 Power Equipment Operators:  
 Asphalt Distributor  
 Asphalt Paving Machine  
 Bulldozer, 150 H.P. and Less  
 Bulldozer, over 150 H.P.  
 Concrete Paving Curing Machine  
 Concrete Paving Finishing Machine  
 Concrete Paving Longitudinal Float  
 Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1 1/2 C.Y.)  
 Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1 1/2 C.Y. and Over)  
 Crusher or Screening Plant Operator  
 Front End Loader (2 1/2 C.Y. and Less)  
 Front End Loader (Over 2 1/2 C.Y.)  
 Motor Grader Operator, Fine Grade  
 Motor Grader Operator  
 Roller, Steel Wheel (Plant-Mix Pavements)  
 Roller, Steel Wheel (Other-Flat Wheel or Tamping)  
 Roller, Pneumatic (Self-Propelled)  
 Scrapers (17 C.Y. and Less)  
 Scrapers (Over 17 C.Y.)

AM-11,425 P. 3

15 - Texas - FEO - 1 K

Basic Hourly Rates	Fringe Benefits Payments			Other
	H & W	Pensions	Vacation	
\$4.725	.125		.20	
4.125	.125		.20	
4.275	.125		.20	
5.30	.125		.20	

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS

LIGHT EQUIPMENT

Air compressor (1); Blade grader (Cowed); Conveyor; Fireman; Form grader; Flexplane; Generator (gas or diesel over 1500 watts); Hoist (1 drum); Lubrication truck driver; Mixer (less than 14 cu. ft.); Pulso-meter; Pump (1); Roller (towed); Tractor (wheel type); Truck crane driver-oiler; wagon drill; Welding machines (3 to 6) other than electric; All other equipment of similar nature coming with light equipment class when power operated

OILER

Oiler, first year  
 Oiler, second year

HEAVY EQUIPMENT

Air compressors (2); Asphalt plant mixer; Backfiller; Backhoe; Batch plant (concrete); Blade grader; Boring machine; Bull clam; Bulldozer; Cableway; Clamshell; Crane, power operated, all types; Crusher; Derrick, power operated, all types; Dragline; Elevator grader; Elevator, building (used on construction); Euclids & similar type machines; Forklift; Grade-all; Hi-lift; Hoist (2 drums or more); Locomotive and switch engines; Mixer (paving); Mixer (concrete); Piledriver; Pumps (2); Pumpcrete machine; Push cat or pull cat; Roller (flatwheel); Scraper (all types); Shovel (power); Scooper mobile; Trench machine; Tugboat (on construction); Turnpulls and similar machines; Welding machines (7 to 13) other than electric; Well point; Winch truck; Mechanic; All other equipment of similar nature coming with heavy equipment class when power operated

AM-11,425 P. 5 15 - Texas - 3 f (2 - 2)

INCIDENTAL PAVING & UTILITIES

- Power Equipment Operators (Cont'd):
- Tractor (Crawler Type) over 150 H.P.
- Tractor (Pneumatic) 80 H.P. and Less
- Tractor (Pneumatic) over 80 H.P.
- Traveling Mixer
- Truck Drivers:
- Single Axle, Light
- Single Axle, Heavy
- Tandem Axle or Semitrailer
- Winch
- Welder

Basic Hourly Rates	Fringe Benefits Payments			
	M & W	Pensions	Vacation	App. Tr. Other
\$2.50				
2.00				
2.15				
2.15				
2.10				
2.10				
2.50				
2.75				
3.15				

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MODIFICATIONS P. 2

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.		H & W	Pensions	Vacation	App. Tr.
\$8.505 8.20	.50 .20	.40 .25		.01					
\$8.505	.50	.40		.01					
8.00	.30	.25		.05					
9.05	.30	.60		.02					
7.70 8.20	.35 .20	.40 .25		.02					
6.05	.20	.15							

MODIFICATIONS P. 1

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.		H & W	Pensions	Vacation	App. Tr.
\$7.38									
\$5.20									
\$6.975	.25	.325		.025					
6.40	.30	.25		.04					
6.40	.30	.25		.04					
6.40	.30	.25		.04					
\$7.625	.25	.25							
6.40	.35	.20							
7.90	.05	.15		.04					

DECISION #AM-9,684 - Mod. #4  
(37 FR 5170 - March 10, 1972)  
Barnstable County, Massachusetts  
Change:  
Building, heavy & highway construction:  
Asbestos workers:  
Remainder of County  
Tile setters

DECISION #AM-9,685 - Mod. #4  
(37 FR 5172 - March 10, 1972)  
Essex County, Massachusetts  
Change:  
Building, heavy & highway construction:  
Asbestos workers  
Plumbers and Steamfitters:  
Lawrence, Methuen, Andover,  
N. Andover, Groveland,  
Georgetown  
Plumbers and Steamfitters  
Lynn, Lynnfield, Saugus,  
Swampscott, Nahant  
Plumbers  
Remainder of County  
Plumbers and Steamfitters  
Tile setters

Omit:  
Building, heavy & highway construction:  
Roofers

Add:  
Building, heavy & highway construction:  
Plumbers and Steamfitters:  
South Hamilton  
Plumbers and Steamfitters  
(General contract less than \$70,000.00 or plumbing contract less than \$10,000.00)  
Plumbers and Steamfitters  
(General contract over \$70,000.00 or plumbing contract over \$10,000.00)  
Roofers:  
Haverhill & Lawrence  
Remainder of County

DECISION #AM-458 - Mod. #5  
(36 FR 10390 - August 20, 1971)  
Escambia, Okaloosa, Walton, and Santa Rosa Counties, Florida  
Omit:  
On Modification #2 (37 FR 245)  
Painters:  
Hazardous

DECISION #AM-2,450 - Mod. #2  
(36 FR 16802 - August 25, 1971)  
Des Moines County (City of Burlington and abutting municipalities; and Burlington Ordnance Plant), Iowa  
Add:  
Roofers

DECISION #AM-11,417 - Mod. #2  
(37 FR 8637 - April 28, 1972)  
Caddo & Bossier Parishes, Louisiana  
Change:  
Asbestos workers  
Ironworkers:  
Structural; Ornamental  
Reinforcing  
Sheeters

DECISION #AM-8,612 - Mod. #1  
(37 FR 10327 - May 19, 1972)  
Shelby County, Tennessee  
Change:  
Asbestos workers  
Glaziers  
Plumbers

MODIFICATIONS P. 4

DECISION #AM-9,687 (cont'd)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
Townships of: Arlington, Cambridge, Everett, Malden, Medford, Melrose, & Woburn					
Change: Building, heavy & highway construction:					
Asbestos workers	.50	.40			.01
Electricians	.35	12+.95			.015
Lathers	.45	.55			.01
Painters:					
Brush	.32	.30			.04
Structural steel	.32	.30			.04
Spray	.32	.30			.04
Plumbers	.30	.60			.02
Roofers, waterprooferers	.30	.20			.05
Steamfitters	.36	.30			
Tile setters	.20	.25			
Township of: Bedford					
Change: Building, heavy & highway construction:					
Asbestos workers	8.505	.40			.01
Electricians	8.60	12+.95			.015
Painters:					
Brush	6.55	.20			
Taping	6.55	.15			.20
Rollers	6.80	.15			.20
Structural steel	7.35	.15			.20
Spray	7.30	.15			.20
Roofers, waterprooferers	8.00	.30			.20
Tile setters	8.20	.20			.25

