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HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

(Continued inside)

FEDERAL REGISTER

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List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month. In the last issue of the month the cumulative list will appear at the end of the issue.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1972, and specifies how they are affected.

Presidential Documents

Title 3—The President

PROCLAMATION 4162

National Legal Secretaries' Court Observance Week

By the President of the United States of America

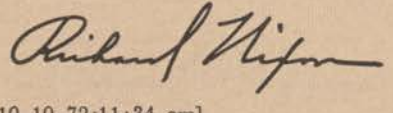
A Proclamation

Secretaries to lawyers and judges play an important role in our judicial system, providing competent, dedicated and loyal service to the leaders of the bar.

Many legal secretaries, however, have never visited a court and observed justice in action. In order that they may have an opportunity to do so, and in the belief that such visits can further a legal secretary's understanding, interest, and efficiency in her work, the Congress, by House Joint Resolution 807, has requested the President to designate the second full week in October, 1972, as National Legal Secretaries' Court Observance Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning October 8, 1972, as National Legal Secretaries' Court Observance Week. I call upon the people of the United States, particularly the legal community, to observe that week with appropriate ceremonies and activities.

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



[FR Doc.72-17469 Filed 10-10-72;11:34 am]

PROCLAMATION 4163

National School Lunch Week, 1972

By the President of the United States of America

A Proclamation

The National School Lunch Program, now in its twenty-sixth year, has become one of the Nation's most important programs for safeguarding the health and well-being of America's children.

Last year some 25 million children shared nearly four billion lunches served in their schools. Of these, nearly one-third were needy youngsters who were fed without charge.

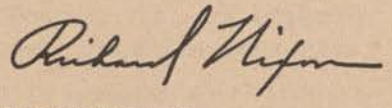
This program has expanded at such a rapid rate—today it is nearly two and one-half times as large as it was three years ago—that we can now foresee the day when the hunger gap will be closed across America.

Through the efforts of local, State, and Federal agencies and private groups and organizations, children in over 82,000 schools now can buy a nutritious lunch at low cost—or enjoy a free lunch.

In recognition of the fact that the National School Lunch Program involves a community effort, dependent upon the interest and support of citizens, the Congress, by a joint resolution of October 9, 1962, designated the week beginning on the second Sunday of October each year as National School Lunch Week, and requested the President to issue annually a proclamation for the observance of that week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby urge the people of the United States to observe the week of October 8, 1972, as National School Lunch Week, to give special and deserved recognition to the role of good nutrition in building a stronger America through its youth.

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



[FR Doc.72-17470 Filed 10-10-72;11:34 am]

PROCLAMATION 4164

Drug Abuse Prevention Week

By the President of the United States of America

A Proclamation

Ordinary modes of expression scarcely do justice to outrage. The enormous human tragedy of drug abuse gives pause to our customary gesture of setting aside seven days a year for intensified concern with this or that social problem. More than a problem, narcotics and dangerous drugs are a grave emergency threatening each and all of us.

Drug Abuse Prevention Week, therefore, is but one more occasion to redouble our war against this enemy, to take stock of large victories won in a short time, identify areas of continuing concern and target more resources on them.

The first lesson America has had to learn is that drug abuse prevention, all abstractions aside, is a matter of saving lives: our children's, our neighbors', our own, our Nation's. Heroin addicts, as many as half a million of them, need all the help we can give them; so do countless others who abuse pills of every sort, hallucinogens and marijuana.

That help is now on the way. The glamorization of drugs has been halted. The full power of government has been mobilized to provide rehabilitation and treatment, to enforce the laws, to pinch off opium and other drug sources all over the world. Medical research has been stepped up. Our schools, our churches, and our communications media are pushing preventive educational campaigns.

With national heroin shortages now developing, with more and more addicts seeking treatment, and with the steady resurgence of those moral and spiritual strengths which are a people's ultimate defense against drug abuse, we can find good reason to be hopeful for the future. But even one person addicted or led into drug abuse is one too many, and we shall not have discharged our humane duty until all are rescued from this plague. In this spirit let us press forward.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning October 15, 1972, as the third annual Drug Abuse Prevention Week.

I call upon officials at every level of government, upon educators, medical professionals, and communicators, upon the business community and the civic groups of our Nation, upon the churches and the clergy, and upon all who bear the special trusts of parenthood and care of the

young, to rededicate themselves during this week to the total banishment of drug abuse from American life.

I urge every American to commit himself wholeheartedly, beginning now, to this supremely important humanitarian cause.

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

Richard Nixon

[FR Doc.72-17471 Filed 10-10-72;11:34 am]

PROCLAMATION 4165

National Day of Prayer

By the President of the United States of America

A Proclamation

The great king Solomon, told in a night vision to ask what he wished of God, was reverent and humble enough to pray, "I am but a little child . . . Give therefore Thy servant an understanding heart . . . for who is able to judge this Thy so great a people?"

In our time as in Solomon's, no nation can expect to prosper and live in peace—no people can govern themselves wisely—except they invoke and rely on the divine wisdom.

