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PART I

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HIGHLIGHTS OF THIS ISSUE

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Title 3—The President

PROCLAMATION 4140

National Student Government Day

By the President of the United States of America

A Proclamation

One of the clearest lessons of the past decade in America is that students want and deserve an appropriate voice in their own affairs, and that education can be better when they have such a voice.

The more than 60 million Americans who are now enrolled as students at all levels of education are entitled to participate in the educational decision-making which so affects not only their lives today but also their opportunities for many years to come. Administrators and faculty, parents and taxpayers all should continue to exercise their proper authority; but students too have a legitimate interest in sharing in the process of school governance.

While the forms which that sharing can take are many, one of the best is the student government organization at each school and campus. Student councils, though not new in America, are newly important in these times of challenge for democracy. They can offer young people early and vital experience in exercising a voice in matters of common concern, reconciling diverse interests, and selecting leaders to express representative views. Equally important, active and responsible student governments can exert a constructive influence in shaping the on-going reform and self-renewal of our educational communities.

There is, of course, ample evidence that student councils which lack proper organization and wide student support are at best ineffectual, at worst subject to misuse by an activist few at the expense of an apathetic majority. However, I am encouraged to believe that most students in most schools are accepting their new opportunities with the kind of responsibility which will prevent adverse results and ensure a vital and enlightened role for student government in the Seventies.

Our hopes and our efforts must be directed to their doing so, for the quality of our future in some degree depends on it.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim September 26, 1972, as National Student Government Day, and I invite the Governors of the States and the Commonwealth of Puerto Rico, and appropriate officials of local governments and communities to issue similar proclamations this year, as many have done in the past.

I urge all educational institutions, academic, vocational, and non-academic, to join in appropriate activities to highlight, to revitalize, and to encourage wider participation in, their particular forms of student government.

I also urge all students to acquaint themselves fully with the activities and programs of their student government, and to take a full and constructive part in that government.

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

Richard Nixon

[FR Doc.72-9879 Filed 6-26-72; 1:02 pm]

Rules and Regulations

Title 7—AGRICULTURE

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

[Lime Reg. 4, Amdt. 1]

PART 911—LIMES GROWN IN FLORIDA

Limitation of Handling

(a) *Findings.* (1) 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, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Florida Lime Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for an increase in the quantity of limes available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Lime Regulation 4 (37 F.R. 12036). The marketing picture now indicates that there is a greater demand for limes than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of limes to fill the current market demand thereby making a greater quantity of limes available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

(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 hereof 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 restriction on the handling of limes grown in Florida.

(b) *Order, as amended.* The provision in paragraph (b)(1) of § 911.404 (Lime Regulation 4, 37 F.R. 12036) is hereby amended to read as follows:

§ 911.404 Lime Regulation 4.

* * * * *

(b) *Order.* (1) The quantity of limes grown in Florida which may be handled during the period June 18, 1972, through June 24, 1972, is hereby fixed at 25,000 bushels.

* * * * *

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

Dated: June 22, 1972.

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

[FR Doc.72-9737 Filed 6-27-72;8:50 am]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. D]

PART 204—RESERVES OF MEMBER BANKS

Computation and Requirements

On March 28, 1972, the Board of Governors announced that it was considering adopting a system of reserve requirements against the demand deposits of all member banks based on the amount of such deposits held by a member bank. (See 37 F.R. 6694, April 1, 1972.) Under the proposal, reserve percentages would be based on a member bank's deposits without regard to the location of the bank. The Board has decided to adopt the proposal, with certain modifications. Some modifications are designed to phase in gradually the reserve requirement structure proposed on March 28; in this connection, the amendments to Regulation D have various deferred effective dates. The purpose of phasing in the new reserve structure is to avoid an unduly large release of reserves at any given point in time. Another modification is designed to cause a reduction from 13 percent (as proposed earlier) to 12 percent in the reserve percentage that is applicable to the portion of a member bank's net demand deposits in excess of $10 million but less than $100 million.

To implement its proposal, the Board has amended Regulation D (12 CFR Part 204) in the following respects:

§§ 204.51–204.57 [Revoked]

1. Effective September 21, 1972, §§ 204.51 through 204.57 are revoked.

2. Effective September 21, 1972, § 204.2(a) (2) and (3) are amended to read as follows:

§ 204.2 Computation of reserves.

(a) *Amounts of reserves to be maintained.* * * *

(2) A member bank in a reserve city is deemed to have a character of business similar to banks outside of reserve cities whenever it has average net demand deposit balances of $400 million or less for the second computation period preceding the current reserve maintenance period. The Board grants permission to any such bank or banks to maintain for the current period the reserve balances that are in effect for member banks not located in reserve cities. Such permission and any other permission granted by the Board to maintain reduced reserves is automatically suspended for the current reserve maintenance period with respect to any member bank in a reserve city that has average net demand deposit balances of more than $400 million for the second computation period preceding the current reserve maintenance period. Any such bank shall maintain for the current period the reserve balances in effect for banks located in reserve cities.

(3) For the purposes of this part, each city having a Federal Reserve office is a reserve city. In addition, any city, town, village or other community, whether or not incorporated, is a reserve city for a reserve computation period if it contains a head office of any member bank that had average daily net demand deposit balances of more than $400 million for the second computation period preceding the current reserve maintenance period.

* * * * *

3. Effective during the period from September 21 to September 27, 1972, § 204.5(a) (1)(iii) and 2(iii) are amended to read as follows:

§ 204.5 Reserve requirements.

(a) *Reserve percentages.* Pursuant to the provisions of section 19 of the Federal Reserve Act and § 204.2(a) and subject to paragraph (c) of this section, the Board of Governors of the Federal Reserve System hereby prescribes the following reserve balances that each member bank of the Federal Reserve System is required to maintain on deposit with the Federal Reserve Bank of its district:

(1) If not in a reserve city—

* * * * *

(iii) (*a*) 8 percent of its net demand deposits if its aggregate net demand deposits are $2 million or less, (*b*) $160,000 plus 10 percent of its net demand deposits in excess of $2 million if its aggregate net demand deposits are in excess of $2 million but less than $10 million, (*c*) $960,000 plus 12 percent of its net demand deposits in excess of $10 million if its aggregate net demand deposits are in excess of $10 million but less than $100 million, or (*d*) $11,760,000 plus 13

percent of its net demand deposits in excess of $100 million, except that in the case of a bank that was considered located in a reserve city prior to September 21, 1972, the reserve percentage shall be 16½ percent of its net demand deposits in excess of $100 million.

(2) If in a reserve city (except as to any bank located in such a city that is permitted by the Board of Governors of the Federal Reserve System, pursuant to § 204.2(a)(2), to maintain the reserves specified in subparagraph (1) of this paragraph)—

* * * * *

(iii) $61,260,000 plus 17½ percent of its net demand deposits in excess of $400 million.

* * * * *

4. Effective September 28, 1972, § 204.5 (a)(1)(iii) and (2)(iii) are amended to read as follows:

§ 204.5 Reserve requirements.

(a) *Reserve percentages.* Pursuant to the provisions of section 19 of the Federal Reserve Act and § 204.2(a) and subject to paragraph (c) of this section, the Board of Governors of the Federal Reserve System hereby prescribes the following reserve balances that each member bank of the Federal Reserve System is required to maintain on deposit with the Federal Reserve Bank of its district:

(1) If not in a reserve city—

* * * * *

(iii) (*a*) Eight percent of its net demand deposits if its aggregate net demand deposits are $2 million or less, (*b*) $160,000 plus 10 percent of its net demand deposits in excess of $2 million if its aggregate net demand deposits are in excess of $2 million but less than $10 million, (*c*) $960,000 plus 12 percent of its net demand deposits in excess of $10 million if its aggregate net demand deposits are in excess of $10 million but less than $100 million, or (*d*) $11,760,000 plus 13 percent of its net demand deposits in excess of $100 million.

(2) If in a reserve city (except as to any bank located in such a city that is permitted by the Board of Governors of the Federal Reserve System, pursuant to § 204.2(a)(2), to maintain the reserves specified in subparagraph (1) of this paragraph)—

* * * * *

(iii) $50,760,000 plus 17½ percent of its net demand deposits in excess of $400 million.

* * * * *

(12 U.S.C. 248(i) and 461)

By order of the Board of Governors, June 20, 1972.

[SEAL] MICHAEL A. GREENSPAN.
Assistant Secretary.

[FR Doc.72-9805 Filed 6-27-72;8:54 am]

[Reg. J]

PART 210—COLLECTION OF CHECKS AND OTHER ITEMS BY FEDERAL RESERVE BANKS

Payment of Cash Items Upon Presentment

On March 28, 1972, the Board of Governors proposed to amend its Regulation J to require banks—member and nonmember—to pay cash items on the day of presentment in funds available to the Reserve Bank on that day. (See 37 F.R. 6695, April 1, 1972.) For the reasons indicated in that earlier announcement, the Board has decided to adopt the proposal.

To aid in the implementation of the proposal, the Board has also decided to amend its Regulation J to provide that if a Federal Reserve Bank does not receive payment for a cash item in the manner prescribed by Regulation J, the amount of the item may be charged back to the sender of the item.

Effective September 21, 1972, the Board has amended its Regulation J as follows:

1. Section 210.9(a) is amended to read:

§ 210.9 Remittance and payment.

(a) (1) *Cash item.* A paying bank becomes accountable for the amount of each cash item received by it from or through a Federal Reserve Bank at the close of the paying bank's banking day on which the cash item was so received [4] if it retains such item after the close of such banking day, unless, prior to such time, it pays or remits for the item as herein provided. Payment, or remittance therefor shall be effected on such day of receipt by:

(i) Debit to an account on the books of a Federal Reserve Bank; or

(ii) Payment in cash; or

(iii) In the discretion of the Federal Reserve Bank, any other form of payment or remittance:

Provided, That the proceeds of any such payment or remittance in any form herein stated shall be available to the Federal Reserve Bank not later than the close of the banking day for such Federal Reserve Bank on the day on which such item was so received by the paying bank. If the banking day on which an item is received by a paying bank is not a banking day for the Federal Reserve Bank from which the item was received, any payment or remittance made hereunder shall be effected on the banking day of both such Federal Reserve Bank and such paying bank next following the day of receipt of such item.

(2) *Noncash item.* A Federal Reserve Bank may require the paying bank or collecting bank to which it has presented, sent, or forwarded any noncash item pursuant to § 210.7 to pay or remit for such item in cash, but is authorized, in its discretion, to permit such paying bank or collecting bank to authorize or cause payment or remittance therefor to be made by a debit to an account on the books of such Federal Reserve Bank or to pay or remit therefor in any of the following which is in a form acceptable to such Federal Reserve Bank: Bank draft, transfer of funds or bank credit, or any other form of payment or remittance authorized by applicable State law.

(3) *Nonbank payor.* A Federal Reserve Bank may require the nonbank payor to which it has presented any cash item or noncash item pursuant to § 210.7 to pay therefor in cash, but is authorized, in its discretion, to permit such nonbank payor to pay therefor in any of the following which is in a form acceptable to such Federal Reserve Bank: Cashier's check, certified check, or other bank draft or obligation.

* * * * *

2. Section 210.12(a) is amended to read:

§ 210.12 Return of cash items.

(a) A paying bank that receives a cash item from or through a Federal Reserve Bank, otherwise than for immediate payment over the counter, and that pays or remits for such item as provided in § 210.9(a) shall have the right to recover any payment or remittance so made if, before it has finally paid the item, it returns the item before midnight of its banking day next following the banking day of receipt or takes such other action to recover such payment or remittance within such time and by such means as may be provided by applicable State law: *Provided,* That the foregoing provisions shall not extend, nor shall the time herein provided for return be extended by, the time for return of unpaid items fixed by the rules and practices of any clearinghouse through which the item was presented or fixed by the provisions of any special collection agreement pursuant to which it was presented.

* * * * *

3. Section 210.13 is amended to read:

§ 210.13 Chargeback of unpaid cash items and noncash items.

If a Federal Reserve Bank does not receive payment for any cash item in accordance with the provisions of § 210.9(a), the amount of such item may be charged back to the sender, regardless of whether or not the item itself can be returned. If a Federal Reserve Bank does not receive payment in actually and finally collected funds for any cash item or noncash item for which it gave credit subject to payment in actually and finally collected funds, the amount of such item shall be charged back to the sender, regardless of whether or not the item itself can be returned. In the event the amount of the item is charged back, neither the owner or holder of any such item nor the sender shall have the right of recourse upon, interest in, or right of

[4] A cash item received by a paying bank shall be deemed to have been received by the bank on its next banking day if the item is received under one of the following circumstances: (1) On a day other than a banking day for it, or (2) on a banking day for it, but (a) after its regular banking hours, or (b) after a "cutoff hour" established by it in accordance with applicable State law, or (c) during afternoon or evening periods when it is open for limited functions only.

payment from, any reserve balance, clearing account, deposit account, or other funds of the paying bank or of any collecting bank, in the possession of the Federal Reserve Bank. No draft, authorization to charge, or other order, upon any reserve balance, clearing account, deposit account, or other funds in the possession of a Federal Reserve Bank, issued for the purpose of paying or remitting for any cash items or non-cash items handled under the terms of this part, will be paid, acted upon, or honored after receipt by such Federal Reserve Bank of notice of suspension or closing of the bank making the payment or remittance for its own or another's account.

§ 210.15 [Amended]

4. Section 210.15 is amended to substitute the term "§ 210.9" for the term "§ 210.12" appearing at the end of § 210.15.

(12 U.S.C. 248 (i) and (o) and 342.)

By order of the Board of Governors, June 20, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-9806 Filed 6-27-72;8:54 am]

Chapter III—Federal Deposit Insurance Corporation

SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY

PART 336—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Ownership of Certain Mutual Funds

1. In accordance with Executive Order No. 11222 of May 8, 1965 (30 F.R. 6469), § 336.735-13 of the rules and regulations of the Federal Deposit Insurance Corporation (12 CFR 336.735-13) is hereby amended by adding thereto a new paragraph (c) to read as follows:

§ 336.735-13 Financial interests.

* * * * *

(c) Having concluded that an employee's indirect financial interest in insured bank or other corporate stock through ownership of shares in widely held mutual funds which do not specialize in any particular industry is too remote and inconsequential to affect the integrity of such employee's services, general approval is hereby granted for employees to own shares in such mutual funds.

2. The purpose of this amendment is to exempt investments in the shares of widely held mutual funds which do not specialize in any particular industry from the statutory (18 U.S.C. 208) and regulatory (12 CFR 336.735-13(a) (1) and (2)) restrictions on Corporation employees' holding of indirect interests in insured banks or other corporations.

3. A notice of proposed rule making with respect to this amendment was published in the FEDERAL REGISTER on March 29, 1972 (37 F.R. 6408). Interested persons were given 30 days from that date to submit written comments thereon pursuant to section 553(b) of title 5, United States Code, and §§ 302.1-302.2 of the rules and regulations of the Federal Deposit Insurance Corporation. This amendment was adopted by the Board of Directors of the Federal Deposit Insurance Corporation after due consideration of all relevant material. The requirements of section 553(d) of title 5, United States Code, and § 302.6 of the rules and regulations of the Federal Deposit Insurance Corporation, with respect to a deferred effective date were not followed in connection with this amendment because its effect, while substantive in nature, is to relax existing restrictions.

4. This amendment was approved by the Civil Service Commission on March 20, 1972, and becomes effective upon publication in the FEDERAL REGISTER (6-28-72).

By order of the Board of Directors, June 20, 1972.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] HANNAH R. GARDINER,
Acting Secretary.

[FR Doc.72-9743 Filed 6-27-72;8:54 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 72-WE-11-AD, Amdt. 39-1476]

PART 39—AIRWORTHINESS DIRECTIVES

General Dynamics Model Airplanes

Amendment 39-1460, 37 F.R. 11771, AD 72-13-2, requires inspections and rework, as necessary, of the upper and lower landing gear beam caps and trailing edge panel attachment holes in accordance with the manufacturer's service bulletins. After issuing amendment 39-1460, the agency has determined that the compliance times in paragraphs (d), (e), and (f), with respect to the total hours in service accumulated by the aircraft, expressed as a total time in service, rather than as an interval not to be exceeded after work previously accomplished, does not correspond with the original intent of the inspection and rework program described in the FAA-approved service bulletins. Therefore, the AD is being amended to reflect the changes in compliance times.

Since this amendment provides a clarification only, 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 consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of the Federal Aviation Regulations, Amendment 39-1460, 37 F.R. 11771, AD 72-13-2, is amended as follows:

(1) Amend the lead sentence of paragraph (d) to read, in pertinent part, as follows:

(d) On or before the accumulation of 6,000 hours' time in service following the rework described in (c), above, unless already accomplished, * * *

(2) Amend the lead sentence of paragraph (e), to read, in pertinent part, as follows:

(e) On or before the accumulation of 6,000 hours' time in service following the rework described in (d), above, unless already accomplished, * * *

(3) Amend the lead sentence of paragraph (f) to read, in pertinent part, as follows:

(f) On or before the accumulation of 6,500 hours' time in service following the rework described in (e), above, and at intervals not exceeding 500 hours' time in service thereafter, * * *

This amendment becomes effective June 30, 1972.

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

Issued in Los Angeles, Calif., on June 20, 1972.

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

[FR Doc.72-9731 Filed 6-27-72;8:49 am]

[Airspace Docket No. 71-EA-131]

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

Alteration of Transition Area

On May 6, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 9226) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Norfolk, Va., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 17, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143) the Norfolk, Va., transition area is amended as follows: Following the phrase, "to 11.5 miles southwest," add, "and within a 9-mile radius of Oceana NAS (Soucek Field) (latitude 36°49'30'' N., longitude 76°01'-45'' W.)"

(Sec. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510, E.O. 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 22, 1972.

PAUL W. ROBINSON,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-9732 Filed 6-27-72;8:49 am]

[Airspace Docket No. 72-SO-64]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Tyndall AFB, Fla., control zone.

The Tyndall AFB control zone is described in § 71.171 (37 F.R. 2056) and is presently effective 24 hours per day. Since the control tower will begin operating from 0700 to 2300 hours, local time, daily, effective July 1, 1972, it is necessary to alter the control zone to redesignate it as part-time. Since this amendment lessens the burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 1, 1972, as hereinafter set forth.

In § 71.171 (37 F.R. 2056), the Tyndall AFB, Fla., control zone is amended as follows: "This control zone is effective from 0700 to 2300 hours, local time, daily." is added to the description.

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

Issued in East Point, Ga., on June 20, 1972.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.72-9733 Filed 6-27-72;8:49 am]

[Airspace Docket No. 72-SW-41]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Clovis, N. Mex., control zone.

The military mission at Cannon AFB, Clovis, N. Mex., has provided aviation services such as weather observing/reporting, VFR advisories, and approach control services. There is also an airport traffic control tower at Cannon AFB.

Military authorities have determined that operations at Cannon AFB, Clovis, N. Mex., will be reduced to 18 hours daily beginning on July 1, 1972. This 18-hour period is tentatively proposed as 0700–0100 local time daily. The military weather, approach control, and airport traffic control services will continue to be afforded during this 18-hour period as before, but they will no longer be available or provided during the remainder of the period, i.e., 0100–0700.

One of the requirements for the designation or continuation of a control zone is that there be a federally certified weather observer available at the airport to provide all hourly and special weather observations. As weather reporting will no longer be available on a full-time basis, it is necessary that the control zone designation be changed from full time to part time and the airspace description be amended accordingly.

During the hours the military approach control and control tower facilities at Cannon AFB are not operational, i.e., 0100–0700, the Albuquerque ARTC Center will provide approach control service through the Texaco VORTAC and its associated flight service station—Tucumcari, N. Mex.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 1, 1972, as hereinafter set forth.

In § 71.171 (37 F.R. 2056), the Clovis, N. Mex., control zone is amended by adding, "This control zone will be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual."

(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 Fort Worth, Tex., on June 20, 1972.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.72-9734 Filed 6-27-72;8:49 am]

[Docket No. 10453; Amdts. 61-57, 121-92]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

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

Miscellaneous Amendments

The purpose of these amendments to Parts 61 and 121 of the Federal Aviation Regulations is to make two clarifying changes to provisions included in amendments numbered 61–56 and 121–91 (37 F.R. 10727, published May 27, 1972) and to make an editorial correction.

Insofar as is pertinent herein, the purpose of Amendments 61–56 and 121–91 to the Federal Aviation Regulations was to permit greater use of simulators in the conduct of training and flight checks under Appendix A to Part 61 and Appendices E and F to Part 121.

The first of the clarifying changes amends paragraph V(d–1) in both Appendix A to Part 61 and Appendix F to Part 121 by deleting a sentence that was unintentionally included therein. As amended, the paragraph makes it clear that an applicant who does not have a visual simulator available to demonstrate the maneuver required by paragraph V(d–1) and is required to perform the maneuver in flight must do so with a simulated failure of two powerplants. This amendment merely clarifies Amendments 61–56 and 121–91 which were issued as relaxatory amendments.

The second clarifying change amends paragraph V(d–1) in Appendix F to include therein the same exception as that contained in paragraph V(d) of Appendix F in order to also make it apply to three-engine airplanes.

The editorial correction to paragraph III(e)(2) in Appendix F consists of changing a "B*" to a "P*." The "P" signifies applicability to the pilot in command, and the asterisk indicates that a particular condition is specified in the maneuvers and procedures column.

Since these amendments are clarifying and editorial in nature, I find that notice and public procedure thereon are unnecessary and that good cause exists for making them effective on less than 30 days' notice.

In consideration of the foregoing, Parts 61 and 121 of the Federal Aviation Regulations are amended, effective June 27, 1972, as follows:

1. By amending paragraph V(d–1) of Appendix A to Part 61 to read as follows:

Maneuvers/Procedures	Required in airplane		Permitted			
	Simulated instrument conditions	Inflight	Visual simulator	Nonvisual simulator	Training device	Waiver provisions of § 61.147(c)
V. *Landings and Approaches to Landings.*						
* * * * *						
(d) * * *						
(1) In the case of three-engine airplanes, maneuvering to a landing with an approved procedure that simulates the loss of two powerplants (center and one outboard engine). However, if an applicant satisfies these requirements of this paragraph in a visual simulator, he must, in addition, maneuver in flight to a landing with a simulated failure of the most critical powerplant. In any case, the person conducting the check may require the applicant to perform the maneuvers required by this paragraph in flight.	-----	-----	X*			
* * * * *						

2. By amending paragraph III(e)(2) of Appendix F to Part 121 by changing the "B*" in the inflight column to a "P*" as follows:

Maneuvers/Procedures	Required		Permitted			
	Simulated instrument conditions	Inflight	Visual simulator	Nonvisual simulator	Training device	Waiver provisions of § 61.147(c)
III. Instrument Procedures.						
* * * * *						
(e) Missed Approach.						
* * * * *						
(2) Each pilot in command must perform at least one additional missed approach.	------	P*	P*			
* * * * *						

3. By amending paragraph V(d-1) of Appendix F to Part 121 to read as follows:

Maneuvers/Procedures	Required		Permitted			
	Simulated instrument conditions	Inflight	Visual simulator	Nonvisual simulator	Training device	Waiver provisions of § 61.147(c)
V. Landings and Approaches to Landings.						
* * * * *						
(d) * * *						
(1) In the case of three-engine airplanes, maneuvering to a landing with an approved procedure that simulates the loss of two powerplants (center and one outboard engine), except that, in the case of a proficiency check for other than a pilot in command, the simulated loss of power may be only the most critical powerplant. However, if a pilot satisfies the requirements of this paragraph in a visual simulator, he must, in addition, maneuver in flight to a landing with a simulated failure of the most critical powerplant. In any case, the person conducting the check may require the applicant to perform the maneuvers required by this paragraph in flight.	------	------	B*			
* * * * *						

(Secs. 313(a), 601, 602, 604, 607, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1422, 1424, 1427, sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 19, 1972.

J. H. SHAFFER,
Administrator.

[FR Doc.72-9635 Filed 6-27-72;8:45 am]

[Docket No. 12026; Amdt. 816]

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 July 27, 1972.

Albert Lea, Minn.—Albert Lea Municipal Airport; VOR Runway 16, Amdt. 1; Revised.
Atlantic City, N.J.—Atlantic City Municipal/Bader Field; VOR Runway 16, Amdt. 1; Revised.
Bradford, Pa.—Bradford Regional Airport; VOR/DME Runway 14, Amdt. 4; Revised.
Bradford, Pa.—Bradford Regional Airport; VOR Runway 32, Amdt. 1; Revised.
Burlington, Vt.—Burlington International Airport; VOR Runway 1, Amdt. 7; Revised.
Cleveland, Miss.—Cleveland Municipal Airport; VOR-A, Amdt. 1; Revised.
Hornell, N.Y.—Hornell Maple City Municipal Airport; VOR/DME-A, Original; Established.
Jamestown, N.Y.—Chautauqua County Airport; VOR Runway 25, Amdt. 5; Revised.
Manchester, N.H.—Grenier Field-Manchester Municipal Airport; VOR Runway 35, Amdt. 7; Revised.
Fulton, N.Y.—Oswego County Airport; VOR/DME Runway 33, Amdt. 2; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 8, Amdt. 5; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 12, Amdt. 5; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 26, Amdt. 6; Revised.
Minot, N. Dak.—Minot International Airport; VOR Runway 30, Amdt. 5; Revised.
Nome, Alaska—Nome Airport; VOR/DME Runway 9, Amdt. 1; Revised.
Plymouth, Ind.—Plymouth Municipal Airport; VOR Runway 10, Amdt. 2; Revised.
Plymouth, Ind.—Plymouth Municipal Airport; VOR Runway 28, Amdt. 1; Revised.
St. Marys, Pa.—St Marys Municipal Airport; VOR Runway 27, Amdt. 1; Revised.
Schenectady, N.Y.—Schenectady County Airport; VOR Runway 4, Original; Established.
Schenectady, N.Y.—Schenectady County Airport; VOR Runway 22, Amdt. 4; Revised.
Washington, D.C.—Washington National Airport; VOR Runway 15, Amdt. 2; Revised.
Washington, D.C.—Washington National Airport; VOR Runway 36, Amdt. 3; Revised.

2. Section 97.25 is amended by establishing, revising, or canceling the following SDF-LOC-LDA SIAP's, effective July 27, 1972.

Charlottesville, Va.—Charlottesville-Albemarle Airport; LOC Runway 3, Amdt. 6; Revised.
Dallas, Tex.—Dallas Love Field; LOC (BC) Runway 13R, Amdt. 6; Revised.
DuBois, Pa.—DuBois-Jefferson County Airport; LOC Runway 25, Amdt. 2; Revised.
Melbourne, Fla.—Cape Kennedy Regional Airport; LOC (BC) Runway 27, Original; Established.
Oklahoma City, Okla.—Will Rogers World Airport; LOC (BC) Runway 17L, Amdt. 3; Revised.
Wilkes-Barre Scranton, Pa.—Wilkes-Barre-Scranton Airport; LOC (BC) Runway 22, Amdt. 3; Revised.

3. Section 97.27 is amended by establishing, revising, or canceling the following NDB/ADF SIAP's, effective July 27, 1972.

Burlington, Vt.—Burlington International Airport; NDB Runway 15, Amdt. 13; Revised.
Charlottesville, Va.—Charlottesville-Albemarle Airport; NDB Runway 3, Amdt. 4; Revised.
DuBois, Pa.—DuBois-Jefferson County Airport; NDB Runway 25, Amdt. 2; Revised.
Hamilton, Ohio—Hamilton Airport, Inc.; NDB-A, Amdt. 4; Revised.
Manchester, N.H.—Grenier Field-Manchester Municipal Airport; NDB Runway 35, Amdt. 6; Revised.
Oklahoma City, Okla.—Will Rogers World Airport; NDB Runway 35R, Amdt. 2; Revised.
Schenectady, N.Y.—Schenectady County Airport; NDB Runway 22, Amdt. 8; Revised.
Schenectady, N.Y.—Schenectady County Airport; NDB Runway 28 and 33, Amdt. 6; Revised.

4. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAP's, effective July 27, 1972.

Bakersfield, Calif.—Meadows Field; ILS Runway 30R, Amdt. 20; Revised.
Burlington, Vt.—Burlington International Airport; ILS Runway 15, Amdt. 14; Revised.
Dayton, Ohio—James M. Cox—Dayton Municipal Airport; ILS Runway 18, Original; Established.
Jamestown, N.Y.—Chautauqua County Airport; ILS Runway 25, Amdt. 2; Revised.
Oklahoma City, Okla.—Will Rogers World Airport; ILS Runway 35R, Amdt. 3; Revised.
Washington, D.C.—Washington National Airport; LDA Runway 18, Amdt. 6; Revised.
Washington, D.C.—Washington National Airport; ILS Runway 36, Amdt. 22; Revised.

5. Section 97.31 is amended by establishing, revising, or canceling the following Radar SIAP's, effective July 27, 1972.

Abilene, Tex.—Abilene Municipal Airport; Radar-1, Amdt. 3; Revised.
Washington, D.C.—Washington National Airport; Radar-1, Amdt. 16; Revised.

6. Section 97.33 is amended by establishing, revising, or canceling the following RNAV SIAP's, effective July 27, 1972.

Washington, D.C.—Washington National Airport; RNAV-A, Amdt. 1; Revised.
Washington, D.C.—Washington National Airport; RNAV Runway 3, Amdt. 2; Revised.
Washington, D.C.—Washington National Airport; RNAV Runway 33, Amdt. 1; 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), 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on June 20, 1972.

J. A. FERRARESE,
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.72-9634 Filed 6-27-72;8:45 am]

Chapter II—Civil Aeronautics Board

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. OR-64; Amdt. 28]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION: NONHEARING MATTERS

Release of Service Segment Data By the Director, Bureau of Accounts and Statistics

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 22d day of June 1972.

Part 241 of the Board's economic regulations (14 CFR Part 241) requires certificated air carriers to file traffic and capacity data on a flight segment basis. Section 19-6 of Part 241 provides for limited access to these reports. The Board has now determined to delegate to the Director, Bureau of Accounts and Statistics, the authority to grant or deny requests for the use of such data consistent with the limitations contained in section 19-6. Since the amendment provided for herein is a rule of agency organization, the Board finds that notice and public procedure are unnecessary and that the amendment may be made effective immediately.

Accordingly, the Civil Aeronautics Board hereby amends Part 385 of its Organization Regulations (14 CFR Part 385) by adding a new paragraph (l) to § 385.17, effective June 22, 1972, to read as follows:

§ 385.17 Delegation to the Director, Bureau of Accounts and Statistics.

* * * * *

(l) Grant or deny requests for use of service segment data in accordance with the limitations on the availability of this data contained in section 19-6 of Part 241 of this chapter.

(Sec. 204(a), Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324. Reorganization Plan No. 3 of 1961, 75 Stat. 837, 26 F.R. 5989; 49 U.S.C. 1324 (note))

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-9777 Filed 6-27-72;8:51 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 135a—NEW ANIMAL DRUGS FOR OPHTHALMIC AND TOPICAL USE

Tylosin, Neomycin Eye Powder

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (31-962V) filed by Elanco Products Co., Indianapolis, Ind. 46206, proposing revised labeling for the safe and effective use of tylosin, neomycin eye powder for the treatment of pinkeye in cattle. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135a is amended by adding the following new section:

§ 135a.37 Tylosin, neomycin eye powder.

(a) *Specifications.* Tylosin, neomycin eye powder contains 2 percent tylosin activity (as base), neomycin sulfate equivalent to 0.25 percent neomycin base, 1 percent piperocaine hydrochloride, 0.5 percent acriflavine neutral, and boric acid q.s.

(b) *Sponsor.* See code No. 014 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is used in cattle for the treatment of pinkeye (infectious keratoconjunctivitis).

(2) It is administered by holding the eyelids open and dusting powder into both eyes. The treatment is repeated daily for up to 7 days depending on the severity of the infection. Affected animals should be protected from direct sunlight, dust, and flies. In an affected herd, all animals with or without signs of the disease should receive at least one treatment.

(3) If there is severe eye damage or if the condition persists or increases, discontinue administering the drug and consult a veterinarian.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (6-28-72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: June 19, 1972.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.72-9693 Filed 6-27-72;8:45 am]

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Spectinomycin Dihydrochloride Pentahydrate Soluble Powder

The Commissioner of Food and Dugs has evaluated a supplemental new animal drug application (38-661V) filed by Agricultural and Veterinary Products Division, Abbott Laboratories, Abbott Park, North Chicago, Ill. 60064, proposing an additional use for spectinomycin dihydrochloride pentahydrate soluble powder in the drinking water of broiler chickens, as an aid in controlling infectious synovitis due to *Mycoplasma synoviae*. The supplemental application is approved.

This order also provides for designation of the correct sponsor code number as listed in paragraph (c) of § 135.501 of this chapter.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C.

360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135c.32 is amended by revising paragraphs (b) and (e) as follows:

§ 135c.32 Spectinomycin dihydrochloride pentahydrate soluble powder.

* * * * *

(b) *Sponsor.* See code No. 068 in § 135.501(c) of this chapter.

* * * * *

(e) * * *

(3) It is administered in drinking water of broiler chickens at 1 gram of spectinomycin per gallon of water as the only source of drinking water for the first 3 to 5 days of life as an aid in controlling infectious synovitis due to *Mycoplasma synoviae.* Do not administer to laying chickens. Do not administer within 5 days of slaughter.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (6–28–72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: June 19, 1972.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.72–9692 Filed 6–27–72;8:45 am]

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Phenylbutazone

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (38–800V) filed by Jensen-Salsbery Laboratories, Division of Richardson-Merrell, Inc., Kansas City, Mo. 64141, proposing revised labeling for the safe and effective use of phenylbutazone granules, veterinary, in horses. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135c is amended by adding the following new section:

§ 135c.75 Phenylbutazone granules, veterinary.

(a) *Specifications.* The drug is in granular form with each 27-gram package containing 8 grams of phenylbutazone..

(b) *Sponsor.* See code No. 062 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is used in horses for the relief of inflammatory conditions associated with the musculoskeletal system.

(2) It is administered orally to horses at a rate of 1 to 2 grams per 500 pounds of body weight; dose is not to exceed 4 grams daily. A relatively high dose is used for the first 48 hours. The dose is then reduced gradually to a maintenance level and is maintained at the lowest level capable of producing the desired clinical response.

(3) Treated animals should not be slaughtered for food purposes.

(4) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (6–28–72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Dated: June 19, 1972.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.72–9691 Filed 6–27–72;8:45 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

[CGD 71–114R]

PART 26—VESSEL BRIDGE-TO-BRIDGE RADIOTELEPHONE REGULATIONS

The Coast Guard is amending Title 33 of the Code of Federal Regulations by adding a new Part 26 that implements the Vessel Bridge-to-Bridge Radiotelephone Act. These regulations require the use of the vessel bridge-to-bridge radiotelephone. The regulations also interpret the meaning of important terms in the Act and prescribe the procedures for applying for an exemption from the provisions of the Act and the regulations issued under the Act.

The regulations will require vessels subject to the Act while navigating to be equipped with at least one single channel transceiver capable of transmitting and receiving on 156.65 MHz, the Bridge-to-Bridge Radiotelephone frequency. Vessels with multichannel equipment will be required to have an additional receiver so as to be able to guard 156.65 MHz, the Bridge-to-Bridge Radiotelephone frequency, in addition to 156.8 MHz, the VHF National Distress/calling frequency required by Federal Communications Commission regulations.

Although these regulations become effective on January 1, 1973, in the interest of furthering navigation safety, operators of vessels subject to the Act are strongly encouraged to begin the use of bridge-to-bridge radiotelephone communications as soon as practicable.

Interested persons were afforded an opportunity to participate in the making of this rule. This amendment was published as a notice of proposed rule making (CGFR 71–114) on Wednesday, October 20, 1971 (36 F.R. 20306). The Marine Safety Council held a public hearing on November 15, 1971, in Washington, D.C., on the proposed regulations in accordance with the terms of the notice. The notice provided for the submission of written comments regarding all the proposed regulations by mail and at the public hearing. At the public hearing the date for written comments was extended to December 10, 1971. At the conclusion of the extension of the comment period, the Coast Guard considered the proposed regulations and all the comments submitted and on March 23, 1972, issued a supplemental notice of proposed rule making (CGD 71–14; P–2) on this matter which was published in the FEDERAL REGISTER on Wednesday, March 29, 1972 (37 F.R. 6405). The Marine Safety Council held a public hearing on the supplemental notice on April 28, 1972, in Washington, D.C.

The Coast Guard received 51 comments as a result of the notice of proposed rule making and 27 persons attended the first public hearing. Thirty-nine comments were received on the supplemental notice of proposed rule making and 17 persons attended the second public hearing.

One commentor requested clarification of the description of the waters subject to the Act. This has been accomplished by providing the Coast Guard's interpretation of the terms of the Act.

Another comment requested that unmanned or intermittently manned floating plants under the control of dredges not be required to be equipped with radiotelephones. This has been accomplished.

Nine comments objected to various terms that were quoted directly from the Act. These comments have not been adopted since the Coast Guard has no authority to amend the law but only to issue regulations pursuant to the law. Nine comments were received on the proposed exemption procedures which are considered to be requests for exemptions from the Act and the Coast Guard will handle these requests by subsequent administrative action and rule-making activities.