MODIFICATIONS P. 3

DECISION #AM-9,685 (cont'd)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
Paid Holidays: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					
Footnotes: e. 9 Paid Holidays: A through F, Washington's Birthday, Columbus Day, & Veterans' Day.					
DECISION #AM-9,686 - Mod. #3 (37 FR 5174 - March 10, 1972) Hampden County, Massachusetts					
Change: Building, heavy & highway construction:					
Glaziers	.37	.40			.005
Lathers	.45	.25			.01
Leadburners	.30				.01
Plumbers	.31	.50			
Roofers:					
Composition, damp and water-proofing	.45	.25			
Slate, tile, precast concrete	.45	.25			
Footnote: g. 1 Paid Holiday: Independence Day provided employee has been employed 7 days prior to the holiday for the same employer.					
DECISION #AM-9,687 - Mod. #4 (37 FR 5181 - March 10, 1972) Middlesex County, Massachusetts					
Townships of: Concord, Lexington, Lincoln, Waltham, & Weston					
Change: Building, heavy & highway construction:					
Asbestos workers	8.505	.40			.01
Electricians	8.60	12+.95			.015
Painters:					
Brush	7.60	.25			.25
Structural steel	7.25	.35			.25
Spray	7.95	.35			.25
Roofers	8.00	.20			.20
Tile setters	8.20	.20			.25



DECISION #AM-2,510 - Mod. #3  
(36 FR 17119 - August 27, 1971)  
Burlingame-Horton Counties, North Dakota

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$7.05		.25		.02	

Change:  
Plumbers; Steamfitters

DECISION #AM-11,411 - Mod. #3  
(37 FR 7461 - April 14, 1972)  
Tulsa County, Oklahoma

Change:

OKLAHOMA LINE CONSTRUCTION

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
\$6.50		1%			1/2%
6.94		1%			1/2%
5.91		1%			1/2%
5.91		1%			1/2%
5.35		1%			1/2%
4.88		1%			1/2%
5.91		1%			1/2%
4.60		1%			1/2%
4.35		1%			1/2%

LINE CONSTRUCTION

Linemen  
Cable splicers  
Hole digger operator  
Heavy equipment operator (or pole cats equivalent)  
Line truck driver (winch op.)  
Jackhammer man  
Powdermen  
Truck driver (flat bed, ton and half and under)  
Groundmen

DECISION #AM-11,412 - Mod. #4  
(37 FR 7462 - April 14, 1972)  
Oklahoma County, Oklahoma

Change:  
Bricklayers-Stonemasons  
Plasterers

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
BHR \$7.12					APP. TR. .05
7.475					.01

OKLAHOMA LINE CONSTRUCTION

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.
	H & W	Pensions	Vacation		
\$6.50		1%			1/2%
6.94		1%			1/2%
5.91		1%			1/2%
5.91		1%			1/2%
5.35		1%			1/2%
4.88		1%			1/2%
5.91		1%			1/2%
4.60		1%			1/2%
4.35		1%			1/2%

LINE CONSTRUCTION

Linemen  
Cable splicers  
Hole digger operator  
Heavy equipment operator (or pole cats equivalent)  
Line truck driver (winch op.)  
Jackhammer man  
Powdermen  
Truck driver (flat bed, ton and half and under)  
Groundmen

DECISION #AM-9,689 - Mod. #5  
(37 FR 5179 - March 10, 1972)  
Worcester County, Massachusetts

Change:  
Building, heavy & highway construction:  
Millwrights:  
Harvard, Leonminster, Fitchburg  
Pipefitters  
Plumbers and Steamfitters:  
Worcester, Leicester, Grafton, N. Grafton, Westboro, Southbridge, Holden, Whitinsville, Millbury, & Shrewsbury  
Tile setters

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$8.40	.30	.30		.01	
8.75	.35	.25		.025	
8.725	.40	.20		.05	
8.20	.20	.25			

DECISION #AM-1,721 - Mod. #4  
(36 FR 14908 - August 11, 1971)  
Bronx, Kings, Queens and Richmond Counties, New York

Change:  
Asbestos workers  
Boilermakers  
Glaziers  
Ironworkers:  
Ornamental finisher  
Laborers, (Bldg. & Hvy.)  
Plasterers' tenders (Kings)  
Pneumatic-gas-elec. tool op. (Hvy.)  
Leadburners  
Sheet metal workers  
Sprinkler fitters  
Steamfitters  
Terrazzo workers  
Terrazzo workers' helpers  
Terrazzo workers machine op.  
Tile setters

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$8.30	9%	9%	12%		.01
8.88	5%	15%	7%		
7.30	6%	6%+.20	5%		
7.50	6%	8%+1.095	9%		
6.00	1.10		.50		
7.25	.685	1.085	.55+T		.01
7.40	.30		8		
10.45	3%+.20	3%+.20	2%		.03
8.115	7%+.50	13%	10%		.03
8.115	7%+.50	13%	10%		
8.40	.915	.475			
7.43	.925	.475			
7.68	.925	.475			
7.01	.45	1.105			

Omit:  
Dredging schedule (See New Decision AM-9,322 published in 37 FR, page 10699, May 26, 1972)

DECISION #AM-1,723 - Mod. #6  
(36 FR 14917 - August 11, 1971)  
Broome County, New York

Change:  
Leadburners

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$7.40	.30		c		.01

	Basic Hourly Rates	Fringe Benefits Payments				Others
		H & W	Pensions	Vacation	App. Tr.	
<p>DECISION #AM-11,393 - Mod. #1 (37 FR 2716 - February 4, 1972) Aransas, Bee Calhoun, DeWitt, Goliad, Jackson, Jim Wells, Karnes, Kleberg, Lavaca, Live Oak, Nueces, Refugio, San Patricio &amp; Victoria Counties, Texas</p> <p>Add: Electricians</p>	\$5.00					
<p>DECISION #AM-11,407 - Mod. #2 (37 FR 6615 - March 31, 1972) Bexar County, Texas</p> <p>Change: Building Construction: Sheet metal workers</p>	6.70	.20	.20			.05
<p>DECISION #AM-11,408 - Mod. #4 (37 FR 6617 - March 31, 1972) Harris County, Texas</p> <p>Change: Building Construction: Bricklayers</p>	7.20	.275	.30			.03
<p>DECISION #AM-11,419 - Mod. #4 (37 FR 9164 - May 5, 1972) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant &amp; Wise Counties, Texas</p> <p>Change: Building Construction: Asbestos workers Lathers: Ellis, Collin, Dallas, Denton, Grayson, Hunt, Kaufman &amp; Rockwall Cos. Sheet metal workers: Denton, Hood, Johnson, Palo Pinto, Parker, Tarrant &amp; Wise Cos.</p>	6.975	.25	.325			.025