In all our concerns and all our affairs as a nation, both at home and abroad, prayer should be not merely an embellishment, but an essential: both the prayer of affirmation that our God is great and good, that He made us and not we ourselves, and the prayer of petition that He may guide and protect us every one.

In 1952 the Congress directed the President to set aside a suitable day other than a Sunday each year as a National Day of Prayer, in recognition of the profound religious faith on which America is built.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Wednesday, October 18, as National Day of Prayer, 1972.

I call upon all Americans to pray that day, each after his or her own manner and convictions, for Deity's blessing on our land and for peace on earth, goodwill among all men.

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

Richard Nixon

[FR Doc.72-17473 Filed 10-10-72;11:35 am]

PROCLAMATION 4166

Country Music Month, October 1972

By the President of the United States of America

A Proclamation

The heart of a people is found in their music, and no music is more deeply rooted in the soul of America than country music.

It is no accident that country music is more popular today than ever before. For in the strum of the guitar, the twang of the banjo, and the proud pure voices of country singers, we hear the echo of America's past and the hope for our future.

Strong, simple and moving, country music reflects the joys, the sorrows and the ideals of our people. Love of family, love of country, faith in God, and the happiness and heartbreak of everyday life—these are the themes that run throughout our country music, and that bind us all together as Americans.

Who can resist tapping foot and joining in when the strains of country music strike up? Country music belongs to no one region or set of people, but to us all. It has given us some of the greatest entertainers and folk heroes, and we have taken it to our heart as a nation.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, ask the people of this Nation to mark the month of October, 1972, with suitable observances as Country Music Month.

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

Richard Nixon

[FR Doc.72-17474 Filed 10-10-72;11:35 am]

EXECUTIVE ORDER 11686

Committee Management

I have approved the Federal Advisory Committee Act which provides standards for the establishment, operation, termination, and control of advisory committees, assigns responsibility for the performance of those functions, and requires the submission of an annual report to the Congress concerning the administration of the act. The provisions of the act, in effect, supersede and replace the committee management standards and procedures set forth in Executive Order No. 11671 which I issued on June 5, 1972.

NOW, THEREFORE, by virtue of the authority vested in me by the Federal Advisory Committee Act (hereinafter referred to as the act), section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

Section 1. The heads of all executive departments and agencies shall take appropriate action to assure their ability to comply with the provisions of the act.

Sec. 2. The Director of the Office of Management and Budget shall:

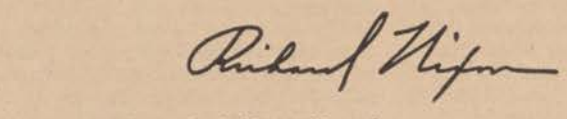
(1) perform, or designate, from time to time, other officers of the Federal Government to perform, without the approval, ratification, or other action of the President, the functions vested in the President by the act, except the function of making the annual reports to the Congress required by section 6(c) of the act;

(2) prepare for the consideration of the President the annual reports to the Congress required by section 6(c) of the act; and

(3) prescribe administrative guidelines and management controls for advisory committees composed wholly of full-time officers or employees of the Federal Government (inter-agency committees not subject to the provisions of the act), as well as for advisory committees covered by the act.

Sec. 3. Section 8(4) of Executive Order No. 11671 of June 5, 1972, is hereby revoked and the remainder of that order shall be deemed to be superseded effective as of the expiration of ninety days following the date of my approval of the act.

THE WHITE HOUSE,
October 7, 1972.



[FR Doc.72-17472 Filed 10-10-72;11:35 am]

Rules and Regulations

Title 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—U.S. Standards for Grades of Pecans in the Shell

SIZE CLASSIFICATION; CORRECTION

In F.R. Doc. 72-15610 appearing in the issue of Wednesday, September 13, 1972 (37 F.R. 18515), the size classification table under § 51.1402 in column 3 of page 18515, is corrected to read as follows:

§ 51.1402 Size classification.

* * * * *

Size classification	No. of nuts per pound	Minimum weight of the 10 smallest nuts in a 100-nut sample
Oversize	55 or less	In each classification, the 10 smallest nuts per 100 must weigh at least 7 percent of the total weight of the 100-nut sample.
Extra large	56 to 63	
Large	64 to 77	
Medium	78 to 95	
Small	96 to 120	

Dated: October 5, 1972.

E. L. PETERSON,
Administrator,
Agricultural Marketing Service.

[FR Doc.72-17339 Filed 10-10-72;8:51 am]

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

PART 966—TOMATOES GROWN IN FLORIDA

Limitation of Shipments

Notice of rulemaking with respect to a proposed limitation of shipments, to be effective under Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966) regulating the handling of tomatoes grown in the production area, was published in the September 22, 1972, FEDERAL REGISTER (37 F.R. 19819). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file data, views, or arguments pertaining thereto not later than October 2, 1972. None was filed.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice which was recommended by the Florida Tomato Committee, established pursuant to the said marketing agreement and order, it is hereby found that the limitation of shipments regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

It is further found that good cause exists for not postponing the effective date of this section until 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of 1972 fall crop production area tomatoes will begin on or about the effective date specified herein and this regulation should apply to all such shipments; (2) compliance with this regulation will not require any special preparation by handlers which cannot be completed by the effective date; (3) reasonable time is permitted under the circumstances for such preparation; and (4) notice of the regulation has been given to producers and handlers in the production area and by publication in the FEDERAL REGISTER of September 22, 1972.