Five comments objected to 156.65 MHz as the designated frequency specified in § 26.14 of the proposed regulations. This was done as a means of informing the reader and was not intended to be a designation of the frequency by the Coast Guard. This amendment references the frequency designated by the FCC as being 156.65 MHz in a note following the revised § 26.04.

The Coast Guard received 45 comments on the issue of whether to adopt a single frequency, "party-line" system or a multichannel, calling and shifting, system. Thirty comments favored the multichannel system while 15 favored the single frequency concept. Comments favoring the use of a single dedicated frequency utilizing the "party-line" system spoke primarily to the value of maintaining a continuous radio guard on the designated frequency whereby essential navigation information could be obtained merely by monitoring transmissions on that frequency. Under this use of a single frequency, all navigational information transmitted within VHF range would be available since vessels subject to the Act would always be guarding that frequency. In many cases sufficient information may be obtained to safely maneuver merely by listening and without, in every case, initiating a transmission, thereby making

questionable the concern that overloading of the one designated frequency will result. Also expressed was the importance of not breaking radio contact in maneuvering situations which is possible when using the multichannel system, and eliminated by the use of the single channel system.

Other comments objected to the adoption of a multichannel system because it was felt it was in conflict with the intent of Congress when developing Public Law 92–63. However, the words in section 4 of the Act "frequency or frequencies" were inserted so that should it become necessary in certain areas of high traffic density, or when circuit overloading was experienced or for other valid reason the adoption of a multichannel system was considered necessary, it could be adopted.

There was also concern expressed that a multichannel system using 156.8 MHz as the listening frequency with a shift to a working frequency would not satisfy the requirement in the Act for a dedicated frequency. Since 156.8 MHz is the National Distress and calling frequency, in the case of a distress where all exchanges other than distress traffic are required to cease on that frequency, the basic value of Bridge-to-Bridge Radiotelephone, that is, a continual exchange of navigational information, would be jeopardized.

The comments in favor of the multichannel, calling and shifting, system felt that there would be too much traffic on one channel for the system to operate effectively. In addition they felt that this would increase the noise level on the bridge and this would cause confusion. Several of the comments pointed out the successful use of the calling shifting frequency on the Great Lakes and in areas where multichannel systems have been put into voluntary use. It was also pointed out that the multichannel system is better suited for use with vessel traffic control systems.

The Coast Guard is adopting the single-channel system, because it has been specified by the Federal Communications Commission. The Coast Guard believes that it will serve to carry out the basic intent of the Act. In certain areas where the single-channel system is found to be inadequate and adoption of a multichannel system is considered necessary in these areas, exemptions to the requirement to use the single-channel system may be granted and conditions requiring the use of a multichannel operation imposed.

Nine comments objected to § 26.15(a) on the grounds that it superseded or modified the rules of the road and that it would create liability problems for shipowners and operators under the rule in the Pennsylvania case (86 U.S.C. 125).

Two comments proposed alternate wording to specific requirements of § 26.15(a) in order to avoid what they considered to be unnecessary requirements.

One comment addressed itself to the impracticality of complying with the requirement to transmit when approaching in close proximity to another vessel and performing other duties on the bridge.

Another comment felt that requiring the use of the radiotelephone in the listed circumstances would not enhance navigational safety but would only clutter the designated frequency.

The regulations require transmissions on 156.65 MHz, but do not speak to the requirements for transmitting on this frequency in any specific set of circumstances, but, rather leave to the judgment of the master or other person in charge of directing the movements of the vessel that information to be transmitted which will best fulfill the requirements for the safe navigation of his vessel.

As a result of the comments received, the action of the Federal Communications Commission, and for editorial reasons, the regulations in the notice of proposed rule making have been amended as follows:

(a) Section 26.01 has been revised;

(b) The definition of "Navigable waters of the United States inside the lines established pursuant to section 2 of the Act of February 17, 1895 (28 Stat. 672), as amended." is moved from § 26.11(b) to § 26.02;

(c) Section 26.11 is redesignated § 26.03 and unmanned and intermittently manned floating plants under the control of a dredge have been excepted from the requirement to have radiotelephone capability;

(d) Sections 26.12, 26.13, 26.20, and 26.25 have been redesignated §§ 26.05, 26.06, 26.07, and 26.08, respectively.

(e) Sections 26.14 and 26.15 have been revised and combined as § 26.04;

(f) Section 26.09 has been added to provide a listing of exemptions granted; and

(g) Section 26.10 has been added that quotes the penalty provisions of the Act.

In consideration of the foregoing, Title 33 of the Code of Federal Regulations is amended by adding a new Part 26 to read as follows:

Sec.
26.01 Purpose.
26.02 Definitions.
26.03 Radiotelephone required.
26.04 Use of the designated frequency.
26.05 Use of radiotelephone.
26.06 Maintenance of radiotelephone; failure of radiotelephone.
26.07 English language.
26.08 Exemption procedures.
26.09 List of exemptions. [Reserved]
26.10 Penalties.

AUTHORITY: The provisions of this Part 26 issued under 85 Stat. 146; 33 U.S.C. A. secs. 1201–1208; 49 CFR 1.46(o)(2).

§ 26.01 Purpose.

(a) The purpose of this part is to implement the provisions of the Vessel Bridge-to-Bridge Radiotelephone Act. This part—

(1) Requires the use of the vessel bridge-to-bridge radiotelephone;

(2) Provides the Coast Guard's interpretation of the meaning of important terms in the Act;

(3) Prescribes the procedures for applying for an exemption from the Act and the regulations issued under the Act and a listing of exemptions.

(b) Nothing in this part relieves any person from the obligation of complying with the rules of the road and the applicable pilot rules.

§ 26.02 Definitions.

For the purpose of this part and interpreting the Act—

"Secretary" means the Secretary of the Department in which the Coast Guard is operating;

"Act" means the "Vessel Bridge-to-Bridge Radiotelephone Act", 33 U.S.C.A. sections 1201–1208;

"Length" is measured from end to end over the deck excluding sheer;

"Navigable waters of the United States inside the lines established pursuant to section 2 of the Act of February 19, 1895 (28 Stat. 672), as amended," means those waters governed by the Navigation Rules for Harbors, Rivers, and Inland waters (33 U.S.C. sec. 151 et seq.), the Navigation Rules for Great Lakes and their Connecting and Tributary Waters (33 U.S.C. sec. 241 et seq.), and the Navigation Rules for Red River of the North and Rivers emptying into Gulf of Mexico and Tributaries (33 U.S.C. sec. 301 et seq.);

"Power-driven vessel" means any vessel propelled by machinery; and

"Towing vessel" means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.

§ 26.03 Radiotelephone required.

(a) Unless an exemption is granted under § 26.09 and except as provided in subparagraph (4) of this paragraph, section 4 of the Act provides that—

(1) Every power-driven vessel of 300 gross tons and upward while navigating;

(2) Every vessel of 100 gross tons and upward carrying one or more passengers for hire while navigating;

(3) Every towing vessel of 26 feet or over in length while navigating; and

(4) Every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels: *Provided*, That an unmanned or intermittently manned floating plant under the control of a dredge need not be required to have separate radiotelephone capability;

Shall have a radiotelephone capable of operation from its navigational bridge, or in the case of a dredge, from its main control station, and capable of transmitting and receiving on the frequency or frequencies within the 156–162 Mega-Hertz band using the classes of emissions designated by the Federal Communications Commission, after consultation with other cognizant agencies, for the exchange of navigational information.

(b) The radiotelephone required by paragraph (a) of this section shall be carried on board the described vessels, dredges, and floating plants upon the navigable waters of the United States inside the lines established pursuant to section 2 of the Act of February 19, 1895 (28 Stat. 672), as amended.

§ 26.04 Use of the designated frequency.

(a) No person may use the frequency designated by the Federal Communications Commission under section 8 of the Act, 33 U.S.C.A. section 1207(a), to transmit any information other than information necessary for the safe navigation of vessels or necessary tests.

(b) Each person who is required to maintain a listening watch under section 5 of the Act shall, when necessary, transmit and confirm, on the designated frequency, the intentions of his vessel and any other information necessary for the safe navigation of vessels.

(c) Nothing in these regulations may be construed as prohibiting the use of the designated frequency to communicate with shore stations to obtain or furnish information necessary for the safe navigation of vessels.

NOTE: The Federal Communications Commission has designated the frequency 156.65 MHz for the use of bridge-to-bridge radiotelephone stations.

§ 26.05 Use of radiotelephone.

Section 5 of the Act states—

(a) The radiotelephone required by this Act is for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain a listening watch on the designated frequency. Nothing contained herein shall be interpreted as precluding the use of portable radiotelephone equipment to satisfy the requirements of this Act.

§ 26.06 Maintenance of radiotelephone; failure of radiotelephone.

Section 6 of the Act states—

(a) Whenever radiotelephone capability is required by this Act, a vessel's radiotelephone equipment shall be maintained in effective operating condition. If the radiotelephone equipment carried aboard a vessel ceases to operate, the master shall exercise due diligence to restore it or cause it to be restored to effective operating condition at the earliest practicable time. The failure of a vessel's radiotelephone equipment shall not, in itself, constitute a violation of this Act, nor shall it obligate the master of any vessel to moor or anchor his vessel; however, the loss of radiotelephone capability shall be given consideration in the navigation of the vessel.

§ 26.07 English language.

No person may use the services of, and no person may serve as a person required to maintain a listening watch under section 5 of the Act, 33 U.S.C.A. section 1204 unless he can speak the English language.

§ 26.08 Exemption procedures.

(a) Any person may petition for an exemption from any provision of the Act or this part;

(b) Each petition must be submitted in writing to U.S. Coast Guard (M), 400 Seventh Street SW., Washington, DC 20590, and must state—

(1) The provisions of the Act or this part from which an exemption is requested; and

(2) The reasons why marine navigation will not be adversely affected if the exemption is granted and if the exemption relates to a local communication system how that system would fully comply with the intent of the concept of the Act but would not conform in detail if the exemption is granted.

§ 26.09 List of exemptions. [Reserved]

§ 26.10 Penalties.

Section 9 of the Act states—

(a) Whoever, being the master or person in charge of a vessel subject to the Act, fails to enforce or comply with the Act or the regulations hereunder; or whoever, being designated by the master or person in charge of a vessel subject to the Act to pilot or direct the movement of a vessel fails to enforce or comply with the Act or the regulations hereunder—is liable to a civil penalty of not more than $500 to be assessed by the Secretary.

(b) Every vessel navigated in violation of the Act or the regulations hereunder is liable to a civil penalty of not more than $500 to be assessed by the Secretary, for which the vessel may be proceeded against in any District Court of the United States having jurisdiction.

(c) Any penalty assessed under this section may be remitted or mitigated by the Secretary, upon such terms as he may deem proper.

This amendment shall become effective January 1, 1973.

Dated: June 22, 1972.

C. R. BENDER,
Admiral, U.S. Coast Guard, Commandant.

[FR Doc.72-9756 Filed 6-27-72;8:54 am]

[CGD 72-11 R]

PART 110—ANCHORAGE REGULATIONS

Neenah Harbor, Neenah, Wis.

This amendment to the anchorage regulations establishes a Special Anchorage Area in Neenah Harbor, Neenah, Wis. The special anchorage area is adjacent to Riverside Park and south of the main shipping channel. In special anchorage areas, vessels under 65 feet in length, when at anchor, are not required to carry or exhibit anchor lights.

This amendment is based on a notice of proposed rule making published in the Tuesday, February 1, 1972, issue of the FEDERAL REGISTER (37 F.R. 2447) and public notice issued by the Commander, Ninth Coast Guard District on August 16, 1971.

With one exception, all comments received were in favor of the establishment of the special anchorage area. The one exception was to the effect that the special anchorage area should be controlled by public officials. The Commander, Ninth Coast Guard District replied to the one objector, pointing out that the special anchorage area would be under the local control and administration of the Neenah Police Department.

In consideration of the foregoing, Part 110 of Title 33 of the Code of Federal Regulations is amended by adding a new § 110.79a to read as follows:

§ 110.79a Neenah Harbor, Neenah, Wis.

The area of Neenah Harbor south of the main shipping channel within the following boundary: A line beginning at a point bearing 117.5°, 1,050 feet from the point where the southeasterly side of the First Street/Oak Street Bridge crosses the south shoreline of the river; thence 254°, 162 feet; thence 146°, 462 feet; 164°, 138 feet; 123°, 367 feet; 068°, 400 feet; thence 320°, 107 feet; thence 283°, 1,054 feet to the point of beginning.

NOTE: An ordinance of the city of Neenah, Wis., requires approval of the Neenah Police Department for the location and type of individual moorings placed in this special anchorage area.

(Sec. 1, 28 Stat. 647, as amended, sec. 6(g)(1)(C), 80 Stat. 937; 33 U.S.C. 258, 49 U.S.C. 1655(g)(1)(C); 49 CFR 1.46(c)(3))

Effective date. This amendment becomes effective on August 1, 1972.

Dated: June 20, 1972.

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

[FR Doc.72-9754 Filed 6-27-72;8:50 am]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 5—COMMERCIAL AND PRIVATE OPERATIONS

Use of Commercial Passenger Carrying Vehicles in Certain National Parks

Pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535 as amended; 16 U.S.C. 3) paragraph (a) of § 5.4 and paragraph (g) of § 7.4 of Title 36 of the Code of Federal Regulations are hereby amended.

The purpose of these amendments is to eliminate those portions of paragraph (a) of § 5.4 which currently generally prohibit commercial transportation of passengers by motor vehicles in Bryce Canyon and Zion National Parks and Cedar Breaks National Monument, and to amend the portion of § 5.4(a) concerning Grand Canyon National Park to retain the prohibition for only the south rim, subject to the exception for certain infrequent and nonscheduled tours defined in paragraph (g) of § 7.4.

It is the policy of the Department of the Interior to provide a period for receiving public comment. However, since these amendments do not impose additional restrictions on the public, comment thereon is deemed unnecessary and not in the public interest. The amendments shall take effect immediately upon publication in the FEDERAL REGISTER.

Paragraph (a) of § 5.4 of Title 36 of the Code of Federal Regulations is hereby amended as set forth below.

§ 5.4 Commercial passenger-carrying motor vehicles.

(a) The commercial transportation of passengers by motor vehicles except as authorized under a contract or permit from the Secretary or his authorized representative is prohibited in Crater Lake (prohibition is limited to sightseeing tours on the rim drive), Glacier (prohibition does not apply to that portion of the park road from the Sherburne entrance to the Many Glacier area) Grand Canyon (prohibition does not apply to the north rim or to nonscheduled tours as defined in § 7.4 of this chapter), Grand Teton (prohibition does not apply to that portion of Highways Nos. 89, 187, 287, and 26, commencing at the south boundary of the park and running in a northerly direction to the east boundary of the park), Mesa Verde (prohibition does not apply to transportation between points within the park and outside points), Mount McKinley (prohibition does not apply to that portion of the Denali Highway between the Nenana River and the McKinley Park Hotel), Sequoia-Kings Canyon, Yellowstone (prohibition does not apply to nonscheduled tours as defined in § 7.13 of this chapter, nor to that portion of U.S. Highway 191 traversing the northwest corner of the park) and Yosemite National Parks. The following principles will govern the interpretation and enforcement of the section:

* * * * *

RAYMOND L. FREEMAN,
Acting Director,
National Park Service.

[FR Doc.72-9727 Filed 6-27-72;8:48 am]

PART 6—MISCELLANEOUS FEES

Recreation, Entrance, and User Fees

The Act of July 15, 1968 (82 Stat. 354) as amended by the Act of July 7, 1970 (84 Stat. 410) repealed as of December 31, 1971, section 2 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897, 16 U.S.C. 4601), which originally established the Golden Eagle fee program.

There was published, therefore, in the FEDERAL REGISTER of February 15, 1972 (37 F.R. 3350) a notice of rule making to provide the regulatory framework for a National Park Service fee program. Specifically, the notice of rule making revised § 6.7 of Title 36 of the Code of Federal Regulations and served to generally duplicate and thereby continue in effect the provisions of the previous Land and Water Conservation Fund Act fee system. However, the revision did not provide for an annual entrance permit. The purpose of the following revision is to establish two types of annual entrance permits and to make other changes summarized below.

Therefore, pursuant to the authority contained in the Act of August 31, 1951 (65 Stat. 290, 31 U.S.C. 483a), section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), and 245 DMI (34 F.R. 13879), § 6.7 of Title 36 of the Code of Federal Regulations is hereby revised as set forth below.

The fees prescribed herein will continue in effect pending action by the Congress on legislation regarding the Golden Eagle Passport Program. If this pending legislation is enacted, at such time as the legislation is implemented arrangements will be made by which the owners of the National Parklands Passport will be entitled to the same privileges as the holder of the Golden Eagle Passport. As soon as practicable after passage of such legislation the National Park Service will phase out issuance of the National Parklands Passport and begin issuance of the Golden Eagle Passport.

Major new features of the National Park Service fee program brought about by this revision are as follows:

(1) An annual permit is now available which entitles the purchaser, and anyone accompanying him or members of his immediate family (spouse and children) in a single noncommercial vehicle, to enter any designated fee area. If entrance is by means other than private noncommercial vehicle, the annual permit entitles only the purchaser and his immediate family to entrance.

(2) Upon application in person and satisfactory proof of age, any person 62 years of age or over is entitled to receive without charge, an annual entrance permit which entitles the owner, and anyone accompanying him in a single private noncommercial vehicle, to free entrance to any designated fee area where such entrance fees are charged. In addition, the owner is required to pay only one-half of the fee normally charged for use of camping facilities.

(3) Foreign visitors are entitled to free entrance to designated fee areas where entrance fees are charged, upon presentation of a valid passport.

(4) The provisions of the paragraph concerning display of permits have been amended to delete display on the vehicle.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. However, due to the fact that the heaviest park visitor use season has already begun, it would be undesirable to further delay the availability of annual entrance permits and the benefits of these permits to the public. Accordingly, it is determined that public comment is unnecessary and impracticable and that the regulation will take effect immediately upon publication in the FEDERAL REGISTER (6-28-72).

Section 6.7 of Title 36 of the Code of Federal Regulations is hereby revised as follows:

§ 6.7 Recreation fees.

There shall be two general types of recreation fees: Entrance fees and user fees. There shall be two types of entrance fees: A fee for an annual permit and a fee for a daily permit. There shall also be available, at no charge, to persons 62 years of age and over, an annual entrance permit.

(a) *Annual entrance permits.* (1) National Parklands Passport:

(i) A permit known as the "National Parklands Passport" shall be valid for entrance on a calendar year basis at all designated fee areas of the National Park System at which entrance fees are charged. The fee for the "National Parklands Passport" shall be $10 for a calendar year.

(ii) The National Parklands Passport shall admit the purchaser, members of his immediate family (spouse and children), and all other persons accompanying the purchaser and/or members of his immediate family in one private noncommercial vehicle to designated fee areas commonly entered by such vehicles, where entrance fees are charged, during the period for which the permit is valid. In addition, the National Parklands Passport shall admit the purchaser and/or members of his immediate family to such designated fee areas where their means of entry is other than by private noncommercial vehicle.

(2) Golden Age National Parklands Passport:

(i) Upon application in person and satisfactory proof of age, an annual entrance permit known as the "Golden Age National Parklands Passport" shall be issued, on a calendar year basis, to persons 62 years of age and over. There shall be no fee charged for the Golden Age National Parklands Passport.

(ii) The Golden Age National Parklands Passport shall admit the owner, and anyone accompanying him in a single private noncommercial vehicle, to designated fee areas commonly entered by such vehicles, where entrance fees are charged, during the period for which the permit is valid. In addition, the Golden Age National Parklands Passport shall admit the owner and spouse to such designated fee areas when entry is by means other than a private noncommercial vehicle. The owner of a valid Golden Age National Parklands Passport shall be entitled upon presentation of the passport to utilize camping facilities at a rate of 50 percent of the established daily use fee, in accordance with the provisions of paragraph (f)(11) of this section.

(3) "Private noncommercial vehicle" for the purposes of this section, shall include any passenger car, station wagon, pickup, camper truck, motorcycle, or other motor vehicle which is conventionally used for private recreation purposes by a family.

(b) *Fees for daily entrance permits.* (1) For persons who choose not to purchase the National Parklands Passport and are not eligible to receive a Golden Age National Parklands Passport, or who enter by any means other than private noncommercial vehicle, there shall be charged two types of fees for daily permits at designated fee areas of the National Park System where entrance fees are charged: One applicable to persons entering by private, noncommercial vehicle and one applicable to persons entering by any other means.

(2) The fee for a daily permit applicable to persons entering by private, noncommercial vehicle shall be $1 to $3 per vehicle per day. The daily permit shall be valid only at the one designated fee area for which it is purchased. The daily permit shall admit, without further payment, the purchaser and all who accompany him in a private noncommercial vehicle for a single visit or series of visits, during its period of validity.

(3) The fee for a daily permit charged at designated fee areas, applicable to persons entering by any means other than private, noncommercial vehicle, shall be $0.50 to $1.50 per person per day and shall be valid only at the one designated fee area for which it is purchased.

(4) Any of the permits provided for in subparagraphs (2) and (3) of this paragraph shall be valid for a single visit or series of visits to the designated fee area for which it was purchased during the same calendar day for which it was purchased. In addition, at areas in which overnight use is permitted, such permits shall be valid for departure only until noon of the day following purchase, except as otherwise posted.

(c) *Validation use, and display of entrance permits.* (1) Every National Parklands Passport shall be validated by the signature of its owner on the face of the permit at the time of its receipt. The Golden Age National Parklands Passport shall be validated by the signature of its owner and the recordation of his date of birth on the face of the permit at the time of its receipt.

(2) All annual and daily permits shall be nontransferable, except that the National Parklands Passport and daily permits issued pursuant to paragraph (b) (2) of this section may be used by members of the purchasers immediate family (spouse and children).

(3) Every permit shall be kept on the person of its owner and shall be exhibited upon request of any authorized person.

(d) *User fees.* (1) User fees are payable for the use of sites, facilities, equipment, or services provided by the United States, especially for recreationists in designated fee areas which include, but are not limited to well-developed campsites, picnic areas, guide services, elevators, winter sport facilities, and special purpose recreational vehicle use privileges. User fees may be charged at designated fee areas singly, or in addition to entrance or admission fees.

(2) User fees shall be selected from within the range of fees in accord with the criteria set forth below:

(i) The direct and indirect cost to the United States of establishing and maintaining the area;

(ii) The quality and variety of recreation opportunities offered in the area;

(iii) The amount charged for admission to or the use of comparable State, local, and private areas;

(iv) The impact of the fee on potential development of other outdoor recreation areas and facilities in the locality by State and local governments and by private investors;

(v) The contribution of State and local governments and private contributions to the maintenance and development of the area.

(3) In addition to the items set forth below, user fees may be charged for additional types of sites, facilities, equipment, and services.

Sites	*Range of user fees*
Camp and trailer sites.	$1 to $4 for overnight use.
Picnic sites	$0.50 to $1 per site per day.
Group camping and picknicking sites.	$0.25 to $0.50 per person per day.[1]

[1] The Superintendents may select group use rates in lieu of the above "Camp and trailer sites" fee or the above "picnic sites" fee or both, and may establish a minimum group use charge of at least $3 per day per group without regard to group size or other provisions of this part.

User fees may be charged if the site contains or is within a reasonable distance of the following facilities:

Basic facility	Camp and trailer site requirements	Picnic site requirements
Access and circulatory roads [1]	X	X
Parking [1]	X	X
Drinking water	X	X
Toilet facilities	X	X
Refuse containers	X	X
Picnic tables [2]	X	X
Firegrates [2] or fireplaces	X	X
Adequate tent or trailer spaces	X	----------

[1] Except at campsites accessible only by boat.
[2] Not applicable to trailer sites.

OTHER FACILITIES AND SERVICES

Vehicle and trailer parking.	To be established at a daily, weekly, or monthly rate in accord with the criteria set forth in paragraph (d) (2) of this section.
Elevators	At least $0.10 per person per round trip.
Ferries and other means of transportation.	To be established at a rate in accord with the criteria set forth in paragraph (d) (2) of this section.
Overnight shelters.	To be established at a daily rate in accord with the criteria set forth in paragraph (d) (2) of this section.
Guided tours	To be established at a rate in accord with the criteria set forth in paragraph (d) (2) of this section.
Special purpose vehicles.	At least $1 per individual vehicle permit issued.

(e) *Wrongful entry.* No person shall enter or use park areas, use park camping grounds, or otherwise participate in Park Service programs or activities for which fees have been designated without first paying the required fees.

(f) *Exceptions, exclusions, and exemptions.* In the application of the provisions of this section, the following exceptions, exclusions, and exemptions shall apply:

(1) Nothing contained herein shall authorize Federal hunting or fishing licenses or fees;

(2) No fee shall be charged for the use of any waters;

(3) No fee shall be charged for travel by private, noncommercial vehicle over any National Parkway or any road or highway established as part of the national Federal-aid system, which, although it is part of a larger area, is commonly used by the public as a means of travel between two places, either or both of which are outside the area;

(4) No fee shall be charged any person in the exercise of a right of access to privately owned lands;

(5) No daily entrance fee shall be charged at any area where more than 50 percent of the land within such area has been donated to the United States by a State, unless the Governor of such State or his designee has been advised of such fee at least 60 days prior to its establishment and unless any recommendation of such Governor and all legal and other obligations of the United States to such State with respect to such areas have been taken into consideration;

(6) No fee shall be charged for access to waters or shorelines by those classes of persons which have rights thereto under treaty or law;

(7) No fee shall be charged for commercial or other activities not related to recreation; or for organized tours or outings conducted for educational or scientific purposes by bona fide institutions established for these purposes; nor shall any fee be charged hospital inmates involved in medical therapy;

(8) No entrance fee shall be charged any person conducting State, local, or Federal Government business;

(9) No entrance fee shall be charged at any entrance to Great Smoky Mountains National Park unless such fees are charged at main highway and thoroughfare entrances;

(10) No fees shall be charged at designated fee areas requiring such fees, for persons who have not reached their 16th birthday;

(11) The owner of a Golden Age National Parklands Passport shall be entitled to utilize camping facilities at a rate of one-half of the daily fee established for such facilities, provided that this reduced charge is applicable only to fees charged for use of the single campsite which is actually occupied by the owner of the Golden Age National Parklands Passport.

(12) Visitors to the United States will be granted entrance, without charge, to any designated fee area upon presentation of a valid passport.

(g) *Designation of fee areas.* (1) Entrance and user fees established pursuant to this section will be required only at those areas which have been formally designated as fee areas by the Director of the National Park Service. Notification to the public of such designations shall be accomplished by posting such information conspicuously at each area and by local public announcements, press releases, and other suitable means.

(2) No fee established pursuant to this section shall be effective until the area

for which it is established has been posted as a designated fee area. Signs used for this purpose at park areas may be used in combination with, or incorporated, into entrance signs.

(h) *Availability of annual entrance permits.* (1) The National Parklands Passport may be purchased at any area of the National Park System where entrance fees or camping fees are charged, at the Washington office, and at all regional and State offices of the National Park Service.

(2) The Golden Age National Parklands Passport may be obtained at any area of the National Park System where entrance fees or camping fees are charged, at the Washington office, and at all regional and State offices of the National Park Service.

THOMAS FLYNN,
Acting Director,
National Park Service.

[FR Doc.72-9803 Filed 6-27-72;8:54 am]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

Subpart J—Scholarship Grants to Schools of Nursing

Notice of proposed rule making, public rule making procedures, and postponement of effective date have been omitted in the issuance of the following Subpart J of Part 57, which relates to the awarding of scholarship grants pursuant to section 860 of the Public Health Service Act (42 U.S.C. 298c) to public or other nonprofit schools of nursing because for good cause it has been found that such procedures would be contrary to the public interest in light of the delay in the passage of the amending legislation (section 7 of the Nurse Training Act of 1971, Public Law 92-158) and the necessity for early allocation of grant funds. The major changes in these regulations expand student eligibility to allow half-time students to receive scholarship awards and raise the statutory maximum for scholarship awards. There are also included several technical and clarifying changes.

Written comments concerning the regulations are invited from interested persons. Inquiries may be addressed, and data, views, and arguments relating to the regulations may be presented in writing, in triplicate, to Associate Director (Program Implementation), Bureau of Health Manpower Education, National Institutes of Health, 9000 Rockville Pike, Building 31, Room 5 C 12, Bethesda, MD 20014. All comments received in response to this publication will be available for public inspection and copying at the above referred to address weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m. All relevant material received not later than 30 days after publication of these regulations in the FEDERAL REGISTER will be considered.

The following regulations shall become effective on the date of publication in the FEDERAL REGISTER (6-28-72).

Dated: June 7, 1972.

ROBERT Q. MARSTON,
Director,
National Institutes of Health.

Approved: June 21, 1972.

ELLIOT L. RICHARDSON,
Secretary.

1. Subpart J of the table of contents of Part 57 is hereby revised to read as follows:

Subpart J—Scholarship Grants to Schools of Nursing

AUTHORITY: The provisions of this Subpart J issued under sec. 860(d), 82 Stat. 786, as amended; 42 U.S.C. 298c(d).

2. Subpart J is hereby revised to read as follows:

Subpart J—Scholarship Grants to Schools of Nursing

§ 57.901 Applicability.

The regulations in this subpart are applicable to the award of grants to public or other nonprofit schools of nursing under section 860 of the Public Health Service Act (42 U.S.C. 298c) for scholarships to be awarded annually by such school to students thereof.

§ 57.902 Definitions.

As used in this subpart, the following terms shall have the following meanings:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved may be delegated.

(c) "School" means a public or other nonprofit school of nursing as defined in section 843 of the Act.

(d) "Scholarship or scholarship award" means the amount of money awarded to a student by a school as authorized by section 860(c) of the Act.

(e) "Scholarship grant" means a grant to a school for making scholarship awards as authorized by section 860(a) of the Act.

(f) "Full-time student" means a student who is enrolled in a school and pursuing a course of study which constitutes a full-time academic workload, as determined by the school, leading to a diploma in nursing, an associate degree in nursing, a baccalaureate degree in nursing or an equivalent degree, or a graduate degree in nursing.

(g) "Half-time student" means a student who is enrolled in a school and pursuing a course of study which constitutes at least one-half of a full-time academic workload, but less than a full-time academic workload, as determined by the school, leading to a diploma in nursing, an associate degree in nursing, a baccalaureate degree in nursing or an equivalent degree, or a graduate degree in nursing.

(h) "Good standing" means the eligibility of a student to continue in attendance at the school where he is enrolled as a student in accordance with the school's standards and practices.

(i) "Academic year" means the traditional, approximately 9-month September to June annual session. For the purpose of computing academic year equivalents for students who, during a 12-month period, attend for a longer period than the traditional academic year, the academic year will be considered to be of 9 months' duration.

(j) "Fiscal year" means the Federal fiscal year beginning July 1 and ending on the following 30th day of June.

(k) "National of the United States" means (1) a citizen of the United States or (2) a person who, though not a citizen of the United States, owes permanent allegiance to the United States (8 U.S.C. 1101(a)(22)).

(l) "State" means a State, the District of Columbia, Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, or the Trust Territory of the Pacific Islands.

§ 57.903 Eligibility of schools.

To be eligible for a scholarship grant under this subpart, the applicant school shall:

(a) Meet the applicable requirements of section 860(a) of the Act;

(b) Submit an application as required by § 57.904; and

(c) Be located in a State.

§ 57.904 Application by school.

Each school desiring a scholarship grant under the Act shall submit an application in such form and at such time as the Secretary may require. The application shall be executed by an official authorized to act for the applicant school and to assume on behalf of the applicant school the obligations imposed by the terms and conditions of any scholarship grant, including the regulations of this subpart.

§ 57.905 Grant award; determination of number of students.

(a) The Secretary shall award annually to each eligible school applying therefor a scholarship grant in an amount computed in accordance with section 860(b) of the Act: *Provided*, That, when the amount of funds available for any fiscal year is less than the total of the amounts so computed the grant awarded to each participating school shall be reduced proportionately.

(b) For purposes of computing the amount of the scholarship grant to be awarded to any school for any fiscal year, the number of full-time students of such school shall be the number which the Secretary, on the basis of information relating to the school's past and anticipated enrollment, determines to be the number of such students to be enrolled in such school on October 15 of such year.

§ 57.906 Use of funds.

(a) *Scholarship awards.* Effective July 1, 1972, except for funds transferred as provided in paragraph (b) of this section, scholarship grant funds may be obligated by the school for scholarship awards to eligible students during the 12-month period specified in the grant award document and for awarding additional scholarships to eligible students during the 12 months thereafter. Any funds not so transferred or obligated in the specified 24-month period of fund availability must be refunded to the Federal Government.

(b) *Transfer of funds.* In the case of a school which has in operation a Nursing Student Loan Funds established with Federal Capital Contributions pursuant to section 822 of the Act, an amount not to exceed 20 per centum of the amount paid to a school from the appropriation for any fiscal year for scholarships under section 860 of the Act and this subpart, or such larger percentage thereof as the Secretary may approve for such school for such year, may be transferred to the sums available to the school for (and shall be regarded as) Federal Capital Contributions, to be used for the same purpose as such sums.

§ 57.907 Nondiscrimination.

(a) No eligible applicant shall be denied a scholarship on the grounds of sex or creed.

(b) Attention is called to the requirements of section 845 of the Act, which provides that the Secretary may not make a grant, loan guarantee, or interest subsidy payment under title VIII of the Act to, or for the benefit of, any school of nursing unless the application for the grant, loan guarantee, or interest subsidy payment contains assurances satisfactory to the Secretary that the school will not discriminate on the basis of sex in the admission of individuals to its training programs.

(c) Attention is called to the requirements of title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which is applicable to grants made under this subpart, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

§ 57.908 Eligibility and selection of scholarship recipients.

(a) *Eligibility.* Scholarships may be awarded with respect to any year only to students who are:

(1) Nationals of the United States or permanent residents of the Trust Territory of the Pacific Islands or who are in the United States, Puerto Rico, the Virgin Islands, or Guam for other than temporary purposes and intend to become permanent residents thereof.

(2) Enrolled and in good standing, or accepted for enrollment in the school as full-time or half-time students; and

(3) Of exceptional financial need who need such financial assistance to pursue a course of study at the school for such year.

(b) *Selection of scholarship recipients and determination of need.* It shall be the responsibility of the school to select qualified applicants and to make reasonable determination of need.

(1) In determining whether a student is one of exceptional financial need who needs such financial assistance to pursue a course of study at the school for such year, the school shall take into consideration:

(i) The financial resources available to the student; and

(ii) The costs reasonably necessary for the student's attendance at the school, including any special needs and obligations which directly affect the student's financial ability to attend the school.

(2) In making scholarship awards to students of exceptional financial need as determined pursuant to subparagraph (1) of this paragraph, a school may give priority to those students whose backgrounds are characterized by educational, cultural, or economic deprivation.

(c) *Records of approval or disapproval.* The records of the school shall indicate the basis for approval or disapproval of all or any part of each student application for a scholarship award.

§ 57.909 Maximum amount of scholarship award.

The total amount of the scholarship award to any student for an academic year may not exceed $2,000. The maximum amount of scholarship awarded during a 12-month period to any student enrolled in a school which provides a course of study longer than the 9-month academic year may be proportionately increased. However, in no case may the amount of scholarship award exceed the amount of the student's need as determined by the school in accordance with § 57.908.

§ 57.910 Payment of scholarship award.

(a) Scholarship awards shall be paid to students in such installments as are deemed appropriate by the school, except that no school shall pay any scholarship recipient more during any given installment period (e.g., semester, term, or quarter) than the school determines he needs for such period.

(b) No payment shall be made from any scholarship award to any student if at the time of such payment such student is not a full-time or half-time student as defined in § 57.902 (f) and (g), respectively.

§ 57.911 Records, reports, inspection and audit.

(a) *Records and reports.* Each grant awarded pursuant to this subpart shall be subject to the condition that the grantee shall maintain such operational and accounting records, identifiable by grant number, and file with the Secretary such operational and fiscal reports relating to the use of grant funds, as the Secretary may find necessary to carry out the purposes of part D of title VIII of the Act and the regulations. All records shall be retained for 3 years after the close of the budget period (i.e., the period of time during which the funds are available for obligation by the grantee. See § 57.906(a)). Such records may be destroyed at the end of such 3-year period if the applicant has been notified of the completion of the Federal audit by such time. If the applicant has not been so notified, such records shall be retained (1) for 5 years after the close of the budget period, or (2) until the grantee is notified of the completion of the Federal audit, whichever comes first. In all cases where audit questions have arisen before the expiration of such 5-year period, records shall be retained until resolution of all such questions.

(b) *Inspection and audit.* Any application for a scholarship grant shall constitute the consent of the applicant school to inspection and fiscal audit, by persons designated by the Secretary, of the fiscal and other records of the applicant school which relate to the grant.

§ 57.912 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the grant purposes, the interest of the public health or the conservation of grant funds.

§ 57.913 Noncompliance.

Whenever the Secretary finds that a participating school has failed in a material respect to comply with the applicable provision of title VIII of the Act or the regulations of this subpart, he may, after reasonable notice, withhold further payments, and take such other action as he finds necessary to carry out the purposes of the Act and regulations. In such case no further expenditures shall be made

by the school from the scholarship grant until the Secretary determines that there is no longer any such failure of compliance.