	Basic Hourly Rates	Fringe Benefits Payments				Others
		H & W	Pensions	Vacation	App. Tr.	
<p>DECISION #AM-1,851 - Mod. #6 (36 FR 16262 - August 20, 1971) Cumberland County, Pennsylvania</p> <p>Change: Sheet Metal Workers</p>	\$7.20	.30	.25			
<p>DECISION #AM-1,852 - Mod. #9 (36 FR 16226 - August 20, 1971) Delaware County, Pennsylvania</p> <p>Change: Asbestos workers Carpenters, building Elevator constructors Elevator constructors helpers Elevator constructors helpers (Prob.) Piledrivers Plasterers</p>	8.80 8.57 9.15 6.405 4.575 9.22 8.525	.35 1.08 .195 .195 1.08 .53	.40 .40 .20 .20 .40	.07 1 1/2+ab 1 1/2+abb	.005 .005	.01 .01
<p>DECISION #AM-9,681 - Mod. #3 (37 FR 4030 - February 25, 1972) Montgomery County, Pennsylvania</p> <p>Change: Asbestos workers Boilermakers Carpenters, building Elevator constructors Elevator constructors helpers Elevator constructors helpers (Prob.) Cement masons Lead burners Millwrights Plasterers: Remainder of County</p> <p>Footnote: d. Paid holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Good Friday and Christmas Eve. Providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regularly scheduled work days immediately preceding and following the holiday</p>	8.80 8.50 8.57 9.15 6.405 4.575 7.50 7.40 9.07 8.525	.35 .40 1.08 .195 .195 .89 .30 1.08 .53	.40 .90 .40 .20 .20 .27 .40	.01 .07 2%+b+c 2%+b+c d	.005 .005 .01 .07	.01 .01

MODIFICATIONS P. 9

DECISION #AM-11,422 - Mod. #1  
 (37 FR 11145 - June 2, 1972)  
 Travis County, Texas

Change:  
 Building Construction:  
 Ironworkers:  
 Structural;Ornamental;Rein-  
 forcing  
 Sheet metal workers  
 Line Construction:  
 Linemen  
 Ground mechanics  
 Groundmen  
 Groundmen (1st 6 mos.)

Basic Hourly Rates	Fringe Benefits Payments				
	H & W	Pensions	Vacation	App. Tr.	Others
\$6.315	.25	.40		.012	
6.70	.20	.20		.05	
6.63	.17	1%		1/2%	
5.49	.17	1%		1/2%	
4.60	.17	1%		1/2%	
3.51	.17	1%		1/2%	

AM-8624 P. 2

SUPERSEDES DECISION  
STATES: Illinois, Indiana, Michigan, Minnesota,  
New York, Ohio, Pennsylvania and Wisconsin

DECISION NUMBER: AM-8624 DATE: June 16, 1972  
Supersedes Decision No. AM-8609 dated May 12, 1972 in 37 FR 9593

DESCRIPTION OF WORK: Dredging on the Great Lakes, their connecting and tributary waters, including the Illinois Waterway to the lock at Lockport, Illinois, and in the New York State Barge Canal System between Tonawanda, New York, and Waterford, New York, and Oswego, New York and on the St. Lawrence River eastward to the International Boundary near St. Regis, New York.

	FRINGE BENEFITS PAYMENTS			
	H & W	PENSIONS	VACATION	APP. TR.
<b>BASIC HOURLY RATES</b>				<b>OTHERS</b>
Chief engineer	.25	.25	a	
Operators	7.52875	.25	a	
Assistant engineers	7.25125	.25	a	
Firemen, Oilers	6.46875	b 3.00	a	
Welder	7.71725	.25	a	
Deckhands	6.40375	b 3.00	a	
Scowman - Chicago and South Chicago	6.425	b 3.00	a	
Pipeline men	6.40375	b 3.00	a	
Crane men - Dipper Dredging	7.17125	.25	a	
Spill barge operator - Hydraulic dredging	7.17125	.25	a	
DRILL BOATS				
Engineers	7.1575	.25	c	
Blasters	7.2575	.25	c	
Firemen	6.88	.25	c	
Drillers, welders or machinists	7.15875	.25	c	
Oilers & helpers	6.73875	.25	c	
TUG ENGINEERS AND OPERATORS	6.94125		a	
TUG FIREMEN, LINEMEN AND OILERS	6.54	b 3.00	a	
Chicago and South Chicago (Michigan City, Indiana to Waukegan, Illinois both included)	6.505	b 3.00	a	
All other parts				
FLOATING EQUIPMENT (Clamshell, Drag-line and Marine Construction)				
Engineer & operator	8.55f		dce	
Equipment operator	7.86f		dce	
Fireman	7.47f		dce	
Oilers	7.18f		dce	
ENGINEER HELPERS, RANGEMEN, ROEMEN				
SWEEPERS:				
Engineers helpers, rangemen, rodmen or sweepmen	5.10	b 3.00	a	
Service truck drivers	4.73	b 3.00	a	

PAID HOLIDAYS (Where Applicable):

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES

- 8 paid holidays; A through F plus Washington's Birthday and Veterans Day; 6 1/2 days vacation with pay for 104 days of service, one additional day of vacation with pay for each of the next 3 periods of 26 days of service, and for 208 days or over of service 13 days of vacation with pay, all in one calendar year. Employee not qualifying for vacation to receive one day's vacation with pay for each full 24 days of service in one calendar year.
- Per day, per employee
- 8 paid holidays, A through F plus Washington's Birthday and Veterans Day; 6 1/2 days vacation with pay for 104 days of service, one additional day of vacation with pay for each additional 21 2/3 days of service, all in one calendar year. Employees not qualifying for vacation to receive one day's vacation with pay for each full 24 days of service in one calendar year.
- 8 paid holidays, A through F plus Washington's Birthday and Veterans Day.
- 1/2 day vacation for each full 12 days employment in one calendar year.
- Plus \$.80 in fringe benefits.

STATE: Pennsylvania  
 COUNTY: Philadelphia  
 DECISION NO.: AM-9,323  
 DATE: June 16, 1972  
 SUPERSEDES Decision No. AM-1,862, dated August 20, 1971, in 36 FR 16314.  
 DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction and dredging.

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
Asbestos workers	\$8.80	.35	.40				
Boilermakers	8.50	.40	.90		.01		
Bricklayers	8.69	.57	.35		3/4		
Carpenters, building	8.57	1.08	.40		.07		
Carpenters, heavy and highway	9.02	1.08	.40	e	.07		
Cement masons	7.50	.89	.27				
Electricians	9.20	4%	3%		1 1/2		
Elevator constructors	9.15	.195	.20	1 1/2+ab	.005		
Elevator constructors' helpers	6.405	.195	.20	1 1/2+ab	.005		
Elevator constructors' helpers (Prob.)	4.575						
Glaziers	8.13	.245	.15				
Glaziers working 30' above ground	8.43	.245	.15				
Ironworkers, structural	7.67	.235	.665		.04		
Ironworkers, ornamental	7.67	.235	.665		.04		
Ironworkers, reinforcing	7.70	.235	.665		.01		
Lathers	6.06	.275	.15	c			
Lead burners	7.40	.30					
Line Construction:							
Linemen	9.73	.15	1%		1%		
Groundmen	5.84	.15	1%		1%		
Winch truck operator	6.81	.15	1%		1%		
Marble setters	5.925	.25					
Marble setters helpers	5.175	.20					
Millwrights	9.07	1.08	.40		.07		
Painters:							
Brush	6.915	.275	.25	.25	.02		
Spray, steel & swing	7.095	.275	.25	.25	.02		
Roller	6.915	.275	.25	.25	.02		
Piledrivermen	9.22	1.08	.40		.07		
Plasterers	8.525	.53			.01		
Plasterers helpers	5.16	.125	.10				
Plumbers	9.00	.35	.45		.04		
Pointers, caulkers and cleaners	5.75	.33					
Roofers:							
Composition, damp & waterproofers	8.425	.80	.55	d			
Composition helpers	4.70	.65	.40	d			
Slate, tile and asbestos	6.875	.50	.30				
Slate, tile and asbestos helpers	4.575	.50	.30				
Asphalt shingle	6.325	.50	.30				
Asphalt shingle helpers	4.575	.50	.30				