The recommendations of the committee reflect its appraisal of the composition of the 1972-73 crop of Florida tomatoes and of the marketing prospects for this season. The proposed standardization of weights, containers and size classfications is needed in the interest of orderly marketing so as to improve net returns to producers. The proposals with respect to special pack and special purpose shipments are designed to meet the different requirements for such shipments. The minimum size requirement will preclude shipments to fresh market of especially small tomatoes which usually are of negligible economic value to producers.

§ 966.310 Limitation of shipments.

During the period October 15, 1972, through June 15, 1973, the following regulations shall be effective with respect to all varieties of tomatoes handled, except elongated types, commonly referred to as pear shaped or paste tomatoes and including, but not limited to, San Marzano, Red Top, and Roma varieties; cerasiform type tomatoes, commonly referred to as cherry tomatoes; hydroponic tomatoes; and greenhouse tomatoes.

(a) *Size classification and minimum size requirements.* (1) Except as otherwise provided in this section, no person shall handle any lot of tomatoes which are smaller than $1^{28}/_{32}$ inches in diameter. In addition, the tomatoes must be packed in one or more of the following ranges of diameters:

Size classification	*Diameter (inches)*
7 x 8	$2^{1}/_{32}$ and smaller.
7 x 7	Over $2^{1}/_{32}$ to $2^{9}/_{32}$, inclusive.
6 x 7	Over $2^{9}/_{32}$ to $2^{17}/_{32}$, inclusive.
6 x 6	Over $2^{17}/_{32}$ to $2^{28}/_{32}$, inclusive.
5 x 6 and larger	Over $2^{28}/_{32}$.

Measurement of diameters shall be in accordance with the methods prescribed in the U.S. standards for grades of fresh tomatoes (§§ 51.1855 to 51.1877 of this title).

(2) Tomatoes of designated sizes may not be commingled unless they are over $2^{17}/_{32}$ inches in diameter and each container shall be marked to indicate the designated size.

(3) To allow for variations incident to proper sizing, not more than a total of ten (10) percent, by count, of the tomatoes in any lot may be smaller than the specified minimum diameter or larger than the maximum diameter.

(b) *Container net weight requirements.* (1) No person shall handle any lot of tomatoes unless they are packed in one of the following net weight ranges:

Container net weight (pounds)	Minimum net weight (pounds)	Maximum net weight (pounds)
20	20	$21^{1}/_{2}$
30	30	$31^{1}/_{2}$
40	40	$41^{1}/_{2}$
60	60	$61^{1}/_{2}$

(2) To allow for variations incident to proper packing, not more than a total of 10 percent, by count, of the containers in any lot may vary from the net weight specified.

(c) *Inspection.* No person shall handle any lot of tomatoes unless such tomatoes are inspected and certified pursuant to the provisions of § 966.60. Each handler who applies for inspection shall be registered with the committee pursuant to § 966.7. Annual certificates of registration will be issued to known handlers and to new handlers upon application to the committee and each will be assigned a registration number. Registered handlers are the first handlers of tomatoes and shall pay assessments as provided in § 966.42.

(d) *Truck shipments.* For purposes of these regulations, the rule, § 966.140, relating to truck shipments of tomatoes grown in the Florida production area, shall continue in effect.

(e) *Minimum quantity.* For purpose of these regulations, each person subject thereto may handle, pursuant to § 966.53, up to, but not to exceed, 60 pounds of tomatoes per day without regard to the requirements of this part, but this exception shall not apply to any shipment or any portion thereof of over 60 pounds of tomatoes.

(f) *Special pack exemption.* Tomatoes packed by a handler who has been designated as a "Certified Tomato Repacker" by the committee, are exempt from the size classifications of paragraph (a) of this section and the container weight requirements of paragraph (b) of this section if such tomatoes comply with inspection requirements of paragraph (c)

of this section and are packed in containers of less than 20 pounds net weight.

(g) *Special purpose shipments.* (1) The requirements of paragraphs (a), (b), and (c) of this section shall not be applicable to shipments of tomatoes for canning, relief or charity if the handler thereof complies with the safeguard requirements of paragraph (h) of this section. Shipments for canning are exempt from the assessment requirements of this part.

(2) The requirements of paragraphs (a) and (b) of this section shall not be applicable to shipments of tomatoes which are 2 2/32 inches in diameter or smaller for processing into pickles if the handler thereof complies with the safeguard requirements of paragraph (h) of this section.

(3) The requirements of paragraphs (a) and (b) of this section shall not be applicable to shipments of tomatoes for export if the handler thereof complies with the safeguard requirements of paragraph (h) of this section.