[FR Doc.72-9752 Filed 6-27-72;8:54 am]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1055, Amdt. 2]

PART 1033—CAR SERVICE

Burlington Northern Inc., et al.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 20th day of June 1972.

Upon further consideration of Service Order No. 1055 (35 F.R. 18468; 36 F.R. 25424), and good cause appearing therefor:

It is ordered, That § 1033.1055 *Service Order No. 1055* (Burlington Northern Inc., and Chicago, Milwaukee, St. Paul and Pacific Railroad Co., authorized to operate over trackage abandoned by Sioux City Terminal Railway Co.) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1972.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9794 Filed 6-27-72;8:53 am]

[S.O. 1081, Amdt. 1]

PART 1033—CAR SERVICE

Union Pacific Railroad Co. and Southern Pacific Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 19th day of June 1972.

Upon further consideration of Service Order No. 1081 (36 F.R. 20757), and good cause appearing therefor:

It is ordered, That, § 1033.1081 *Service Order No. 1081* (Union Pacific Railroad Co. authorized to operate over tracks of the Southern Pacific Transportation Co.), be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1972.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9793 Filed 6-27-72;8:53 am]

[S.O. 1083, Amdt. 2]

PART 1033—CAR SERVICE

Southern Pacific Transportation Co. and Texas and Pacific Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 19th day of June 1972.

Upon further consideration of Service Order No. 1083 (36 F.R. 21203 and 23803), and good cause appearing therefor:

It is ordered, That, § 1033.1083 *Service Order No. 1083* (Southern Pacific Transportation Co. authorized to operate over tracks of the Texas and Pacific Railway Co.) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m. June 30, 1972.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9795 Filed 6-27-72;8:53 am]

[S.O. 1084, Amdt. 1]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. and Chicago and North Western Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 19th day of June 1972.

Upon further consideration of Service Order No. 1084 (36 F.R. 22063), and good cause appearing therefor:

It is ordered, That § 1033.1084 *Service Order No. 1084* (Chicago, Rock Island and Pacific Railroad Co. authorized to operate over tracks of Chicago and North Western Railway Co.) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1972.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs, 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9796 Filed 6-27-72;8:53 am]

[S.O. No. 1086, Amdt. 1]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. and Peoria and Pekin Union Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 19th day of June 1972.

Upon further consideration of Service Order No. 1086 (36 F.R. 25425), and good cause appearing therefor:

It is ordered, That § 1033.1086 *Service Order No. 1086* (Chicago, Rock Island and Pacific Railroad Co. authorized to operate over tracks of the Peoria and Pekin Union Railway Co.) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1972.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9797 Filed 6-27-72;8:53 am]

[S.O. No. 1093, Amdt. 1]

PART 1033—CAR SERVICE

Burlington Northern, Inc., and Minneapolis Industrial Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 19th day of June 1972.

Upon further consideration of Service Order No. 1093 (37 F.R. 9028), and good cause appearing therefor:

It is ordered, That, § 1033.1093 *Service Order No. 1093* (Burlington Northern, Inc., authorized to operate over tracks of Minneapolis Industrial Railway Co.) be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p.m., September 30, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1972.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10–17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), 17(2).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9798 Filed 6-27-72;8:53 am]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 72-178]

PART 153—ANTIDUMPING

Asbestos Cement Pipe From Japan

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that asbestos cement pipe from Japan is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the FEDERAL REGISTER of February 3, 1972 (37 F.R. 2600, F.R. Doc. 72-1699).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the U.S. Tariff Commission responsibility for determination of injury or likelihood of injury. The U.S. Tariff Commission has determined, and on May 2, 1972, it notified the Secretary of the Treasury that an industry is being injured by reason of the importation of asbestos cement pipe from Japan sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the FEDERAL REGISTER of May 6, 1972 (37 F.R. 9267, F.R. Doc. 72-6922).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to asbestos cement pipe from Japan.

Section 153.43 of the Customs regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.
Asbestos cement pipe	Japan	72-178

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

[SEAL] EUGENE T. ROSSIDES, *Assistant Secretary of the Treasury.*

JUNE 26, 1972.

[FR Doc.72-9908 Filed 6-27-72;9:28 am]

[T.D. 72-179]

PART 153—ANTIDUMPING

Elemental Sulphur From Mexico

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that elemental sulphur (also spelled sulfur) from Mexico is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the FEDERAL REGISTER of February 5, 1972 (37 F.R. 2793, F.R. Doc. 72-1857).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the U.S. Tariff Commission responsibility for determination of injury or likelihood of injury. The U.S. Tariff Commission has determined, and on May 4, 1972, it notified the Secretary of the Treasury that an industry in the United States is being injured by reason of the importation of elemental sulphur from Mexico that is being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the FEDERAL REGISTER of May 10, 1972 (37 F.R. 9417, F.R. Doc. 72-7084).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to elemental sulphur from Mexico.

Section 153.43 of the Customs regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.
Elemental sulphur	Mexico	72-179

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

[SEAL] EUGENE T. ROSSIDES, *Assistant Secretary of the Treasury.*

JUNE 26, 1972.

[FR Doc.72-9909 Filed 6-27-72;9:28 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Ch. I]

ENTRY AND CLEARANCE OF AIRCRAFT

Proposed Administration of Customs Laws In Virgin Islands

At the time the Virgin Islands were acquired by the United States, travel by air was not a method of transportation in general use. Therefore, the Danish laws continued in effect under the Organic Act of the Virgin Islands of the United States made no provision for the entry and clearance of aircraft, now a vital function in the administration of the Customs laws.

Section 36 of the Organic Act of the Virgin Islands of the United States (48 U.S.C. 1406i) places in the Secretary of the Treasury the responsibility of designating the several ports and subports of entry in the Virgin Islands of the United States and authorizes the Secretary of the Treasury to make such rules and regulations and appoint such officers and employees as he may deem necessary for the administration of the Customs laws in the Virgin Islands of the United States.

Under authority of section 4 of the Organic Act of the Virgin Islands of the United States, as amended (48 U.S.C. 1406(c)), the President, by Executive Order No. 9170 dated May 21, 1942, extended to the Virgin Islands of the United States all the navigation and vessel inspection laws of the United States except for the coastwise laws, laws relating to the navigation of harbors, rivers, and inland waters, certain vessel inspection laws and Federal laws levying tonnage duties, light money, or entrance and clearance fees.

Section 1109 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1509), vests in the Secretary of the Treasury the authority to extend to civil aircraft arriving in the United States the laws and regulations relating to the entry and clearance of vessels to such extent and upon such conditions as he deems necessary.

Now, therefore, for the purpose of carrying out the responsibility of the Secretary of the Treasury to administer the Customs laws in the Virgin Islands of the United States, it is proposed to issue the following ruling:

Pursuant to authority provided by section 36 of the Organic Act of the Virgin Islands of the United States (48 U.S.C. 1406i) it is proposed to make applicable to aircraft in the Virgin Islands of the United States the navigation laws of the United States extended to the Virgin Islands by Executive Order No. 9170 and the regulations issued under such laws applicable to aircraft in the United States.

Prior to the issuance of the proposed ruling, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington, D.C. 20226, and received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

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

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: June 21, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72-9785 Filed 6-27-72;8:55 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 1063, 1078, 1079]

MILK IN QUAD CITIES-DUBUQUE, NORTH CENTRAL IOWA, AND DES MOINES, IOWA, MARKETING AREAS

Notice of Proposed Suspension of Certain Provisions of the Orders

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Quad Cities-Dubuque, North Central Iowa, and Des Moines, Iowa, marketing areas is being considered for the months of July and August 1972.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 5 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The provisions proposed to be suspended are as follows:

1. In Part 1063—Quad Cities-Dubuque, the proviso in § 1063.14 which reads: "*Provided*, That in any of the months of July through January milk diverted from the farm of a producer on more than the number of days that milk was delivered to a pool plant from such farm during the month shall not be deemed to have been received by the diverting handler."

2. In Part 1078—North Central Iowa, the provisions of § 1078.7 which read: "(1) Any day during the months of April through June, and (2) on not more than one-half the days on which milk was delivered from a farm during any of the months of July through March."

3. In Part 1079—Des Moines, Iowa, that portion of the proviso in § 1079.14 which reads "under the conditions set forth in paragraphs (a), (b), and (c) of this section" and paragraphs (a), (b), and (c) of § 1079.14.

The proposed suspension would permit unlimited diversion of producer milk under the respective orders during the months of July and August.

The suspension action is requested by Land O'Lakes, Inc., to accommodate the handling of reserve milk of the markets. The producer association claims that unless the suspension action is taken much of the reserve milk of the markets will be moved from farms to pool plants and then reshipped to manufacturing plants rather than being moved directly from farms to manufacturing plants.

Signed at Washington, D.C., on June 22, 1972.

JOHN C. BLUM,
Deputy Administrator, Regulatory Programs.

[FR Doc.72-9741 Filed 6-27-72; 8:50 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 110]

[CGD 72-114P]

HENDERSON HARBOR, N.Y.

Proposed Special Anchorage Areas

The Coast Guard is considering amending the anchorage regulations to establish a Special Anchorage Area in Henderson Harbor, N.Y. In special anchorage areas, vessels under 65 feet in length, when at anchor, are not required to carry or exhibit anchor lights. The proposed area is adjacent to the Henderson Harbor Yacht Club in the southern portion of Henderson Harbor.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander, Ninth Coast Guard District, 1240 East Ninth Street, Cleveland, OH 44199. Each person submitting comments should include his name and address, identify the notice (CGD 72-114P) and give reasons for any recommended change in the proposal. Copies of all submissions received will be available for examination by interested persons at the office of the Commander, Ninth Coast Guard District.

The Commander, Ninth Coast Guard District will forward any comments received before August 1, 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 Part 110 of Title 33 of the Code of Federal Regulations be amended by adding a new § 110.86 to read as follows:

§ 110.86 Henderson Harbor, N.Y.

The area in the southern portion of Henderson Harbor west of the Henderson Harbor Yacht Club within the following boundary, a line beginning at the end of the Henderson Harbor Yacht Club dock; thence 337°, 300 feet; thence 290°, 400 feet; thence 190°, 850 feet; thence 074°, 650 feet; thence 004°, 250 feet to the point of beginning.

NOTE: Permission must be obtained from the Henderson Harbor Director of Harbor Patrol (Deputy Sheriff) before any vessel is moored or anchored in this special anchorage area.

(Sec. 1, 28 Stat. 647, as amended, sec. 6(g)(1)(C), 80 Stat. 937; 33 U.S.C. 258, 49 U.S.C. 1655(g)(1)(C); 49 CFR 1.46(c)(3))

Dated: June 20, 1972.

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

[FR Doc.72-9755 Filed 6-27-72;8:50 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 288, 399]

[Dockets Nos. 23553, 23579; EDR-205B, PSDR-32B]

MILITARY TRANSPORTATION

Exemption of Air Carriers; Extension of Time for Filing Comments

JUNE 23, 1972.

The Board, by circulation of notice of proposed rule making EDR-205A/PSDR-32A, dated May 31, 1972, and published at 37 F.R. 11344, gave notice that it had under consideration proposed amendments to Parts 288 and 399 of its regulations (14 CFR Parts 288 and 399). These proposals would establish minimum rates applicable to certain foreign and overseas air transportation services performed by air carriers for the military on and after July 1, 1971. Among other things, the notice and explanatory statement dealt with proposals to alter the rate relationships for Categories A, B, and Z military transportation and to establish separate "Category Y" rates for the carriage of DOD passengers in scheduled service under blocked space arrangements. Interested persons were invited to participate by submission of twelve (12) copies of written data, views, or arguments pertaining thereto to the Docket Section of the Board on or before June 30, 1972, and to file reply comments to such submissions on or before July 14, 1972.

On June 12, 1972, the Flying Tiger Line, Inc. (FTL), requested a 2-week extension of time for filing comments and reply comments. FTL contends that it will be necessary to study the Board's proposed policy changes as well as its cost adjustments, but that FTL personnel primarily responsible for these matters have major prior commitments which will limit the time to be devoted to the required comments. On June 15 a 3-week extension in both initial and reply comment dates was requested on behalf of Airlift, Capitol, Continental, ONA, Saturn, TIA, and World Airways. In support of this request counsel states that representatives of these carriers are now studying the feasibility of submitting joint comments, which can be more detailed than the individual carriers would undertake and would hopefully make a more important contribution to the final rule than might otherwise be possible, but which will require additional time in order to coordinate carrier positions. Counsel points out that various of the carriers in the group have previously submitted joint petitions in other dockets dealing with rates of return and depreciation policies for MAC rate purposes and with increases in Category A and Z rates. and have opposed exemptions related to "Category Y" services. The Military Airlift Command has informally advised that it has no objection to a reasonable postponement of procedural dates.

The undersigned finds that good cause has been shown for an extension of time for filing comments and that an additional 3-week period is warranted.

Accordingly, pursuant to the authority delegated in § 385.20(d) of the Board's Organization Regulations, the undersigned hereby extends the time for submitting comments to July 21, 1972, and the time for submitting reply comments to August 4, 1972.

(Sec. 204(a), Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

[SEAL] ARTHUR H. SIMMS,
Associate General Counsel, Rules and Rates.

[FR Doc.72-9776 Filed 6-27-72;8:55 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 73, 74]

[Docket No. 18893]

SHOWING OF SPORTS EVENTS ON OVER-THE-AIR SUBSCRIPTION TELEVISION OR BY CABLECASTING

Order Extending Time for Filing Replies to Opposition to Petition for Reconsideration

In the matter of amendment of §§ 73.643(b)(2) and 74.1121(a)(2) of the Commission rules and regulations pertaining to the showing of sports events on over-the-air subscription television or by cablecasting; Docket No. 18893.

1. On May 12, 1972, public notice (Report No. 814) was given of the fact that the Association of Maximum Service Telecasters, Inc. (MST), had filed a petition for reconsideration of the Commission's report and order released in this proceeding on March 29, 1972 (37 F.R. 6738).

2. In response to requests for extension of time in which to file oppositions to the petition, an order was released on May 17, 1972 (37 F.R. 10389, May 20, 1972), extending the filing date for oppositions to and including June 8, 1972.

3. On June 8, 1972, various parties filed statements in support of the petition, and the National Cable Television Association (NCTA) filed an opposition. The date for filing replies to that opposition is June 20, 1972.

4. MST has now filed a request for extension of time to and including June 30, 1972, in which to file a reply to the NCTA opposition. In support thereof it states that it did not receive a copy of the opposition until June 12, that the additional time is essential for counsel to adequately consider and respond to the opposition in the face of other demand proceedings before the Commission, and that counsel for NCTA has indicated that he will interpose no objection to the request.

5. It appears that the requested extension of time is warranted. *Accordingly, it is ordered,* That the time for filing replies to the opposition to the petition for reconsideration in Docket No. 18893 is extended to and including June 30, 1972.

6. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Adopted: June 20, 1972.

Released: June 21, 1972.

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.72-9747 Filed 6-27-72;8:55 am]

[47 CFR Parts 73, 76]

[Docket No. 19513]

SPONSORSHIP IDENTIFICATION

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of the Commission's "Sponsorship Identification" rules §§ 73.119, 73.289, 73.654, 73.789, and 76.221, Docket No. 19513.

1. The notice of proposed rule making in the above-entitled proceeding, adopted May 17, 1972, released May 23, 1972, and published in the FEDERAL REGISTER on May 25, 1972 (37 F.R. 10583), specified dates for filing comments and reply comments as June 26 and July 10, 1972, respectively.

2. On June 19, 1972, Columbia Broadcasting System, Inc. (CBS), filed a request for an extension of time to and including July 10 for the filing of comments and to and including July 24, 1972 for the filing of reply comments. CBS states that because of the attention necessarily given to other pressing matters before the Commission in recent weeks the additional time is necessary so that it may give appropriate attention to the instant proposal.

3. We are of the view that the requested extension of time is warranted and would serve the public interest. *Accordingly, it is ordered,* That the time for filing comments and reply comments in the above docket is extended to and including July 10 and July 24, respectively.

4. This action is taken pursuant to authority found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d) (8) of the Commission's rules and regulations.

Adopted: June 20, 1972.

Released: June 21, 1972.

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.72-9748 Filed 6-27-72;8:55 am]

[47 CFR Part 76]

[FCC 72-535]

SPORTS EVENTS ON CABLE TELEVISION SYSTEMS

Oral Argument

JUNE 22, 1972.

The Commission will hear oral argument July 20, 1972, on its notice of proposed rule making in Docket No. 19417 (FCC 72-109) relating to the carriage of sports events on cable television systems. The time for filing comments and reply comments has expired; the proceeding has attracted voluminous and diverse comment. The Commission now wishes to hear oral discussion directed to the issues, and has set aside July 20 for that purpose.

The format for argument will be specified by later order. In addition to taking statements from those wishing to be heard, the Commission may schedule panel discussions directed to some of the more important questions.

Interested persons who have filed comments or reply comments in this proceeding and who wish to participate in this en banc hearing should file, within 10 days of the release date of this notice, a written statement of intention to appear and participate. Such statement should indicate the nature of the interest represented. The Commission may invite other parties to participate in order to avail itself of a wide range of views.

Action by the Commission June 16, 1972. Commissioners Burch (Chairman), Bartley, Robert E. Lee, Johnson, H. Rex Lee, Reid and Wiley.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-9765 Filed 6-27-72;8:55 am]

FEDERAL RESERVE SYSTEM

[12 CFR Parts 204, 210]

WAIVER OF PENALTIES FOR DEFICIENCIES IN RESERVES

Notice of Proposed Rule Making

On March 28, 1972, the Board announced that it was considering amending its Regulations D and J to restructure and reduce reserve requirements and to require banks to pay checks on the day of presentment in immediately available funds (37 F.R. 6604). After reviewing the comments received, the Board has determined that member banks that will be adversely affected to a substantial degree by adoption of these proposals should be permitted a reasonable time to adjust to the effects of the new regulations. Below is the text of a letter to the Federal Reserve Banks setting out this measure:

The Board regards it as appropriate for a Reserve Bank to waive penalties in some cases for member bank reserve deficiencies that result from the implementation of the proposed amendments to Regulations D and J, announced on March 28, 1972. In those cases where the implementation of these changes would result in a net loss of funds (as computed by the Reserve Bank) in an amount more than 2 percent of the member bank's net demand deposits, it seems appropriate to waive certain of the penalties for reserve deficiencies. For the reserve periods ending on or before January 1, 1973, it is regarded as appropriate in such cases to waiver penalties on deficiencies in amounts of the full loss, less the 2 percent of net demand deposits. For each subsequent quarter, an additional 1 percent of net demand deposits would be subtracted from the amount of deficiencies eligible for waiver, until the amount of the waiver is eventually zero. This authorization for waivers will terminate on June 30, 1974.

The loss to each member bank should be calculated as the average amount[1] of the bank's Federal Reserve cash letter for which it would make earlier payment, less the average amount of same-territory country items for which the bank would receive earlier credit, or 2 percent of its net demand deposits, whichever is less, less the average reduction in reserve requirements due to the change in Regulation D. (For those few banks whose reserve requirements would be increased, the change in reserves would be added rather than subtracted.)

Applications for waiver should be submitted by a member bank prior to August 15, 1972.

By order of the Board of Governors, June 20, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-9807 Filed 6-27-72;8:55 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

SMALL BUSINESS SIZE STANDARDS

Definition of Small Business for Purpose of SBA Financial Assistance to Certain Agriculture Related Businesses

On Thursday, March 2, 1972, the Small Business Administration published in the FEDERAL REGISTER (37 F.R. 4365), a notice that it proposed to adopt regulations pertaining to the eligibility of agriculture related enterprises for the purpose of SBA financial assistance.

The Small Business Administration currently does not have a definition of small business for certain of the industries covered by the proposed regulation for the purpose of SBA financial assistance.

Accordingly, notice is hereby given that the Small Business Administration hereby proposes to adopt a $250,000 annual receipts size standard for the purpose of SBA loans to concerns primarily engaged in (a) an industry set forth in Major Group 01—Agricultural Production—Crops, of the Standard Industrial Classification Manual, published by the Office of Management and Budget, Executive Office of the President, (b) the operation of a fish farm (Part of Standard Industrial Classification Industry No. 0279, Animal Specialties, Not Elsewhere Classified), or (c) the operation of a fish

[1] The average amount will be calculated over the 4-week period ending on June 28, 1972. However, if an RCPC has been implemented during 1972, the Reserve Bank should choose a 4-week period prior to the date of such implementation. In addition, for purposes of these calculations, the figure for net demand deposits should be the average amount of net demand deposits over that same period.

hatchery (part of Standard Industrial Classification Industry No. 0921; Fish Hatcheries and Preserves). Specifically it is proposed to amend Part 121 of Chapter 1 of Title 13 of the Code of Federal Regulations by adding new § 121.3–10(i) to read as follows:

§ 121.3–10 Definition of Small Business for SBA Loans.

* * * * *

(i) Agriculture production (crops), fish farms, and fish hatcheries. Any concern primarily engaged (1) in an industry set forth in Major Group 01—Agriculture Production—Crops, of the Standard Industrial Classification Manual, (2) in the operation of a fish farm (part of Standard Industrial Classification Industry No. 0279, Animal Specialties, Not Elsewhere Classified), or (3) in the operation of a fish hatchery (part of Standard Industrial Classification Industry No. 0921, Fish Hatcheries and Preserves) is classified as small if its annual receipts do not exceed $250,000.

Interested parties may file with the Small Business Administration within 15 days of publication of this proposal in the FEDERAL REGISTER, written statements of facts, opinions, or arguments concerning the proposal.

All correspondence shall be addressed to:

WILLIAM L. PELLINGTON, Acting Director, Size Standards Staff, Small Business Administration, 1441 L Street NW., Washington, DC 20416.

Dated: June 22, 1972.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.72-9762 Filed 6-27-72;8:54 am]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[FES 72-19]

PROPOSED OUTER CONTINENTAL SHELF OIL AND GAS LEASE SALE OFFSHORE EASTERN LOUISIANA

Environmental Impact Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Bureau of Land Management, Department of the Interior, has prepared a final environmental impact statement relating to a proposed Outer Continental Shelf General Oil and Gas Lease Sale. The environmental statement considers 78 tracts of Outer Continental Shelf lands which have been identified for oil and gas leasing potential. All 78 tracts are located in the Gulf of Mexico offshore eastern Louisiana.

Reading copies of the final environmental impact statement are available in room 5643 of the Interior Building in Washington, and in BLM's New Orleans office. Copies may be obtained for $3 by writing the Director, Bureau of Land Management (130), U.S. Department of the Interior, Washington, D.C. 20240, or the Manager, BLM Outer Continental Shelf Office, Post Office Box 53226, New Orleans, LA 70153.

GEORGE L. TRUCOTT,
Acting Director,
Bureau of Land Management.

JUNE 20, 1972.

[FR Doc.72-9726 Filed 6-27-72;8:45 am]

National Park Service

[Order 2]

ADMINISTRATIVE ASSISTANT, EFFIGY MOUNDS NATIONAL MONUMENT, McGREGOR, IOWA

Delegation of Authority Regarding Purchasing

SECTION 1. *Administrative Assistant.* The Administrative Assistant may issue purchase orders not in excess of $500 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1, Effigy Mounds National Monument, dated February 21, 1963, and published May 9, 1963 (28 F.R. 4679).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 10, 1972.

THOMAS A. MUNSON,
Superintendent,
Effigy Mounds National Monument.

[FR Doc.72-9701 Filed 6-27-72;8:46 am]

[Order 2]

ADMINISTRATIVE ASSISTANT, GEORGE WASHINGTON CARVER NATIONAL MONUMENT, DIAMOND, MO.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Assistant.* The Administrative Assistant may issue purchase orders not in excess of $1,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1, George Washington Carver National Monument, dated April 1, 1963 (28 F.R. 4679, dated May 9, 1963).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 23, 1972.

EUGENE J. COLBERT,
Superintendent, George Washington Carver National Monument.

[FR Doc.72-9696 Filed 6-27-72;8:46 am]

[Order 2]

ADMINISTRATIVE OFFICER, ARCHES AND CANYONLANDS NATIONAL PARKS, NATURAL BRIDGES NATIONAL MONUMENT, UTAH

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $25,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1, Canyonlands and Arches National Parks, Natural Bridges National Monument, published October 8, 1966 (31 F.R. 13093, Oct. 8, 1966).

(National Park Service Order No. 66, 36 F.R. 21218, as amended, 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 17, 1972.

CHARLES A. BUDGE,
Acting Superintendent, Arches and Canyonlands National Parks, Natural Bridges National Monument.

[FR Doc.72-9699 Filed 6-27-72;8:46 am]

[Order 1]

ADMINISTRATIVE OFFICER, CUSTER BATTLEFIELD NATIONAL MONUMENT, CROW AGENCY, MONT.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 18, 1972.

WILLIAM A. HARRIS,
Superintendent, Custer Battlefield National Monument.

[FR Doc.72-9695 Filed 6-27-72;8:46 am]

[Order 2]

ADMINISTRATIVE OFFICER, DEVILS TOWER NATIONAL MONUMENT, DEVILS TOWER, WYO.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1, Devils Tower National Monument, dated April 8, 1963, and published May 9, 1963 (28 F.R. 4681).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 10, 1972.

HOMER A. ROBINSON,
Superintendent,
Devils Tower National Monument.

[FR Doc.72-9697 Filed 6-27-72;8:46 am]

[Order 4]

ADMINISTRATIVE OFFICER ET AL., GLACIER NATIONAL PARK, WEST GLACIER, MONT.

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may execute and approve contracts not in excess of $25,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised on behalf of

any office or area under the supervision of the Superintendent of Glacier National Park.

SEC. 2. *Procurement Officer.* The Procurement Officer may execute and approve contracts and issue purchase orders not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of Glacier National Park.

SEC. 3. *Revocation.* This order supersedes Amendment No. 1 of Order No. 3 issued November 9, 1964, and published December 8, 1964 (29 F.R. 16840).

(National Park Service Order No. 66 (36 F.R. 21218 amended 37 F.R. 4001); dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 24, 1972.

RUBEN O. HART,
Acting Superintendent,
Glacier National Park.

[FR Doc.72-9694 Filed 6-27-72;8:46 am]

[Order 2]

ADMINISTRATIVE OFFICER AND PROCUREMENT AND PROPERTY MANAGEMENT ASSISTANT, MESA VERDE NATIONAL PARK, COLO.

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. *Administrative Officer.* The Administrative Officer may execute and approve contracts not in excess of $50,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised by the Administrative Officer in behalf of any area in the Mesa Verde Group.

2. *Procurement and Property Management Assistant.* The Procurement and Property Management Assistant may issue purchase orders not in excess of $2,500 for supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised by the Procurement and Property Management Assistant in behalf of any coordinated area.

3. *Revocation.* This order supersedes Order No. 1 dated March 23, 1959, and published April 16, 1959 (24 F.R. 2914, Apr. 16, 1959).

(National Park Service Order No. 66, 36 F.R. 21218 as amended 37 F.R. 4001 Midwest Region, Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 9, 1972.

MEREDITH M. GUILLET,
General Superintendent,
Mesa Verde National Park.

[FR Doc.72-9700 Filed 6-27-72;8:46 am]

[Order 2]

ADMINISTRATIVE OFFICER, MOUNT RUSHMORE NATIONAL MEMORIAL, KEYSTONE, S. DAK.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1, Mount Rushmore National Memorial, dated April 1, 1963, and published May 9, 1963 (28 F.R. 4680).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 10, 1972.

WALLACE O. MCCAW,
Superintendent,
Mount Rushmore National Memorial.

[FR Doc.72-9698 Filed 6-27-72;8:46 am]

[Order 2]

ADMINISTRATIVE OFFICER, SCOTTS BLUFF NATIONAL MONUMENT AND AGATE FOSSIL BEDS NATIONAL MONUMENT, GERING, NEBR.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1, Scotts Bluff National Monument, dated April 5, 1963, and published May 9, 1963 (28 F.R. 4680).

(National Park Service Order No. 66, 36 F.R. 21218, as amended, 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 5, 1972.

DONALD R. HARPER,
Superintendent, Scotts Bluff and Agate Fossil Beds National Monuments.

[FR Doc.72-9702 Filed 6-27-72;8:46 am]

[Order 3]

ASSISTANT SUPERINTENDENT ET AL., JEFFERSON NATIONAL EXPANSION MEMORIAL

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment, or Services

SECTION 1. *Assistant Superintendent and Administrative Officer.* The Assistant Superintendent and Administrative Officer may execute and approve contracts not in excess of $50,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Procurement and Property Management Officer.* The Procurement and Property Management Officer may execute and approve contracts not in excess of $2,500 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 3. *Revocation.* This order supersedes Order No. 2, Jefferson National Expansion Memorial dated December 6, 1965, and published January 8, 1966 (31 F.R. No. 273).

(National Park Service Order No. 66, 36 F.R. 21218, as amended (37 F.R. 4001 dated Feb. 25, 1972). Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 8, 1972.

IVAN D. PARKER,
Superintendent, Jefferson National Expansion Memorial.

[FR Doc.72-9703 Filed 6-27-72;8:46 am]

[Order 3]

ADMINISTRATIVE OFFICER, BADLANDS NATIONAL MONUMENT, S. DAK.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 2, Badlands National Monument dated November 17, 1967, and published December 15, 1967 (32 F.R. 17985, Dec. 15, 1967).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 12, 1972.

CECIL D. LEWIS, Jr.,
Superintendent,
Badlands National Monument.

[FR Doc.72-9706 Filed 6-27-72;8:47 am]

[Order 4]

ADMINISTRATIVE OFFICER AND DISTRICT MANAGERS, BIGHORN CANYON NATIONAL RECREATION AREA, HARDIN, MONT.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for

supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *North District Manager and South District Manager.* The North and South District Managers may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 3. *Revocations.* This order supersedes Order No. 3, Bighorn Canyon NRA, dated September 18, 1966, and published (31 F.R. 13093, Oct. 8, 1966).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 15, 1972.

ARTHUR L. SULLIVAN,
Superintendent,
Bighorn Canyon NRA.

[FR Doc.72-9707 Filed 6-27-72;8:47 am]

[Order 4]

ADMINISTRATIVE OFFICER, ET AL., CURECANTI RECREATION AREA, COLO., AND BLACK CANYON OF GUNNISON NATIONAL MONUMENTS

Delegation of Authority Regarding Execution of Contracts and Purchase Orders for Supplies, Equipment or Services

SECTION 1. *Administrative Officer.* The Administrative Officer may execute and approve contracts not in excess of $25,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised on behalf of any office or area under the supervision of the Curecanti Group.

SEC. 2. *Procurement Assistant.* The Procurement Assistant may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of the Curecanti Group.

SEC. 3. Revocation. This order supersedes Order No. 3 issued November 20, 1967, and published December 15, 1967 (32 F.R. 17985).

(NPS Order No. 66, 36 F.R. 21218 as amended, 37 F.R. 4001, dated Feb. 25, 1972. Midwest Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 15, 1972.

KARL T. GILBERT,
Superintendent, Curecanti Group.

[FR Doc.72-9708 Filed 6-27-72;8:47 am]

[Order 3]

ADMINISTRATIVE OFFICER, DINOSAUR NATIONAL MONUMENT, COLO.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,500 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 2, Dinosaur National Monument, dated December 7, 1965, and published January 8, 1966 (31 F.R. 273, Jan. 8, 1966).

(National Park Service Order No. 66, 36 F.R. 21218, as amended, 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 16, 1972.

RICHARD S. TOUSLEY,
Superintendent,
Dinosaur National Monument.

[FR Doc.72-9705 Filed 6-27-72;8:47 am]

[Order 4]

ASSISTANT SUPERINTENDENT ET AL., GLEN CANYON NATIONAL RECREATION AREA, ARIZ.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Assistant Superintendent.* The Assistant Superintendent may issue purchase orders and contracts not in excess of $50,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Administrative Officer. The Administrative Officer may issue purchase orders, and contracts not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

General Supply Specialist. The General Supply Specialist may issue purchase orders and contracts not in excess of $10,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to availability of funds.

SEC. 2. *Revocation.* This order supersedes Order No. 3 of December 19, 1969 (35 F.R. 551 dated May 15, 1970).

(National Park Service Order No. 66, 36 F.R. 21218 as amended, 37 F.R. 4001, dated Feb. 25, 1972. Midwest Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 15, 1972.

C. E. JOHNSON,
Superintendent, Glen Canyon
National Recreation Area.

[FR Doc.72-9709 Filed 6-27-72;8:47 am]

[Order 3]

ADMINISTRATIVE ASSISTANT, HOMESTEAD NATIONAL MONUMENT, BEATRICE, NEBR.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Administrative Assistant.* The Administrative Assistant may issue purchase orders not in excess of $500 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 2, Homestead National Monument, dated August 17, 1970 and published September 15, 1970 (35 F.R. 14471).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 5, 1972.

VINCENT J. HALVORSON,
Superintendent,
Homestead National Monument.

[FR Doc.72-9704 Filed 6-27-72;8:46 am]

[Order 2]

ADMINISTRATIVE CLERK, CITY OF REFUGE NATIONAL HISTORICAL PARK, HAWAII

Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *Administrative Clerk.* The Administrative Clerk may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 2. *Redelegation.* The authority delegated in section 1, above, may not be redelegated.

SEC. 3. *Revocations.* This order supersedes Order No. 1, as published in 28 F.R. 6578, dated June 26, 1963.

(National Park Service Order No. 66 (36 F.R. 21218) as amended (37 F.R. 4001) dated Feb. 25, 1972; Western Region Order No. 7 (37 F.R. 6326) dated Mar. 28, 1972)

Dated: May 18, 1972.

ROBERT L. BARREL,
General Superintendent,
Hawaii Group.

[FR Doc.72-9717 Field 6-27-72;8:48 am]

[Order 2]

ADMINISTRATIVE OFFICER, ACADIA NATIONAL PARK, MAINE

Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment, or Services

1. *Administrative Officer.* The Administrative Officer, Acadia National Park,

may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Administrative Officer in behalf of any office or area administered by Acadia National Park.

2. This order supersedes Acadia National Park Order No. 1 dated March 11, 1968, as amended. (33 F.R. 8852 dated June 18, 1968).

(National Park Service Order No. 66 (36 F.R. 21218) as amended; Northeast Region Order No. 7 (37 F.R. 6325))

Dated: May 23, 1972.

KEITH E. MILLER,
Superintendent,
Acadia National Park.

[FR Doc.72-9718 Filed 6-27-72;8:48 am]

[Order 5]

ADMINISTRATIVE OFFICER ET AL., COLONIAL NATIONAL HISTORICAL PARK, VA.

Delegation of Authority Regarding Execution of Contracts and Purchase Orders for Equipment, Supplies, or Services

1. *Administrative Officer.* The Administrative Officer, Colonial National Historical Park, may execute, approve, and administer contracts not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations.

2. *Purchasing Agent.* The Purchasing Agent, Colonial National Historical Park, may issue Purchase Orders not in excess of $2,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations.

3. This order supersedes Order No. 4 dated February 10, 1964. (29 F.R. 2898 dated 2/29/64).

(National Park Service Order No. 66, 36 F.R. 21218, as amended; Northeast Region Order No. 7, 37 F.R. 6325)

Dated: May 22, 1972.

JAMES W. CORSON,
Superintendent, Colonial
National Historical Park.

[FR Doc.72-9722 Filed 6-27-72;8:48 am]

[Order 1]

ADMINISTRATIVE OFFICER, HAWAII GROUP OFFICE

Delegation of Authority Regarding Donations and Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *Administrative Officer.* (a) The Administrative Officer may accept donations of personal property valued not in excess of $10,000, and may accept donations of money not in excess of $10,000.

(b) The Administrative Officer may issue purchase orders not in excess of $20,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 2. *Redelegation.* The authority delegated in this Order No. 1 may not be redelegated.

(National Park Service Order No. 66 (36 F.R. 21218) as amended (37 F.R. 4001) dated Feb. 25, 1972; Western Region Order No. 7 (37 F.R. 6326) dated Mar. 28, 1972)

Dated: May 22, 1972.

ROBERT L. BARREL,
General Superintendent,
Hawaii Group.

[FR Doc.72-9711 Filed 6-27-72;8:47 am]

[Order 2]

ADMINISTRATIVE OFFICER ET AL., LASSEN VOLCANIC NATIONAL PARK

Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $25,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 2. *Property and Procurement Management Assistant.* The Property and Procurement Management Assistant may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 3. *Redelegation.* The authority delegated in sections 1 and 2 above may not be redelegated.

SEC. 4. *Revocations.* This order supersedes Order No. 1, dated June 3, 1963. (28 F.R. 6579 dated June 26, 1963.)

(National Park Service Order No. 66 (36 F.R. 21218), as amended (37 F.R. 4001) dated Feb. 25, 1972; Western Region Order No. 7 (37 F.R. 6326) dated Mar. 28, 1972)

Dated: May 9, 1972.

DICK BOYER,
Superintendent,
Lassen Volcanic National Park.

[FR Doc.72-9714 Filed 6-27-72;8:47 am]

[Order 5]

ADMINISTRATIVE OFFICER ET AL., MAMMOTH CAVE NATIONAL PARK, KY.