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	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
Sheet metal workers	\$9.40	.30	.25			.01	
Soft floor layers	6.73	.35	.35				
Sprinkler fitters	9.165	.25	.40			.02	
Steam fitters	8.99	.35	.45			.05	
Stone setters	6.375	.47	.45				
Terrazzo workers	6.25						
Terrazzo workers helper	5.31	.15					
Tile setters	6.825	.40	.20				
Tile setters helpers	5.125	.20					
Welders - receive rate prescribed for craft performing operation to which welding is incidental.							
Paid Holidays (Where Applicable): A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.							
Footnotes: a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit. b. Paid Holidays: A through F. c. Paid holidays, A through F, Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 45 days for the employer during the 120 days prior to the holiday, and is available for work the day preceding and following the holiday. d. Election Day - paid holiday. e. Paid Holiday: Labor Day.							

PA-51-LAB-2-3- F

HEAVY & HIGHWAY CONSTRUCTION LABORERS HOURLY RATES	FRINGE BENEFITS PAYMENTS		
	H & W	PENSIONS	VACATION APP. TR.
Powdermen, Multiple wagon drill op.	.45	.20	
Finished surface asphalt rakers, ops., pipelayers, caulkers, conduct and duct layers	.45	.20	
Other pneumatic tool ops., Laborers stripping concrete forms, carrying or handling lumber, steel & steel mesh and other concrete materials, form pinners, tool room men, Mortar mixers, Concrete pitmen & spaders, Grade men, Asphalt shovelers, Men working in sheeting, Men working in shoring, Men working in lagging, Laborers assisting in the setting of cut stone, granite or artificial stone, hod carriers, Scaffold builders	.45	.20	
Wagon drill operators	.45	.20	
YARD WORKERS: Laborers, Scale mixermen, Burnermen	.45	.20	
Dustmen, Feeders	.45	.20	
FREE AIR TUNNELS: Miners, Miners bore driver, Blasters, Drillers, Pneumatic Shield operators, Welders & Burners	.45	.20	
Miners' helpers, Form setters	.45	.20	
Trackmen, Brakemen, Groutmen, Bottom shaft men, All others in free air tunnels	.45	.20	
Circular caisson excavation bottom men	.45	.20	
Underpinning excavation bottom men	.45	.20	
All other laborers on construction work, with the exception of workers in compressed air	.45	.20	

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BUILDING CONSTRUCTION LABORERS HOURLY RATES	FRINGE BENEFITS PAYMENTS		
	H & W	PENSIONS	VACATION APP. TR.
Stripping & dismantling concrete form work, loading, unloading, carrying & handling of all reinforcing steel & steel mesh, handling lumber and other building materials, operating jackhammers, paving breakers & all other pneumatic tools, building scaffolds, raking, shoveling & tamping of asphalt, spading & concrete pit work, grading, form pinning, shoring, demolition except burners, laying conduits and ducts, sheathing, lagging, laying non-metallic pipe & caulking, all other types of Laborers	.44	.20	
Mason tender, power buggies, burners on demolition	.44	.20	
Wagon drill operator (single)	.44	.20	
Powdermen, wagon drill operator (multiple)	.44	.20	
Circular Caissons Excavation: Caisson groundmen	.44	.20	
Caisson bottom man	.44	.20	
Underpinning Excavation: Laborers, working at depth of 8 feet or under	.44	.20	
Yard workers	.44	.20	

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POWER EQUIPMENT OPERATORS  
BUILDING and HEAVY CONSTRUCTION  
WAGE GROUP I

Rate	H & W	Pensions	Vacation	FRINGE BENEFITS PAYMENTS	
				Position	Other
\$9.54	4.6%	6.5%	a	.7%	

Handling Steel and stone in connection with erection; Cranes doing hook work; Any machines handling machinery; Cable Spinning machine; Helicopters; Machines similar to the above

**WAGE GROUP II**

Engineers working with Dock Builders and Pile Drivers

All types of cranes

All types of backhoes; Cableways; Draglines; Keystones; All types of shovels; Derricks; Trench shovels; Trenching machines; Pippin type backhoes; Hoist with two towers; Pavers 2IE and over; All types overhead cranes; Building Hoists - double drum (unless used as single drum); Mucking Machines in tunnel; Cradalls; Front-end loaders over 3 cu. yd., Boat Captain; Tandem scrapers; Tower type crane operation, erecting, dismantling, jumping or jacking; Drills self-contained (Drillmaster type); Fork Lift (20 ft. and over); Motor Patrols (Fine Grade), Hatch plant with Mixer; Machines similar to the above

**WAGE GROUP III**

Conveyors (Except Building Conveyors), Building Hoists (single drum), Scrapers and Tournapulls, Asphalt plant engineers, Roller (High Grade finishing); Caterpillar-type tractors with front-end overhead loaders and Rubber-tired loaders 2 c.y. up to & including 3 c.y.

Maintenance Engineers with tools; Spreaders, High or low pressure boilers, Concrete pumps, Well drillers, Forklift trucks of all types; Bulldozers D-7 or equivalent and over; Ditch witch type trencher, Motor patrol; Machines similar to the above

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FRINGE BENEFITS PAYMENTS

Basic Daily Rates	H & W	Pensions	Vacation	App. Tr.	OT	Amount in Addition to Base Rate (Not Cumulative)
46.86	.10	.10			1.50	
44.74	.10	.10			2.00	
44.74	.10	.10			2.50	
52.83	.10	.10			3.00	
4.05	.10	.10			3.50	

TUNNEL COMPRESSED AIR

Laborers:  
Blasters, Shield Drivers  
Miners  
Brakemen, trackmen, miners' helpers  
Groutmen, lock tenders' helpers  
Laborers and other men  
Mucking machines  
Laborers (surface) per hour

Between Locks  
Lock tenders, motor men  
All other men

Outside of Locks  
Outside lock tenders, gauge tenders  
Outside lock tenders' helpers

AIR PRESSURE\*

Working Hours per Day	Amount in Addition to Base Rate (Not Cumulative)
6 hours	\$ 1.00
4 "	1.50
3 "	2.00
2 "	2.50
1 1/2 "	3.00
1 "	3.50

15 pounds and up to 26 pounds  
26 " " " " 33 "  
33 " " " " 38 "  
38 " " " " 43 "  
43 " " " " 48 "  
48 " " " " 50 "

POWER EQUIPMENT OPERATORS  
HIGHWAY CONSTRUCTION

WAGE GROUP I

Handling steel and stone in connection with erection; Cranes doing hook work; Any machine handling machinery; Helicopters; Machines similar to the above