(h) *Safeguards.* Each handler making shipments of tomatoes for processing into pickles, for canning, for relief or charity, or for export, in accordance with paragraph (g) of this section shall:

(1) First apply to the committee for and obtain a certificate of privilege to make such shipments;

(2) Prepare, on forms furnished by the committee, a report in quadruplicate on each individual shipment to such outlets authorized in paragraph (g) of this section;

(3) Bill or consign each shipment directly to the designated applicable receiver; and

(4) Forward one copy of such report to the committee office, and two copies to the receiver for signing and returning one copy to the committee office. Failure of the handler or receiver to report such shipments by signing and returning the applicable report to the committee office within 10 days after shipment shall be cause for cancellation of such handler's certificate and/or the receiver's eligibility to receive further shipments pursuant to such certificate. Upon cancellation of any such certificate, the handler may appeal to the committee for reconsideration.

(i) *Definitions.* "Hydroponic Tomatoes" means tomatoes grown in solution without soil. "Greenhouse Tomatoes" means tomatoes grown indoors. A "Certified Tomato Repacker" is a repacker of tomatoes in the regulated area who has the facilities for holding, regarding, resorting, and repacking tomatoes into consumer size packages and has been certified as such by the committee. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 125, as amended, and this part.

(j) *Applicability to imports.* Pursuant to section 608e–1 of the Act (7 U.S.C. 608e–1) imports of tomatoes are subject to the same minimum size as specified in paragraph (a) of this section.

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

Effective date. Dated October 4, 1972, to become effective October 15, 1972.

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72–17341 Filed 10–10–72;8:49 am]

PART 980—VEGETABLES: IMPORT REGULATIONS

Tomatoes

Findings. (a) Notice of rule making regarding proposed restrictions on importation of tomatoes into the United States was published in the September 22, 1972, FEDERAL REGISTER (37 F.R. 19819). The notice afforded interested persons an opportunity to file written data, views, or arguments in regard thereto not later than October 2, 1972. None was filed.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, and other available information, it is hereby found that the proposal as published in the notice should be made effective, and that the minimum size requirement is the same as that being made effective under Marketing Order No. 966, as amended (7 CFR Part 966), for shipments of tomatoes grown in the Florida production area. This regulation is subject to amendment with reasonable notice.

(b) It is hereby further found that good cause exists for not postponing the effective date of this regulation beyond the time specified (5 U.S.C. 553) in that (1) the requirements established by this regulation are mandatory under section 8e–1 of the act; (2) notice of the proposed regulation was given on September 18, 1972, by issuance of a press release and by publication in the FEDERAL REGISTER of September 22, 1972; (3) in fixing the effective date hereof consideration was given to the time required for transportation of the tomatoes and entry into the United States; and (4) such notice is in excess of the 3-day minimum required by the act.

§ 980.206 Tomato import regulation.

Except as otherwise provided, during the period October 15, 1972, through June 15, 1973, no person may import fresh tomatoes, except pear shaped, cherry, hydroponic, and greenhouse tomatoes, as defined herein, unless they are inspected and meet the requirements of this section.

(a) *Minimum size requirements.* (1) 1 7/8 inches in diameter;

(2) Not more than 10 percent, by count, in any lot may be smaller than the specified minimum diameter.

(b) *Minimum quantity exemption.* Any importation which in the aggregate does not exceed 60 pounds may be imported without regard to the provisions of this section.

(c) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on tomatoes under the Plant Quarantine Act of 1912.

(d) *Designation of governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated as governmental inspection services for certifying the grade, size, quality, and maturity of tomatoes that are imported into the United States under the provisions of section 8e–1 of the act.

(e) *Inspection and official inspection certificates.* (1) An official inspection certificate certifying the tomatoes meet the U.S. import requirements for tomatoes under section 8e–1 (7 U.S.C. 608e–1), issued by a designated governmental inspection service and applicable to a specified lot is required on all imports of fresh tomatoes.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables, and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the tomatoes will be imported.

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, Post Office Box 310, Austin, TX 78767, Phone: 512—385–5385	1 day.
All Arizona points.	B. O. Morgan, Post Office Box 1614, Nogales, AR 85621, Phone: 602—287–2902.	1 day.
All California points.	D. P. Thompson, 294 Wholesale Terminal Bldg., 784 South Central Ave., Los Angeles, CA 90021, Phone: 213—622–8756.	3 days.
All Hawaii points.	Stevenson Ching, 1428 South King St., Honolulu, HI 96814, Phone: 808—941–3071.	1 day.
New York City.	Officer-in-Charge, Room 28A Hunts Point Market, Bronx, N.Y. 10474, Phone: 212—991–7669—7668.	1 day.
New Orleans...	Pascal J. Lamarca, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, LA 70113, Phone: 504—527–6741—6742.	1 day.
All other points.	D. S. Matheson, Fruit and Vegetable Division, Agriculture Marketing Service, Washington, DC 20250, Phone: 202—447–5870.	3 days.

(4) Inspection certificates shall cover only the quantity of tomatoes that is being imported at a particular port of entry by a particular importer.

(5) Each inspection certification issued with respect to any tomatoes to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper, or applicant;

(iii) The commodity inspected;

(iv) The quantity of the commodity covered by the certificate;

(v) The principal identifying marks on the containers;

(vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e–1.

(f) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of tomatoes for the purpose of making it eligible for importation.