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment, and Services

1. *Administrative Officer.* The Administrative Officer may execute, approve, and administer contracts and issue purchase orders not in excess of $10,000 for supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other Federal agencies may exceed this amount. This authority may be exercised by the Administrative Officer in behalf of any officer or area administered by Mammoth Cave National Park.

2. *General Supply Specialist.* The General Supply Specialist may execute, approve, and administer contracts and issue purchase orders not in excess of $5,000 for supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other Federal agencies may exceed this amount. This authority may be exercised by the General Supply Specialist in behalf of any office or area administered by Mammoth Cave National Park.

3. *Great Onyx Job Corps Civilian Conservation Center Director and Administrative Officer.* The Great Onyx Job Corps Civilian Conservation Center Director and Administrative Officer may execute, approve, and administer contracts and issue purchase orders not in excess of $2,500 for supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other Federal agencies may exceed this amount.

4. *Redelegation.* The authority delegated in this Order No. 5 may not be redelegated.

5. *Revocation.* This order supersedes Order No. 4 (32 F.R. 9243) issued June 29, 1967.

(National Park Service Order No. 66, 36 F.R. 21218, as amended, 37 F.R. 4001; Southeast Region Order No. 5, 37 F.R. 7721)

Dated: May 26, 1972.

JOSEPH KULESZA,
Superintendent,
Mammoth Cave National Park.

[FR Doc.72-9721 Filed 6-27-72;8:48 am]

[Order 2]

ADMINISTRATIVE OFFICER AND PROCUREMENT AND PROPERTY MANAGEMENT ASSISTANT, DEATH VALLEY NATIONAL MONUMENT, CALIF.

Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment or Services

SECTION 1. *Administrative Officer.* The Administrative Officer, Death Valley National Monument, may issue contracts

and purchase orders not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Administrative Officer in behalf of any unit under the administration of Death Valley National Monument.

SEC. 2. *Procurement and property Management Assistant.* The Procurement and Property Management Assistant, Death Valley National Monument, may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Procurement and Property Management Assistant in behalf of any unit under the administration of Death Valley National Monument.

SEC. 3. *Redelegation.* The authority delegated in sections 1 and 2 above may not be redelegated.

SEC. 4. *Revocations.* This order supersedes Order No. 1, as published at 28 F.R. 10757, dated October 5, 1963.

(National Park Service Order No. 66 (36 F.R. 21218), as amended (37 F.R. 4001) dated Feb. 25, 1972; Western Region Order No. 7 (37 F.R. 6326), dated Mar. 28, 1972)

Dated: May 10, 1972.

ROBERT J. MURPHY,
Superintendent,
Death Valley National Monument.

[FR Doc.72-9713 Filed 6-27-72;8:47 am]

[Order 2]

ADMINISTRATIVE OFFICER, REDWOOD NATIONAL PARK

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment, or Services

SECTION 1. *Administrative Officer.* The Administrative Officer may execute and approve contracts not in excess of $2,000 for supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Administrative Officer on behalf of any coordinated area.

SEC. 2. *Redelegation.* The authority delegated in section 1 above may not be redelegated.

SEC. 3. *Revocations.* This order supersedes Order No. 1, as published in 34 F.R. 486, dated January 11, 1969.

(National Park Service Order No. 66, 36 F.R. 21218, as amended, 37 F.R. 4001, dated Feb. 25, 1972; Western Region Order No. 7, 37 F.R. 6326, dated Mar. 28, 1972)

Dated: May 11, 1972.

JOHN H. DAVIS,
Superintendent,
Redwood National Park.

[FR Doc.72-9715 Filed 6-27-72;8:48 am]

[Order 2]

ADMINISTRATIVE OFFICER ET AL., WHISKEYTOWN NATIONAL RECREATION AREA

Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *Administrative Officer et al.* The Administrative Officer and Clerk may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 2. Redelegation. The authority delegated in section 1, above, may not be redelegated.

SEC. 3. *Revocations.* This order supersedes all previous orders delegating authority regarding execution of purchase orders for supplies, equipment, or services at Whiskeytown National Recreation Area.

(National Park Service Order No. 66, 36 F.R. 21218, as amended, 37 F.R. 4001, dated Feb. 25, 1972; Western Region Order No. 7, 37 F.R. 6326, dated Mar. 28, 1972)

Dated: May 8, 1972.

LEONE J. MITCHELL,
Whiskeytown
National Recreation Area.

[FR Doc.72-9716 Filed 6-27-72;8:48 am]

[Order 9]

ASSISTANT SUPERINTENDENT ET AL., LAKE MEAD NATIONAL RECREATION AREA

Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *Assistant Superintendent.* The Assistant Superintendent may execute, approve, and administer contracts not in excess of $200,000 for supplies, equipment, or services, in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 2. *Administrative Officer.* The Administrative Officer may execute, approve, and administer contracts not in excess of $100,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 3. *Assistant Administrative Officer.* The Assistant Administrative Officer may execute, approve, and administer contracts not in excess of $50,000 for supplies, equipment, or services in conformity with applicable regulations and satutory authority and subject to availability of appropriations.

SEC. 4. *General Supply Specialist.* The General Supply Specialist may execute, approve, and administer contracts not in excess of $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 5. *Supervisory Park Rangers.* The Supervisory Park Rangers, Grand Wash, Mohave, and Boulder Districts, may issue purchase orders not in excess of $300 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised only when an emergency situation exists which does not permit time for procurement action to be taken by one of the delegatees specified in sections 1 through 4 above.

SEC. 6. *Foreman II (Maint.).* The Maintenance Foreman, Temple Bar, Echo Bay, and Katherine subdistricts, may issue purchase orders not in excess of $300 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised only when an emergency situation exists which does not permit time for procurement action to be taken by one of the delegatees specified in sections 1 through 4 above.

SEC. 7. *Redelegation.* The authority delegated in sections 1 through 6, above, may not be redelegated.

SEC. 8. *Revocations.* This order supersedes Order No. 8, as published in 35 F.R. 12417, dated August 4, 1970.

(National Park Service Order No. 66 (36 F.R. 21218) as amended (37 F.R. 4001) dated Feb. 25, 1972; Western Region Order No. 7 (37 F.R. 6326) dated Mar. 28, 1972)

Dated: May 5, 1972.

GLEN T. BEAN,
Superintendent, Lake Mead
National Recreation Area.

[FR Doc.72-9723 Filed 6-27-72;8:48 am]

[Order 7]

ASSISTANT SUPERINTENDENT (OPERATIONS) ET AL., YELLOWSTONE NATIONAL PARK, WYO.

Delegation of Authority to Approve and Administer Contracts and Issue Purchase Orders for Equipment, Supplies and Services

1. *Assistant Superintendent (Operations).* The Assistant Superintendent (Operations) is authorized to exercise all the procurement and contracting authority now or hereafter vested in the Superintendent, Yellowstone National Park, said authority not to exceed $200,000 for construction, supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised by the Assistant Superintendent (Operations) in behalf of any coordinated area.

2. *Administrative Officer.* The Administrative Officer may execute, administer, and approve contracts and purchase orders not to exceed $50,000 for supplies, equipment, or services in conformity with

applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised by the Administrative Officer in behalf of any coordinated area.

3. *General Supply Officer.* The General Supply Officer may execute, administer, and approve contracts and purchase orders not to exceed $25,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations. This authority may be exercised by the General Supply Officer in behalf of any coordinated area.

4. *Procurement Agent.* The Procurement Agent may execute, administer, and approve contracts and purchase orders not to exceed $10,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

5. *Purchasing Agent.* The Purchasing Agent may execute and approve purchase orders not to exceed $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

6. *Supervisory Park Rangers and Park Rangers.* Supervisory Park Rangers and Park Rangers, while on assignment as liaison officers for Indian firefighters, may issue and approve purchase orders not in excess of $300 for supplies, equipment, and srevices in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

7. *Management Assistant, Big Hole National Battlefield.* The Management Assistant, Big Hole National Battlefield, may execute and approve purchase orders not to exceed $300 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

8. *Revocation.* This order supersedes Order No. 6, Yellowstone National Park, Wyo., dated May 16, 1969, and published June 7, 1969, 34 F.R. 9094.

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: May 11, 1972.

JACK K. ANDERSON,
Superintendent,
Yellowstone National Park.

[FR Doc.72-9710 Filed 6-27-72;8:47 am]

[Order 3]

CHIEF OF OPERATIONS ET AL., CABRILLO NATIONAL MONUMENT

Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment, or Services

SECTION 1. *The Chief of Operations et al.* The Chief of Park Operations and Administrative Officer may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

SEC. 2. *Redelegation.* The authority delegated in section 1 may not be redelegated.

SEC. 3. *Revocations.* This order supersedes Order No. 2, as published in 31 F.R. 13609, dated October 21, 1966.

(National Park Service Order No. 66 (36 F.R. 21218) as amended (37 F.R. 4001) dated Feb. 25, 1972; Western Region Order No. 7 (37 F.R. 6326) dated Mar. 28, 1972)

Dated: May 18, 1972.

THOMAS R. TUCKER,
Superintendent,
Cabrillo National Monument.

[FR Doc.72-9719 Filed 6-27-72;8:48 am]

[Order 3]

PARK MANAGER, BENT'S OLD FORT NATIONAL HISTORIC SITE, LA JUNTA, COLO.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Park Manager.* The Park Manager may issue purchase orders not in excess of $100 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 2, Bent's Old Fort National Historic Site, dated November 8, 1963, and published December 4, 1963 (28 F.R. 12873, Dec. 4, 1963).

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: June 5, 1972.

ROGER J. CONTOR,
Superintendent,
Rocky Mountain Group.

[FR Doc.72-9720 Filed 6-27-72;8:48 am]

[Order 1]

PARK MANAGER, FLORISSANT FOSSIL BEDS NATIONAL MONUMENT, FLORISSANT, COLO.

Delegation of Authority Regarding Purchasing Authority

SECTION 1. *Park Manager.* The Park Manager may issue purchase orders not in excess of $100 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 66, 36 F.R. 21218, as amended 37 F.R. 4001, dated Feb. 25, 1972. Midwest Region Order No. 5, 37 F.R. 6324 and 6875)

Dated: June 5, 1972.

ROGER J. CONTOR,
Superintendent,
Rocky Mountain Group.

[FR Doc.72-9712 Filed 6-27-72;8:47 am]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

SOUTHERN ILLINOIS POWER COOPERATIVE

Notice of Availability of Draft Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Draft Environmental Statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan application from Southern Illinois Power Cooperative of Marion, Ill. This application requests REA Loan Funds for the purchase and installation of electrostatic precipitators for each of the three existing 33 MW generation units at the Marion plant.

Additional information may be secured on request, submitted to Mr. James N. Myers, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA Draft Environmental Statement have been sent to various Federal, State, and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Draft Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., Room 4322, or at the borrower address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to Mr. Myers at the address given above. Comments must be received within thirty (30) days of the date of publication of this notice to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds) will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 23d day of June 1972.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.72-9774 Filed 6-27-72;8:51 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. 286]

LANGFITT SHIPPING CORP. ET AL.

Notice of Application

Notice is hereby given that Langfitt Shipping Corp., Tyler Tanker Corp., Polk Tanker Corp., Fillmore Tanker Corp., Pierce Tanker Corp., and Buchanan Tanker Corp. have filed an application under the Merchant Marine Act, 1936, as amended, for operating-differential subsidy on vessels to be employed in U.S. foreign trade. Since these six companies are affiliated through common ownership by Seatrain Lines, Inc., written permission of the Maritime Administration under section 805(a) of the Merchant Marine Act, 1936, as amended, will be required approving the following domestic services before the application for operating-differential subsidy is approved.

1. U.S. east coast to Puerto Rico.

2. U.S. west coast to Hawaii.

3. The vessels listed below are under contract to the Military Sealift Command (MSC) for periods up to 5 years and their operations are not under the control of the owners. MSC has occasionally used these vessels in domestic operations and such operations may arise in the future. In addition, these and other vessels of Seatrain and affiliates operate or may operate in various domestic trades through arrangements with MSC and others.

Name	*Type*
Transsuperior	Tanker.
Erna Elizabeth	Do.
Transglobe	Dry Cargo.
Transpacific	Do.
Transcolumbia	Do.
Transcolorado	Do.
Seatrain Puerto Rico	Do.
Seatrain Florida	Do.
Seatrain Carolina	Do.
Seatrain Maryland	Do.
Seatrain Ohio	Do.
Seatrain Washington	Do.
Seatrain Maine	Do.

Interested parties may inspect the application under consideration in the Office of Subsidy Administration, Maritime Administration, Room 4888, Department of Commerce Building, 14th and E Streets NW., Washington, DC 20235.

Any person, firm or corporation having interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) or desiring to submit comments or views concerning the application must, by close of business on July 7, 1972, file same with the Maritime Subsidy Board/Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board/Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing has been tentatively scheduled for 10:30 a.m. on July 10, 1972, in room 4896, Department of Commerce Building, 14th and E Streets NW., Washington, DC 20235. The purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the domestic services, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

Dated: June 23, 1972.

By order of the Maritime Subsidy Board/Maritime Administration.

AARON SILVERMAN,
Assistant Secretary.

[FR Doc.72-9786 Filed 6-27-72;8:52 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

OFFICE FOR CIVIL RIGHTS

Amendment to Statement of Organization

The Statement of Organization, Functions and Delegations of Authority of the Office for Civil Rights, 35 F.R. 10927, is hereby amended to include reference to the Comprehensive Health Manpower and Nurse Training Acts in the Mission and to reflect a new organizational structure, including the establishment of a Higher Education Division and additional Assistant Directors.

Sections 1D.00, 1D.10 and 1D.20 shall read as follows:

§ 1D.00 *Mission.* The Office for Civil Rights administers the Department's responsibilities for Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d) et seq.), Parts II and III of Executive Order 11246, as amended, and provisions of the Comprehensive Health Manpower and Nurse Training Acts (sections 799A and 845 respectively).

§ 1D.10 *Organization.* The Office for Civil Rights, under the supervision of the Director, Office for Civil Rights, who reports directly to the Secretary, and also serves as Special Assistant to the Secretary for Civil Rights, consists of:

Office of the Director:
- Director.
- Deputy Director.
- Assistant Director (Management).
- Assistant Director (Planning).
- Assistant Director (Special Programs).
- Assistant Director (Public Affairs).
- Assistant Director (Congressional Affairs).

Contract Compliance Division.
Elementary and Secondary Education Division.
Higher Education Division.
Health and Social Services Division.

Section 1D.20 *Functions*—(1) *Director.* The Director is responsible for the overall direction of the office and for the implementation of its responsibilities. He authorizes and directs compliance reviews, investigations, negotiations, and referral of cases to the HEW General Counsel or the Department of Justice for administrative or judicial enforcement proceedings when appropriate. In his capacity as Special Assistant to the Secretary for Civil Rights, he acts as a single point of coordination and contact for all of the Department's civil rights activities.

(2) *Deputy Director.* The Deputy Director is the principal assistant to the Director. He acts for the Director in his absence and serves as principal liaison for relationships and transactions with other governmental and non-governmental agencies and individuals.

(3) *Assistant Director (Management).* The Assistant Director (Management) is responsible for all management and administrative activities, including financial reporting, budget planning and administration; personnel administration, including staffing, training, control and accounting; management analysis; development and coordination of the justification for appropriations; control of correspondence, records and mail; organization analysis; supply and administrative support services; contract negotiations; and all necessary support services for the Office for Civil Rights.

(4) *Assistant Director (Planning).* The Assistant Director (Planning) is responsible for the recommendation, development, and implementation of overall civil rights policy; for the collection, analysis, interpretation and control of all statistical data required for compliance determination; for coordination and design of new program development and implementation; for all evaluation of on-going programs and analysis of policy alternatives to determine the impact of compliance activities; and for coordination of all policy, program development and evaluation activities of the office with appropriate senior officials throughout the Government.

(5) *Assistant Director (Special Programs).* The Assistant Director (Special Programs) is responsible for the planning, development, coordination, control, implementation, and evaluation of all special programs and activities assigned to the office. He serves as the principal policy advisor to the Director on special projects and coordinates policy initiatives, including those related to American Indians, Spanish-surnamed Americans, Asian-Americans, migrant workers, and bilingual/bicultural affairs. He chairs Departmental and office task forces concerned with special issues and supervises all staff work required for policy formulation in these areas.

(6) *Assistant Director (Public Affairs).* The Assistant Director (Public Affairs) is responsible for producing and disseminating public information materials; providing liaison with the news media and appropriate public organizations; handling public inquiries; establishing and maintaining a clearinghouse

of information and materials; and supplying information and published materials to the office staff and appropriate governmental agencies. He is also responsible for enforcement of Title VI with regard to public broadcasters receiving Federal funds.

(7) *Assistant Director (Congressional Affairs).* The Assistant Director (Congressional Affairs) is responsible for handling congressional inquiries; maintaining liaison with the Congress and congressional staff members; preparing testimony and other materials requested by the Congress; and coordination of legislative planning activities in the development of the office's legislative program.

(8) *Contract Compliance Division.* The Director, Contract Compliance Division, is responsible for enforcing the provisions of Executive Order 11246, as amended, involving construction projects funded by HEW in the health, education and social service areas as well as various other contractors (excluding institutions of higher education); for conducting compliance reviews of contractors' and subcontractors' facilities to evaluate their employment policies and practices; for negotiating appropriate corrective action on the part of these contractors; for investigating individual complaints of alleged discrimination in employment filed against contractors; for preparing recommendations for sanctions, as necessary; and for otherwise coordinating with all organizations responsible for the education, training, referral and recruitment of manpower to assure that minority persons have full and open opportunity for training and employment.

(9) *Elementary and Secondary Education Division.* The Director, Elementary and Secondary Education Division, is responsible for enforcing the provisions of Title VI of the Civil Rights Act of 1964 affecting elementary and secondary schools; conducting compliance reviews of facilities and faculties to evaluate attendance and employment practices; for assuring compliance with the provisions of all legislation involving desegregation assistance to elementary and secondary schools; for negotiating appropriate corrective action on the part of school boards and/or administrators; for investigating complaints of alleged discrimination and/or desegregation of facilities; for preparing recommendations for sanctions as necessary; and for working with the General Counsel in the preparation of legal action when such action becomes necessary.

(10) *Higher Education Division.* The Director, Higher Education Division is responsible for enforcing the provisions of Title VI of the Civil Rights Act of 1964 and Executive Order 11246 affecting institutions of higher education; the antisex discrimination provisions of the Comprehensive Health Manpower and Nurse Training Acts of 1971 (sections 799A and 845 respectively); and any similar provisions which may be enacted affecting institutions of higher education. Responsibilities include conducting compliance reviews of colleges and universities; negotiating appropriate corrective action; investigation of individual complaints of discrimination; the clearing of Health Manpower and Nurse Training grants; preparing recommendations for sanctions as necessary; and for working with the General Counsel in the preparation of legal action when such action becomes necessary.

(11) *Health and Social Services Division.* The Director, Health and Social Services Division, is responsible for enforcing the provisions of Title VI of the Civil Rights Act of 1964 as they apply to all recipients of health and social service programs of the Department; for conducting compliance reviews of agencies and facilities to evaluate treatment, care, and services provided to patients and beneficiaries; for negotiating appropriate corrective action on the part of hospital administrators, welfare administrators, and other concerned officials; for the investigation of individual complaints of discrimination, for preparing recommendations for sanctions as necessary; and for working with the General Counsel in the preparation of legal action when such action becomes necessary.

Dated: June 20, 1972.

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

[FR Doc.72-9753 Filed 6-27-72;8:50 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-72-186]

REGIONAL ADMINISTRATORS ET AL.

Redelegation of Authority Regarding Community Planning and Management Programs

The redelegation of authority by the Assistant Secretary for Metropolitan Planning and Development to Regional Administrators et al., published at 35 F.R. 15408, October 2, 1970, is amended in the following respects to reflect recent changes in position and office titles pursuant to Departmental reorganization:

1. A new section C is added to read as follows:

SEC. C. *Authority redelegated with respect to Community Development Training Grant Program.* 1. Each Assistant Regional Administrator for Community Planning and Management is authorized with respect to the Community Development Training Grant Program under section 803 of the Housing Act of 1964 (20 U.S.C. 803) to (a) authorize grants and establish the terms thereof; (b) execute grant agreements and amendments thereto; and (c) approve requisitions for funds and third-party contracts.

2. Each Planning and Management Officer in a Regional Office of the Department of Housing and Urban Development is authorized, with respect to the Community Development Training Grant Program, to (a) execute grant agreements and authorize and execute amendments thereto within the amounts and general terms approved by the Assistant Secretary or Deputy Assistant Secretary for Community Planning and Management, the Regional Administrator, the Deputy Regional Administrator, or the Assistant Regional Administrator for Community Planning and Management; and (b) approve requisitions for funds and third-party contracts.

2. A new section D is added to read as follows:

SEC. D. *Authority redelegated with respect to relocation in connection with Slum Clearance and Urban Renewal Program.* Each Regional Administrator, Deputy Regional Administrator, Area Director, Deputy Area Director, Director and Deputy Director, Operations Division, Assistant Director, Planning and Relocation Branch, and Relocation Specialist is authorized in connection with the Slum Clearance and Urban Renewal Program to review a locality's relocation plan and its effectiveness in carrying out the plan under section 105(c)(3) of the Housing Act of 1949 (42 U.S.C. 1455 (c)(3)).

3. A new section E is added to read as follows:

SEC. E. *Authority redelegated to Region VIII (Denver) officials.*

1. The Assistant Regional Administrator for Community Planning and Management, Region VIII (Denver), is authorized to exercise:

a. The authority redelegated in section A-I-7 with respect to the Comprehensive Planning Assistance Grant Program.

b. The authority redelegated in section A-IV-2 with respect to the Urban Systems Engineering Demonstration Program.

c. The authority redelegated in section A-VI with respect to Workable Programs for Community Improvement.

d. The authority redelegated in section D in connection with the Slum Clearance and Urban Renewal Program to review a locality's relocation plan and its effectiveness in carrying out the plan.

2. The Relocation Advisor, Region VIII (Denver), is authorized to exercise the authority redelegated in section D.

4. The present section C is redesignated as section F and is revised to read as follows:

SEC. F. *Exercise of redelegated authority.* Redelegations of authority made under sections A through E shall not be construed to modify or otherwise affect the administrative and supervisory powers of the Regional Administrator, Area Director, and their deputies, to whom a delegate is responsible, and these supervisors shall, in addition to any other authority delegated to them, have the same final authority redelegated to their subordinates.

5. The present section D is redesignated as section G.

(Secretary's delegation of authority to redelegate published at 36 F.R. 5004, Mar. 16, 1971)

Effective date. This amendment to redelegation of authority is effective as of July 1, 1971.

SAMUEL C. JACKSON,
Assistant Secretary for Community Planning and Management.

[FR Doc.72-9750 Filed 6-27-72;8:50 am]

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

THEME TITLES

SEC. 5. In accordance with the provisions of section 6(g) of Public Law 89-491, as amended by Public Law 91-528, I hereby certify that the American Revolution Bicentennial Commission has adopted the following theme titles for use in connection with the commemoration of the American Revolution Bicentennial:

Horizons '76.
Heritage '76.
Festival USA.

Each of these theme titles will be used to identify major areas of emphasis in the commemoration as follows:

HORIZONS '76

Within the ARBC's mandate to relate the basic principles on which the Nation was founded to Bicentennial programs, Horizons '76 is primarily future oriented. Within the Commission's charge to provide coordination and leadership for the 200th commemoration, Horizons '76 encompasses the substantial portion of responsibilities to meet President Nixon's call for

* * * this (to) be the occasion for looking ahead, for defining and dedicating ourselves to our common purposes, and for speeding the accomplishment of specific local projects responsive to our changing national priorities.

The President also emphasized the desirability of a central and unifying theme for the Bicentennial: Improving the quality of life.

Neither the President, the Congress, nor the Commission would represent that the programs the Commission supports, endorses, or activates can provide a panacea for all the ills of our society. The Commission's role is seen to be that of a catalyst in both the public and private sectors to bring forth by 1976 and beyond new levels of achievement. Hopefully, from programs thus begun will flow a continuum of improvements in the quality of life for every American, even into Century III.

The Commission has reflected the view that the major Horizons '76 program which can both involve every American and lead to improvements in the quality of life for every American is "Call for Achievement." It proposes that the American people where they live, where they work, or wherever they are joined by a commonality of interest come together to define their shared aims, to establish plans and priorities for their achievement in line with their resources, and then to work vigorously together for achievements.

In addition to "Call for Achievement" the Commission will concentrate the limited resources it can command to have maximum impact upon improvement of quality of life in Century III. Priority will be given to the best projects so that, when the fireworks have faded and the parades are over, it can be said people are living better because we applied to the future the best of the principles and spirit of the past.

HERITAGE '76

The heritage of America embraces the whole country. It is the substance of our collective memory. The Bicentennial Era is rich in historic events to be commemorated and provides opportunity for direct citizen participation in examining the heritage and values of this Nation. The discovery of this heritage is an exciting experience; one to give optimism and confidence to all Americans. The Commission urges all public and private groups in America to recall these first 200 years of growth and development. July 4, 1976, will close the second century of this Nation's existence. We have progressed from the time of a 4-week Atlantic crossing in 1776 to a 3-day voyage to the moon.

The Bicentennial is the anniversary of these first 200 years of growth and development. Though this Nation is now troubled by both ancient and modern problems of human society, the Commission first urges an examination of our country: its heritage and values. The term "American know-how" is not folklore. We are a Nation of doers. We have faced countless problems and have continued to function and grow under our establishing Constitution longer than any other contemporary Nation. This heritage of acting, of change, and of willingness to change will carry America forward to its third century. The discovery of this heritage is an exciting experience; one to give optimism and confidence to all Americans.

Heritage '76 is concerned not only with the past but also with the present and the future. It is as interested in the continuity and contemporary validity of the ideas of the Revolution as it is in the origin and evolution of those ideas. It is as much concerned with the present state of our national inheritance as it is with the events which led up to the Declaration of Independence and the Constitution.

Heritage '76 recognizes that the American Revolution is a permanent process of renewal, change, and improvement in American life; that political institutions and forms of government, as well as all the agencies of social responsibility, must reflect the times and adapt to changing needs; that in 1976, as in 1776, social, economic, and political systems must serve the ultimate purposes of a democratic nation to free men from tyranny and oppression, from injustice, from human deprivation and the denial of human rights, and from the degradation and destruction of the natural habitat and the social environment. The American Revolution is a continuing revolution, and the "pursuit of happiness" a continuing quest.

FESTIVAL USA

Festival USA is a central and unique component of the Bicentennial. It evokes the spirit of hospitality and movement which has characterized American development; it invites Americans to share experiences with each other and with their visitors and thus to enhance understanding; it encourages everyone to participate in the Bicentennial. Festival USA is firmly focused on people, the sights and the sounds of the people—all the people—the multiplicity of their ideas, their expressions, their interests which best convey the diversity of our culture, the warmth of our hospitality, the vitality of our society, the traditions upon which we draw and the traditions we create.

Our Nation, founded by pioneers, built by immigrants, and strengthened by refugees should pay tribute to the nations of the world whose contributions of ideas and people have played so great a role in our growth. What better way to pay that tribute than to invite as many visitors as possible to share the Bicentennial with us? We ask the countries of the world to send us their people—their scholars, their young people, their artists, their professions, their families; to have them bring and leave with us some aspect of themselves and their culture.

Through Festival USA villages, towns, cities, States, organizations, and families will be encouraged to open their doors to each other and visitors, to beautify their communities, and to stage festivals, fairs, and pageants. The volunteer spirit has made this country great. The Commission hopes that Festival USA will revive and strengthen that spirit.

JACK LEVANT,
Director, American Revolution Bicentennial Commission.

[FR Doc.72-9809 Filed 6-27-72;8:55 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-113]

UNIVERSITY OF ARIZONA

Notice of Issuance of Amendment to Facility License

The Atomic Energy Commission (the Commission) has issued, effective as of the date of issuance, Amendment No. 10 to Facility License No. R-52. The amendment authorizes the University of Arizona to operate the modified reactor, to receive and possess 3,500 grams of uranium 235, and to receive, possess and use a 5 curie americium-beryllium neutron start-up source.

The amendment, as proposed in the FEDERAL REGISTER on December 24, 1970, has been revised to include the authorization for the additional material. The licensee requested authorization on December 20, 1971, and supplements dated

January 20, 1971, and TWX dated April 26, 1972, to further modify the reactor. Amendment No. 1 to Construction Permit No. CPRR-111 was issued May 2, 1972, for the additional modifications. The additional material was requested in order to replace the aluminum clad fuel elements which stainless steel clad elements. However, difficulty has been experienced by the licensee in obtaining the approved shipping cask to receive the stainless steel clad fuel elements. Accordingly, by TWX dated May 30, 1972, the licensee requested authority to operate the modified reactor using the aluminum clad fuel elements that were originally installed in the reactor. We have reviewed this proposal and conclude that the modifications that have been made to the reactor involve primarily the reactor control system while the core structure remains essentially unchanged, and there is no physical impediment to reinstallation of the aluminum clad fuel elements. Therefore, operation of the reactor in the steady-state mode using the aluminum clad fuel elements and in accordance with the previously issued Technical Specifications will present no significant safety considerations not previously evaluated. The amendment to the construction permit also authorized the installation of a pneumatically operated poison rod to permit pulse mode operation of the reactor. The Technical Specifications under which the reactor will be operated does not permit pulse mode operation, and the licensee does not intend to operate the reactor in the pulse mode. Pulsing of the reactor and the use of the material will be authorized at the time the stainless steel clad fuel elements are received and installed.

The Commission has found that the application complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendment, and has concluded that the issuance of the license amendment will not be inimical to the common defense and security or to the health and safety of the public. The Commission has also found that prior public notice of this amendment is not required since the amendment does not present significant hazards considerations different from those previously evaluated.

Within 15 days from the date of publication of the notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the license amendment, the application, with supplements, and the Safety Evaluation prepared by Reactor Projects, all of which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, DC. A copy of the amendment and Safety Evaluation may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 20th day of June 1972.

For the Atomic Energy Commission.

PAUL F. COLLINS,
Acting Assistant Director for Operating Reactors, Directorate of Licensing.

[FR Doc.72-9804 Filed 6-27-72;8:54 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24436]

BAHAMAS WORLD AIRLINES LTD.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on July 12, 1972, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned Examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report and other documents in this docket on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., June 22, 1972.

[SEAL] THOMAS P. SHEEHAN,
Hearing Examiner.

[FR Doc.72-9779 Filed 6-27-72;8:55 am]

[Docket No. 23486; Order 72-6-91]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Disapproving Agreement Regarding Charters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 21st day of June 1972.

There has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958, as amended, and Part 261 of the Board's economic regulations, an agreement among various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA) adopted at meetings recently held in Miami and Geneva, and assigned the above-designated CAB agreement number. The resolutions relate to IATA Resolution 045 governing passenger charters for various areas.[1] The effect of the resolutions would be to revalidate the IATA Charter Resolution through March 31, 1973, with minor amendments.

By Order 72-3-112, dated March 31, 1972, as amended by Order 72-4-152, dated April 28, 1972, the Board approved the subject resolutions through June 30, 1972. At the same time the Board directed interested parties to show cause why the IATA Charter Resolution should not be disapproved after June 30, 1972.

Comments have been filed by 10 scheduled carriers,[2] one supplemental air carrier,[3] one foreign charter carrier,[4] one trade association,[5] the Department of Transportation (DOT), and the European Civil Aviation Conference (ECAC). The scheduled carriers, ASTA and ECAC are opposed to disapproval of 045, while World and BCAL favor the Board's proposed action. DOT suggests that in lieu of disapproval the Board should conditionally approve 045.

We turn first to those arguments which deal with the substance of 045. Many of the opponents to disapproval of 045 argue that this resolution is an integral part of the IATA fare structure, and, consequently, disapproval could lead to an open rate situation. Northwest claims that if 045 is disapproved IATA carriers will not be able to charge less than IATA agreed fares for charters and will not be able to pay commissions on charters. While these contentions may have some validity in a technical sense, they do not address the fundamental issue at stake—whether the rules embodied in 045 continue to serve the public interest. In any event the carriers are not without power to correct any deficiency in this respect that may result from our action herein.

Several of the scheduled carriers argue that 045 is not incompatible with the Board's regulations because the IATA carriers have realized a marked growth in their charter operations. Additionally, Lufthansa contends that disapproval will result in diversion of scheduled traffic to charters, thereby adversely affecting scheduled operations. The first of these arguments seems to miss the point. Whether charters have increased or not

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[1] R-147 is IATA Standard Revalidation Resolution 002, and so our action herein is only insofar as it concerns IATA Resolution 045.

[2] Northwest Airlines, Inc. (Northwest), Trans World Airlines, Inc., Pan American World Airways, Inc., K.L.M. Royal Dutch Airlines, Societe Anonyme Belge d'Exploitation de la Navigation Aerienne, Swiss Air Transport Co., Ltd., Deutsche Lufthansa Aktiengesellschaft (Lufthansa), Compagnie Nationale Air France, Scandinavian Airlines System, and Japan Air Lines Co., Ltd., sometimes referred to collectively hereinafter as the scheduled carriers.

[3] World Airways, Inc.

[4] British Caledonian Airways (Charter), jointly with British Caledonian Airways Ltd.

[5] American Society of Travel Agents (hereinafter ASTA).

under the present 045 is not the question; the test is whether the public is receiving, and will continue to receive, the economical bulk transportation which it requires and to which it is entitled. As to Lufthansa's argument, that carrier has presented no facts or data which support its contention that the Board's disapproval of 045 would result in any significant detrimental effect on scheduled carriers' operations, and the Board is unable to conclude that such would be the case.

Another argument advanced is that disapproval of 045 will result in the elimination of the IATA enforcement machinery, thereby placing a greater enforcement burden on the Board. If that should occur, the short answer is that the Board cannot avoid its duty to the public simply because a proposed change will impose a greater workload upon it. And the fact of the matter is that the Board has never turned over its enforcement responsibility to IATA. Accordingly, the unavailability of the IATA enforcement machinery will not shift to the Board any duties it does not have now.

A second group of comments deal not with the substantive effect of the Board's proposed action, but with its timing. Most of the scheduled carriers, ECAC and ASTA refer to upcoming meetings of IATA and ECAC working groups to consider possible changes in 045. Various periods for deferral are suggested: Through September 1972; through December 1972; or through March 1973. Several of commenting parties suggest deferral pending final action on the Board's Travel Group Charter proposal (EDR–218/SPDR–22A, Docket 23055). In support of deferral some of the parties contend that there is no urgency in disapproving 045 since charter bookings for the peak 1972 season are virtually completed.

The Department of Transportation takes the position that the 045 resolution, in its present form, is adverse to the public interest. It argues that the resolution impedes the development of the bulk air transportation market, and is inconsistent with the President's statement of International Air Transportation Policy which calls for additional uniformity and simplification of charter rules so that all types of carriers can compete for bulk traffic. DOT suggests, nevertheless, that 045 might be approved subject to the conditions, (1) that U.S. air carriers should not be subject to any restrictions of 045 which will be greater than those of the Board's regulations, and (2) that similar relief from 045 restrictions should be provided only to those foreign air carriers whose country of origin grants reciprocity to U.S. scheduled and charter carriers.[6]

Upon careful consideration of all comments submitted, the Board has concluded that the IATA Charter Resolution 045 should be disapproved, and the tentative findings in the Board's Order to Show Cause 72–3–112, should be made final.

The Board is convinced that the time has come to recognize new concepts of charter air transportation, and that charter regulations should be framed in a manner which will promote rather than inhibit the public demand for bulk air transportation. In recent years there has been a tremendous growth in the charter air transportation market. This growth has occurred despite numerous restrictions imposed by foreign governments, and, specifically with respect to the scheduled carriers, the restrictions of IATA Charter Resolution 045. These restrictions have impeded air carriers and foreign air carriers from providing charter air transportation in accordance with the public demand. The very fact that this growth has occurred, despite the governmental and IATA restrictions, is reflective of a vast and increasing public demand for low cost mass air transportation.

In the past, the reaction to this public demand for service has far too often been one of imposing restrictions which preclude carriers from meeting the public demand, apparently motivated by a desire to maintain unaltered the historical pattern of air carrier service. The proper development of charter air transportation has, as a result, been unnecessarily restricted, a circumstance we consider intolerable in light of the increasing public interest in charter air transportation.

IATA Resolution 045, in its present form, is reflective of that historical role. It is aimed, not at insuring that charter operations will be provided on an economic basis, and that the necessary distinction between scheduled and charter service be maintained, but rather to the objective and with the effect of imposing restrictions which insure that the scheduled carriers will not depart from their historical role of treating charters only as incidental to their scheduled services. As such, it has become antithetical to the necessary and desirable evolution of air transportation.

It is apparent that many foreign governments share the Board's views. Thus, nonaffinity charter concepts are evolving, not only in the U.S., but in many other European countries as well. Moreover, dissatisfaction with the IATA charter resolution restrictions is reflected by the several applications of subsidiaries of foreign IATA scheduled carriers, fully sanctioned by their governments, seeking separate charter permit authority which would not be subject to the IATA restrictions.