WAGE GROUP II

Engineers working with dock builders and pile drivers; All types of cranes; All types of backhoes; Cableways; Draglines; Keystones; All types of shovels; Pavers 2IE and over; Trenching Machines; Gradalls; Front end loaders over 3 cu. yd.; Boat Captain; Pippin type backhoes; Tandem scrapers; Tower type crane operation, erecting, dismantling, jumping or jacking; Drills self contained (Drill-master type); Forklift (20 ft. and over); Motor Patrols (fine grade); Batch Plant with Mixer; Machines similar to the above

WAGE GROUP III

Carryalls, Scrapers, Tournapulls, Asphalt plant engineers; Roller (high grade finishing); Caterpillar-type tractors with front end overhead loaders and rubber-tired loaders 2 c.y. up to and including 3 c.y.; Spreaders (asphalt); Concrete pumps; Well drillers; Bulldozers D-7 or equivalent and over; Ditch witch (small trencher); Motor Patrols; Maintenance Engineers with tools; Machines similar to the above

WAGE GROUP IV

Conveyor loader; Bulldozer under D-7 rating, tractors including rubber-tired type and front end, under 2 c.y. overhead loaders; Seaman Pulverizer; Ten-ton roller (grade fill stone base); Welders and Maintenance Engineers; Concrete Breaking Machines; Machines similar to the above

WAGE GROUP V

Form line grader; Fine grade machines; Farm tractors, Road finishing Concrete spreaders; Compressors; Power Broom, self-contained; Seed Spreader; Pumps; Well point pumps; Welding machines; Tircman, Power Equipment Maintenance engineers (Power Boats); Machines similar to the above

Basic Hourly Rates	FRINGE BENEFITS PAYMENTS			App. Tr.
	H & W	Pension	Vacation	
\$9.29	4.6%	6.5%	a	.7%
9.08	4.6%	6.5%	a	.7%
8.46	4.6%	6.5%	a	.7%
7.95	4.6%	6.5%	a	.7%
7.00	4.6%	6.5%	a	.7%

BUILDING AND HEAVY CONSTRUCTION

WAGE GROUP IV

Concrete breaking machines  
Rollers  
Machines similar to the above

WAGE GROUP V

All Bulldozers under D-7  
Tractors including rubber-tired type with front and overhead loaders under 2 c.y.

Seaman pulverizing mixer  
Welders and Maintenance Engineers  
Tircman on Power Equipment  
Maintenance Engineer (Power Boat)  
Machines similar to the above

WAGE GROUP VI

Conveyors (Building)  
Welding Machines  
Heaters  
Wellpoints  
Compressors  
Farm Tractors  
Form line graders  
Road finishing machines  
Pumps  
Power Broom (Self contained)  
Seed Spreader  
Machines similar to the above

WAGE GROUP VII

Fireman

WAGE GROUP VIII

Oilers and Deck Hand (Personnel Boats)

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, provided the employee works the day before and after the holiday.

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pension	Vacation	
\$ 8.22	4.6%	6.5%	a	.7%
7.93	4.6%	6.5%	a	.7%
7.75	4.6%	6.5%	a	.7%
7.24	4.6%	6.5%	a	.7%
6.51	4.6%	6.5%	a	.7%



HIGHWAY CONSTRUCTION  
POWER EQUIPMENT OPERATORS

Wage Group VI  
Fireman  
Wage Group VII  
Oiler~~s~~ and Deck Hands (Personnel Boats)

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation	App. Tr.		
\$7.24	4.6%	6.5%	a	.7%		
6.51	4.6%	6.5%	a	.7%		

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day before and after the holiday.

Building, Heavy and Highway Construction  
Truck Drivers:

Class I  
Helpers, Stake Body Truck (single axle, Dumpster)

Class II  
Dump Trucks, Tandem & Batch Trucks, Semi-Trailers, Agitator Mixer Trucks, and Dumpcrete Type Vehicles, Asphalt Distributors, Farm Tractor when used for Transportation, Stake Body Truck (Tandem)

Class III  
Euclid Type, Off-Highway Equipment Back or Belly Dump Trucks and Double Hitched Equipment, Staddle (Ross) Carrier, Low-Bed Trailers

FOOTNOTES:

- a. Employee who have been on the employer's seniority list for a period of one (1) year from date of hire and who shall have worked a minimum of one-hundred thirty (130) days in the year previous to his anniversary date, shall be eligible for one (1) week's vacation.
- b. Paid Holidays: Memorial Day; Independence Day & Labor Day for employee who have worked a minimum of thirty days and are on the employer's seniority list, provided he works the scheduled work days before and after the said holidays.

AM-11,424 P. 2

16 - LA. - 1, 2 x (2 - 2)

SUPPLEMENTAL DECISION

STATE: Louisiana  
 DECISION NO.: AM-11,424  
 PARISH: East Baton Rouge  
 DATE: June 16, 1972  
 Supersedes Decision No. AM-3,626, dated August 25, 1971, in 36 FR 16736.  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

PAINTERS (CONT'D):  
 All work off swing stage, bosun chair and spiders shall be paid - 25¢ above journeymen's rate.  
 All work with creosote material or any similar material such as Service Cement paint - 25¢ above journeymen's basic rate.

16 - LA. - 1, 2 x (1 - 2)

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Other
		H & W	Pensions	Vacation			
ASBESTOS WORKERS	\$6.40	.25	.60				
BOILERMAKERS	6.50	.30	.40		.01		
BRICKLAYERS	6.66	.20	.15		.01		
CARPENTERS:							
Carpenters	6.035	.10	.10		.04		
Millwrights	7.175						
Filedriverman	6.035	.10	.10		.04		
CEMENT MASONS	5.575						
ELECTRICIANS:							
Electricians	7.40	.25	1%+.20		3/10%		
Cable splicers	7.65	.25	1%+.20		3/10%		
ELEVATOR MECHANICS	6.32	.195	.20	2%+.4b			
ELEVATOR MECHANICS' HELPERS	7.07JR	.195	.20	2%+.4b			
ELEVATOR MECHANICS' HELPERS (PROB.)	5.07JR						
GLAZIERS	5.30						
IRONWORKERS:							
Structural; Ornamental; Reinforcing	7.175	.10	.15		.015		
LABORERS:							
Air tool operator (jackhammer, vibrator)	4.17	.10	.10				
Laborers	4.07	.10	.10				
Mason tenders	4.22	.10	.10				
Mortar mixers	4.22	.10	.10				
Plasterers' tenders	4.22	.10	.10				
Pipelayers (concrete & clay)	4.17	.10	.10				
LATHERS	5.90						
MARBLE SETTERS	5.80						
MARBLE SETTERS' HELPERS	4.60	.15			.01		
PAINTERS:							
Brush	5.70						
Industrial & steel	6.075						
Super structure-bridge, Radio, Television and Electrical Towers, Water							
Taping, Floating and Texture	6.425						
All spray painting; roller operators and using of mitts - 25¢ above journeymen's basic rate.	5.95						
All power tools for cleaning and preparing surfaces for painting - 25¢ above journeymen's basic rate.							
All work on stacks, steeples, flag poles and all towers and tanks over 50 feet - 25¢ above journeymen's basic rate.							