(g) *Definitions.* For the purpose of this section, "Importation" means release from custody of the U.S. Bureau of Customs. "Cherry tomatoes" means cerasiform types commonly referred to as "cherry tomatoes." "Pear shaped tomatoes" means elongated types, commonly referred to as pear shaped or paste tomatoes and include San Marzano, Red Top, and Roma varieties. "Hydroponic tomatoes" means tomatoes grown in solution without soil. "Greenhouse tomatoes" means tomatoes grown indoors. Measurement of the diameter of tomatoes shall be in accordance with the methods prescribed in the U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855 to 51.1877 of this title).

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

Dated October 4, 1972, to become effective October 15, 1972.

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72–17340 Filed 10–10–72;8:49 am]

Chapter XVIII—Farmers Home Administration, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS

[FHA Instruction 410.1]

PART 1801—RECEIVING AND PROCESSING APPLICATIONS

Review Procedures; Correction

In F.R. Doc. 72–16155 published at page 20105 in the issue dated Tuesday, September 26, 1972, in the third paragraph on page 20105, beginning "As a result of these changes * * *" lines 4 and 5, and in § 1801.3(d), the subparagraphs numbered (6) and (7) should be renumbered as subparagraphs (5) and (6), respectively.

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; sec. 510, 63 Stat. 437, 42 U.S.C. 1480; sec. 4, 64 Stat. 100, 40 U.S.C. 442; sec. 602, 78 Stat. 528, 42 U.S.C. 2942; sec. 301, 80 Stat. 379, 5 U.S.C. 301; Order of Acting Secretary of Agriculture, 36 F.R. 21529; Order of Assistant Secretary of Agriculture for Rural Development and Conservation, 36 F.R. 21529; Order of Director, OEO, 29 F.R. 14764)

Dated: October 5, 1972.

JOSEPH H. LINSLEY,
Chief, Directives Management Branch, Farmers Home Administration.

[FR Doc.72–17352 Filed 10–10–72;8:51 am]

SUBCHAPTER E—ACCOUNT SERVICING

[AL–116(451)]

PART 1861—ROUTINE

SUBCHAPTER G—MISCELLANEOUS REGULATIONS

PART 1890n—SERVICING OF INTEREST CREDIT FOR SECTION 502rh BORROWERS

Account Servicing Policies

Section 1861.10 of Subpart A of Part 1861 is hereby redesignated as Part 1890n of this chapter.

The requirement of 5 U.S.C. 553 involve a delay in making available the assistance provided by this authority. Part 1890n, redesignated from § 1861.10 of this chapter, is amended to provide a new method for reviewing interest credits and instructions for servicing existing interest credit accounts. The review period for considering interest credits is lengthened to include October, November, and December, and the new method for reviewing interest credits in accordance with this part will begin October 1, 1972.

It is the policy of this Department that rules relating to public property, loans, grants, benefits, or contracts shall be published for comment notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. See the Secretary of Agriculture's statement setting forth the policy on public participation in rule making 36 F.R. 13804, dated July 24, 1971. In accordance with the spirit of that policy, interested parties may submit written comments, suggestions, data, or arguments to the Office of the Deputy Administrator Comptroller, Farmers Home Administration, U.S. Department of Agriculture, Room 5007, South Building, Washington, D.C. 20250, within 30 days after the publication of this part. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. However, this Part 1890n as amended, shall be effective until it is further amended, in order to permit the public business to proceed expeditiously. The new Part 1890n reads as follows:

Sec.

AUTHORITY: The provisions of this Part 1890n issued under sec. 510, 63 Stat. 437, 42 U.S.C. 1480; order of Acting Secretary of Agriculture, 36 F.R. 21529; order of Assistant Secretary of Agriculture for Rural Development and Conservation, 36 F.R. 21529.

§ 1890n.1 Purpose.

This part supplements Part 1822, Subpart A, and Part 1861, Subpart A of this chapter. This part outlines the policies and conditions under which interest credits will be allowed on section 502 Rural Housing (RH) loans.

§ 1890n.2 Definitions.

As used in this part:

(a) "Borrower" means an RH borrower who has a low or moderate income and is indebted for a section 502 insured loan that was approved on or after August 1, 1968.

(b) "Interest credit agreement" means an agreement between Farmers Home Administration (FHA) and the borrower executed on Form FHA 444–6, "Interest Credit Agreement (section 502 RH loans)" or Form FHA 444–A6, "Interest Credit Agreement (section 502 RH loans)," which provides for interest credits on his loan.

(c) "Review period" means only the months of October, November, and December.

(d) "Substantial change" means a change in a borrower's circumstances that warrants a review of his situation during the next review period. Such a change occurs when:

(1) Either his current family income has been significantly reduced by causes such as death, physical or mental impairment, or loss of employment; or his family size has increased; and

(2) As a result of subparagraph (1) of this paragraph, the annual interest credit to which he would be entitled has been increased by at least $100. "Substantial change" does not apply to circumstances that warrant cancellation of an agreement in accordance with § 1890n.6(a).

§ 1890n.3 Processing interest credits.

(a) Form FHA 444–6 and Form FHA 444–A6 will be prepared by County Offices as prescribed in the guide available in all FHA offices for preparation of these forms.