Viewed in this context, it is apparent that the charter agreement by the IATA members serves no useful regulatory purpose. While it purports to establish a uniform charter definition for its adherents, in fact it goes far beyond that objective. IATA's definition of charter transcends the mere regulation of authorized services; it tends to define the role of IATA members vis-a-vis that of nonmembers. To the extent it succeeds in the latter endeavor, the agreement in effect assumes a licensing role. However, licensing is a matter for government determination.

Moreover, the IATA resolution has other detrimental effects. In light of its restrictive nature, rather than promoting uniformity of charter regulations, it instead creates marked divergencies in the scope of charter operations permitted by IATA scheduled carriers on the one hand, and charter carriers and scheduled carriers not members of IATA on the other. Further, the latter group (non-IATA scheduled carriers) includes subsidiaries of IATA scheduled carriers, thereby creating situations of inequality of competitive opportunity.

Finally, it is clear that the very objective of uniformity of charter regulation, which the IATA resolution seeks, because of the restrictive nature of the rules, has created a situation which in itself is contrary to the public interest. Thus, many foreign governments have imposed restrictions on U.S.-carrier charter operations solely because the proposed operations, which would not otherwise be considered to be contrary to the public interest, did not conform to the IATA requirements. In this respect, the IATA resolution has become a major impediment to the development of modern forward looking charter regulation having the objective of best meeting the public demand for charter air transportation in a manner consistent with the development of a sound overall air transportation system.

For the foregoing reasons the Board finds that the IATA charter resolution is adverse to the public interest and should be disapproved insofar as it relates to air transportation to be performed on and after July 1, 1972. In taking this action, the Board is not unmindful of the many requests for a temporary extension of approval to permit the IATA members further opportunity to amend 045 so as to narrow or close the gap between it and the Board's charter rules. Our action herein does not foreclose that possibility. The Board will, of course, consider any revised version of 045 that is submitted for approval. One approach the carriers may wish to consider is agreement that a flight will be considered a charter (for purposes of charging less than agreed rates) if it conforms to the laws and regulations of

[6] In view of our conclusion that the public interest requires disapproval of the IATA resolution, we find that, except to the extent indicated infra, it would be inappropriate at this time to consider specific provisions attempting to bring the IATA charter resolution into conformity with the public interest. We do note, however, that the Board possesses ample alternative means to deal with the problem of foreign government restrictions on U.S. carrier charter operations, and the pending On-Route Charter Authority of Foreign Air Carrier Permits Proceeding, Docket 22362, provides additional power in this respect.

the country in which it originates. Such an agreement, unless significantly encumbered by government reservations, would afford IATA a simple, workable, and equitable regime to assure uniformity of practices by its members within each and every point-to-point market.[7]

Accordingly, it is ordered,

1. That, effective July 1, 1972, Resolutions R–35, R–69, R–147 (insofar as it relates to Resolution 045), R–199, R–259, R–298 and R–325, be and they hereby are disapproved; and

2. That this order shall be served on all holders of foreign air carrier permits or certificates of public convenience and necessity, and upon the Departments of Justice, State, and Transportation.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,[8]
Secretary.

[FR Doc.72–9780 Filed 6–27–72;8:55 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19415 etc.; FCC 72–491]

SOUTHLAND, INC., ET AL.

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In regard applications of Southland, Inc., Laurel, Miss., Docket No. 19415, File No. BPH–7405; South Jones Broadcasters, Incorperated, Ellisville, Miss., Docket No. 19416, File No. BPH–7445; Michael D. Haas, Bay St. Louis, Miss., Docket No. 19465, File No. BP–18154; Robert Barber, Jr., George Sliman, and F. M. Smith, doing buisness as Gulf Broadcasting Co., Gulfport, Miss., Docket No. 19466, File No. BP–18462; HWH Corp., McComb, Miss., Docket No. 19467, File No. BP–18478; for construction permits.

1. Under consideration is a request for consolidation filed April 7, 1972 by the Chief, Broadcast Bureau (Bureau). The Bureau requests that the Commission consolidate the above-captioned applications involving Dockets Nos. 19415–19416 and Dockets Nos. 19465–19467 in a consolidated proceeding for the limited purpose of resolving the § 1.65 issue specified against Gulf Broadcasting Co. in the order designating such application for hearing (FCC 72–232, released March 23, 1972.)[1]

2. In support of its request, the Bureau states that George M. Sliman and F. M. Smith each holds 33⅓ percent of the shares in Southland, Inc., Sliman being the vice president of such corporation and general manager of its station at Laurel, Miss.; that George Sliman and F. M. Smith are also partners along with Robert Barber, Jr. in Gulf Broadcasting Co. (Gulf); that the § 1.65 issue was specified with respect to Gulf's application in view of the alleged failure to amend such application to reflect the interest of the two partners (Sliman and Smith) in Southland, Inc.'s application until February 23, 1972. Accordingly, the Bureau believes that he consolidation procedure set forth in A. V. Bamford, 32 FCC 2d 773 (1972) and Alvin L. Korngold, 32 FCC 2d 862 (1972), should be followed here.

3. No opposition has been filed to the Bureau request. We believe that the proceedings should be consolidated for the limited purpose specified. Two of the partners in Gulf hold a substantial interest in Southland, Inc. In view thereof, resolution of the § 1.65 issue prior to separate consideration of the Gulf and Southland applications is appropriate, thereby avoiding the possibility of a multiplicity of hearings where substantially the same evidence would be adduced. The proceedings will, therefore, be consolidated for the limited purpose of adjudication of such issue.

4. *Accordingly, it is ordered,* That the request for consolidation filed April 7, 1972 by the Chief, Broadcast Bureau is granted.

5. *It is further ordered,* That the proceeding involving the applications of Southland, Inc. (Docket No. 19415, File No. BPH–7405) and South Jones Broadcasters, Inc. (Docket No. 19416, File No. BPH–7445), is consolidated for hearing with the proceeding involving the applications of Michael D. Haas (Docket No. 19465, File No. BP–18154), Robert Barber, Jr., George Sliman and F. M. Smith, doing business as Gulf Broadcasting Co. (Docket No. 19466, File No. BP–18462) and HWH Corp. (Docket No. 19467, File No. BP–18478), before Hearing Examiner Jay A. Kyle for the limited purpose of receiving evidence and the issuance of an Initial Decision regarding the § 1.65 issue specified in the order, FCC 72–232, released March 23, 1972.

Adopted: June 7, 1972.

Released: June 9, 1972.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,[2]
BEN F. WAPLE,
Secretary.

[FR Doc.72–9766 Filed 6–27–72;8:51 am]

[Dockets Nos. 19526, 19527]

PEORIA VALLEY BROADCASTING, INC., AND TAZWELL BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of Peoria Valley Broadcasting, Inc., Pekin, Ill., Docket No. 19526, File No. BPH–7648; requests channel 285; 3 kw. (H and V); 263 feet; and Douglas R. St. Cerny, James P. St. Cerny, III, doing business as Tazwell Broadcasting Co., Pekin, Ill., Docket No. 19527, File No. BPH–7703; requests channel 285; 3 kw. (H and V); 300 feet; for construction permits.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has for consideration the above-captioned applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. The applicants are qualified to construct and operate as proposed. However, because the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

3. *Accordingly, it is ordered,* That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the proposals would, on a comparative basis, better serve the public interest.

2. To determine, in light of the evidence adduced pursuant to the foregoing issue, which of the applicants for a construction permit should be granted.

4. *It is further ordered,* That the applicants shall file a written appearance stating an intention to appear and present evidence on the specified issues, within the time and in the manner required by § 1.221(c) of the rules.

5. *It is further ordered,* That the applicants shall give notice of the hearing within the time and in the manner specified in § 1.594 of the rules, and shall seasonably file the statement required by § 1.594(g).

Adopted: June 19, 1972.

Released: June 21, 1972.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.72–9746 Filed 6–27–72;8:50 am]

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[7] Charters performed in air transportation by scheduled carriers would, of course, be restricted to those operations specifically authorized by §§ 207.11 and 212.8 of the Board's Economic Regulations, or any amendments of those sections.

[8] Dissenting statements of Vice Chairman Gillill filed as part of the original document.

[1] The issue reads:

3. To determine whether Gulf Broadcasting Co. has complied with the provisions of § 1.65 of the Commission rules by keeping the Commission advised of substantial and significant changes as required by § 1.65, and, if not, the effect of such noncompliance on its basic or comparative qualifications to be a Commission licensee.

[2] Commissioner Reid absent.

[Canadian List 293]

CANADIAN STANDARD BROADCAST STATIONS

Notification List

JUNE 14, 1972.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Antenna height (feet)	Ground system: Number of radials	Ground system: Length (feet)	Proposed date of commencement of operation
CJBQ (Now in operation)	Belleville, Ontario, N. 43°57'49", W. 77°25'00".	10	DA-2	800 kHz U	II				
CKIQ (Correction of call letters)	Kelowna, British Columbia, N. 49°50'52", W. 119°27'54".	1	DA-1	1150 kHz U	III				
(New)	Calgary, Alberta, N. 50°54'21", W. 114°12'36".	10	DA-2	1280 kHz U	III				E.I.O. 6.14.73.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.72-9745 Filed 6-27-72;8:50 am]

[Docket No. 19260; FCC 72-534]

FAIRNESS DOCTRINE AND PUBLIC INTEREST STANDARDS

First Report Regarding Handling of Political Broadcast

I. INTRODUCTION

1. This first report deals with Part V of our Notice—the fairness doctrine as it relates to political broadcasts. We would ordinarily consider this aspect in the context of the revisions made in the general fairness area, including possible public interest decisions as to access. However, we are operating under time constraints here that we must take into account—namely, the appropriateness of disposing of this aspect well before the commencement of the general election period. See "DNC v. FCC, — U.S. App. D.C. —, — FCC 2d —," Case No. 71-1738 (D.C. Cir. Feb. 22, 1972) (slip op. at 7). We therefore have expedited our consideration of this aspect and, if necessary, will reexamine this report in light of our later decisions in Parts II–IV.

2. While this was the last topic in this inquiry, it is not, of course, the one of least importance. Promotion of robust, wide open debate in this field vitally serves the public interest.

II. BACKGROUND

3. In applying the fairness doctrine the Commission has traditionally required licensees to afford reasonable opportunity for the presentation of contrasting views following the presentation of one side of a controversial issue of public importance. The licensee has been given wide discretion in selecting the appropriate spokesman, format and time for the presentation of the opposing views on controversial issues, with two significant exceptions. Under section 315 of the Communications Act of 1934, as amended, licensees are required to afford equal time to legally qualified candidates; and under the Commission's political editorializing rules (§§ 73.123(c), 73.300(c), 73.598(c), and 73.679(c)) the licensee must afford a reasonable opportunity for a candidate or his spokesman to respond when the licensee has opposed him or supported his opponent in an editorial.

4. Under the ruling in "Letter to Mr. Nicholas Zapple," 23 F.C.C. 2d 707(1970) the Commission further limited the licensee's discretion. The Commission held in "Zapple" that when a licensee sells time to supporters or spokesmen of a candidate during an election campaign who urge the candidate's election, discuss the campaign issues, or criticize an opponent, then the licensee must afford comparable time to the spokesmen for an opponent.[1] Known as the quasi-equal opportunities or political party corollary to the fairness doctrine, the "Zapple" doctrine is based on the equal opportunity requirement of section 315 of the Communications Act; accordingly, free time need not be afforded to respond to a paid program.

5. Since some controversy has been generated as to the applicability or wisdom of this doctrine, the Commission asked for public comment on the following questions in its Notice of Public Inquiry in Docket No. 19260 (hereinafter, Fairness Inquiry).

Should the quasi-equal opportunities approach be restricted or expanded and what is the feasibility and effect of any proposed revision on the underlying policies of the statute (see section 315(a))?

—Should the Commission adopt a position that "Zapple" applies only to political campaigns and not to other times?

—Should "Zapple" be disassociated from the fairness doctrine and incorporated into section 315?

—Should "Zapple" be limited by applying a 7-day deadline for requesting quasi-equal opportunities?

—Should "Zapple" continue to apply only to major parties (see "Letter to Lawrence M. C. Smith," 25 R.R. 291 (1963)), or should it be extended to all parties or to some mathematically defined category of "parties with substantial public support" (e.g., percentage of popular vote)? How should it apply to "new" parties?

—Should "Zapple" be extended to include spokesmen for ballot issues such as bond issues, amendments of State constitutions, etc.?

6. One additional suggestion has been that the "Zapple" doctrine should be extended to include broadcast appearances of the President of the United States so that an automatic right to respond in comparable time, format, etc., would accrue to appropriate spokesman following a Presidential appearance. In "Complaint of Committee for the Fair Broadcasting of Controversial Issues," 25 F.C.C. 2d 283, 294–298 (1970), the Commission declined to extend the "Zapple" quasi-equal opportunities concept generally to Presidential appearances, although it said that the fairness doctrine was applicable to Presidential appearances when dealing with controversial issues of public importance. Upon reexamination in "Republican National Committee," 25 F.C.C. 2d 739, 744 (1970), the Commission again explained that Presidential broadcasts made in a nonelection period do not come within the "Zapple" corollary but are included under the general fairness doctrine to the extent that controversial issues of importance are discussed. The question was raised once

[1] In Re Complaint of Committee for the Fair Broadcasting of Controversial Issues, 25 F.C.C. 2d 283 (1970), affirmed on reconsideration sub nom. Republican National Committee, 25 F.C.C. 2d 739 (1970), the Commission extended the "Zapple" ruling to a noncampaign period proffer of time to a political party chairman where the licensee did not specify the issue or issues to be discussed. This ruling was reversed in Columbia Broadcasting Co. v. F.C.C., 454 F. 2d 1018, (D.C. Cir. 1971).

again and ruled on by the Commission in "Democratic National Committee," 31 F.C.C. 2d 708 (1971), aff'd "Democratic National Committee v. F.C.C., — U.S. App. D.C. —. F. 2d —," Case No. 71–1738 (D.C. Cir. Feb. 22, 1972). However, we solicited the comments of the public on the questions raised in these cases in this inquiry.

III. Summary of Comments

7. Extensive comments and reply comments addressing these questions were received in response to the Fairness Inquiry from 14 parties. In addition, the Commission conducted panel discussions and heard oral argument for a full week in March 1972, during which these issues were exhaustively discussed. (A list of all participants is included in Appendix A below.) A variety of ideas, proposals, and criticisms were presented, a brief summary of which follows.

8. Storer Broadcasting Co. observes that since the fairness doctrine, unlike section 315, gives no particular person a right to reply to previously broadcast material, the extension of the fairness doctrine to a quasi-equal opportunities doctrine in "Zapple" is a contradiction of the fairness doctrine. As presently constituted, "Zapple" and its progeny provide insufficient direction to licensees as to when comparable responses to noncampaign appearances of public officials are required, as to which party spokesman is entitled to reply when different factions within a party wish to respond, and as to the rights of minority parties to comparable time. Storer recommends, therefore, that "Zapple" should be codified in Commission rules or be incorporated into section 315 to remove it from the ambit of the fairness doctrine. Storer further suggests that the Commission adopt a political broadcast primer to specify licensee obligations and responsibilities in this area.

9. The National Association of Broadcasters (NAB), General Electric Broadcasting Co., American Broadcasting Co. (ABC), National Broadcasting Co. (NBC), the Evening News Association, Lee Enterprises, Inc., Time Life Broadcasting, Inc. and others support the principles of the "Zapple" doctrine so long as the "Cullman"[2] doctrine continues to be inapplicable, and licensees are not required to subsidize the campaigns of opposing candidates by affording free response time. "Zapple" is seen by those filing joint comments with the Evening News Association as an appropriate means to fulfill the purposes of section 315, insuring the equality of treatment of political candidates by broadcast licensees. Consequently, they would impose obligations on licensees only when a campaign is in progress in which the broadcaster has afforded time and relinquished content control to a spokesman for a candidate to support that candidate or to oppose rival candidates.

10. The NAB, ABC, NBC, and G.E. Broadcasting Co. argue that the "Zapple" doctrine should also apply to "political" broadcasts where a campaign issue (bond proposal, constitutional amendment, etc.) that is supported or opposed by a political spokesman has been placed on the ballot. It is argued that this situation is analogous to both section 315 and "Zapple," and, as is the case with the political spokesman doctrine, "Cullman" should not apply. NBC emphasizes that the quasi-equal opportunity approach of "Zapple" or its extension to ballot issues should apply only to paid presentations in campaign periods, since the equal opportunities approach involving free time inhibits the presentation of political programing and interferes with a licensee's editorial judgment.

11. Two commentators, Democratic National Committee (DNC) and American Civil Liberties Union (ACLU) suggest that the Commission extend the fairness doctrine or adopt a specific rule that would require licensees to broadcast the opposing views of appropriate spokesmen following an appearance of a public official. It is claimed that there is an overriding national concern in informing the public on both sides of issues dealt with by public officials, and accordingly, that licensee discretion in presenting opposing views and selecting appropriate spokesmen should be more limited than at present.

12. DNC specifically urges the adoption of a rule that: (1) Would establish a presumption that a Presidential broadcast appearance involves a controversial issue of public importance; (2) would require licensees to seek out appropriate spokesmen to present an opposing view and to afford them equal opportunities; and (3) would require licensees or networks to keep publicly available for three years a tape or transcript of every Presidential appearance. DNC asserts that such a rule is necessitated by the public interest standard of the Communications Act and by the first amendment, in view of the public's need to be fully informed on important public issues discussed by the President. The public is not presently receiving balanced information on such issues, DNC believes, because the President's control of the time, format, and content of his appearances maximizes their impact and effectiveness while, on the other hand, the difficulties encountered by DNC in buying time to discuss public issues or in securing free time to respond to Presidential appearances limits the effectiveness of the presentation of their viewpoint. DNC's views are currently presented, it maintains, through news and panel show presentations in which DNC representatives are merely responding to questions and have no opportunity, comparable to the President's, to develop a reasoned and uninterrupted presentation of the issues. DNC thus argues that the first amendment goal of promoting robust, wide-open debate is being thwarted by its rejection as an entity responsible for defining options for the American people on major public issues and by denying it access, comparable to the President's, to respond to his appearances.

13. ACLU maintains that the responsibility of the licensee under the fairness doctrine should extend to making available comparable opportunities for opposing spokesmen to comment on the issues raised in the broadcast appearance of any public official, including the President. Because of the President's unquestioned power to command broadcasting time and to attract an audience, ACLU feels that comparable time can be afforded only if the contrasting viewpoint is presented immediately after each Presidential appearance. The President and other public officials should furnish copies of their statements sufficiently in advance of their broadcast to permit station licensees to fulfill these fairness obligations.

14. The proposals of DNC and ACLU were opposed by a number of parties. ABC and G.E. Broadcasting Co. argue that no justification for the proposed rule can be found in section 315 of the Act, since under that section, the recipient of an equal time opportunity to respond to a candidate's appearance must himself be a legally qualified opposing candidate and not just a representative of a political party or some other appropriate group. To extend a quasi-equal opportunities doctrine to nonelection period Presidential appearances would require congressional amendment of section 315 because such extension would violate the intent of section 315, and specifically, would negate the newscast, news documentary, and news interview exemptions to the equal time provisions contained in section 315(a). Implementation of these proposals would also be a distortion of the fairness doctrine, it is argued, since the fairness doctrine focuses on issues, not individuals or candidates.

15. Those parties filing with the Evening News Association argue that the broadcast appearance of a public office holder should be treated as the appearance of a public official fulfilling the duties of his office, not as the appearance of a partisan spokesman presenting one side of a controversial issue absent some extrinsic evidence to the contrary. Otherwise, the public's right to be informed on important matters by its elected officials would be subordinated to the rights of a particular class (political candidates) to broadcast.

16. NBC believes that both DNC and ACLU have failed to show the necessity of their proposed policies or the present inadequacy of the fairness doctrine as a tool for informing the public on important public issues. Creation of an equal

[2] Cullman Broadcasting Co. Inc., 40 F.C.C. 576, 577 (1963) held that "* * * where the licensee has chosen to broadcast a sponsored program which for the first time presents one side of a controversial issue, has not presented (or does not plan to present) contrasting viewpoints in other programing, and has been unable to obtain paid sponsorship for the appropriate presentation of the opposing viewpoint or viewpoints, he cannot reject a presentation otherwise suitable to the licensee—and thus leave the public uninformed—on the ground that he cannot obtain paid sponsorship for that presentation."

or quasi-equal time right to reply to all public official addresses would, as a practical matter, inhibit the appearance of public officials, NBC maintains. It would also ignore the difference in media use by different officials, as well as the fact that it is possible to distinguish the leadership appearances of an official from his political opinions. NBC also has argued that under present rules Presidential appearances during a campaign for his reelection are subject to the section 315 equal time requirements, that Presidential appearances in a nonelection period are subject to the fairness doctrine and the political party corollary, and that these doctrines are adequate to insure that the electorate is informed.

17. WGN Broadcasting Co. (WGN) is also opposed to the DNC/ACLU proposals on the grounds that the standard proposed by DNC, that Presidential broadcasts that enhanced the political or personal image of the President would be subject to the rule and require the presentation of opposition programing, is too vague to be realistically applied by licensees; and that the FCC would be inexorably involved in politically sensitive adjudications which should be avoided.

18. Three parties argue that the "Zapple" doctrine should be repealed altogether. WGN maintains that "Zapple" exceeds the intent of section 315, which grants equal opportunities only to opposing candidates and not to their supporters. That question, WGN maintains, was settled in "Felix v. Westinghouse," 186 F. 2d 1 (3d Cir. 1950), where it was held that the supporters of a candidate were specifically excluded from section 315.

19. The law firm of Haley Bader & Potts argues that the "Zapple" doctrine overlooks the fact that the informational needs of the public are of primary importance, and mistakenly confers rights on individual parties. The standards in "Zapple" are too vague for day-to-day application by the licensee, it maintains, and the resultant confusion will tend to inhibit licensee coverage of political matters. Moreover, it argues that "Zapple" unduly restricts licensee discretion in selecting spokesmen and regulating content.

20. The holding of "Zapple" would be acceptable to Public Broadcasting Service (PBS) as a fairness question if the Commission had limited itself to a discussion of the reasonableness of the balance of opposing views afforded by the licensee. PBS is opposed, however, to the extension of traditional fairness concepts of "reasonable balance" to a "comparable time" or "quasi-equal opportunity" doctrine because this restricts licensee discretion and creates artificial barriers to the discussion of controversial issues of public importance. Furthermore, PBS argues that "Zapple" cannot be limited to the two major parties nor to campaign periods only, but instead will engender a spiraling round robin of partisan responses. Several other parties also voiced this particular fear.

21. At the fairness panels, counsel for PBS further developed the foregoing argument by stating that the pricing mechanism and the economic realities of buying time on the commercial networks tend to discourage the broadcast appearances of minority candidates, but that no such economic barrier to access by minority parties exists in the Public Broadcasting Service. Counsel for PBS also argued that in extending quasi-equal opportunities to supporters of a candidate in "Zapple," the Commission was doing what the Congress had decided not to do when it adopted section 315 of the Communications Act.

22. Several parties submitted comments on the procedural methods or standards by which the Commission should enforce fairness concepts in the political broadcast area. As previously mentioned, Storer Broadcasting Co. urges the Commission to adopt political broadcasting rules or to develop a political broadcasting primer that would specifically define those situations in which licensees would be required to afford comparable time and which would specify guidelines for the selection of the appropriate opposing spokesmen in order to minimize the confusion that has resulted from the recent series of ad hoc adjudications ("Zapple, RNC," etc.) modifying the traditional fairness doctrine.

23. Those filing with the Evening News Association argue that the FCC frequently oversteps its authority in judging the "reasonableness" of licensee action in the political broadcasting area. The Commission should therefore adopt a "grossly unreasonable" test of licensee conduct, and impose penalties only when licensee conduct meets an "actual malice" test.

24. Two other general points raised by commentators were as follows:

A. The G.E. Broadcasting Co. believes that the Commission's recent ruling in "In re Rosenbush Advertising Agency," 31 FCC 2d 782 (1971)[3] should be upheld since it affords discretion in making determination as to how a given licensee's facilities should be made effectively available to candidates or supporters of candidates. Section 315 itself permits a licensee to have discretion in scheduling and the Commission, it is contended, should not restrict this discretion any further in "quasi-315" situations.

B. During the panel discussions, former FCC Chairman Newton Minow discussed the recent study and recommendations of the bipartisan Twentieth Century Fund[4] on this subject. He recommended that the Commission support legislation that would enable the major party candidates in a Presidential campaign to obtain six one-half hour periods called "Voters' Time" in prime time for the simultaneous broadcast on all TV and radio stations of political presentations. Use of this time would be entirely within the candidates' discretion, and, since the beneficiary of these programs would be the American public who would thus receive information pertinent to the election of the President, public funds should be used to buy the time.

[3] The Commission held in Rosenbush that a licensee's policy of accepting only paid political advertising of 5 minutes or longer during a primary campaign was consistent with Commission precedent where the licensee recognized its public interest obligation to make its facilities effectively available to candidates. The licensee had stated its intention to make free time available to candidates for major offices in the primary; planned a 1-hour special program presenting the candidates for mayor; and had announced the candidacies for the top three city offices in its regular news programs.

[4] Twentieth Century Fund, Voters' Time (1969).

IV. Discussion

A. The fairness doctrine with respect to appearances of the President or other public officials

25. The Commission can appreciate why so much attention is focused on the question of the application of the fairness doctrine to Presidential appearances. As the Court noted in "Democratic National Committee v. FCC," C.A.D.C., No. 71–1637, decided February 2, 1972, petition for writ of certiorari filed April 28, 1972, No. 71–1405, O.T. 1971, "* * * the President's status differs from that of other Americans and is of a superior nature," and calls for him to make use of broadcasting to report to the nation on important matters:

> While political scientists and historians may argue about the institution of the Presidency and the obligations and role of the Nation's chief executive officer it is clear that in this day and age it is obligatory for the President to inform the public on his program and its progress from time to time. By the very nature of his position, the President is a focal point of national life. The people of this country look to him in his numerous roles for guidance, understanding, perspective and information. No matter who the man living at 1600 Pennsylvania Avenue is he will be subject to greater coverage in the press and on the media than any other person in the free world. The President is obliged to keep the American people informed and * * * this obligation exists for the good of the Nation * * *. (Sl. Op. pp. 26–27)

Because of this use of broadcasting by the Nation's most powerful and most important public office, the argument has been made by DNC and by ACLU that there must be special provision for a response by the opposition party—some specific corollary to the general fairness doctrine that insures equal or comparable use of the broadcast media by an opposition party spokesman.

26. We make two preliminary observations. First, the issue is not whether the American people shall be reasonably informed concerning the contrasting viewpoints on controversial issues of public importance covered by Presidential reports. The fairness doctrine is in any event applicable to such reports—as indeed it is to a report by any public official that deals with a controversial issue of public importance. See section 315(a). Rather, the issue is whether something more—something akin to equal time—is to be required. The word "required" brings us to our second point. Because our goal is robust, wide-open debate, the Commission of course welcomes any and all programing efforts by

licensees to present contrasting viewpoints on controversial issues covered by Presidential addresses. As we stated in our commendation of the CBS series, "The Loyal Opposition," "Committee for the Fair Broadcasting of Controversial Issues," 25 FCC 2d 283, 300 (1970); "Republican National Committee," 25 FCC 2d 739, 745–46 (1970), the more debate on such issues, the better informed the electorate. But the issue is not what programing judgment the licensee makes in this area but, rather, whether there should be an FCC requirement. With this as background, we turn to the proposal that equal time be afforded to an opposition spokesman to respond to a Presidential report.[5]

27. First, there is a substantial issue whether any such Commission prescription might not run counter to the congressional scheme. In section 315(a), Congress has specified that equal opportunities shall be applicable to appearances of legally qualified candidates and that in other instances "fairness" be applicable—that is, that there be afforded "* * * reasonable opportunity for the discussion of conflicting viewpoints on issues of public importance." While fairness may entail different things in particular circumstances (see par. 30, infra), there is a substantial question whether it is not a matter for Congress to take the discussion of public issues by the President out of the fairness area and place it within the equal opportunities requirement—just as, for example, it was up to Congress in 1960 to take appearances by candidates for President out of equal opportunities and place them under fairness. There is a further troublesome issue here—whether we could create a special fairness rule for Presidential reports but then hold that a report by Governor Reagan in California or Mayor Lindsay in New York, for example, would come only under the "reasonable opportunities" standard of section 315(a), in the face of arguments that such reports dealt with State or local issues of the greatest importance. Again we do not say that distinctions cannot be made here (compare section 103(a)(2)(A) of the Federal Election Campaign Act of 1971, 86 Stat. 3 applicable only to Federal offices) but rather raise the issue whether such distinctions are not more appropriately the province of the Congress.

28. But in any event, it would not be sound policy to adopt the DNC or ACLU proposals. From the time of the "Editorializing Report," 13 FCC 1246 (1949), to the present, we have been urged to adopt ever more precise rules—always in the cause of insuring robust debate (e.g., the argument, advanced in 1949 and now repeated by the ACLU, that fairness requires the contrasting viewpoint to follow immediately the presentation of the first viewpoint—see par. 8, "Report on Editorializing by Broadcast Licensees, supra," at pp. 1250–51). However well intentioned these arguments are, we believe that increasingly detailed Commission regulation militates against robust, wide-open debate. The genius of the fairness doctrine has been precisely the leeway and discretion it affords the licensee to discharge his obligation to contribute to an informed electorate. "Editorializing Report," par. 10, supra, at pp. 1251–52. Thus, the arguments for flexibility, rather than rigid mechanical rules, discussed in "Committee for Fair Broadcasting of Controversial Issues," 25 FCC 2d 283, 292 (1970), remain persuasive. Applying those principles, we do not believe it appropriate to adopt equal time policies that might well inhibit reports to the electorate by elected officials. Rather, the general fairness approach of facilitating such reports and at the same time insuring that the public is reasonably informed concerning the contrasting viewpoints best serves the public interest.[6] See "DNC v. FCC, supra," Sl. Op. p. 27 ("* * * The President is obliged to keep the American people informed and as this obligation exists for the good of the Nation, this court can find no reason to abridge the right of the public to be informed by creating an automatic right to respond reposed in the opposition party * * *"); "Committee for Fair Broadcasting, supra," at pp. 296–98. The latter case demonstrates that fairness can and does operate to protect the public interest in this important area.

29. In this connection, we note that the Commission believes that the public interest would be served by revision of the equal opportunities requirement so as to make it applicable only to major party candidates, with such candidates liberally defined to include any candidate with significant public support (see infra, par. 35); it has also supported, as a less desirable alternative, supension or repeal of that requirement as to the offices of President and Vice President.[7] It would surely be anomalous for us to seek relaxation of the equal opportunities requirement as to candidates for the office of President, and at the same time to apply a new policy akin to the equal opportunities to Presidential broadcasts not coming within the present statutory equal opportunities requirement. We decline to do so.

B. THE ZAPPLE RULING

30. Our 1970 ruling, "Letter to Nicholas Zapple," 23 FCC 2d 707 (1970), concerned campaign presentations that did not involve the appearance of the candidate. We pointed out that in some such presentations, the requirements of the fairness doctrine become in effect quasi-equal opportunities. There has been considerable comment on this ruling, but in large part the interest in it may stem from a misunderstanding of the ruling (e.g., that the ruling extends quasi-equal opportunities to all candidates or parties, even of a fringe nature). We can appreciate how such a misunderstanding could arise. The terms we used, fairness and quasi-equal opportunities, are terms of art and have accumulated their own baggage. Thus, quasi-equal opportunities conjures up a notion of all parties—even those of a fringe nature—being treated equally. And fairness carries with it concepts such as "Cullman" (free time if the public has not been informed of the contrasting viewpoint). See, also, "In re Complaint of George F. Cooley," 15 FCC 2d 828, 829 (1967). But, "Zapple" was neither traditional fairness nor traditional equal opportunities. It was a particularization of what the public interest calls for in certain political broadcast situations in light of the congressional policies set forth in section 315(a).[8] With this as background, we turn to the ruling.

31. What we were stating in "Zapple" was simply a common sense application of the statutory scheme. If the candidate himself appears to some significant extent (cf. "Gray Communications, Inc.," 14 FCC 2d 766, 19 FCC 2d 532 (1968)), then the congressional policy is clear: equal opportunities, which means no applicability of "Cullman" but rather mathematical precision of opportunity. Suppose neither the picture or voice of the candidate is used—even briefly—but rather a political message devised by him and his supporters is broadcast. In those circumstances, a commonsense view of the policy embodied in section 315 would still call for the inapplicability of "Cullman"[9] and for some measure of treatment that, while not mathematically rigid, at least took on the appearance of rough comparability. If the DNC were sold time for a number of spots, it is difficult to conceive on what basis the licensee could then refuse to sell comparable time to the RNC. Or, if during a campaign the latter were given a half-hour of free time to advance its cause, could a licensee fairly reject the subsequent request of the DNC that it be

[5] We are not dealing here with Presidential appearances during election campaigns where equal opportunities or Zapple (see B, infra) would ordinarily be applicable.

[6] For obvious reasons already developed, we strongly decline to make evaluations whether a report by an official is "partisan" or "political" and thus requires rebuttal by a spokesman for the other party, or the contending faction, or whatever. This would drag us into a wholly inadministratable quagmire. See e.g., In re Complaint of Democratic National Committee, 31 FCC 2d 708, 712–713 (1971).

[7] See Hearings Before the Senate Communications Subcommittee, 91st Cong., first session, on S. 2876, p. 50.

[8] Similarly, the personal attack and political editorializing rules are a particularization of what fairness requires in those situations. See, e.g., Report on Personal Attack and Political Editorializing Rules, 32 F.R. 10303 (1967); Editorializing Report, supra, at p. 1252.

[9] In this respect, Zapple did not break new ground. In our Report and Order on the personal attack rules (32 F.R. 10303, 10305), we noted the applicability of the congressional standard in section 315 to attacks involving candidates, their supporters, or authorized spokesmen, and accordingly made our rules—which result, as a practical matter, in free time—inapplicable to such attacks. See §§ 73.123(b), 73.300(b), 73.598(b), and 73.679(b).

given a comparable opportunity?[10] Clearly, these examples deal with exaggerated, hypothetical situations that would never arise. No licensee would try to act in such an arbitrary fashion. Thus, the "Zapple" ruling simply reflects the commonsense of what the public interest, taking into account underlying congressional policies in the political broadcast area, requires in campaign situations such as the above (and in view of its nature, the application of "Zapple," for all practical purposes, is confined to campaign periods). Significantly, because it does take into account the policies of section 315, the public interest here requires both more (comparable time) and less (no applicability of "Cullman") than traditional fairness.[11] Based on practical experience, we stress that in any event—taking into account the sum total of political broadcasts and news-type programs—the American people are reasonably informed on campaign issues, and thus that the basic public interest requirement is being met in this vital area. "Green v. FCC," 447 F. 2d 323 (C.A.D.C.).

32. It follows that "Zapple" did not establish that in the political broadcast field there is now a quasi-equal opportunities approach applicable to all candidates and parties, including those of a fringe nature. This would clearly undermine any future suspension or repeal of the "equal opportunities" requirement, because it would mean that despite such suspension or repeal, the fairness doctrine would require that fringe party candidates be given comparable treatment with major party candidates. Further, it would negate the 1959 Amendments to the Communications Act. The purpose of these amendments was to permit presentation of candidates on, for example, a bona fide newscast, news interview, or news documentary, without the station having to present the fringe candidates.[12] We need not belabor the point further. The "Zapple" ruling did not overrule the holding in "Letter to Lawrence M. C. Smith," 25 Pike and Fischer, R.R. 291 (1963).[13]

3. The foregoing discussion—and the general approach that we have adopted in the fairness area—also dispose of the questions raised as to the desirability of extending "Zapple," codifying it, or otherwise supplementing it with procedural and other trappings (e.g., a 7-day procedural requirement). Because "Zapple" reflects simply a common sense distillation of the public interest in certain political broadcast situations, there is no need to try to codify it or engraft new corollaries onto it. On the contrary, we have concluded that, generally, traditional fairness works better by setting out broad principles and permitting the licensee to exercise good faith, reasonable discretion in applying those broad principles. We think that this is true here. Further, we doubt if we will be confronted with a host of ad hoc rulings in this field. Most problems should be disposed of at the licensee level by the application of rudimentary concepts of fairness and common sense. Significantly, "Zapple" itself was a ruling on hypothetical questions; there have been very few times when the issue has arisen on concrete cases. As to its extension beyond political broadcasts, the short answer is that it is based in substantial part on congressional policies applicable to such broadcasts.[14]

C. COMMISSION EFFORTS TO ENCOURAGE THE WIDEST POSSIBLE COVERAGE OF POLITICAL CAMPAIGNS

34. We have considered most seriously what steps we can take in this respect. There would appear to be little we can do on an administrative agency basis. Let us take the most obvious suggestion: That the Commission by rule specify that a certain amount of time be set aside for presentation of political broadcasts on a sustaining basis. See section 303(b). There are a number of difficult policy issues that would have to be resolved in any such undertaking. But there is, we believe, again an overriding consideration here—namely, that this is truly a matter for Congressional resolution. Congress is aware of the high expense of running for political office, particularly in view of mounting broadcast costs. It has considered a number of worthwhile suggestions here—for example the subsidy plan in the Presidential Campaign Fund Act of 1966 (the now inoperative Long Act) to supply Federal funds to the national party candidates for the Presidency; the Voters Time proposal (see Hearings Before the Senate Communications Subcommittee, on S. 2876, 91st Cong., 1st Sess., pp. 24–34). Its response to this problem has been the Federal Election Campaign Act of 1971 (Public Law 92–225), with its limitations on spending, and requirement for reasonable access for those running for Federal office and reduced rates for all political candidates. We do not see how we can sweep aside this scheme, and substitute our own. Indeed, we could not in any event be truly effective in any such agency action. Take the most important office—the Presidency. Were we to require free time for that office, we would run afoul of the equal time provision; we would find that we had required the broadcaster to devote hours of prime time not just to the significant candidates but also to as many as 15 fringe party candidates (e.g., Socialist Labor, Socialist Worker, Vegetarian).[15] Our point is obvious: Reform here is needed, we believe, but it must come from the Congress because that is the only way it can be effectively accomplished.