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Other
		H & W	Pensions	Vacation			
	\$5.575	.365	.425			.01	
	7.00						
	5.49	.25	.20			.01	
	4.085	.25	.20			.01	
	6.85	.15	.10				
	7.30	.25	.40			.05	
	7.00	.365	.425				
	6.66	.20	.15			.01	
	5.80						
	4.80	.15					
	4.80						
	4.15						
	4.45						
	4.60						
	4.80						
	4.75						

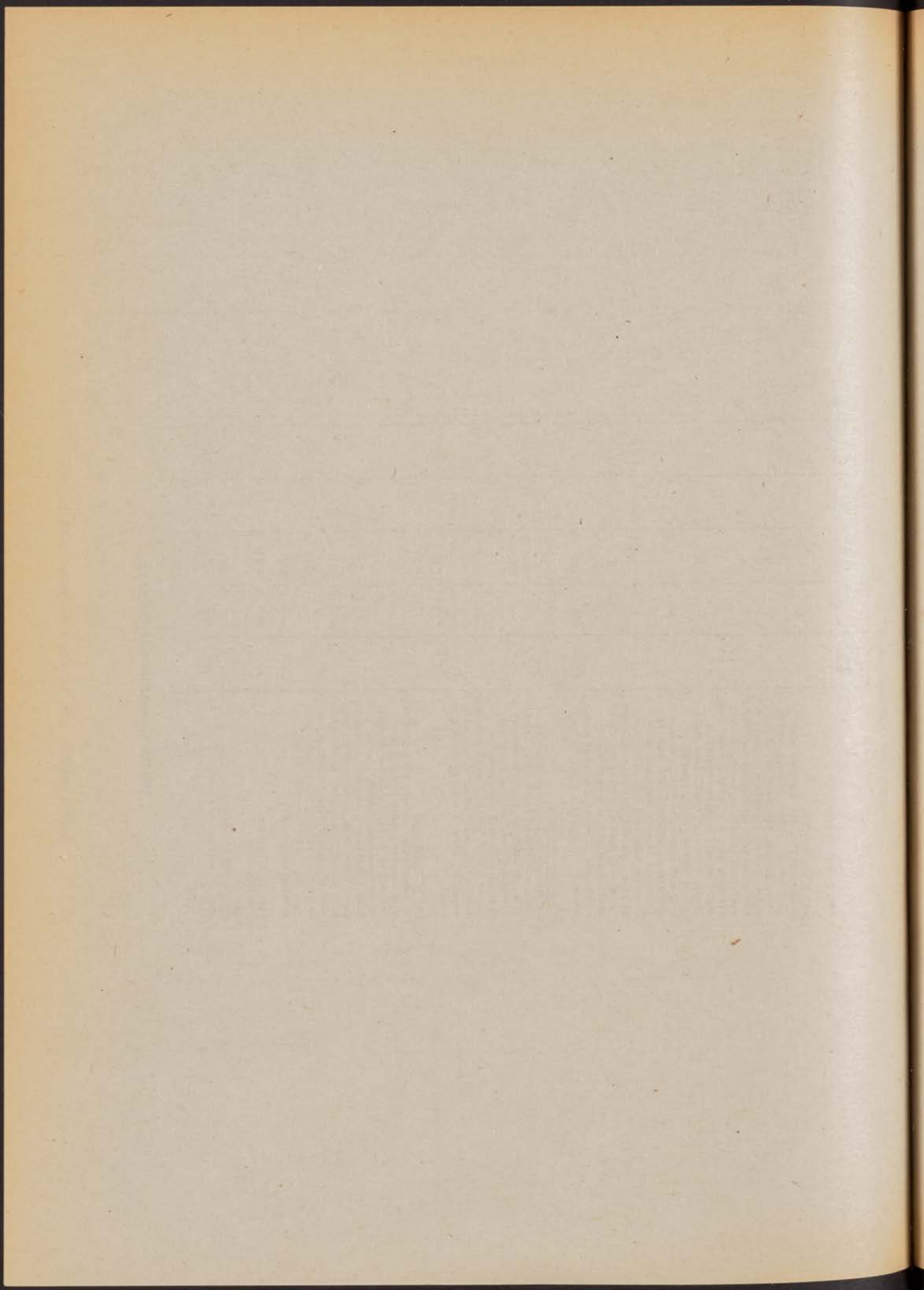
PLASTERERS  
 PLUMBERS  
 ROOFERS:  
 Roofers, helpers  
 SHEET METAL WORKERS  
 SPRINKLER FITTERS  
 STEAMFITTERS  
 STONEMASONS  
 TERRAZZO WORKERS  
 TERRAZZO WORKERS' HELPERS  
 TILE SETTERS  
 TILE SETTERS' HELPERS  
 TRUCK DRIVERS:  
 Over 1 ton up to but not including 3 tons  
 3 tons up to but not including 5 tons  
 5 tons and over, including winch, dempsey, dumpster, lowboy, semi-trailer, euclid, tounapull & similar equipment, when used for transporting material  
 Winch truck with A-frame  
 WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

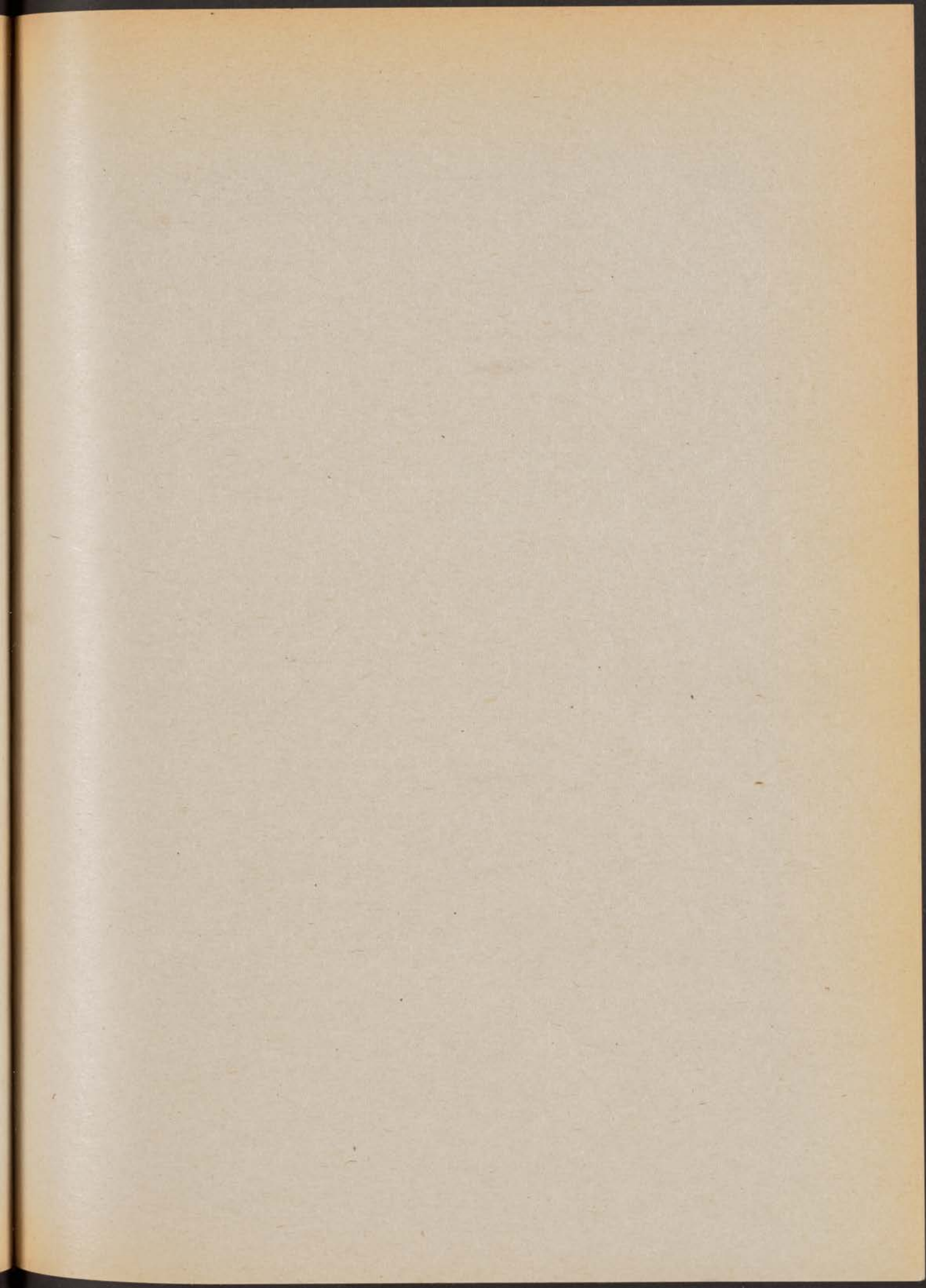
FOOTNOTES:  
 a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate.  
 b - Paid Holidays - A through F.