(b) The agreement will be effective for two installment years unless the borrower experiences a substantial change or the agreement is canceled in accordance with § 1890n.6.

(c) The signed original of Form FHA 444–6 should be received by the Finance Office at the same time as the promissory note for initial loans and Form FHA 444–A6 not later than December 31 of the calendar year for interest credit renewals.

(d) For borrowers who have an interest credit agreement in effect, the following changes will be shown on Form FHA 451–26, "Transaction Record," or

Form FHA 451–31, "Borrower Transaction Record," prepared by the Finance Office.

(1) *Interest rate field.* The interest rate field will continue to show the interest rate on the note. The Finance Office will recompute the interest rate of the borrower's note to allow for the dollar amount provided for in the interest credit agreement. The computed rate, rounded to the nearest one-eighth of a percent, will be shown as a footnote on the form as "reduced interest rate." Subsequent transactions will be applied to the loan at the reduced interest rate by the Finance Office until such time as renewal or cancellation occurs.

(2) *Daily interest accrual field.* The daily interest accrual will be shown at the reduced interest rate, and interest will accrue at the same rate, until such time as renewal or cancellation occurs.

(3) *Application of credit field.* Since interest will accrue on the loan at the reduced interest rate, no amounts will be reflected in this field when the interest credit transaction is processed. The interest credit transaction code for this method of processing interest credits will be 4Z.

(4) *Payment status field.* The payment status field will not reflect the dollar amount of the interest credit.

(5) *Minimum amount due by date shown field.* The amount of the installment, reduced by the amount of interest credit reflected on the Forms FHA 444–6 or FHA 444–A6 will be shown.

(6) *Advance from insurance fund.* Interest on advance from insurance fund will be computed at net interest rate in effect at time of payment.

§ 1890n.4 Determination of interest credits for existing loans.

(a) Review of outstanding interest credit agreements expiring December 31 of the current calendar year. For a borrower in this category, a new interest credit agreement may be executed during the review period provided the following conditions can be met:

(1) The borrower meets the eligibility requirements outlined in § 1822.7(n)(1) of this chapter, except that the amount of a borrower's net worth will not be considered unless the County Supervisor has knowledge that the family's net worth has increased sufficiently to enable him to graduate to other sources of credit.

(2) Current and accurate information is obtained about the borrower's family income. Verification of income from salary or wages will be obtained by using Form FHA 410–5, "Request for Verification of Employment."

(3) None of the conditions outlined in § 1890n.6(a) exist.

(b) Substantial change or subsequent loan during first year of interest credit agreement. For a borrower who has experienced a "substantial change" as defined in § 1890n.2(d), or a borrower who has an interest credit agreement which will expire December 31 of the succeeding calendar year and receives a subsequent loan, not subject to an interest credit agreement, a new agreement may, at his request, be executed during the review period in accordance with the conditions outlined in paragraph (a) of this section. The old agreement will be canceled as of December 31 of the current calendar year.

(c) Execution of interest credit agreement by borrowers who do not now have such an agreement. For a borrower who does not now have an interest credit agreement because he was ineligible at the time of receiving his initial loan or because his agreement was canceled, but who is now eligible because of a "substantial change," a new agreement may, at his request, be executed during the review period in accordance with the conditions for borrowers receiving an initial loan.

§ 1890n.5 Processing interest credit renewals.

(a) During the first week of October, the Finance Office will mail to the County Offices a list of borrowers whose interest credit agreement is expiring. The Finance Office will simultaneously mail to the borrowers a package containing the following:

(1) A letter of explanation and instructions for completing the interest credit agreement;

(2) Form FHA 444–A6 (3 parts with carbon interleaved);

(3) Two copies of Form FHA 410–5. The County Office name and address will be preprinted in the space provided; and

(4) Three window envelopes to be used by the borrower in mailing interest credit agreements to the County Offices and for the employer to mail two copies of Form FHA 410–5 to the County Office.

(b) The interest credit agreement form will have the following information preprinted by the computer:

(1) Borrower's name and address,

(2) County Office name and address,

(3) Borrower's case number,

(4) Amount of loan and date of loan,

(5) Both annual note installment fields,

(6) Note installment if the loan was amortized at 1 percent interest note, and

(7) "Difference" field related to subparagraph (6) of this paragraph.

(c) Upon receipt of the "package" the borrower will give one copy of the Form FHA 410–5 to the employer of each member of the family who has income to be considered. A window envelope will be provided each employer to transmit the Form FHA 410–5 to the County Office. The borrower will also complete Part 2 of the interest credit agreement form leaving carbon intact), sign each copy of the form, and mail all copies to the County Office. After receiving the executed interest credit agreement from the borrower and Form FHA 410–5 from the employer, the County Supervisor will complete the interest credit agreement, and if the borrower is eligible for interest credits, the County Supervisor will send the original of the interest credit agreement to the Finance Office, retain one copy in the County Office, and return the other copy to the borrower. Borrowers not eligible to receive additional interest credits will be notified and informed of the amount of their revised payments. A new supplementary payment agreement will be obtained when needed.