35. Congress then can do much. We believe that consideration should again be given to the Voters Time concept or to some scheme akin to that used in Great Britain (i.e., blocs of free time to the major political parties). At the least, we propose again to urge Congress to adopt our proposed amendment to section 315, limiting to major party candidates the applicability of the equal time provision in partisan general election campaigns. We described that legislation in the following terms (see Hearings Before the Communications Subcommittee on S. 2876, 91st Cong., 1st Sess., p. 48):

> In any general election, other than nonpartisan ones, the draft legislation would make the equal opportunities requirement, as to free time, applicable only to major party candidates, leaving fringe candidates coming under the general fairness requirement. It would define major candidates very liberally so as to include any significant candidates—such as Henry Wallace as the candidate of the Progressive Party 1948, Strom Thurmond of the Dixiecrats 1948, or George Wallace in the last election. The figures in the draft legislation are set forth only as possible guidelines—namely, that the candidate's party garnered 2 percent of the vote in the State in the last election or, if the candidate represents a new party, that petitions be submitted signed by a number of voters equaling 1 percent of the votes cast in the last election. To obtain time on the national networks as distinguished from in-

[10] This example is stated as if the RNC program were the only matter to be considered. Of course in a particular factual situation this may well not be so. See CBS v. FCC, supra, n. 1, where the DNC program was presented by CBS to offset Presidential speech appearances, and the Court held that this was perfectly appropriate and reversed a Commission holding that to avoid coming within Zapple, CBS should have specified the issues to which the DNC was to address itself. This case is of course the law governing similar future factual situations. Thus, each case must be judged in its factual setting, with the licensee having considerable discretion to discharge fairness obligations.

[11] And for the foregoing reasons, we do not believe that we have acted contrary to the legislative history. We have, on the contrary, acted to carry out the congressional scheme in section 315.

[12] In view of the 1959 Amendments, it follows that no quasi-equal opportunities doctrine is applicable when supporters or spokesmen for candidates are presented in bona fide newscasts; in this respect, the same general fairness principles that apply to the candidates are equally applicable to their supporters.

[13] We there held that as to fund raising announcements for political parties, fairness does not require equal or comparable treatment for the fringe parties but rather that the licensee can make reasonable good faith judgments as to the significance of a particular party in the area.

[14] Thus, we do not extend Zapple to the situation involving ballot issues.

[15] To give but one example, in 1960 when Congress acted to suspend the equal opportunities requirement for the President and Vice President races, there were on the ballots in the several States 14 different candidates for the office of President: C. Benton Coiner, Conservative Party of Virginia; Merrit Curtis, Constitution Party; Lar Daly, Tax Cut Party; Dr. R. L. Decker, Prohibition Party; Farrell Dobbs, Socialist Workers Party, Farmer Labor Party of Iowa, Socialist Workers and Farmers Party, Utah; Orval E. Faubus, National States Rights Party; Symon Gould, American Vegetarian Party, Minnesota; Clennon King, Afro-American Unity Party; Henry Krajemski, American Third Party; J. Bracken Lee, Conservative Party of New Jersey; Whitley Slocomb, Greenback Party; William Lloyd Smith, American Beat Consensus; Charles Sullivan, Constitution Party of Texas. See H. Rept. No. 1928, 90th Cong., 2d Sess., p. 3. Query how effective any agency action in 1960 would have been.

dividual stations in particular States, there would also be a requirement that the candidate be on the ballot in at least two-thirds of the States.

In short, section 315 in its present operational form is claimed and would appear to inhibit broadcasters from affording free time—and does so, we urge, without any significant practical compensating benefits. The Socialist Labor or Vegetarian candidate does not get free time; rather, no one gets any free time for the political broadcast. Further, and most important, there would appear to be little, if any public benefits from insuring such equal treatment for candidates whose public support is wholly insignificant We repeat that in defining the major party candidate, we would urge the selection of a numerical figure such as to insure equality to any candidate who did have some significant public support, regardless of what his chances of actually winning might be.

This, by itself, will make a marked contribution to facilitating broadcast presentation of important political candidates.[18]

36. As an alternative, we propose an additional exception to section 315(a) to cover any joint or back-to-back appearances of candidates. Additionally, consideration should be given, we think, to the further exception that we urged upon Congress in connection with our 1970 "Advocates" ruling, 23 FCC 2d 462. We suggested the addition of the following provision to section 315(a): [17]

(5) Any other program of a news or journalistic character—

(i) which is regularly scheduled; and

(ii) in which the content, format, and participants are determined by the licensee or network; and

(iii) which explores conflicting views on a current issue of public importance; and

(iv) which is not designed to serve the political advantage of any legally qualified candidate.

37. At the least, we had thought that we could make a contribution here by giving the 1959 exemptions a reasonable construction in line with the broad remedial purpose of Congress. Accordingly, we did so in the recent "Chisholm" ruling, FCC 72-486, decided June 2, 1972. The validity of this construction of section 315(a) is, however, now in doubt in view of the action of the Court of Appeals in its interim relief order of June 3, 1972. Until the matter is definitively settled, licensees cannot plan with any certainty, and the area remains confused. This is, we believe, unfortunate. We continue to believe that our construction of the exemption in section 315(a)(2) is sound, meets the pertinent congressional criteria, and markedly serves the public interest by allowing broadcasting to make a fuller and more effective contribution to an informed electorate. But unless and until that construction prevails upon appeal—or is in any event affirmed by congressional revisions along the above stated lines—we cannot in good conscience urge licensees to act in this area as if there were no "equal opportunities" pitfalls. There clearly are.

D. USE IN BONA FIDE NEWSCASTS OF FILM SUPPLIED BY CANDIDATES

38. One other political broadcast matter which has been brought to our attention merits comment here. Candidates, like many other news sources, have normally issued press releases to the news media containing statements of the candidates, advance copies of their speeches, their future speaking schedules, etc. Media news editors in turn made judgments whether and to what extent to use such material. Increasingly, candidates have been supplying radio and television broadcasters with audio recordings and film excerpts produced by the candidates, e.g., depicting their campaign efforts that day or containing statements of their positions on current issues. Obviously, these excerpts are designed to show the candidate in the best light and, if presented on a newscast, have the added advantage of increased impact or credibility over a paid political presentation. We do not hold that the station cannot exercise its good faith news judgment as to whether and to what extent it wishes to present these tape or film excerpts. If it believes that they are newsworthy, it can appropriately use them in newscasts. But the public should be informed that the tape or film was supplied by the candidate as an inducement to the broadcasting of it.

39. In fact, our rules require such disclosure in these circumstances; that is, "in the case of any political program or any program involving the discussion of public controversial issues for which any films, records, transcriptions, talent, scripts, or other material or services of any kind are furnished, either directly or indirectly, to a station as an inducement to the broadcast of such program * * *" [18] Disclosure of the furnishing of the tape or film is required to be made whether or not a candidate is involved in these types of programs. Accordingly, we take this opportunity to stress to all licensees their duty to comply with the rules and announce that the tape or film was supplied by the candidate in question.[19] If it was edited by the licensee, he may, of course, add a suitable phrase such as "and edited by the XXXX news department."

IV. CONCLUSION

40. Much remains to be done in the fairness area (Parts II–IV).[20] We have acted here as best we could for the reasons stated in par. 1. The piecemeal approach is thus regrettable but necessary. As stated, we shall reconsider this most important aspect in light of the conclusions reached in overall proceedings. Our final message is one urging broadcasting to make the maximum possible contribution to the nation's political process. That process is the bedrock of the Republic, and broadcasting is clearly the acknowledged leading medium for communicating political ideas. No area is thus of greater importance "* * * to the public interest in the larger and more effective use of radio." (section 303(g) of the Communictions Act of 1934, as amended).

Adopted: June 16, 1972.

Released: June 22, 1972.

FEDERAL COMMUNICATIONS COMMISSION [21]
BEN F. WAPLE,
Secretary.

APPENDIX A

I. Comments on the applicability of the fairness doctrine to political broadcasts were received from the following parties:

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[17] Thus, in the above noted hearings, we stated (supra, at p. 50):

"* * * when freed from the constraints of equal opportunities requirement, there has been no failure on the part of the broadcasters with respect to affording time for the presidential candidates, and see that that time has been in substantial amounts, and free, not just reduced. Thus, in the one instance where the equal time requirement was suspended (1960), the TV networks afforded 39 hours and 22 minutes of free time, including the 4 hours for the Great Debates. Further, the audience for these debates totaled 280 million, or an average of 70 million viewers per broadcast. We believe that the networks thus effectively discharged their responsibility to inform the electorate in 1960. They have stated that they stand ready to do so in every presidential election, if freed from the equal time requirement.

[18] See Hearings Before the Subcommittee on Communications and Power of the House Interstate and Foreign Commerce Committee, on H.R. 8721 and S. 3637, 91st Cong., second session, p. 8.

[18] Sections 73.119(d), 73.289(d) and 73.654(d), relating, respectively, to AM, FM, and TV. See also section 317(a)(2) of the Communications Act which specifically authorizes the Commission to require announcements disclosing that such matter was furnished.

[19] In order to avoid possible confusion in interpreting this rule in relation to one interpretative example in House Rept. 1800 (86th Cong., 2d Sess.) dealing with section 317 of the Act and rules thereunder, we should add that we are not attempting to apply the above disclosure requirement to mere mimeographed news releases or typed advance copies of speeches. Example 11 of the House Report (see FCC Public Notice of May 6, 1963, FCC 63-409) states that no announcement is required when "news releases are furnished to a station by Government, business, labor and civic organizations, and private persons, with respect to their activities, and editorial comment therefrom is used on a program." We believe, however, that with respect to program material dealing with political or other controversial matters, the requirements of our rules must be followed strictly when audio tape or film is furnished.

[20] GE supports the Rosenbush ruling (see par. 24(A)). We have considered this issue generally in our recent Notice (Use of Broadcast and Cablecast Facilities by Candidates for Public Office, 37 F.R. 5796, 5805; Sec. 8, Q. 8), and will reexamine the matter as we gain experience. We thus may clarify our policies here either in a particular case or in our further reports in this Docket.

[21] Commissioner Johnson dissenting and issuing a statement filed as part of the original document; Commissioner H. Rex Lee concurring in the result.

ACLU.
American Broadcasting Co.
Columbia Broadcasting Co.
Democratic National Committee.
Evening News Association, et al.
Haley, Bader & Potts.
McKenna & Wilkinson.
National Association of Broadcasters.
National Broadcasting Co.
Public Broadcasting Service.
Republican National Committee.
Storer Broadcasting.
United Church of Christ.
WGN Continental Broadcasting Co.

II. The following parties participated in panel discussion on the applicability of the fairness doctrine to political broadcasts held, before the Commission, on March 29, 1972.

Roger E. Ailes, President, Roger Ailes & Associates, Inc.
Charles A. Wilson, Jr., for the Democratic National Committee.
James J. Freeman, Associate Special Counsel, Republican National Committee.
Reed J. Irvine, Chairman of the Board, Accuracy in Media, Inc.
Newton N. Minow; Leibman, Williams, Bennett, Baird & Minow, Chicago, Illinois.
Harry M. Plotkin, Counsel, Public Broadcasting Service.
Paul A. Porter; Arnold & Porter, Washington, D.C.
Allen U. Schwartz, Counsel, Communications Media Committee, ACLU.
Rosel Hyde; Wilkinson, Cragun & Barker, Washington, D.C.

III. Oral arguments on all aspects of the fairness proceeding in Docket No. 19260 were made by the following parties on March 30 and 31, 1972:

Michael Valder, on behalf of Urban Law Institute.
Bernard Segal, on behalf of National Broadcasting Co.
Sam Love, on behalf of Environmental Action.
Malin Perkins, on behalf of the American Association of Advertising Agencies.
Geoffrey Cowan, on behalf of Friends of the Earth, et al.
Theodore Pierson, on behalf of Combined Communications Corp., et al.
Joseph A. Califano, Jr., on behalf of the Democratic National Committee.
James J. Freeman, on behalf of the Republican National Committee.
Edgar F. Czarra, Jr., on behalf of the Corinthian Stations and the Orion Stations.
Tracy Weston, on behalf of National Citizens Committee for Broadcasting.
J. Roger Wollenberg, on behalf of Columbia Broadcasting System, Inc.
Robert A. Woods, on behalf of National Association of Educational Broadcasters.
David Lichenstein, on behalf of Accuracy in Media, Inc.
Mrs. Cara Siller, on behalf of Women for the Unborn.
Rev. Paul G. Driscoll, Human Life Coordinator of the Rockville Centre (New York) Archdiocese.
James A. McKenna, Jr., on behalf of American Broadcasting Co., Inc.
Ben C. Fisher, on behalf of Commission on Population Growth and the American Future, and Population Education, Inc.
Miles David, on behalf of Radio Advertising Bureau.
Absalom Jordan, on behalf of the Black United Front.
Peter W. Allport, on behalf of Association of National Advertisers.
Dr. Blue Carstenson, on behalf of National Consumer Organizations Ad Hoc Advisory Committee to Virginia Knauer.
Leo Perlis, on behalf of Radio and TV Subcommittee of the Ad Hoc National Voluntary Organizations Advisory Committee on Consumer Interests.
Warren Zwicky, on behalf of Storer Broadcasting Co.
Madalyn Murray O'Hair, on behalf of Society of Separationists.
John Summers, on behalf of National Association of Broadcasters.
Beverly Moore, on behalf of Corporate Accountability Research Group.
Allen J. Potkin, on behalf of Concerned Citizens of West Virginia.
Daniel W. Toohey, on behalf of Basic Communications, Inc.
Domingo Nick Reyes, on behalf of National Mexican American Anti-Defamation Committee.
Stewart Feldstein, on behalf of National Cable Television Association.

[FR Doc.72-9744 Filed 6-27-72;8:55 am]

FEDERAL MARITIME COMMISSION

BEHRING INTERNATIONAL, INC. AND H. S. THIELEN, 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. Alan I. Newhouse, President, Behring International, Inc., 1314 Texas Avenue, Houston, TX 77002.

Agreement No. FF 72-1 is a memorandum of understanding between Behring International, Inc. (Behring, FMC-910) and the owners of all of the outstanding shares of stock of H. S. Thielen, Inc. (Thielen, FMC-217) whereby such stockholders of Thielen agree to sell all such outstanding stock to Behring.

The officers of Thielen will remain the same under the contemplated agreement but its directors will be changed.

Dated: June 21, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-9781 Filed 6-27-72;8:51 am]

INTER-AMERICAN FREIGHT CONFERENCE

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:

Casey, Lane & Mettendorf, Attorneys for Inter-American Freight Conference, 26 Broadway, New York, NY 10004.

Agreement No. 9648-A-6, among the member lines of the Inter-American Freight Conference (1) is a petition to the Commission for the permanent approval of Agreement No. 9648-A, as amended, and (2) amends Article 21 of the basic conference agreement to provide for reporting on the number of complaints of rebates or other malpractices received, and the action taken thereon by the member lines, on a semiannual basis for each 6-month period, instead of reporting monthly as presently required.

Agreement No. 9648-A, as amended, is now scheduled to terminate as of August 16, 1972, under the terms of the Commission's order of February 11, 1971, extending the approval of said agreement

for an additional period of eighteen (18) months.

Dated: June 21, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-9782 Filed 6-27-72;8:52 am]

[Independent Ocean Freight Forwarder License 689]

BARNETT INTERNATIONAL FORWARDERS INC. OF CALIFORNIA

Order of Revocation

Barnett International Forwarders Inc. of California, 8635 Aviation Boulevard, Inglewood, CA 90301, wishes to voluntarily surrender its FMC License No. 689 for immediate revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated May 1, 1972);

It is ordered, That the Independent Ocean Freight Forwarder License No. 689 of Barnett International Forwarders Inc. of California be and is hereby revoked effective June 19, 1972, without prejudice to reapply for a license at a later date.

It is further ordered, That the Independent Ocean Freight Forwarder License No. 689 of Barnett International Forwarders Inc. of California be returned to the Commission for revocation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Barnett International Forwarders Inc. of California.

AARON W. REESE,
Managing Director.

[FR Doc.72-9783 Filed 6-27-72;8:52 am]

[Independent Ocean Freight Forwarder License 873]

PUERTO RICAN FORWARDING CO., INC.

Order of Revocation

On June 16, 1972, Puerto Rican Forwarding Co., Inc., 2121 91st Street, North Bergen, NJ 07047, voluntarily surrendered its FMC License No. 873.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated May 1, 1972);

It is ordered, That the Independent Ocean Freight Forwarder License No. 873 of Puerto Rican Forwarding Co., Inc., be and is hereby revoked effective June 16, 1972, without prejudice to reapply for a license at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Puerto Rican Forwarding Co., Inc.

AARON W. REESE,
Managing Director.

[FR Doc.72-9784 Filed 6-27-72;8:52 am]

FEDERAL POWER COMMISSION

[Project 82]

ALABAMA POWER CO.

Notice of Issuance of Annual License

JUNE 22, 1972.

On February 4, 1970, Alabama Power Co., licensee for Mitchell Project No. 82 located in Coosa and Chilton Counties, on the Coosa River filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1–16.6).

The license for Project No. 82 was issued effective June 27, 1921, for a period ending June 26, 1971. An annual license was issued from the original date of expiration until June 26, 1972. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual license to Alabama Power Co. for continued operation and maintenance of Project No. 82.

Take notice that an annual license is issued to Alabama Power Co. (licensee) under section 15 of the Federal Power Act for the period June 27, 1972, to June 26, 1973, or until Federal Takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Mitchell Project No. 82, subject to the terms and conditions of its license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9768 Filed 6-27-72;8:51 am]

[Docket No. CP72-274]

GEORGIA-PACIFIC CORP.

Notice of Application

JUNE 22, 1972.

Take notice that on June 2, 1972, Georgia-Pacific Corp. (applicant), 900 Southwest Fifth Avenue, Portland, OR 97204, filed in Docket No. CP72-274 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to construct and operate approximately 2.6 miles of 12¾-inch pipeline and related facilities in Morehouse Parish, La., and to transport natural gas required by it for use in its plants. Applicant states that its request arises out of its concern that it might not be able to obtain a sufficient supply of natural gas for its Crossett, Ark., plants and indicates that under its present agreement with Mississippi River Transmission Corp. (MRT) its gas supply is on a totally interruptible basis and that under its prior agreement with MRT it purchased 40,000 Mcf of gas per day for use in its Crossett plants. Applicant states that because it is the largest employer in Crossett and it has a substantial capital investment there, a shutdown due to the lack of a sufficient fuel supply would have a severe, adverse, economic impact both on it and its employees. Applicant was previously authorized on November 15, 1971 (46 FPC —), in Docket No. CP72-50 to construct and operate from the Monroe Gas Field in Louisiana to its Crossett plants 18.3 miles of 8⅝-inch pipeline. Applicant indicates that the pipeline proposed in the instant application would be an extension of that present facility. In addition to the pipeline and related facilities, applicant indicates that it will be necessary for it to construct and operate a 24-inch gathering line and approximately 4,000 compression horsepower to enable it to connect reserves and deliver them to the pipeline.

Applicant estimates that the cost of the proposed pipeline is $201,449, which will be financed from funds available from current operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 17, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9769 Filed 6-27-72;8:51 am]

[Project 1855]

NEW ENGLAND POWER CO.

Notice of Issuance of Annual License

JUNE 22, 1972.

On June 23, 1969, New England Power Co., Licensee for Bellows Falls Project No. 1855 located in Windham and Windsor Counties, Vt., and Cheshire and Sullivan Counties, N.H., on the Connecticut River filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1–16.6). Licensee also made a supplemental filing pursuant to Commission Order No. 384 on February 24, 1970.

The license for Project No. 1855 was issued effective January 1, 1938 for a period ending June 30, 1970. Since the original date of expiration the project has been under annual license. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual license to New England Power Co. for continued operation and maintenance of Project No. 1855.

Take notice that an annual license is issued to New England Power Co. (licensee) under section 15 of the Federal Power Act for the period July 1, 1972 to June 30, 1973 or until Federal takeover; or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Bellows Falls Project No. 1855, subject to the terms and conditions of its license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9770 Filed 6-27-72;8:51 am]

[Project 1892]

NEW ENGLAND POWER CO.

Notice of Issuance of Annual License

JUNE 22, 1972.

On June 23, 1969, New England Power Co., Licensee for Wilder Project No. 1892 located in Orange and Windsor Counties, Vt., and Cheshire, Grafton, and Sullivan Counties, N.H., on the Connecticut River filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1–16.6). Licensee also made a supplemental filing pursuant to Commission Order No. 384 on February 24, 1970.

The license for Project No. 1892 was issued effective January 1, 1938 for a period ending June 30, 1970. Since the original date of expiration the project has been under annual license. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual license to New England Power Co. for continued operation and maintenance of Project No. 1892.

Take notice that an annual license is issued to New England Power Co. (Licensee) under section 15 of the Federal Power Act for the period July 1, 1972 to June 30, 1973 or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Wilder Project No. 1892, subject to the terms and conditions of its license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9771 Filed 6-27-72;8:51 am]

[Project 1553]

NEW JERSEY ZINC CO.

Notice of Issuance of Annual License

JUNE 22, 1972.

On June 12, 1970, the New Jersey Zinc Co., licensee for Fall Creek Hydroelectric Plant, Project No. 1553 located on Fall Creek in Eagle County, Colo., filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1–16.6).

The license for Project No. 1553 was issued effective June 28, 1950, for a period ending June 28, 1970. Since the original date of expiration the project has been under annual license. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual license to the New Jersey Zinc Co. for continued operation and maintenance of Project No. 1553.

Take notice that an annual license is issued to the New Jersey Zinc Co. (licensee) under section 15 of the Federal Power Act for the period June 29, 1972 to June 28, 1973 or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Fall Creek Hydroelectric Plant, Project No. 1553, subject to the terms and conditions of its license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9772 Filed 6-27-72;8:51 am]

[Docket No. RI72-251]

TENNECO OIL CO.

Notice of Petition for Waiver and Approval of Rate Increase

JUNE 19, 1972.

Take notice that on May 22, 1972, Tenneco Oil Co. (petitioner), Post Office Box 2511, Houston, TX 77001, filed in Docket No. RI72-251 pursuant to section 4 of the Natural Gas Act and § 1.7(b) of the Commission's rules of practice and procedure, a petition for waiver of § 154.107(a) and (c)(2)[1] of the Commission's regulations under the Natural Gas Act, so as to authorize Petitioner to charge a base rate in excess of the Texas Gulf Coast area ceiling rate for a sale of natural gas to South Texas Natural Gas Gathering Co. (South Texas) from acreage in the McAllen Ranch Field, Hidalgo County, Tex., all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Petitioner presently sells natural gas to South Texas from the McAllen Ranch Field pursuant to its FPC Gas Rate Schedule No. 166. South Texas in turn sells this gas to Transcontinental Gas Pipe Line Co. (Transco). On April 24, 1972, Petitioner filed an amendment providing, inter alia, for an increase in the contract price to 24 cents per Mcf as a supplement to said rate schedule. Petitioner states that, as consideration, it agreed to commence a drilling and well stimulation program in this field.

Applicant requests waiver of §§ 154.107(a) and 154.107(c)(2)(iii), which limit Applicant to a 19-cent per Mcf rate for the subject gas,[2] and authorization to charge a basic rate of 24 cents per Mcf for flowing gas being sold under its FPC Gas Rate Schedule No. 166.

Shell Oil Co. in Docket No. RI72-240, operator of the subject properties, has also filed for waiver of the aforementioned Commission regulations so as to charge a base rate of 24 cents per Mcf. Petitioner states that all the reasons given by Shell for the relief requested apply to its interest.

Shell states that in return for new pricing provisions contained in a February 8, 1972, amendment, it agreed to undertake an extensive program of drilling and well stimulation, which requires the utilization of new and costly high-volume formulation fracturing techniques, an extra string of protective casing, greater drilling mud densities, higher tubulars and surface facilities and greater safety demands because of the extremely high geopressures in the McAllen Ranch Field, all of which is aimed at increasing the McAllen Ranch Field deliverability to 100,000 Mcf per day and maintaining that level as long as economically feasible. Shell asserts that the well drilling program requires investments far above the average gas well costs either nationally or in the Texas Gulf Coast area and could not have been justified under the contract price level existing prior to the new amendment.

Shell further asserts that not only economic costs support the proposed

[1] Section 154.107 is the section of the regulations under the Natural Gas Act which properly pertains to Appalachian Basin area rates and is the designation erroneously assigned to the section pertaining to Texas Gulf Coast area rates. A new designation will be assigned to the latter section.

[2] Established by Commission Opinion No. 595, Area Rate Proceeding, et al. (Texas Gulf Coast Area), Dockets Nos. AR64-2, et al., 45 FPC 674.

waiver and rate increase but the resulting increase in interstate gas volumes supports its proposal since Transco, which has an emergency gas deficiency on its system and has had to contract for a number of emergency purchases of natural gas, will be directly benefited by the increase in deliverability, as it purchases the subject gas from South Texas.

Petitioner requests that the instant petition be consolidated with the petition previously filed by Shell Oil Co.

Any person desiring to be heard or to make any protest with reference to said petition should on or before July 17, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-9773 Filed 6-27-72;8:51 am]

FEDERAL RESERVE SYSTEM

CAPITAL NATIONAL CORP.

Order Approving Acquisition of Bank Shares

Capital National Corp., Houston, Tex., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire a new issue of voting shares of Northwest National Bank, Houston, Tex. (Bank), which would then constitute 25 percent of the shares outstanding.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant presently controls one bank, Capital National Bank, Houston, Tex. (CNB), with deposits of approximately $127 million, representing 0.5 percent of total deposits in commercial banks in Texas.[1] Applicant proposes to acquire all 16,667 of a new issue of shares of Bank ($10 million in deposits) which would equal 25 percent of Bank's stock after issuance. Present stockholders of Bank will not participate in the offering to increase Bank's stock; however, they were notified by a proxy statement and voted approval of the proposed sale of shares to applicant. Inasmuch as the proposal involves purchasing newly issued shares which will augment Bank's capital, the absence of an offer to buy all outstanding shares of Bank is not regarded as inequitable to other shareholders of Bank. The acquisition of voting shares of Bank would not significantly increase applicant's share of total deposits in the relevant area or within the State, and would not adversely affect other area banks.

A group of applicant's officers and principal shareholders sponsored the organization of Bank in 1969. Bank serves the Houston Standard Metropolitan Statistical Area (SMSA) as a small retail bank where it ranks as the 85th largest of the market's 145 banks. Bank holds 0.2 percent of total deposits in this area. Applicant's subsidiary, CNB, also serves the Houston SMSA as the sixth largest bank, holding 2.1 percent of total area deposits. The two banks are 8 miles apart, and only 0.3 percent of CNB deposits and loans originate in the area served by Bank, and no meaningful present competition would be eliminated by this proposal. It also appears that no substantial amount of future competition would be foreclosed by the acquisition because of State laws which prohibit branching and in view of the 21 banking offices which intervene the densely populated area between Bank and CNB. Competitive considerations are consistent with approval of the application.

Applicant's management is regarded as capable. The Board is concerned that applicant's level of indebtedness is relatively high. However, mitigating this consideration is the fact that applicant has outstanding $2 million of subordinated convertible debentures that possess certain features which could result in their conversion to equity as early as November 1972. In addition, applicant has offered for sale a parcel of real estate, the proceeds of which could be used to substantially reduce applicant's outstanding debt. In view of these considerations and in view of CND's earnings and deposit growth over the past 4 years, it appears that applicant's projections for retirement of its total debt in 4 years are feasible. The financial and managerial resources of Bank are regarded as satisfactory. Prospects for both applicant and Bank appear favorable. Considerations relating to banking factors are consistent with approval of the application.

The newly issued shares of Bank's stock which applicant proposed to acquire will augment Bank's capital and enable it to finance new and permanent banking quarters, thus making it possible for Bank to increase its staff and provide enlarged parking facilities for its customers. In addition, Bank's lending limit will be increased, and applicant proposed to introduce trust and international services for customers of Bank. Considerations relating to the convenience and needs of the relevant areas are consistent with and lend weight toward approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,[2] effective June 20, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-9687 Filed 6-27-72;8:45 am]

FARMERS ENTERPRISES, INC.

Formation of Bank Holding Company and Proposed Retention of Insurance Agency

Farmers Enterprises, Inc., La Crosse, Kan., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 81 percent or more of the voting shares of The Farmers State Bank, Albert, Kans. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Farmers Enterprises, Inc., has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain the insurance agency activities formerly conducted by the Albert Insurance Agency, Albert, Kans. Notice of the application was published on May 16, 1972, in The Great Bend Daily Tribune, a newspaper circulated in Barton County, Kans.

Applicant states that the proposed subsidiary would continue to engage in the activities of a general insurance agency in a community of less than 5,000 people. Such activities have been specified by the Board in § 225.4(a)(9) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects such as undue concentration of

[1] All banking data are as of June 30, 1971, adjusted to reflect holding company acquisitions and formations approved by the Board through Apr. 30, 1972.

[2] Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, and Sheehan. Absent and not voting: Governors Brimmer and Bucher.

resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than July 17, 1972.

Board of Governors of the Federal Reserve System, June 19, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-9689 Filed 6-27-72;8:45 am]

FIRST TENNESSEE NATIONAL CORP.

Acquisition of Bank

First Tennessee National Corp., Memphis, Tenn., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of the successor by merger to First Bank and Trust Co., Dyersburg, Tenn. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 10, 1972.

Board of Governors of the Federal Reserve System, June 20, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-9688 Filed 6-27-72;8:45 am]

GENERAL FINANCIAL SYSTEMS, INC.

Retention of Bank

General Financial Systems, Inc., Riviera Beach, Fla., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to retain 12,450 or more of the voting shares of Tri-City Bank, Palm Beach Gardens, Fla. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 20, 1972.

Board of Governors of the Federal Reserve System, June 19, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-9690 Filed 6-27-72;8:45 am]

FIRST TEXAS BANCORP, INC.

Acquisition of Bank

First Texas Bancorp, Inc., Georgetown, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of First National Bank of Round Rock, Round Rock, Tex. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than July 10, 1972.

Board of Governors of the Federal Reserve System, June 21, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-9808 Filed 6-27-72;8:54 am]

HY-VEE FOOD STORES, INC., AND HY-VEE EMPLOYEES' TRUST

Order Denying Exemption from Prohibitions Against Nonbanking Activities of Bank Holdinng Companies

Hy-Vee Food Stores, Inc. (Hy-Vee), and Hy-Vee Employees' Trust (Trust), both of Chariton, Iowa, are bank holding companies within the meaning of the Bank Holding Company Act of 1956 (12 U.S.C. 1841), by virtue of control of National Bank & Trust Co. of Chariton, Chariton, Iowa (Bank), and have applied to the Board of Governors, pursuant to section 4(d) of the Act, for an exemption from the prohibitions of section 4 (relating to nonbanking activities and acquisitions).

Notice of receipt of the application was published in the FEDERAL REGISTER on March 25, 1972 (37 F.R. 6231). Time for filing comments and views has expired. No comments have been received nor any request for a hearing.

Section 4(d) of the Act provides that to the extent such action would not be substantially at variance with the purposes of the Act and subject to such conditions as the Board considers necessary to protect the public interest, the Board may grant an exemption from the provisions of section 4 of the Act to certain one-bank holding companies in order (1) to avoid disrupting business relationships that have existed over a long period of years without adversely affecting the banks or communities involved, or (2) to avoid forced sales of small locally owned banks to purchasers not similarly representative of community interests, or (3) to allow retention of banks that are so small in relation to the holding company's total interests and so small in relation to the banking market to be served as to minimize the likelihood that the bank's powers to grant or deny credit may be influenced by a desire to further the holding company's other interests.

The Board has considered the application in the light of the factors set forth in section 4(d) of the Act and finds that:

Hy-Vee, headquartered at Chariton, Iowa, owns and operates 79 retail grocery stores and four drug stores in Iowa, Minnesota, and Missouri. Hy-Vee controls Bank through Trust, a profit-sharing trust continuously managed since its inception on July 13, 1960, by trustees, all of whom are executive officers of Hy-Vee. The record shows that, on June 14, 1963, Trust and Hy-Vee acquired control of the voting shares of Bank by virtue of section 2(g)(2) of the Act (12 U.S.C. 1841(g)(2)). As of the time of submission of the application to the Board, Hy-Vee and trust controlled 92.25 percent of the outstanding voting shares of Bank. The facts of record do not indicate that the needs of the community were being inadequately served at the time Trust purchased the Bank, nor is there evidence of a unique relationship between applicants and the community such as could not exist between another owner of Bank and the community.

Bank's total assets as of June 30, 1971 ($14.3 million), were equal to about 46 percent of Hy-Vee's total assets (on June 27, 1971) and represented over 200 percent of the total assets of Trust (on July 31, 1971). As of year-end 1970, the before tax income of Bank was 7.8 percent of the before tax income of Hy-Vee and 23.1 percent of the increase in net worth of Trust. Bank's deposits as of June 30, 1971 ($13 million), represented 19.8 percent of total commercial bank deposits in the relevant market, an area within a radius of 15 miles around Chariton.

On the facts of record, including the length of time the relationship has existed, the nature of the origin of the affiliation, the needs of the community, and the size of the Bank in relation to the holding companies' total interests and in relation to the banking market involved, the Board concludes that, while the record contains no evidence that ownership of Bank by Trust and Hy-Vee has had an adverse effect on the banks or community involved, the applicants have not demonstrated that an exemption is warranted under the provision of section 4(d) of the Act.

Based on the foregoing and other considerations reflected in the record, the Board has denied the applications of Hy-Vee and Trust for an exemption from the Act's restrictions relating to nonbanking activities and acquisitions.

By order of the Board of Governors,[1] effective June 21, 1972.[2]

[SEAL] MICHAEL A. GREENSPAN,
Acting Secretary of the Board.

[FR Doc.72-9810 Filed 6-27-72;8:54 am]

PAN AMERICAN BANCSHARES, INC.

Order Approving Acquisition of Bank

Pan American Bancshares, Inc., Miami, Fla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 50 percent or more of the voting shares of Capital National Bank of Tampa, Tampa, Fla. (Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls eight subsidiary banks with $299.6 million in deposits, representing 2 percent of the total commercial bank deposits in Florida, and ranks as the State's 12th largest bank holding company. (All banking data are as of June 30, 1971, adjusted to reflect holding company formations and acquisitions approved by the Board through May 31, 1972.) As a result of consummation of the proposal herein, Applicant's share of deposits would be increased to approximately 2.3 percent of the total commercial bank deposits in the State, and applicant would become the State's 10th largest bank holding company.

Bank ($40 million deposits) is the fifth largest of 28 banks located in the Hillsborough County market, holding about 4 percent of market deposits. This proposal represents applicant's initial entry in the Hillsborough County market and, inasmuch as applicant's subsidiary located closest to Bank is more than 45 miles south, would not result in the elimination of any significant existing competition. Nor is it likely that consummation of the proposal would have any significant effects on potential competition between applicant's present subsidiaries and Bank, in light of the large number of banks in the area and the restrictive branching law of Florida. On the other hand, as a result of this proposal, Bank's competitive position in relation to the larger banking organizations already represented in the relevant market should be enhanced. It does not appear, therefore, that significant competition would be eliminated or significant potential competition foreclosed by consummation of applicant's proposal, or that there would be undue adverse effects on any bank in the area involved.

The financial and managerial resources and prospects of Applicant are regarded as satisfactory and consistent with approval of the application. While the same conclusion applies generally to applicant's subsidiaries, three of the subsidiary banks have capital ratios lower than the Board considers desirable. Applicant states that it intends to augment the capital at each of these banks and, with the injection of additional capital, the prospects of these subsidiaries should be improved. Applicant also proposes to inject additional capital in Bank, as well as to strengthen and broaden Bank's management. Both of these features should enhance Bank's prospects, and thus, lend some weight toward approval of the application. In addition to a stronger financial condition, affiliation with Applicant would enable Bank to offer increased services such as larger credit lines, international banking services, and trust services. These considerations are consistent with approval of the application. It is the Board's judgment that the proposed transaction would be in the public interest, and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,[1] effective June 21, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Acting Secretary of the Board.

[FR Doc.72-9811 Filed 6-27-72;8:54 am]

[1] Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, and Sheehan. Absent and not voting: Chairman Burns and Governor Brimmer.

[2] Board action was taken before Governor Bucher was a Board Member.