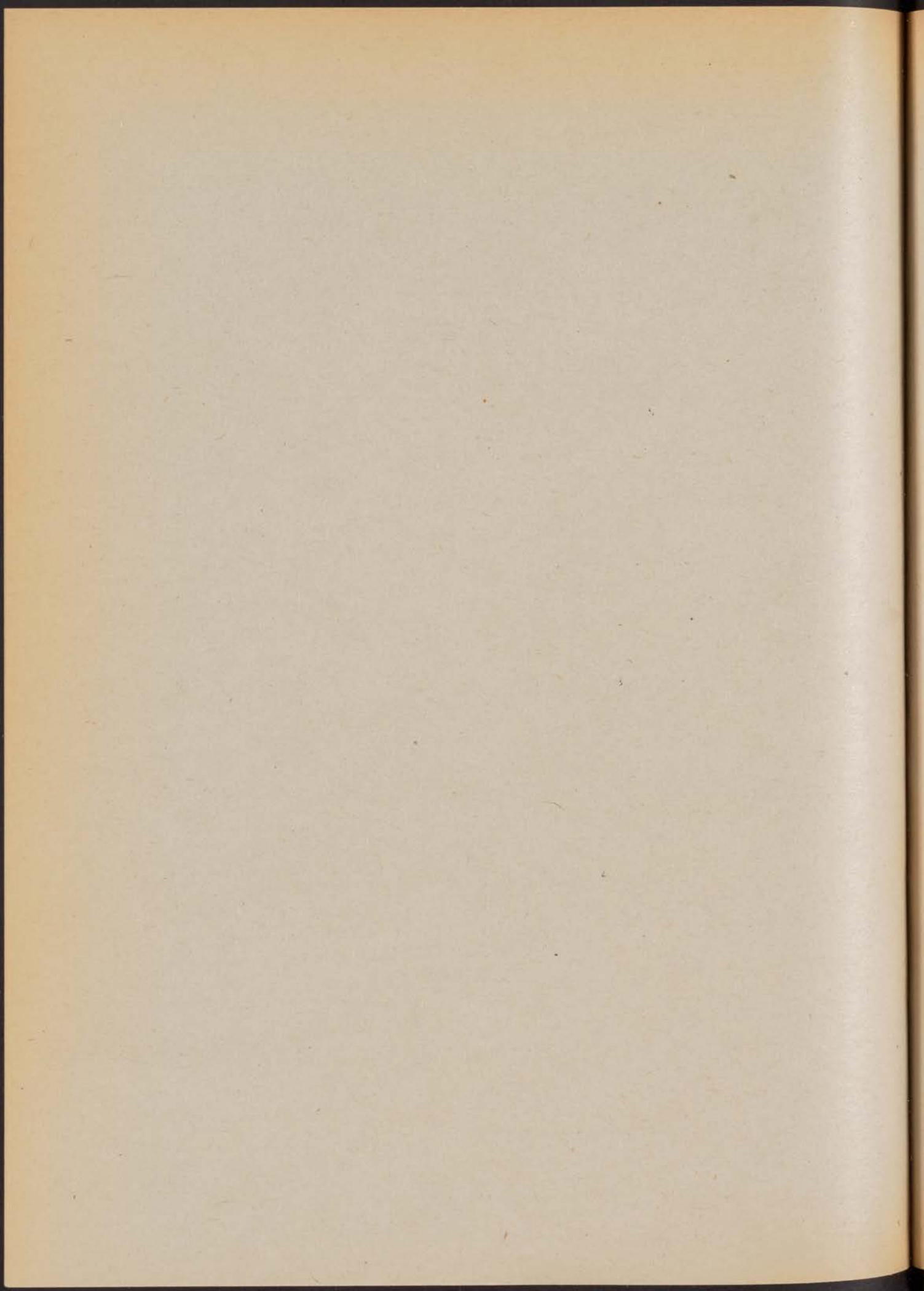
PAID HOLIDAYS:  
 A-New Years' Day; B-Memorial Day;  
 C-Independence Day; D-Labor Day;  
 E-Thanksgiving Day; F-Christmas Day.