(d) The Finance Office will send to the County Office, around November 30 and again on or about December 20, a list of borrowers for whom a renewal interest credit agreement has not been received. The County Office staff will place a checkmark in the last column to denote a borrower who is no longer eligible for interest credits. The original will be retained by the County Office and a copy returned to the Finance Office after noting any interest credits that will not be renewed. A renewal interest credit agreement for all other borrowers whose name appears on the list should be completed and mailed to the Finance Office by December 31.

§ 1890n.6 Cancellation of existing credit agreements.

(a) An existing interest credit agreement will be canceled whenever:

(1) The borrower ceases to occupy the housing, or

(2) Liquidation action is initiated against the borrower, or

(3) The borrower sells or conveys title to the property, or

(4) The borrower has had a substantial increase in income and is clearly able to repay the loan without interest credits, or

(5) The FHA loan will not be continued with the borrower and the borrower has never occupied the dwelling.

(b) The effective date of cancellation for subparagraphs (1) through (4) of paragraph (a) of this section will be the last day of the month in which the earliest action occurs which causes the cancellation. If the date cannot be determined, the date on which the County Supervisor became aware of the situation will be used. The effective date of cancellation for paragraph (a)(5) of this section will be the date of loan closing.

(c) The County Supervisor will determine the date of cancellation and notify the Finance Office. The Finance Office will process the cancellation and will accrue interest from the date of cancellation at the note rate of interest.

§ 1890n.7 Liquidations of loans with interest credit agreements in effect.

(a) When liquidation of a loan is started, the interest credit agreement will be canceled. The effective date of cancellation will be determined in accordance with § 1890n.6. Prompt notification to the Finance Office is extremely important. Any transaction affecting the borrower's account subsequent to cancellation will be incorrect if cancellation has not been completed by the Finance Office. In such cases the daily interest accrual from the effective date of cancellation of the interest credit agreement will be at the rate of interest.

(b) If the account is being liquidated, show type of action such as transfer, foreclosure, or sale of property.

(c) The notification of cancellation should show the date the borrower vacated the property.

Dated: October 4, 1972.

DARREL A. DUNN,
Associate Administrator,
Farmers Home Administration.

[FR Doc.72-17351 Filed 10-10-72;8:50 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

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

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

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

Areas Released From Quarantine

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

In § 82.3, in paragraph (a) (1) relating to the State of California, subdivision (i) relating to Orange, Ventura, Los Angeles, San Bernardino, and Riverside Counties is deleted, and new subdivisions (ii) relating to Ventura County; (iii) relating to Riverside and San Bernardino Counties; (iv) relating to Orange County; and (v) relating to Los Angeles County are added to read:

(1) *California.* (i) That portion of Ventura County bounded by a line beginning at the junction of the north bank of the Santa Clara River and the Pacific Ocean; thence, following the north bank of the Santa Clara River in a generally northeasterly direction to the Ventura-Los Angeles County line; thence, following the Ventura-Los Angeles County line in a southeasterly, then generally southwesterly direction to its junction with the Pacific Ocean; thence, following the Pacific Ocean shoreline in a generally northwesterly direction to its junction with the north bank of the Santa Clara River.

* * * * *

(iii) That portion of Riverside and San Bernardino Counties bounded by a line beginning at the junction of the Orange-Riverside-San Diego County lines; thence, following the Orange-Riverside County line in a generally northwesterly direction to the junction of the Orange-Riverside-San Bernardino County lines; thence, following the Orange-San Bernardino County line in a northwesterly direction to the junction of the Orange-San Bernardino-Los Angeles County lines; thence, following the Los Angeles-San Bernardino County line in a generally northerly direction to the dividing line between T. 3 N. and T. 2 N. of the San Bernardino base line; thence, following the dividing line between T. 3 N. and T. 2 N. in an easterly direction to the dividing line between R. 3 E. and R. 4 E. of the San Bernardino meridian in San Bernardino County; thence, following the dividing line between R. 3 E. and R. 4 E. in a southerly direction to the Riverside-San Diego County line; thence, following the Riverside-San Diego County line in a westerly, then northwesterly direction to the junction of the Riverside-San Diego-Orange County lines.

(iv) The following areas in Orange County:

(*a*) The premises of Gerald Gorman, at 5631 Lakeview Avenue, Yorba Linda.

(*b*) The premises of James New, 4490 Avenida Del Estates, Yorba Linda.

(v) The following areas in Los Angeles County.

(*a*) The premises of Ruth Clark, 15563 Denley, Hacienda Heights.

(*b*) The premises of Casa De Pets, 11814 Ventura Boulevard, Studio City.

(*c*) The premises of Bob Swoboda, 126 South Juanita, Redondo Beach.

(*d*) The premises of Ernest Welch, 8800 Paso Robles Avenue, Northridge.

(*e*) The premises of Luis Mandoza, 5019—134th Place, Hawthorne.