GENERAL SERVICES ADMINISTRATION

PAINT, INTERIOR, WHITE AND TINTS, FIRE RETARDANT

Notice of Industry Specification Development Conference

Notice is hereby given that the Federal Supply Service, General Services Administration, will hold an Industry Specification Development Conference in connection with Interim Federal Specification TT-P-0026B, Paint, Interior, White and Tints, Fire Retardant.

The purpose of the conference is to provide a forum for consideration of suggestions, ideas, or ways and means to improve the specification to: (1) Promote mutual understanding by both the Government and industry of the Government's technical requirements for the items, and (2) enhance the quality of the products shipped to the Government. It will be open to all those in the private sector who have an interest or concern for these matters and all other Government departments or agencies having an interest therein are also being invited to send their representatives.

This conference will be held on July 11, 1972, at 9:30 a.m., Room 513, Building 4, Crystal Mall, 1941 Jefferson Davis Highway, Arlington, VA. Anyone who wants to attend or desires further information should contact Mr. W. S. van Eyken, General Services Administration (FMSB), Supply Service, at telephone number (Area Code 703) 557-7879 or write General Services Administration (FMSB), Washington, D.C. 20406.

Issued in Washington, D.C., on June 20, 1972.

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

[FR Doc.72-9758 Filed 6-27-72;8:50 am]

[1] Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, Sheehan, and Bucher.

INTERIM COMPLIANCE PANEL

(Coal Mine Health and Safety)

PEERLESS EAGLE COAL CO.

Application for Renewal Permit; Notice of Opportunity for Public Hearing

Application for Renewal Permit for Noncompliance with the Electric Face Equipment Standard specified in the Federal Coal Mine Health and Safety Act of 1969 has been received as follows:

ICP Docket No. 3063 000, PEERLESS EAGLE COAL CO., Mine No. 1, USBM ID NO. 46 01476 0, Summersville, Nicholas County, W. Va., ICP Permit No. 3063 003-R-2 (Joy Coal Cutter, Ser. No. 15307)

ICP Permit No. 3063 023-R-2 (Shop Built Coal Drill, Ser. No. Co. No. 1 Coal Drill).

In accordance with the provisions of section 305(a)(7) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR, Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the Panel on request.

Copies of renewal applications are available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Eighth Floor, 1730 K Street NW., Washington, DC 20006.

WILLIAM B. PAGE,
Acting Chairman,
Interim Compliance Panel.

JUNE 23, 1972.

[FR Doc.72-9757 Filed 6-27-72;8:50 am]

OFFICE OF EMERGENCY PREPAREDNESS

PENNSYLVANIA

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 23, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Pennsylvania from severe storms and flooding beginning about June 21, 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 Pennsylvania. 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. John L. Sullivan, OEP Region 3, 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 Pennsylvania to have been adversely affected by this declared major disaster:

The Counties of:

Adams.	McKean.
Alleghany.	Mifflin.
Armstrong.	Montgomery.
Beaver.	Montour.
Berks.	Northumberland.
Bradford.	Perry.
Chester.	Philadelphia.
Clearfield.	Potter.
Clinton.	Schuylkill.
Columbia.	Snyder.
Cumberland.	Tioga.
Dauphin.	Union.
Fayette.	Westmoreland.
Lancaster.	Wyoming.
Luzerne.	York.
Lycoming.	

Dated: June 26, 1972.

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

[FR Doc.72–9884 Filed 6–26–72;2:21 pm]

MARYLAND

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 23, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Maryland from severe storms and flooding beginning about June 21, 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 Maryland. 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. Francis X. Carney, Regional Director, OEP Region 3, 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 Maryland to have been adversely affected by this declared major disaster:

The Counties of:

Baltimore.	Montgomery.
Howard.	Prince Georges.

Dated: June 24, 1972.

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

[FR Doc.72–9876 Filed 6–27–72;8:55 am]

NEW YORK

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 23, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of New York from severe storms and flooding beginning about June 18, 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 New York. 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. Thomas R. Casey, Regional Director, OEP Region 2, 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 New York to have been adversely affected by this declared major disaster:

The Counties of:

Allegany.	Steuben.
Cattaraugus.	Tioga.
Chemung.	Tompkins.
Rockland.	Westchester.

Dated: June 24, 1972.

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

[FR Doc.72–9877 Filed 6–27–72;8:55 am]

PRICE COMMISSION

[Order 6]

PASS THROUGH OF LEATHER COSTS

Determination Regarding Profit Margins

During the past year the cost of cattle hides has doubled, as revealed by both industry and Government statistics. Corresponding increases have been passed on to leather, processed from cattle hides, which is a major raw material used by the shoe manufacturing and other industries. For the purposes of this order, "leather" means a hide that has gone through its first processing. This extraordinary increase has a major effect on profit margins, because of the increased profits resulting from the application of usual percentage markups to costs which have escalated at an extraordinary rate. The policy of profit-margin maintenance, which is reflected in both the Price Commission's profit-margin rules and its allowable-cost-increase rules, is based upon the assumption that the percentage relationship between a firm's costs and its profits and prices is a unique characteristic of each firm. Price increases which materially change that relationship are generally prohibited. When any one or more elements change substantially, over a comparatively short period of time, the characteristic relationship of those cost elements to the other cost elements of the firm is destroyed. Also destroyed with it is the basis for assuming that the historic relationship between those cost elements and the profits and prices of the firm is characteristic of that firm.

In consideration of these conditions, and pursuant to the authority of § 300.60 of the Price Stabilization Regulations of the Commission, the Commission has determined that the profits of the firms concerned should remain as they were in relations to the cost structure prevailing before August 15, 1971, rather than to the increased costs since that time and that such determination is necessary to achieve the overall goal of holding average increases across the economy to a rate of not more than 2.5 percent a year.

Therefore, notwithstanding any provision of Part 300 of the regulations of the Price Commission (6 CFR Part 300), it is hereby ordered that—

(1) No manufacturer which sells a product as to which, on the date of this order, the cost of leather constitutes more

than 10 percent of the total allowable costs thereof may charge a price for that product which is above the price which could legally be charged for the product under Part 300 had the cost of leather not increased since January 1, 1971, or since the last price increase on the product before November 13, 1971, whichever is later, plus the dollar amount of the cost increase of the product attributable to leather since that last price increase; and

(2) If the cost of the product which is attributable to leather decreases at any time after the date of this order, the manufacturer shall reduce the price of the product accordingly, by dollar amount.

Issued in Washington, D.C., on June 15, 1972.

C. JACKSON GRAYSON, Jr.,
Chairman, Price Commission.

[FR Doc.72-9878 Filed 6-27-72;8:55 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

ECOLOGICAL SCIENCE CORP.

Order Suspending Trading

JUNE 21, 1972.

The common stock, 2 cents par value, of Ecological Science Corp. being traded on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Ecological Science Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such security on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 22, 1972 through July 1, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-9728 Filed 6-27-72;8:49 am]

[File No. 24SF-3776]

ENVIRONMENTAL DEVICES, INC.

Order Temporarily Suspending Exemption, and Notice of Opportunity For Hearing

JUNE 20, 1972.

Environmental Devices, Inc., 710 Delaware Street, Berkeley, CA, incorporated in the State of Delaware on June 25, 1971, filed with the San Francisco Branch Office a notification on Form 1-A and an offering circular, relating to an offering of 100,000 shares of its common stock at $5 per share for an aggregate offering of $500,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder. The offering commenced on February 11, 1972, and subsequently the 100,000 shares were allegedly sold.

Securities Unlimited of Beverly Hills, a registered broker-dealer having its principal place of business in Beverly Hills, Calif., was the named underwriter for the offering.

The Commission, on the basis of information reported to it by its staff, has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with, particularly with respect to:

1. The fact that the Regulation A ceiling as set forth in Rule 254 of the Securities Act of 1933 was exceeded because Securities Unlimited of Beverly Hills and certain of its registered representatives sold the shares of the offering on the basis that the purchaser would be required to buy a similar amount of shares of Environmental Devices, Inc., in the after market and such shares were purchases at prices in excess of the public offering price as set forth in the offering circular of Environmental Devices, Inc.

B. The notification and offering circular of Environmental Devices, Inc., omit to state facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading and contain untrue statements of material facts, particularly with respect to:

1. The fact that the offering of the shares would be contingent upon compulsory purchases of a like amount of shares in the after market.

C. The offering was made in violation of section 17 of the Securities Act of 1933.

It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended,

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption of Environmental Devices, Inc., under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having an interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will be promptly given by the Commission.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-9729 Filed 6-27-72;8:49 am]

[812-3185]

DEAN WITTER & CO., INC., AND E. F. HUTTON & CO., INC.

Notice of Filing of Application for an Order of Exemption

JUNE 20, 1972.

Notice is hereby given that Dean Witter & Co., Inc., 14 Wall Street, New York, NY 10005, and E. F. Hutton & Co., Inc. (Applicants), 1 Battery Park Plaza, New York, NY 10004, prospective representatives of a group of underwriters of a proposed offering of shares of Keystone OTC Fund, Inc. (Fund), a registered closed-end investment company, have filed an application for an exemptive order pursuant to section 6(c) of the Investment Company Act of 1940 (Act). Applicants request that they and their counderwriters be exempted from section 30(f) of the Act, which incorporates section 16(b) of the Securities Exchange Act of 1934 (Exchange Act), in connection with their transactions incident to the distribution of Fund shares. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Fund shares are to be purchased by the underwriters at a price of $13.68 per share, pursuant to an underwriting agreement to be entered into between the Fund and the underwriters represented by applicants. Upon the effective date of the Fund's registration statement under the Securities Act of 1933, the shares will be sold to the public at a public offering price of $15 per share, the gross underwriting commission thus being $1.32 per share. Sales to selected dealers may be made by applicants, but not by other underwriters, at the offering price less a maximum concession of $0.90 per share. The several underwriters are to pay applicants a fee of $0.17 per share for their management of the offering.

It seems likely that applicants and possibly one or more other underwriters will acquire individually from the Fund in accordance with the provisions of the underwriting agreement more than 10 percent of the common stock of the

Fund which will be outstanding at the time of the closing with the underwriters (thus making them subject to the provisions of section 16(b) of the Exchange Act) and applicants, either alone or together with one or more such other underwriters, might acquire more than 50 percent of such common stock.

The purpose of the purchase by applicants and the other underwriters is for resale in connection with the initial distribution of shares of the Fund. It will thus be a transaction effected in connection with a distribution of a substantial block of securities within the purpose and spirit of the Commission's Rule 16b–2.

Applicants state that it is necessary for them to obtain the exemption requested by this application because of the requirements of the last clause of the first sentence of paragraph (a)(3) of Rule 16b–2, since it appears likely that the aggregate participation of underwriters who would not require an exemption from section 16(b) of the Exchange Act will not be at least equal to the participation of applicants (and possibly other underwriters) who will require such exemption.

In addition to purchases from the Fund and sales to customers there may be the usual transactions of purchase or sale incident to a distribution such as stabilizing purchases, over-allotments, purchases to cover over-allotments, and sales of shares purchased in stabilization.

Applicants state that no underwriter has any inside information or possibility of using inside information and, in fact, there is no inside information in existence since the Fund prior to the initial distribution will have virtually no assets or business of any sort. No director or officer of any underwriter is a director or officer of the Fund.

Section 30(f) of the Act imposes the duties and liabilities of section 16 of the Exchange Act upon, among others, beneficial owners of more than 10 percent of any class of outstanding securities of a registered closed-end investment company. Section 16(b) of the Exchange Act contains provisions for accountability for profits from purchases and sales or sales and purchases within 6 months of any equity security of the related issuer by those persons covered thereby. Applicants represent that the requested exemption from the provisions of section 30(f) of the Act is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Section 6(c) of the Act authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 10, 1972, 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon each of the applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72–9730 Filed 6–27–72;8:49 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 910; Class B]

NEW YORK

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of June 1972, because of the effects of certain disasters, damage resulted to homes and business property located in the State of New York;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended;

Now, therefore, as Associate Administrator for Operations and Investment of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in the counties of Westchester, Rockland, Putnam, and Bronx, N.Y., suffered damage or destruction resulting from floods beginning on or about June 16, 1972, and continuing.

OFFICE

Small Business Administration Regional Office, 26 Federal Plaza, Room 3930, New York, NY 10007.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to September 30, 1972.

Dated: June 22, 1972.

CLAUDE ALEXANDER,
Associate Administrator for Operations and Investment.

[FR Doc.72–9763 Filed 6–27–72;8:54 am]

DEPARTMENT OF LABOR

Office of the Secretary

CONNECTICUT

Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91–373, establishes a program of extended unemployment compensation which provides for payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that Jack A. Fusari, Labor Commissioner of the State of Connecticut, has determined that there was a State "off" indicator in Connecticut for the week beginning May 14, 1972 and that an extended benefit period terminated in the State with the week beginning June 4, 1972.

Signed at Washington, D.C., this 21st day of June 1972.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72–9799 Filed 6–27–72;8:53 am]

ILLINOIS

Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91–373, establishes a program of extended unemployment compensation which provides for payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases

to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that John M. Linton, Employment Security Administrator of the Illinois Bureau of Employment Security, has determined that there was a State "off" indicator in Illinois for the week beginning May 21, 1972, and that an extended benefit period terminated in the State with the week beginning June 11, 1972.

Signed at Washington, D.C., this 22d day of June 1972.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72-9800 Filed 6-27-72;8:53 am]

MAINE

Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of extended unemployment compensation which provides for payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that James C. Schoenthaler, Chairman of the Maine Employment Security Commission, has determined that there was a State "off" indicator in Maine for the week beginning May 21, 1972 and that an extended benefit period terminated in the State with the week beginning June 11, 1972.

Signed at Washington, D.C., this 22d day of June 1972.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72-9801 Filed 6-27-72;8:53 am]

WILSON SHOE CORP.

Investigation Regarding Certification of Eligibility of Workers To Apply for Adjustment Assistance

The Department of Labor has received a Tariff Commission report containing an affirmative finding under section 301(c)(2) of the Trade Expansion Act of 1962 with respect to its investigation of a petition for determination of eligibility to apply for adjustment assistance filed on behalf of workers of Wilson Shoe Corp., Shamokin, Pa. (TEA-W-141). In view of the report and the responsibilities delegated to the Secretary of Labor under section 8 of Executive Order 11075 (28 F.R. 473), the Acting Director, Office of Foreign Economic Policy, Bureau of International Labor Affairs, has instituted an investigation, as provided in 29 CFR 90.5 and this notice. The investigation relates to the determination of whether any of the group of workers covered by the Tariff Commission report should be certified as eligible to apply for adjustment assistance, provided for under title III, chapter 3, of the Trade Expansion Act of 1962, including the determination of related subsidiary subjects and matters, such as the date unemployment or underemployment began or threatened to begin and subdivision of the firm involved to be specified in any certification to be made, as more specifically provided in Subpart B of 29 CFR Part 90.

Interested persons should submit written data, views, or arguments relating to the subjects of investigation to the Acting Director, Office of Foreign Economic Policy, U.S. Department of Labor, Washington, D.C., on or before June 30, 1972.

Signed at Washington, D.C., this 21st day of June 1972.

GLORIA G. VERNON,
Acting Director, Office of Foreign Economic Policy.

[FR Doc.72-9802 Filed 6-27-72;8:53 am]

INTERSTATE COMMERCE COMMISSION

[Notice 19]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 23, 1972.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's revised deviation rules-motor carriers of property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's revised deviation rules-motor carriers of property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-41432 (Deviation No. 17), EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, Post Office Box 10125, Dallas, TX 75207, filed June 13, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 57 to Cairo, Ill., thence over U.S. Highway 60 to Poplar Bluff, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Chicago, Ill., over U.S. Highway 66 to junction Alternate U.S. Highway 66, thence over Alternate U.S. Highway 66 via Gardner, Ill., to junction U.S. Highway 66, thence over U.S. Highway 66 to junction City U.S. Highway 66, north of Bloomington, Ill., thence over City U.S. Highway 66 to Bloomington, thence over U.S. Highway 66 via Lincoln, Ill., to junction City U.S. Highway 66 north of Springfield, Ill., thence over City U.S. Highway 66 to Springfield, thence over U.S. Highway 66 to junction Bypass U.S. Highway 66 via Edwardsville, Ill., to junction Alternate U.S. Highway 67, thence over Alternate U.S. Highway 67 via Granite City and Madison, Ill., to St. Louis, Mo., (2) from St. Louis, Mo., over U.S. Highway 67 to Judsonia, Ark., thence over U.S. Highways 67 and 67C to Higginson, Ark., thence over U.S. Highway 67 to Little Rock, Ark., and (3) from Little Rock, Ark., over U.S. Highway 70 to Benton, Ark., thence over U.S. Highway 67 to Texarkana, Ark., and return over the same routes.

No. MC-48958 (Deviation No. 35), ILLINOIS - CALIFORNIA EXPRESS, INC., Post Office Box 9050, Amarillo, TX 79105, filed June 9, 1972. Carrier's representative: Morris G. Cobb, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Fort Worth, Tex., over Interstate Highway 20 (U.S. Highway 80) to junction Interstate Highway 10, thence over Interstate Highway 10 (U.S. Highway 80 and Arizona Highway 93) to junction Interstate Highway 8, thence over Interstate Highway 8 (U.S. Highway 80 and Arizona Highway 84) to junction California Highway 86, thence over California Highway 86 to junction Interstate Highway 10 (U.S. Highway 60), at or near India, Calif., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Amarillo, Tex., over U.S. Highway 287 via Wichita Falls, Tex., to Rhome, Tex., thence over Texas Highway 114 to Dallas, Tex., (2) from Fort Worth, Tex., over U.S. Highway 81 to Rhome, Tex., (3) from Amarillo, Tex., over U.S. Highway 66 to San Jon, N. Mex., (4) from Tucumcari, N. Mex., over U.S. Highway 66 to San Jon, N. Mex., (5) from Moriarty, N. Mex., over U.S. Highway 66 to Tucumcari, N. Mex., (6) from Albuquerque, N. Mex., over U.S. Highway 66 to Moriarty, N. Mex., (7) from Los Angeles, Calif., over U.S. Highway 66 via San

Bernardino, Calif., to Albuquerque, N. Mex., and (8) from Colton, Calif., over U.S. Highway 99 to Indio, Calif., thence over U.S. Highway 60 to Wickenburg, Ariz., thence over U.S. Highway 89 to Ashfork, Ariz., and return over the same routes.

No. MC-112713 (Deviation No. 18), YELLOW FREIGHT SYSTEM, INC., Post Office Box 8461, 92d at State line, Kansas City, MO 64114, filed June 5, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicles, of *general commodities*, with certain exceptions, over a deviation route as follows: From Lancaster, Pa., over U.S. Highway 30 to junction Interstate Highway 81, near Chambersburg, Pa., thence over Interstate Highway 81 to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Interstate Highway 30, thence over Interstate Highway 30 to Dallas, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Lancaster, Pa., over U.S. Highway 230 to Harrisburg, Pa., thence over U.S. Highway 22 to Ebensburg, Pa., thence over U.S. Highway 422 to Youngstown, Ohio; (2) from Akron, Ohio, over Ohio Highway 18 to Youngstown, Ohio; (3) from Toledo, Ohio, over Ohio Highway 51 (formerly Ohio Highway 120) to junction U.S. Highway 20, thence over U.S. Highway 20 to Bellevue, Ohio, thence over Ohio Highway 18 to Akron, Ohio, thence over Ohio Highway 8 to Canton, Ohio; (4) from Upper Sandusky, Ohio, over U.S. Highway 30-N to Mansfield, Ohio, thence over U.S. Highway 30 to Canton, Ohio; (5) from Ann Arbor, Mich., over U.S. Highway 23 to Columbus, Ohio; (6) from Springfield, Ohio, over U.S. Highway 40 to junction U.S. Highway 42, thence over U.S. Highway 42 to Mansfield, Ohio, thence over Ohio Highway 13 to Fitchville, Ohio; (7) from Indianapolis, Ind., over U.S. Highway 40 to Columbus, Ohio; (8) From St. Louis, Mo., over U.S. Highway 40 to junction Alternate U.S. Highway 40 (formerly U.S. Highway 40), thence over Alternate U.S. Highway 40 via Hagarstown and Vandalia, Ill., to junction U.S. Highway 40, thence over U.S. Highway 40 to junction unnumbered highway (formerly U.S. Highway 40), thence over unnumbered highway via Marshall, Ill., to junction U.S. Highway 40, thence over U.S. Highway 40 to Indianapolis, Ind.; (9) from St. Louis, Mo., over U.S. Highway 50 to junction Illinois Highway 37, thence over Illinois Highway 37 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction U.S. Highway 40, thence over the route specified in (8) above to Indianapolis, Ind.; (10) from St. Louis, Mo., over U.S. Highway 66 to junction U.S. Highway 63 (formerly U.S. Highway 66) near Rolla, Mo., thence over U.S. Highway 63 to Rolla, Mo., thence over unnumbered highway (formerly U.S. Highway 66), near Waynesville, Mo., thence over unnumbered highway Waynesville, Mo., thence over Missouri Highway 17 (formerly U.S. Highway 66) to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered highway (formerly U.S. Highway 66) near Conway, Mo., thence over unnumbered highway via Conway to junction U.S. Highway 66, thence over U.S. Highway 66 to Baxter Springs, Kans.; (11) from Kansas City, Mo., over U.S. Highway 69 to junction Kansas Highway 26, thence over Kansas Highway 26 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Oklahoma Highway 66 (formerly U.S. Highway 66) near Edmond, Okla., thence over Oklahoma Highway 66 to Oklahoma City, Okla., thence over U.S. Highway 77 to Dallas, Tex., thence over U.S. Highway 75 to Houston, Tex.; and (12) from Vinita, Okla., over U.S. Highway 69 to Atoka, Okla., thence over U.S. Highway 75 to Dallas, Tex., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9790 Filed 6-27-72;8:52 am]

[Notice 51]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS [1]

JUNE 23, 1972.

The following publications are governed by the new § 1100.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

MOTOR CARRIERS OF PROPERTY

NOTICE FOR FILING OF PETITION

No. MC 133737 (Sub-5) (Notice of Filing of Petition To Modify Permit), filed May 25, 1972. Petitioner: CRAWFORD TRUCKING CO., INC., 2502 Que Street, Omaha, NE 68107. Petitioner's representative: Donal L. Stern, Suite 530, Univac Building, 7100 West Center Road, Omaha, NE 68106. Petitioner holds Permit No. MC 133737 (Sub-No. 5), to conduct operations as a motor contract carrier, over irregular routes, transporting: "Frozen macaroni products, and dry macaroni products when moving in mixed loads with frozen macaroni products, from Omaha, Nebr., to points in Alabama, Arizona, Arkansas, California, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, New Mexico, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, Wisconsin, West Virginia; and flour, in containers, and corrugated cartons, cellophane, polyethylene paper, and dry macaroni products from points in the above-named destination States, to Omaha, Nebr. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Skinner Macaroni Co., of Omaha, Nebr." By the instant petition, petitioner seeks modification of its permit so as to eliminate the requirement that "dry macaroni products" may be transported only "when moving in mixed loads with frozen macaroni products." Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of such publication in the FEDERAL REGISTER.

APPLICATION FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 1515 (Sub-No. 179), filed May 31, 1972. Applicant: GREYHOUND LINES, INC., 1400 West Third Street, Cleveland, OH 44113. Applicant's representative: Anthony P. Carr (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between Watertown, N.Y., and the junction of New York Highway 37 and U.S. Highway 11, over U.S. Highway 11. NOTE: Applicant has a pending contract application under MC 136186 Sub-2. This application is a matter directly related to MC-F-11557, published in the FEDERAL REGISTER, issue of June 14, 1972. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Watertown, N.Y., or Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-11575. Authority sought for purchase by WHEATON VAN LINES, INC., 2525 East 56th Street, Post Office Box 55191, Indianapolis, IN 46205, of a portion of the operating rights of

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[1] Except as otherwise specifically noted, each applicant (on applications filed after Mar. 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

AR-DEES ALASKA TRUCK LINES, INC., 125 Oklahoma Street, Anchorage, AK 99504, and for acquisition by E. S. WHEATON, and C. W. ZIMMERMAN, both of Indianapolis, Ind. 46205, of control of such rights through the purchase. Applicants' attorney: Alan F. Wohlstetter, 1700 K Street, NW, Washington, DC 20006. Operating rights sought to be transferred: *General commodities*, except those of unusual value, classes A and B explosives, and commodities requiring special equipment, as a *common carrier* over irregular routes, between points in Alaska except points in the Alaska Panhandle located east of an imaginary line constituting a southward extension of the United States (Alaska)-Canada (Yukon Territory) boundary line. Vendee is authorized to operate as a *common carrier* in all of the States in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11576. Authority sought for purchase by ROBCO TRANSPORTATION, INC., Room 205, 3033 Excelsior Boulevard, Minneapolis, MN 55416, of the operating rights and property of (A) BEST WAY FROZEN EXPRESS, INC., also of Minneapolis, Minn. 55416, and (B) MEAT PACKERS EXPRESS, INC., 222 South 72d Street, Omaha, NE 68114, and for acquisition by C. H. ROBINSON COMPANY, of Minneapolis, Minn. 55416, of control of such rights and property through the purchase. Applicants' attorney and representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402, and K. O. Petrick, Room 205, 3033 Excelsior Boulevard, Minneapolis, MN 55416. Operating rights sought to be transferred: (A) *Frozen fruits, frozen berries, and frozen vegetables*, as a *common carrier* over irregular routes, from points in California, to points in Iowa, points in Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, Kansas City and St. Louis, Mo., Topeka and Wichita, Kans., Oklahoma City, Okla., Birmingham, Ala., Louisville, Ky., Phoenix, Ariz., Chicago and Rockford, Ill., and Indianapolis, Ind.; *frozen fruits*, from points in Michigan, to points in Kansas, and Springfield and Kansas City, Mo.; *frozen fruits* and *frozen vegetables*, from points in Washington, to Kansas City, Mo., Wichita, Kans., and El Paso, Tex., with restriction; *meat, meat products, and meat byproducts*, and *articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk and hides), from the plantsites and storage facilities of Armour and Co. located at South St. Paul, Minn., and King Foods, Inc., located in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York (except Buffalo), Pennsylvania (except Erie), Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; *dairy products* (except commodities in bulk), from the plantsite and storage facilities of North Star Mid American Dairy, located in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, to points as described in (1) above, with restriction;

(2) *Edible meats, canned goods, gelatins, tails, vegetable oils, and vegetable oil shortenings* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from Eau Claire, Wis., Worthington, Minn., and points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, including Minneapolis and St. Paul, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia; *dairy products* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from points in the Minneapolis-St. Paul, Minn., commercial zone as defined by the Commission, including Minneapolis and St. Paul, Minn., St. Cloud, Worthington, St. Charles, Albert Lea, Fairbault, and Twin Lakes, Minn., and Portage, Marshfield, and Monroe, Wis., to points as described in (2) above; *foodstuffs* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from Fairmont, Minn., to points as described in (2) above, with restriction; (1) *macaroni, noodles, spaghetti, and vermicelli* (except frozen), (2) *macaroni, noodles, spaghetti, and vermicelli* prepared with cheese, meat, vegetables, or sauce (except frozen), and (3) *nuts, dates, shredded coconut, spices, and herbs*, from Minneapolis, Minn., to points in Arizona, California, Montana, New Mexico, Oregon, and Washington, with restriction; plastic laminates and plastic laminated products, from Auburn, Maine, to points in California, with restriction; (1) *agricultural fermentation compounds and ingredients therefor*, and (2) *commodities* the transportation of which are within the partial exemption of section 203(b)(6) of the Act, in mixed loads with the commodities in (1) above, from Salinas, Calif., to points in the United States (except Alaska and Hawaii), with restriction;

And (B) *fresh and frozen meats*, as a *contract carrier*, from Denison, Iowa, to points in California, Arizona, Nevada, Oregon, and Washington, from Iowa Falls, Iowa, to points in Arizona, California, Nevada, Oregon, and Washington, with restrictions; *animal feed concentrates*, in containers, from New Richmond, Wis., and Ames, Iowa, to points in Arizona, California, Nevada, New Mexico, Oregon, Utah, and Wyoming, with restriction; *milk and milk products, frozen desserts* (other than milk-base desserts), *dessert toppings* (other than milk-base toppings), *fruit juices and fruit juice drinks, eggs, margarine, dips, salads, and puddings* (other than milk-base puddings), except commodities in bulk, in vehicles equipped with mechanical refrigeration, between the production and storage facilities of Sealtest Foods Division at Denver, Colo., Omaha, Nebr., Kansas City and St. Louis, Mo., Chicago and Peoria, Ill., Huntington, Ind., Cleveland, Cincinnati, Hamilton, and Dayton, Ohio, Louisville, Ky., Memphis and Nashville, Tenn., Detroit, Mich., and New Orleans, La., from the production and storage facilities of Sealtest Foods Division at Denver, Colo., Omaha, Nebr., Kansas City and St. Louis, Mo., Chicago and Peoria, Ill., Huntington, Ind., Cleveland, Cincinnati, Hamilton, and Dayton, Ohio, Louisville, Ky., and Memphis and Nashville, Tenn., to Phoenix, Ariz., Little Rock and Gainesville, Ark., Denver, Colo., Amarillo, Tex., and points in Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, Ohio, and Tennessee;

Milk, milk products, milk byproducts, and nonalcoholic an noncarbonated beverages, in containers, in vehicles equipped with mechanical refrigeration, from Kansas City, Mo., to points in Kansas; *milk, milk products, and milk byproducts, and liquid nonalcoholic and noncarbonated beverages*, in containers, in vehicles equipped with mechanical refrigeration, from Kansas City, Mo., to a defined area of Kansas; *fluid milk and fluid milk products, milk byproducts and liquid nonalcoholic and noncarbonated beverages*, in containers, in vehicles equipped with mechanical refrigeration, from Kansas City, Mo., to Corning and Griswold, Iowa, from Kansas City, Mo., to a defined area of Iowa and Omaha, Nebr.; *fluid milk and fluid milk products, milk byproducts, and nonalcoholic and noncarbonated beverages*, in containers, in vehicles equipped with mechanical refrigeration, from Kansas City, Mo., to a defined area of Iowa and Nebraska; *ice cream, ice milk, sherbet, and frozen confections*, between Omaha, Nebr., on the one hand, and, on the other, St. Louis, Mo., Peoria, Ill., and Huntington, Ind., from Omaha, Nebr., to Des Moines, Iowa, Hutchinson, Kans., Sioux City, Iowa, and Chicago, Ill., from Omaha, Nebr., to Carroll, Iowa, Topeka, Sabetha, Belleville, Havs, and Wichita, Kans., Kansas City, Columbia, and Joplin, Mo., and Denver, Colo., from Omaha, Nebr., to La Platta, Mo., from Omaha, Nebr., to Kirksville, Mo., from Omaha, Nebr., to Memphis and Nashville, Tenn., and Louisville, Ky.; *ice cream, sherbet, and frozen confections*, from Omaha, Nebr., to Amarillo, Tex.; *dairy products, carbonated beverages, fruit flavored drinks and frozen fruit concentrates*, from Kansas City, Mo., to points in Kansas; *frozen ice cream novelties and frozen confections*, from Omaha, Nebr., to Phoenix and Tucson, Ariz.; with restrictions. Transferee holds no authority from this Commission. However, transferee controls transferor. Application has not been filed for temporary authority under section 210a(b). NOTE: MC-136786, is a matter directly related.

No. MC-F-11577. Authority sought for purchase by THRUWAY TRANSFER, INC., 100 Warwick Street, New Haven, CT 06513, of the operating rights

of GIBBS EXPRESS, INC., 140 Washington Avenue, New Haven, CT 06473, and for acquisition by HAROLD SCHINE, 27 Darbrook Road, Westport, CT 06880, of control of such rights through the purchase. Applicants' attorney: Sidney L. Goldstein, 109 Church Street, New Haven, CT 06510. Operating rights sought to be transferred: Under a certificate of registration in Docket No. MC-120488 (Sub-No. 1), covering the transportation of general commodities, as a *common carrier*, in interstate commerce, within the State of Connecticut. Vendee is authorized to operate as a *common carrier* in Connecticut, New York, and New Jersey. Application has been filed for temporary authority under section 210a(b). NOTE: MC-55830 (Sub-No. 5), is a matter directly related.

No. MC-F-11578. Authority sought for purchase by SYSTEM 99, 8001 Capwell Drive, Oakland, CA 94421, of a portion of the operating rights of CAMPORA FAST FREIGHT, INC., 2525 East Mariposa Street, Stockton, CA 95204, and for acquisition by M. D. GILARDY, E. R. PRESTON, LOUIS A. DORE, JR., and LOUIS A. DORE, all of Oakland, CA 94621, of control of such rights through the purchase. Applicants' attorney: Martin J. Rosen, 140 Montgomery Street, San Francisco, CA 94104. Operating rights sought to be transferred: Under a certificate of registration in Docket No. MC-120936 (Sub-No. 1), covering the transportation of general commodities, as a common carrier, in interstate commerce, between Petaluma and Ukiah, Calif. Vendee is authorized to operate as a *common carrier* in California. Application has not been filed for temporary authority under section 210a(b). NOTE: MC-98327 (Sub-No. 6), is a matter directly related.

No. MC-F-11579. Authority sought for purchase by ANDERSON MOTOR LINES, INC., 86 Washington Street, Plainville, MA 02762, of the operating rights of WEST END TRUCKING CO., INC., 530 Duncan Avenue, Jersey City, NJ, and for acquisition by ROBERT F. ANDERSON, 37 Woodruff Road, Walpole, MA, of control of such rights through the purchase. Applicants' attorney: Robert G. Parks, 306 Dartmouth Street, Boston, MA 02116. Operating rights sought to be transferred: *Wearing apparel*, in cartons, as a *contract carrier* over irregular routes, between New York, N.Y., and Secaucus, N.J., on the one hand, and, on the other, points in a defined area of Michigan, between Secaucus, N.J., on the one hand, and, on the other, points in Oregon and Toledo, Ohio, and a defined area of Michigan, between New York, N.Y., and Secaucus, N.J., on the one hand, and, on the other, points in a defined area of Michigan, Indiana, North Carolina, South Carolina, and Virginia, between New York, N.Y., and Secaucus, N.J., on the one hand, and, on the other, points in a defined area of Georgia, between New York, N.Y., and Secaucus, N.J., on the one hand, and, on the other, Lansing, Fraser, and Okemos, Mich., Rocky Mount, N.C., and Decatur, Ga., between New York, N.Y., and Secaucus, N.J., and Atlanta, Ga., on the one hand, and, on the other, points in Texas, between Secaucus, N.J., and New York, N.Y., on the one hand, and, on the other, points in Merriam, Kans., Belleville and Collinsville, Ill., and a defined area of Missouri. Vendee is authorized to operate as a *contract carrier* in Massachusetts, Delaware, New Jersey, Maryland, Virginia, Michigan, Connecticut, Illinois, Maine, New York, Pennsylvania, Ohio, Georgia, Kentucky, Indiana, Wisconsin, Mississippi, Texas, Louisiana, Alabama, South Carolina, Tennessee, Florida, North Carolina, District of Columbia, Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, New Hampshire, Oklahoma, Vermont, and Rhode Island. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11580. Authority sought for purchase by NORTH PARK TRANSPORTATION CO., 5150 Columbine Street, Denver, CO 80216, of the operating rights of CLARENCE SHAW, doing business as SARATOGA TRUCK LINE (Mary Alice Sjoden, executrix), 315 West Bridge Street, Saratoga, WY 82331, and for acquisition by PETER B. KOOI, also of Denver, CO 80216, of control of such rights through the purchase. Applicants' attorney: Leslie R. Kehl, 420 Denver Club Building, Denver, Colo. 80202. Operating rights sought to be transferred: *General commodities*, with exceptions, as a *common carrier* over regular routes, between Denver, Colo., and Encampment, Wyo., between Laramie and Saratoga, Wyo., serving no intermediate points; *general commodities*, except those requiring special equipment, and except articles having a maximum weight in excess of 2,000 pounds, over irregular routes, between points situated on the rail line of the Union Pacific Railroad Co. between Rock River and Bitter Creek, Wyo., inclusive, on the one hand, and, on the other, points in a defined area of Wyoming; *emigrant movables and livestock*, including livestock valuable for breeding, racing, show purposes, or other special uses, between points in Sweetwater, Carbon, and Albany Counties, Wyo., on the one hand, and, on the other, points in Colorado; *livestock chiefly valuable for breeding, racing, show purposes, or other special uses*, between points in Sweetwater, Carbon, and Albany Counties, Wyo., on the one hand, and, on the other, Ogden, Utah. Vendee is authorized to operate as a *common carrier* in Colorado, New Mexico, and Wyoming. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11581. Authority sought for purchase by C. D. AMBROSIA TRUCKING CO., Rural Delivery No. 1, Edinburg, Pa. 16116, of the operating rights of C. H. MARTIN AND SON TRUCKING, INC., 475 North Pike Road, Sarver, PA 16055, and for acquisition by CARMEN D. AMBROSIA, also of Edinburg, Pa. 16116, of control of such rights through the purchase. Applicants' attorney: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Operating rights sought to be transferred: *Lime*, as a *common carrier* over irregular routes, from Branchton, Pa., to points in Mahoning, Trumbull, and Jefferson Counties, Ohio, from Branchton, Pa., to those points in that part of New York on and east of U.S. Highway 15; *wooden pallets and shipper-owned metal hoppers*, from points in Mahoning, Trumbull, and Jefferson Counties, Ohio, to Branchton, Pa.; *dry lime* in bags, from Branchton, Pa., to points in a defined area of Ohio; *dry lime* (restricted against the movement of bulk shipments in dump truck equipment), from Branchton, Pa., to points in that part of New York on and west of U.S. Highway 15, points in West Virginia and Maryland and points in a defined area of Ohio. Vendee is authorized to operate as a *common carrier* in Pennsylvania, Ohio, and West Virginia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11582. Authority sought for control by WILSON TRANSPORTATION SERVICE, INC., 1294 East Fourth Street, Ottawa, OH 45875, of J. MYRON WILLIAMS, INC., Post Office Box 23, Vaughnsville, OH 45893, and for acquisition by CHARLES B. WILSON, CHARLES D. WILSON, and ELEANOR M. KAGY, all of Ottawa, OH 45875, of control of J. MYRON WILLIAMS, INC., through the acquisition by WILSON TRANSPORTATION SERVICE, INC. Applicants' attorney: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Operating rights sought to be controlled: Under a certificate of registration in Docket No. MC-121337 (Sub-No. 1), covering the transportation of property, as a common carrier within the State of Ohio, WILSON TRANSPORTATION SERVICE, INC., is authorized to operate as a *common carrier* in Ohio, Indiana, Illinois, Kentucky, Pennsylvania, Michigan, West Virginia, Missouri, New York, Virginia, Maryland, Massachusetts, New Jersey, and Wisconsin. Application has been filed for temporary authority under section 210a(b). NOTE: No. MC-121337 (Sub-No. 2), is a matter directly related.