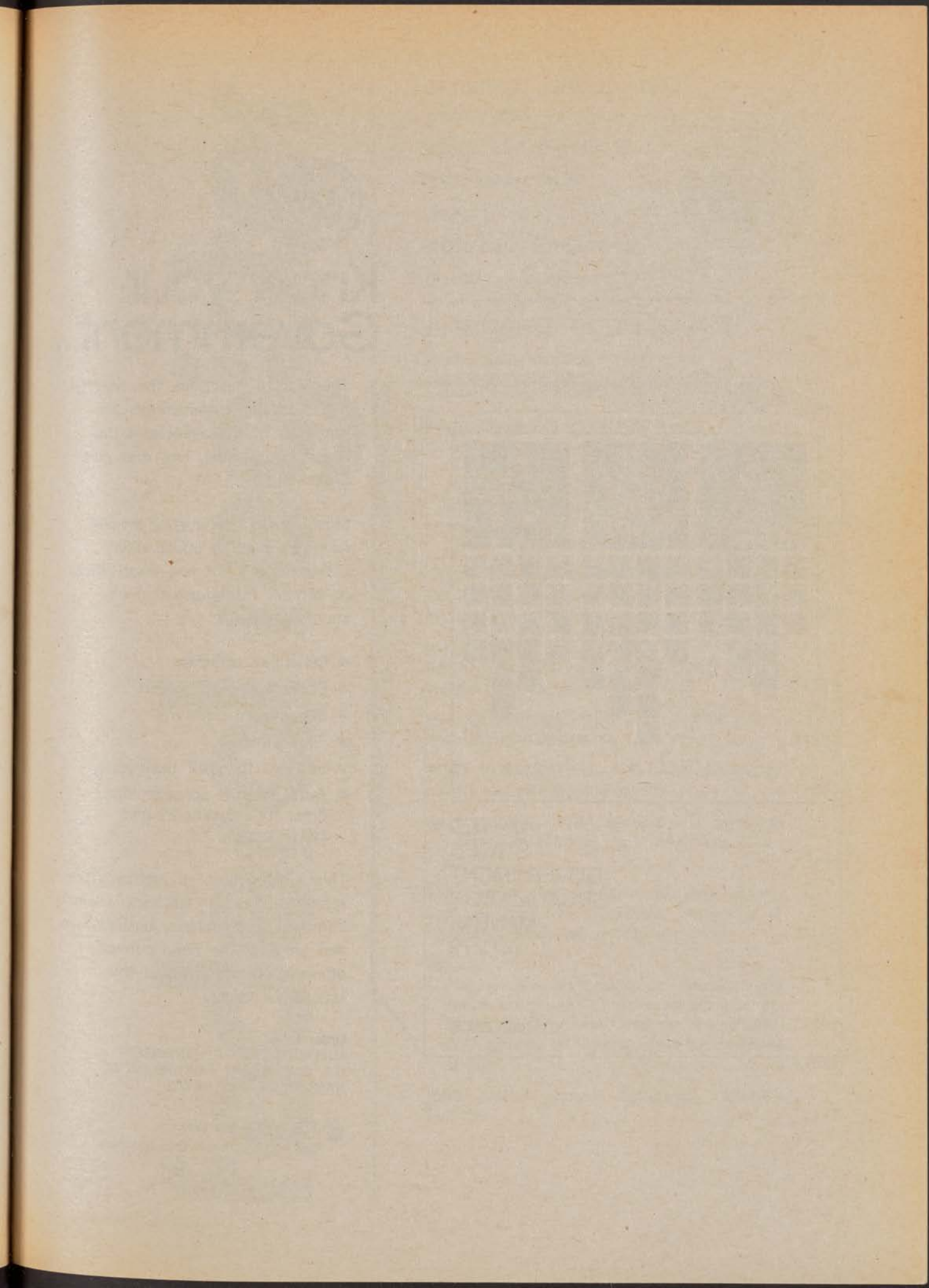
	Basic Hourly Rates	Fringe Benefits Payments				Otherc
		H & W	Pensions	Vacation	App. Tr.	
<b>POWER EQUIPMENT OPERATORS</b>						
<b>HEAVY DUTY OPERATOR</b>						
Backhoe, cable way, concrete mixer - 16-S and up, crane, derrick, drag-line, dredge, equipment mechanic, hoist 2 drum, locomotive crane, paving mixer, piledriver, road paver, roller on asphalt or brick, shovel, sideboom cat, bulldozer - 6 and over, motor patrol, scraper, hydrolift crane, hydrolift truck, yard crane, cherry picker, etc., foundation boring & reaming machine, asphalt spreader, traxcavator and similar front-end loading equipment with scoop or bucket of (1) cubic yard or more capacity, tug boat operator, turnapull, euclid, DW-10, and other similar self-loading earthmoving equipment, concrete pump (not pump crete)	\$6.30	.10	.15			
<b>MEDIUM DUTY OPERATOR</b>						
A-Frame truck, bulldozer under 6, crew boat operator, fireman, fork lift, straddle buggy, traxcavator, scoopmobile and similar front-end loading equipment with scoop or bucket under (1) cubic yard capacity, locomotive, well point system, unit operator, hoist 1-drum (4 stories or over)	5.70	.10	.15			
<b>LIGHT DUTY OPERATOR</b>						
Air compressor, asphalt plant engineer, blade grader, distributor (bit-uminous surface), finishing machine (cement-concrete-paving), hoist 1-drum (less than 4 stories), concrete mixer under 16-S, oiler driver, post hole digger, pumpcrete, street and road sweeper, roller (except on asphalt or brick), tractor operated bush hog & similar grass or bush cutting equipment	5.07	.10	.15			
Batch plant operator	4.65	.10	.15			
Mechanics helper	4.50	.10	.15			
Oiler	4.38	.10	.15			
Pumps, under 3" suction	4.50	.10	.15			
Pumps, 3" suction or more	4.83	.10	.15			
Snatch cat	4.83	.10	.15			

[FER Doc.72-8960 Filed 6-15-72;8:45 am]



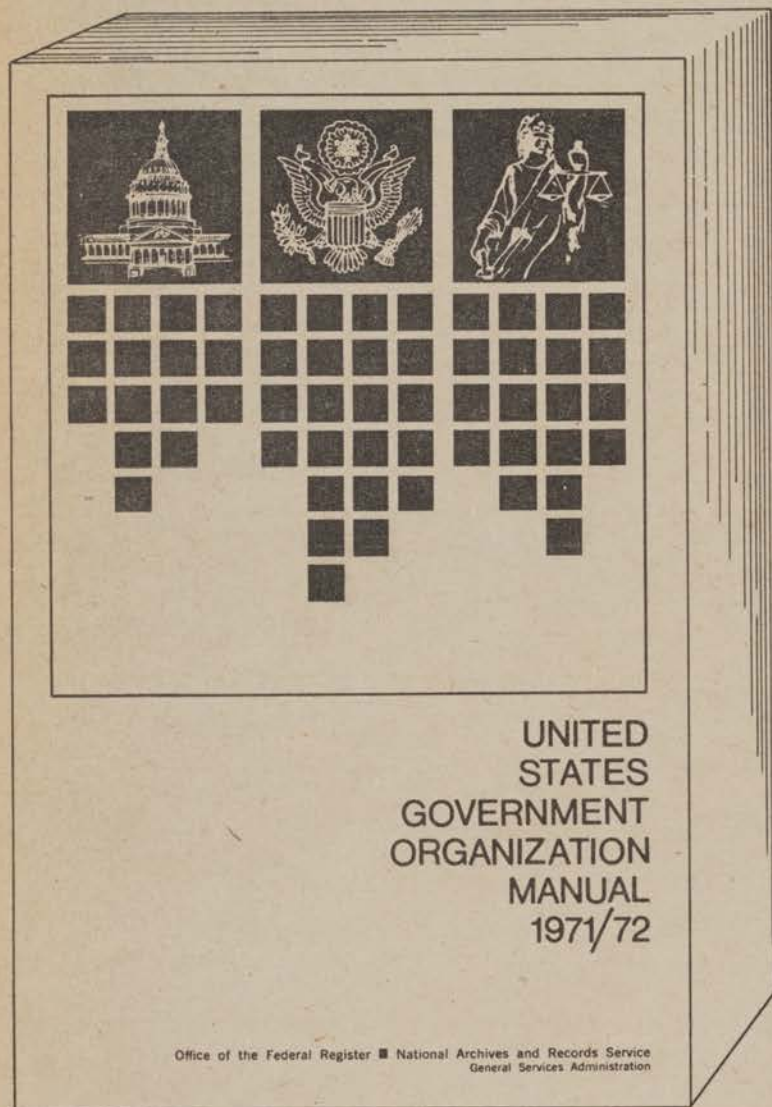








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