No. MC-F-11584. Authority sought for control by MEAT DISPATCH, INC., 100 Jefferson Road, Rochester, NY 14623, of EAST EXPRESS, INCORPORATED, Post Office Box 923, Thomasville, NC 27360, and for acquisition by CHARLES D. WHITE AND E. PHILLIP SAUNDERS, also of Rochester, N.Y. 14623, of control of EAST EXPRESS, INCORPORATED, through the acquisition by MEAT DISPATCH, INC. Applicants' attorney and representative: Raymond A. Richards, Post Office Box 25, Webster, NY 14580, and Charles Ephraim, Suite 600, 1250 Connecticut Avenue NW., Washington, DC 20036. Operating rights sought to be controlled: *New furniture*, uncrated, as a *common carrier*, over irregular routes, from Chicago, Ill., to High Point and Thomasville, N.C., from High Point and Thomasville, N.C., to Chicago, Ill., and Indianapolis, Ind., and points in Alabama, Delaware, Florida, Georgia, Kentucky, Maryland (except Baltimore

and Annapolis), Mississippi, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia (except Richmond), West Virginia, and the District of Columbia; *paper or fiber boxes*, from points in Guilford County, N.C., within 6 miles of High Point, N.C., to points in Georgia, South Carolina, Tennessee, Virginia, and West Virginia. MEAT DISPATCH, INC., is authorized to operate as a *contract carrier* in New York, Florida, Arkansas, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, West Virginia, Wisconsin, Virginia, Massachusetts, Connecticut, and the District of Columbia. Application has been filed for temporary authority under section 210a(b). NOTE: This proceeding presents a question of dual operation under section 210 of the Act.

No. MC–F–11585. Authority sought for purchase by BARTON TRUCK LINE, INC., 455 West Fourth South Street, Salt Lake City, UT 84101, of a portion of the operating rights and property of DELBERT H. STEPHENS AND FERDINAND A. KLEIN, dong business as SPOKANE-ST. MARIES AUTO FREIGHT, North 407 Perry Street, Spokane, WA, and for acquisition by HAROLD R. TATE, also of Salt Lake City, UT 84101, of control of such rights and property through the purchase. Applicants' attorney: William S. Richards, 900 Walker Bank Building, Salt Lake City, UT 84111. Operating rights sought to be transferred: *General commodities*, except livestock and articles exceeding 22 feet in length, as a *common carrier* over regular routes, between Spokane, Wash., and St. Maries, Idaho, serving no intermediate points, and serving the off-route points of Santa, Fernwood and Clarkia, Idaho, and those in Idaho on U.S. Highway 95, Idaho Highway 7 and unnumbered county highways, that are in an easterly direction from and within 20 miles of St. Maries; *general commodities*, excepting among others, classes A and B explosives household goods and commodities in bulk, between Spokane, Wash., and Desmet, Idaho, serving the intermediate points of Worley, Plummer, and Tensed, Idaho, and the off-route points of Chatcolet and Sanders, Idaho; *general commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, between Spokane, Wash., and St. Maries, Idaho; *household goods*, between St. Maries, Idaho, on the one hand, and, on the other, points in Spokane and Whitman Counties, Wash.; *household goods* as defined by the Commission, *lumber*, and *concrete beams*, between points in Washington east of the Cascade Mountains, on the one hand, and, on the other, points in Latah, Benewah, and Kootenai Counties, Idaho. Vendee is authorized to operate as a *common carrier* in Utah and Nevada, and as a *contract carrier* in Utah, Colorado, Wyoming, Idaho, Montana, and Nevada. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–11586. Authority sought for purchase by AERO TRUCKING, INC., Post Office Box 308, Monroeville, PA 15146, of a portion of the operating rights of KENYON MOTOR EXPRESS, INC., Post Office Box 359, North Lima, OH 44452 and for acquisition by EDWARD J. CONTO, of Monroeville, Pa. 15146, JAMES M. GEORGE, 2627 Johnston Road, Columbus, OH 43221, and JAMES N. GEORGE, 402 Harrison Avenue, San Antonio, TX 78209, of control of such rights through the purchase. Applicants' attorney: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Operating rights sought to be transferred: Under a certificate of registration in Docket No. MC–120276 (Sub-No. 2), covering the transportation of property as a common carrier, in interstate commerce, within the State of Ohio. Vendee is authorized to operate as a *common carrier* in Ohio, Pennsylvania, West Virginia, Kentucky, Illinois, Michigan, New York, Indiana, Wisconsin, Connecticut, Delaware, Maryland, Massachusetts, New Jersey, Rhode Island, Tennessee, Alabama, Mississippi, Maine, New Hampshire, Vermont, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Texas, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: MC–60014 (Sub-No. 31), is a matter directly related.

MOTOR CARRIER PASSENGER

No. MC–F–11583. Authority sought for purchase by SALEM TRANSPORTATION CO., INC., 133–03 35th Avenue, Flushing, NY 11354, of a portion of the operating rights and property of D AND M TRANSPORTATION COMPANY, INC., Fort Dix., N.J., and for acquisition by JACK MIROW, of Flushing, N.Y. 11354, and GEORGE H. ROSEN, 265 Broadway, Box 348, Monticello, NY 12701, of control of such rights and property through the purchase. Applicants' attorneys: George H. Rosen, of Monticello, N.Y. 12701, and Kenneth A. Letzler, 1229 19th Street NW., Washington, DC 20036. Operating rights sought to be transferred: Passengers and their baggage in the same vehicle, in special and charter operations, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats, as a common carrier, over irregular routes, from Fort Dix and McGuire Air Force Base, N.J., to New York, N.Y., and Philadelphia, Pa. Vendee is authorized to operate as a common carrier in New Jersey, Pennsylvania, New York, Delaware, Maryland, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72–9791 Filed 6–27–72;8:52 am]

[Notice 82]

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 proceding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–73622. By order of June 19, 1972, the Motor Carrier Board approved the transfer to Westminster Leasing, Inc., Providence, R.I., of the operating rights in certificates Nos. MC–17506 and MC–17506 (Sub-No. 1) issued April 30, 1937, and July 15, 1962, respectively to John J. O'Neil, doing business as O'Neil's Package Delivery, Providence, R.I., authorizing the transportation of various commodities from, to and between specified points in Rhode Island and points in Rhode Island and a described area in Massachusetts. Morris J. Levin, 839 17th Street NW., Washington, DC 20006, attorney for applicants.

No. MC–FC–73681. By order of June 21, 1972, the Motor Carrier Board approved the transfer to the Universe Co., Inc., Omaha, Nebr., of a portion of the operating rights in Certificate No. MC–119170 (Sub-No. 1) issued August 5, 1969, to Reefer Transit Line, Inc. (the Illinois corporation), Chicago, Ill., authorizing the transportation of: Packinghouse products, packinghouse supplies, dressed poultry, and dairy products, between Chicago, Ill., on the one hand, and, on the other, Omaha, Nebr., and points in that portion of Iowa on and south of Interstate Highway 80 and on and west of Iowa Highway 71. Charles W. Singer, attorney, 33 North Dearborn Street., Chicago, IL 60602.

No. MC–FC–73765. By order entered June 21, 1972, the Board approved the transfer to Robert C. Moore, doing business as Moore Truck Line, Bonner Springs, Kans., of the operating rights set forth in certificate No. MC–43589, issued October 7, 1949, authorizing the transportation of livestock and household goods, from Bonner Springs over Kansas Highway 32 to Kansas City; and from Bonner Springs over unnumbered highway to junction Kansas Highway 10,

thence over Kansas Highway 10 to Kansas City; and livestock, lumber, building materials, agricultural implements and parts thereof, brick, feed, fertilizer, plumbing supplies, hardware, fencing materials, roofing materials, tanks, furniture, and sacks, from Kansas City over the above-specified routes to Bonner Springs, serving the intermediate and off-route points of Kansas City, Kans., North Kansas City, Mo., and those within 10 miles of Bonner Springs; and machinery, between points and places in Missouri, on the one hand, and, on the other, Bonner Springs, Kans. Lee E. Weeks, Home State Bank Building, Kansas City, Kans. 66101, attorney for applicants.

No. MC–FC–73769. By order of June 21, 1972, the Motor Carrier Board approved the transfer to M & T Trucking, Inc., New Waterford, Ohio, of the operating rights in permit No. MC–135062 (Sub-No. 1) issued August 18, 1971, to Mike Mercure Trucking, Inc., New Waterford, Ohio, authorizing the transportation of coal, in bulk, in dump vehicles, from points in Elkrun and Middleton Townships, Ohio, to points in Beaver County, Pa. John M. Young, 100 East Broad Street, Columbus, OH 43215, attorney for applicants.

No. MC–FC–73779. By order entered June 20, 1972, the Motor Carrier Board approved the transfer to Hunter Brokerage, Inc., Council Bluffs, Iowa, of the operating rights set forth in permit No. MC–133233 (Sub-No. 14), issued September 21, 1971, to Clarence L. Werner, doing business as Werner Enterprises, Council Bluffs, Iowa, authorizing the transportation of lumber and lumber products, from the plantsite and storage facilities of Midwest Walnut Co. at or near Council Bluffs, Iowa, to points in 36 specified States, under a continuing contract or contracts with Midwest Walnut Co. Charles J. Kimball, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72–9792 Filed 6–27–72;8:52 am]

[Notice 19]

ASSIGNMENT OF HEARINGS

JUNE 23, 1972.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

FD–26745, Baltimore and Ohio Railroad Co. Abandonment between coal shaft and Beardstown, in Sangamon and Cass Counties, Ill., assigned hearing July 10, 1972, at Springfield, Ill., will be held in the main courtroom, third floor, Federal Building, Sixth and Monroe Street.

MC 115331 Sub 325, Truck Transport, Inc., assigned hearing July 14, 1972, MC 127042 Sub 92, Hagen, Inc., assigned hearing July 14, 1972, MC 134323 Sub 14, Jay Lines, Inc. Extension assigned hearing July 12, 1972, MC 135185 Sub 6, Columbine Carriers, Inc., assigned hearing July 12, 1972, MC 135909, Walter V. Baker & Willis D. W. Baker, doing business as Baker Bros., assigned hearing July 17, 1972, MC 136354, Lizza Trucking Co., a corporation, assigned hearing July 14, 1972, at St. Louis, Mo., will be held in room 1612, 1520 Market Street.

MC 133789, Big Sky Farmers and Ranchers Marketing Cooperative of Montana, now assigned July 17, 1972, at Los Angeles, Calif., is postponed indefinitely.

MC 106497 Sub 64, Parkhill Truck Co., now assigned August 3, 1972, at Denver, Colo., hearing is canceled and application dismissed.

MC 45716 Sub 8, Welsh Bros. Motor Service, Inc., and No. MC 1042 Sub 7, C.P.T. Freight, Inc., now being assigned hearing August 22, 1972 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC 123639 Sub 139, J. B. Montgomery, Inc., now assigned continued hearing August 22, 1972, at the offices of Interstate Commerce Commission, Washington, D.C.

MC–134263, E. L. Warthen, doing business as, Redwing Carriers, contract carrier application, now being assigned hearing August 15, 1972 (2 days), at Chicago, Ill., in a hearing room to be later designated.

I & S No. 8711, Grain Transit Accounts, SWL and WTL territories, now assigned July 11, 1972, at Washington, D.C., is canceled. The rates are being canceled.

No. 35563, Abitibi Corporation v. Aberdeen and Rockfish Co., et al., now being assigned hearing October 2, 1972, at the offices of the Interstate Commerce Commission, Washington, D.C.

RRA–MC–1251, Passenger Automobiles and Trucks Auto Driveaway Co., now being assigned hearing August 21, 1972, at the offices of the Interstate Commerce Commission, Washington, D.C.

I & S No. 8739, cancellation of Tofc Rates, C & O Railway, now being assigned hearing August 7, 1972, at Milwaukee, Wis., in a hearing room to be later designated.

MC 124904 Sub 1, Gibney Distributors, Inc., now being assigned hearing August 14, 1972 (1 week), at New York, N.Y., in a hearing room to be later designated.

MC 7419 Sub 4, Reliable Transfer & Storage Co., Inc., now assigned July 13, 1972, MC 134884 Sub 1, Farwest Furniture Transport, Inc., now assigned July 17, 1972, hearing will be held in room 1057, Federal Office Building, 909 First Avenue, Seattle, WA. MC 112822 Sub 201, Bray Lines, Inc., now assigned July 10, 1972, hearing will be held in room 4054, Federal Office Building, 909 First Avenue, Seattle, WA (3 days).

MC 13250 Sub 113, J. H. Rose Truck Line, Inc., now assigned July 25, 1972, MC 133796 Sub 7, George Appel, now assigned July 24, 1972, MC 136387, Hillis D. Greer doing business as Greer's Service, now assigned July 26, 1972, hearing will be held in room 15040, courthouse, 312 North Spring Street, Los Angeles, CA.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.72–9787 Filed 6–27–72;8:52 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 23, 1972.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42457—*Iron and steel articles to New Orleans, La.* Filed by Western Trunk Line Committee, agent (No. A–2668), for interested rail carriers. Rates on iron and steel articles, in carloads, as described in the application, from Minnequa, Colo., and Kansas City, Mo.-Kans., to New Orleans, La.

Grounds for relief—Market competition.

Tariffs—Supplements 310 and 194 to Western Trunk Line Committee, agent, tariffs ICC A–4620 and A–4393, respectively. Rates are published to become effective on July 25, 1972.

FSA No. 42458—*International class rates and commodity column rates from and to or between points in eastern Canada and points in official territory.* Filed by Traffic Executive Association—Eastern Railroad agent (E.R. No. 3018), for interested rail carriers. Rates on international class rates and commodity column rates, between points in eastern Canada, on the one hand, and points in official territory, including northern Illinois and southern Wisconsin, on the other.

Grounds for relief—Short-line distance formula and grouping.

Tariffs—Canadian Freight Association, tariff ICC 366 and Tariffic Executive Association—Eastern Railroads, agent, tariff ICC C–920. Rates are published to become effective on August 1, 1972.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.72–9788 Filed 6–27–72;8:52 am]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 23, 1972.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the

application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 53387, filed June 12, 1972. Applicant: ADELINE S. BODAS, doing business as INTERCITY MOTOR EXPRESS, 2090 Ochard Avenue, San Leandro, CA 94577. Applicant's representative: E. H. Griffiths, 1182 Market Street, Suite 207, San Francisco, CA 94102. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, except petroleum products in bulk, in tank vehicles, livestock, fresh fruits and vegetables, commodities of unusual value, uncrated used household goods, and commodities requiring mechanically refrigerated equipment; (A) between all points in the San Francisco Territory, as more particularly described as follows: San Francisco Territory includes all the city of San Jose and that area embraced by the following boundary; beginning at the point the San Francisco-San Mateo County boundary line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway 101 to its intersection with Southern Pacific Co. right of way at Arastradero Road; southeasterly along the Southern Pacific Co. right-of-way to Pollard Road, including industries served by the Southern Pacific Co. spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to West Parr Avenue; easterly along West Parr Avenue to Capri Drive; southerly along Capri Drive to East Parr Avenue; easterly along East Parr Avenue to the Southern Pacific Co. right-of-way; southerly along the Southern Pacific Co. right-of-way to the Campbell-Los Gatos city limits;

Easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to U.S. Highway 101; northwesterly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harboard Drive, and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo); northerly along U.S. Highway 40 to and including the city of Richmond; southwesterly along the highway extending from the city of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning.

(B) Between all points on and within the following routes: (1) U.S. Highway 101, between San Francisco and Sausalito, inclusive; (2) Interstate Highway 80, between San Pablo and Crockett, inclusive; (3) unnumbered road and route between Crockett and Martinez, inclusive; (4) unnumbered road and route between Martinez and Pittsburg, inclusive; (5) unnumbered road and route between Pittsburg and Antioch, inclusive; (6) State Highway 4 between Antioch and the Willow Pass Road intersection, inclusive; (7) Willow Pass Road between the intersection of Highway 4 and the intersection of State Highway 24, inclusive; (8) State Highway 4 between its intersection with Willow Pass Road and its intersection with Port Chicago Highway, inclusive; (9) unnumbered road and route between its intersection with State Highway 4 and its intersection with Interstate Highway 680, inclusive; (10) State Highway 4 between its intersection with Port Chicago Highway and its intersection with State Highway 24, inclusive; (11) State Highway 24 between its intersection with State Highway 4 and its intersection with Interstate Highway 680, inclusive; (12) Interstate Highway 680 between its intersection with State Highway 24 and its intersection with U.S. Highway 50 at Dublin; (13) Interstate 680 between its intersection with U.S. Highway 50 at Dublin; (14) Interstate 680 between its intersection with U.S. Highway 50 at Dublin and its intersection at Bernal Avenue, inclusive; (15) Bernal Avenue between its intersection with Interstate Highway 680 and the city of Pleasanton, inclusive; and (16) Interstate Highway 680 between its intersection with U.S. Highway 50 at Dublin and its intersection with State Highway 238 at Mission San Jose. (C) Through routes and rates may be established between any and all points specified in paragraphs A and B above. (D) All intermediate points on said routes and all off-route points within the outer perimeters of the routes designated herein may be served. Both interstate and intrastate authority sought.

HEARING: Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the California Public Utilities Commission, State of California, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, CA 94102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-9789 Filed 6-27-72;8:52 am]

DEPARTMENT OF THE TREASURY

Bureau of Customs

KANEKALON WIGS FROM HONG KONG

Withholding of Appraisement

Information was received on June 14, 1971, that wigs imported from Hong Kong composed, in whole or in part, of a modacrylic fiber produced by Kanegafuchi Chemical Co. of Japan and presently sold under the trade name "Kanekalon" were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an Antidumping Proceeding Notice which was published in the FEDERAL REGISTER of August 4, 1971, on page 14338. The Antidumping Proceeding Notice indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price or exporter's sales price, as applicable (sections 203 and 204 of the Act; 19 U.S.C. 162 and 163) of wigs imported from Hong Kong composed, in whole or in part, of a modacrylic fiber produced by Kanegafuchi Chemical Co. of Japan and presently sold under the trade name "Kanekalon" is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

Statement of reasons. Information currently before the Bureau tends to indicate that there are no sales in the home market. As a result, sales to third countries will probably be used as the basis for fair value. The probable basis of comparison will be between purchase price or exporter's sales price, as applicable, and the third country price of such or similar merchandise.

Purchase price will probably be based on the f.o.b. Hong Kong price. Exporter's sales price will probably be calculated by deducting from the resale price of the related U.S. firms to unrelated purchasers in the United States applicable discounts, selling expenses in the United States, U.S. inland freight and handling charges, U.S. duty, brokerage fees ocean freight, and marine insurance.

The third country price will probably be based on the f.o.b. Hong Kong price of such or similar merchandise with adjustments, when necessary, for differences in the product sold to the United States and to third countries.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price or exporter sales price, as appropriate, will be lower than third country prices.

Customs officers are being directed to withhold appraisement of wigs imported from Hong Kong composed, in whole or in part, of a modacrylic fiber produced by Kanegafuchi Chemical Co. of Japan and presently sold under the trade name "Kanekalon" in accordance with § 153.48, Customs regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received by his office not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs regulations, shall become effective upon publication in the FEDERAL REGISTER (6–29–72). It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

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

Approved: June 26, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72–9912 Filed 6–27–72;9:29 am]

PERCHLORETHYLENE FROM FRANCE

Withholding of Appraisement

Information was received on May 17, 1971, that perchlorethylene, including technical grade perchlorethylene and purified grade perchlorethylene, from France was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an Antidumping Proceeding Notice which was published in the FEDERAL REGISTER of July 22, 1971, on page 13623. The Antidumping Proceeding Notice indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of perchlorethylene from France is less, or is likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

Statement of reasons. The information currently before the Bureau tends to indicate that the probable basis of comparison for fair value purposes will be between purchase price and the adjusted home market price of such or similar merchandise.

Preliminary analysis suggests that purchase price will probably be calculated by deducting from the c.i.f. U.S. port price the included transportation, insurance, and depot, and storage charges.

The adjusted home market price probably will be calculated on the price of such or similar merchandise delivered to customer's premises. Deductions probably will be made for transportation and insurance charges. Appropriate adjustments probably will be made for differences in advertising, warranty, and technical assistance costs.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than adjusted home market price.

Customs officers are being directed to withhold appraisement of perchlorethylene from France in accordance with § 153.48, Customs regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received by his office not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs Regulations, shall become effective upon publication in the FEDERAL REGISTER (6–28–72). It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: June 22, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72–9910 Filed 6–27–72;9:29 am]

PERCHLORETHYLENE FROM JAPAN

Withholding of Appraisement

Information was received on May 17, 1971, that perchlorethylene, including technical grade perchlorethylene and purified grade perchlorethylene, from Japan was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of July 22, 1971, on page 13623. The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of perchlorethylene from Japan is less, or is likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

Statement of reasons. The information before the Bureau tends to indicate that the probable basis of comparison for fair value purposes will be between purchase price and the adjusted home market price of such or similar merchandise.

Purchase price will probably be calculated by deducting from the f.o.b. or exgodown price for exportation to the United States, the included inland freight charges. Where applicable, an addition will probably be made for internal taxes rebated or not collected by reason of the exportation to the United States.

Home market price will probably be based on a weighted-average price to purchasers in the home market. As appropriate, deductions will probably be made for inland freight charges, advertising, cost of production differential and a credit cost differential. Adjustments appear to be warranted for differences in packing costs, where applicable.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than adjusted home market price.

Customs officers are being directed to withhold appraisement of perchlorethylene from Japan in accordance with § 153.48, Customs regulations (19 CFR 153.48).

In accordance with §§ 153.32(b) and 153.37, Customs regulations (19 CFR 153.32(b), 153.37), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received by his office not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 153.34(b), Customs regulations, shall become effective upon publication in the FEDERAL REGISTER (6-28-72). It shall cease to be effective at the expiration of 6 months from the date of this publication, unless previously revoked.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: JUNE 26, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72-9911 Filed 6-27-72;9:29 am]

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WEDNESDAY, JUNE 28, 1972
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PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

Grants to State Educational Agencies for Development of Successful Follow Through Program Models

■

Standards and Closing Date

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

GRANTS TO STATE EDUCATIONAL AGENCIES FOR DEVELOPMENT OF SUCCESSFUL FOLLOW THROUGH PROGRAM MODELS

Notice of Standards and Closing Date

Notice of proposed standards and closing date was published in the FEDERAL REGISTER on February 26, 1972 (37 F.R. 4105) with respect to grants which are to be made to State educational agencies for the purpose of developing means of proliferating successful Follow Through program models.

No objections or comments were received concerning the proposal. The standards and closing date are hereby adopted as proposed, with the exception of minor typographical errors which have been corrected as set forth below.

Effective date. These standards shall be effective on the date of their publication in the FEDERAL REGISTER (6-28-72).

Dated: May 17, 1972.

S. P. MARLAND, Jr.,
U.S. Commissioner of Education.

Approved: June 21, 1972.

ELLIOT L. RICHARDSON,
Secretary of Health, Education, and Welfare.

GRANTS TO STATE EDUCATIONAL AGENCIES FOR DEVELOPMENT OF SUCCESSFUL FOLLOW THROUGH PROGRAM MODELS

I—GENERAL PURPOSE OF GRANTS

A. Pursuant to section 231(c) of the Economic Opportunity Act (42 U.S.C. 2824(c)), the Commissioner is authorized, in order to coordinate the use of State funds and Follow Through funds, to enter into agreements with States or State agencies, pursuant to which they would act as agents of the United States for the purpose of providing financial assistance to eligible local recipients of Follow Through project grants, in connection with specific projects or programs involving the common or joint use of such State and Federal funds.

B. In order to plan for potential proliferation of model projects for early childhood education which have been developed in the Follow Through Program and which may prove successful in a variety of educational settings, the Commissioner of Education will make planning grants to State educational agencies to enable them to develop mechanisms whereby all available Federal, State, and local resources could be coordinated in such a manner as to expand the number of schools and children to be served by such projects. For the purpose of this notice the term "State" includes the 50 States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands. These planning grants will be an amount not to exceed $50,000 to each of the five States selected for participation in fiscal year 1972. If current results from the national longitudinal evaluation of Follow Through demonstrate the desirability of proliferation of Follow Through type projects, additional funds for implementation may be provided to those States whose plans are approved and/or to other of the 50 States. If the data warrants proliferation and implementation funds are made available to a State, upon receipt of such funds the State educational agency, acting as the agent of the Federal Government, could be authorized to make operational grants, from such funds, to local educational agencies within that State, which grants will provide for the joint and coordinated use of the Federal funds so provided with available State and local funds. Since section 231(c) of the Act contemplates such joint and coordinated use of State and Federal funds, State level funds must be available for use in conjunction with proposed Follow Through project funds.

C. Potential Follow Through projects funded in accordance with the preceding plan would have the same comprehensive program components as currently operating Follow Through projects, including community and parental involvement. Each new project established would begin with classes at the entry level (kindergarten or first grade). In the second and subsequent years, an additional grade level would be added through the third grade. Where budget priorities indicate that sufficient funds will be available, projects could begin with the first two grade levels. Although the total number of potential projects to be developed and children to be served will not be a primary consideration in reviewing plans, a maximum number of 5,000 children within the State should be considered in planning for the first operational year. The quality of the potential projects planned will be the primary consideration.

(42 U.S.C. 2809(a)(2); 42 U.S.C. 2824; 34 F.R. 9408)

II—SPECIFIC REQUIREMENTS OF THE PLAN

A. The duration of the study effort to be made pursuant to a planning grant will be approximately 6 months. A two-phase program is anticipated. Each grantee must submit an interim report of the results of initial planning to the Office of Education 3 months from the effective date of the planning grant. The second phase will end with the completion of the planning study.

B. The overall objective of this study effort is to develop a model for State educational agency planning and administration of Follow Through projects in local school districts in the context of an agency relationship pursuant to section 231(c) of the Act. The model shall describe the process by which State educational agencies might assist local educational agencies in planning and implementing an expanded Follow Through Program.

C. In preparing its proposal for a planning grant under this notice, a State educational agency shall consider the following factors with respect to the planning and administering of Follow Through projects. Such proposals shall specify in such detail as the Commissioner may determine how each such factor will be taken into account in the planning process:

1. *Identification and selection of local educational agencies.* During the period for which the planning grant is awarded, State educational agencies, with the assistance of State Economic Opportunity Offices, shall conduct an analysis of all local educational agencies and other potential grantees within the State in order to determine their potential eligibility for Follow Through projects. Additional screening will also be necessary to determine which communities might have sufficient numbers of low-income children and sufficient parental and community interest to support a comprehensive program. The planning grant proposal should specifically prescribe (a) the manner in which the State educational agency proposes to accomplish the above tasks and (b) the specific manner in which complete and satisfactory project applications might be developed and submitted by the communities selected.

2. *Selection of sponsors.* The State educational agency's proposal shall indicate the manner in which appropriate sponsors might be selected, involving at least (a) two or more visits by State, local, and parent representatives to observe on a first-hand basis different sponsor approaches and (b) other direct contact with sponsor representatives and existing project personnel, if necessary. Exemplary Follow Through projects which are currently operating should serve as models which might be adopted for proposed projects. The proposal shall also indicate the nature of the potential relationships of sponsors, the State educational agency, and the local projects.

3. *State technical assistance.* The proposal shall provide for the establishment within the State educational agency of a Follow Through Program Office (if one does not already exist), to operate in conjunction with the Title I Program Office. Since a large number of local projects might be established in ensuing years, susbtantial technical assistance should be made available to local projects in the planning, financial management, educational implementation, in-service training, facilities rearrangement and all other aspects necessary to successfully implement a Follow Through project. It is anticipated that States might use specialized consultants and university support to assist in local planning.

4. *Monitoring.* The proposal for a planning grant shall enumerate the numbers and qualifications of staff potentially available for administering the Follow Through Program in the State educational agency and State Economic Opportunity Office, as well as any consultant support necessary for successful planning and possible implementation of

Follow Through projects. The proposal should include the nature and frequency of State visits to local projects and the reporting requirements that the State anticipates imposing. A State educational agency awarded a planning grant shall design an evaluation effort in order to ensure the quality of education and consistency of all potential Follow Through projects throughout the State.

5. *Innovative nature of projects.* Follow Through is an innovative and comprehensive program. The successful replication of Follow Through almost certainly will require that school systems and communities make substantial and lasting changes in traditional procedures and attitudes—changes in the classroom, in the range of comprehensive services, in the identification of resources and in interaction between school, parents, and community. The State proposal shall, therefore, specify how the State educational agency proposes to face this issue and shall clearly indicate the ways in which such changes might be sustained.

6. *Project costs and sources of funds.* The initial phase of the State's planning efforts shall include an analysis of Follow Through costs. In particular, an analysis of the costs of Follow Through projects currently being carried out in the State should be made in order to identify "core components," i.e., the essential cost elements which are peculiar to Follow Through projects, such as costs related to teacher aides, specialized Follow Through teachers, parental involvement, PAC groups, community services, sponsors, and consultant services. In addition, the extent to which certain other existing Follow Through services and costs might be assumed by other Federal, State, and local projects shall be considered in the planning process. These cost elements would include such items as administrative expenses, plant costs, food, transportation, equipment, remodeling, some consultant expenses, and the regular teaching staff. The State must provide an analysis of these and other sources of funds that might be directed toward the establishment of Follow Through projects, including attention to the insuring of timely and sufficient contributions of State funds to the programs or projects which might be involved. This task represents a substantial effort in the overall planning study. The grantee shall also make a cost reduction analysis of proposed project activities. This should be designed to establish a basis for reducing the per pupil Follow Through expenditure to the lowest possible level consistent with successful replication. Shared funding, i.e., Title I and Follow Through, should be considered in constructing the proposed project budget.

7. *Scope and budget of planning stuay.* The Office of Education plans to make variable sums of money available to each of the five States selected for conduct of this planning study. Each State educational agency which is awarded a planning grant may budget a maximum of $50,000 for the conduct of the planning study. If the applicant State is also a current recipient of a Follow Through technical assistance grant, such State should, if possible, reprogram its technical assistance grant funds so that the major portion might be applied toward this study effort. A detailed budget for the planning study shall be constructed within the preceding limitation, in such format as may be prescribed by the Commissioner, and submitted with the planning proposal.

(42 U.S.C. 2824)

III—Review of the Proposals

Proposals submitted will be reviewed by an evaluation committee of education and management experts. Up to 20 points will be awarded on the basis of each of the five criteria below for a possible maximum of 100 points:

A. Potential value of study results as a "model" State/local approach to the successful proliferation and possible implementation of Follow Through projects in other States under section 231(c) of the Act.

B. Soundness of procedures proposed for (1) identifiction of local communities and agencies with good potential for possible implementation of the comprehensive Follow Through Program; (2) needs assessment of potential Follow Through populations with priority given to those with greatest economic and educational needs and within this context, diversity of geographic location, pupil population and local educational environment; and (3) enabling potential projects and communities to select and associate themselves with sponsors.

C. Potential capacity to conduct a comprehensive review of project cost elements and to reduce project costs (or the portion of costs covered by Follow Through and Title I funds) substantially below the current Follow Through level (including the capacity of the applicant to provide a sufficient contribution of State funds under a replication mechanism), while successfully implementing Follow Through Program components.

D. Anticipated quality of working relations between the State educational agency, State Economic Opportunity Office and other affected State agencies and between State agencies, local agencies, and communities. The nature and extent of provisions for effective technical assistance to projects will be evaluated. The committee will consider the extent to which the proposal provides for the range of present and/or potential "Stakeholders" in Follow Through projects to be represented by persons participating in drawing up the plan, i.e., parents (especially low-income parents), administrators, teachers, community action agencies, other community agencies, and State and local officials. The Office of Education will consider the qualifications of persons participating in the study, as well as the diversity of location, pupil population and local educational environment, in order to ensure the widest possible variety of responsive proposals.

E. Soundness of the management plan by which State administration and local program effectiveness are to be measured, including: Proposed procedures for establishing statewide performance criteria of expected student achievement gains resulting from the program; procedures for assisting local education agencies in establishing measurable program objectives related to student achievement; procedures for installing in each proposed project a systems approach to management that insures continuous monitoring of cost-effectiveness and budgeting based upon established program objectives; and procedures for cycling local project evaluation data based upon performance objectives into subsequent program planning.

IV—Additional Information

A detailed request for proposals concerning the above described planning grants has been sent to each State educational agency. Additional information concerning the grants, including the format in which States should submit proposals, is contained in that document. Copies thereof may be obtained from the address indicated below.

The Commissioner has determined that it is necessary to establish a cutoff date for the receipt of applications under this notice. Accordingly, applications must be received by the Follow Through Program, Room 3642, ROB 3, 7th and D Streets SW., Washington, DC 20202, postmarked no later than the 30th day following the final publication of this notice in the Federal Register.

[FR Doc.72-9751 Filed 6-27-72;8:54 am]

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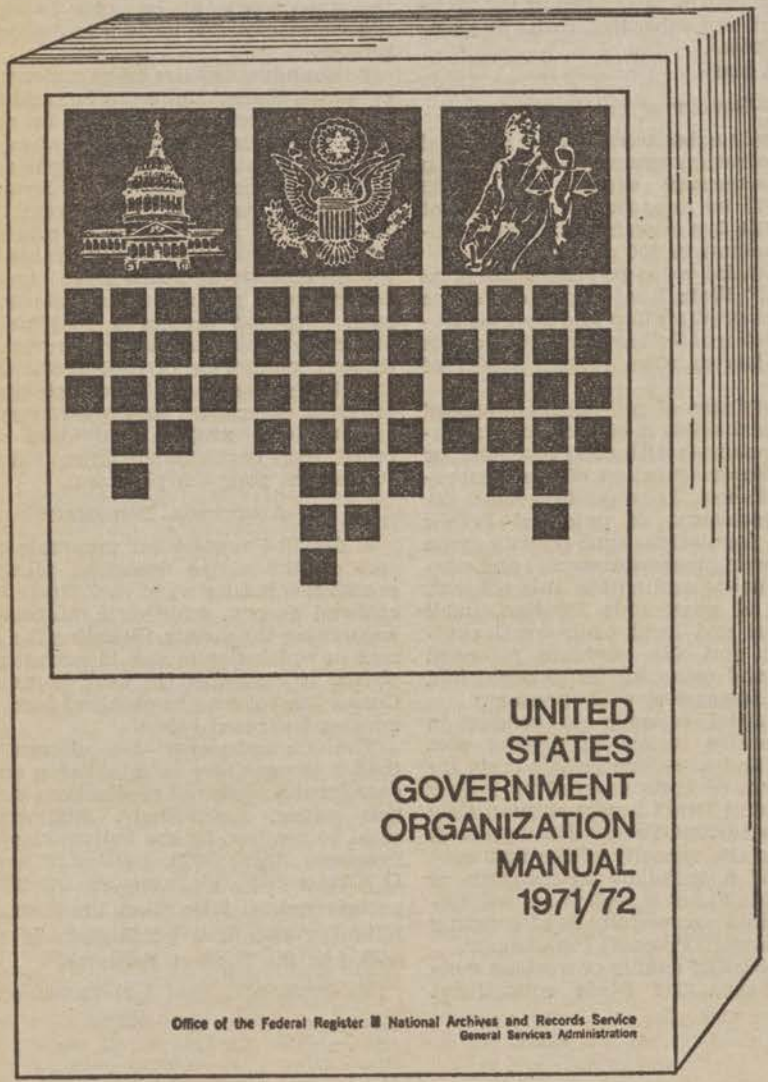

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