(*f*) The premises of Gross Egg Ranch, West Covina, Calif. in Los Angeles County, comprised of lots 34, 35, and 36 of the NW¼ of sec. 16.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; secs. 1–4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111–113, 115, 117, 120, 123–126, 134b, 134f; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

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

The amendment excludes portions of Orange and Los Angeles Counties in California from the areas quarantined because of exotic Newcastle disease. Therefore, the restrictions pertaining to the interstate movement of poultry, mynah, and psittacine birds, and birds of all other species under any form of confinement, and their carcasses and parts thereof, and certain other articles from quarantined areas, as contained in 9 CFR Part 82, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 82.3. Further, the provisions of the regulations relating to movements from nonquarantined areas apply with respect to the dequarantined areas.

The amendment relieves certain restrictions presently imposed but no longer deemed necessary to prevent the spread of exotic Newcastle disease, and must be made effective immediately to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additonal relevant information available to this Department. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 5th day of October 1972.

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

[FR Doc.72-17295 Filed 10-10-72;8:46 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 72-NW-18]

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

Alteration of Control Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revise the description of the control area outside the continental control area associated with Jet Route No. 501. This amendment is necessary to accomplish compatibility between the control area description and the current jet route alinement.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER (10-11-72), as hereinafter set forth.

In § 71.161 (37 F.R. 2047) Jet Route No. 501 is amended to read as follows:

Jet Route No. 501 from Oakland, Calif., to Anchorage, Alaska.

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

Issued in Washington, D.C., on October 3, 1972.

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

[FR Doc.72-17278 Filed 10-10-72;8:45 am]

Title 20—EMPLOYEES' BENEFITS

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

[Regs. No. 5, further amended]

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

Subpart P—Certification and Recertification; Requests for Payment

TIME REQUIREMENTS FOR FILING

On July 13, 1971, there was published in the FEDERAL REGISTER (36 F.R. 13037) a notice of proposed rule making with proposed amendments to Subpart P of Regulations No. 5. The proposed amendments set forth the time limitations on filing requests and claims for payment under the programs for hospital insurance benefits and supplementary medical insurance benefits for the aged pursuant to title XVIII of the Social Security Act. The notice provided that the time limitations prescribed in §§ 405.1663(b), 405.1667(b), and 405.1692(b) would be made effective only with respect to requests for payment or claims for payment, as applicable, filed more than 6 months after the month in which the amendments are finally adopted and published in the FEDERAL REGISTER. Interested parties were given the opportunity to submit within 30 days, data, views, or arguments with regard to the proposed amendments.

A comment has been received recommending that if a provider of services can demonstrate that circumstances beyond its control prevented it from meeting the time requirements for filing a claim for payment, an extension should be granted. This recommendation has not been adopted because it would prevent the Administration from ever closing its books for a year, as a time limit is designed to do. The proposed time limitations are ample and generous, by comparison with most similar limitations in business and government practice.

A comment has also been received recommending that paragraph (a) of § 405.1692 be amended to provide for an extension of time for filing a claim under this paragraph to correspond with extensions provided for other claims or requests for payment. This recommendation has not been adopted. The time limit in § 405.1692(a) for claiming payment under the supplementary medical insurance benefits plan (other than for benefits for emergency hospital services) is prescribed by section 1842(b) of the Social Security Act, which permits no leeway for any extensions.

No other comments, except for one which was favorable to the proposed amendments, were received. Accordingly, the amendments as proposed are hereby adopted, subject to the following changes:

1. In paragraph (a)(3) of § 405.1663 the word "claims" is changed to "claim."

2. In paragraph (b)(1)(iii) of § 405.1663, the word "any" is changed to "an."

3. New paragraphs (c) are added to §§ 405.1663, 405.1667, and 405.1692 to reflect the effective dates for the time limitations in the respective sections.

4. In paragraph (a) of § 405.1692, the word "lasts" is changed to "last."

(Secs. 1102, 1814, 1835, 1842, and 1871, 49 Stat. 647, as amended, 79 Stat. 294, 309, and 331, as amended; sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 1302, 1395 et seq.)

Effective date. Except as otherwise noted in the text of the amendments, they shall be effective upon publication in the FEDERAL REGISTER (10–11–72).

Dated: September 12, 1972.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: October 3, 1972.

ELLIOT L. RICHARDSON,
Secretary of Health, Education, and Welfare.

Subpart P of Regulation No. 5 is amended as set forth below.

1. Section 405.1663 is revised to read as follows:

§ 405.1663 Individual's request for payment for services reimbursable on a reasonable cost basis.

(a) *General.* Except as provided in subparagraph (1), (2), or (3) of this paragraph or in § 405.1664, before payment may be made on behalf of an individual, a written request for payment must be executed by the individual or an authorized person acting on his behalf. The individual or the authorized person may do this by signing the request for payment statement on the form designated by the Social Security Administration (see § 405.1662) or any statement which evidences an intent to claim payment for authorized services. A participating provider of services, or the hospital which has elected to claim payment for emergency services, shall have the individual or an authorized person sign the request for payment before the claim is submitted for payment (see § 405.1667).

(1) In the case of inpatient hospital services (see §§ 405.116 and 405.152) a request for payment is not required for the second or subsequent claim submitted on behalf of such individual by the same participating provider of services (or hospital claiming payment for emergency services) with respect to the same continuous period of inpatient hospital services.

(2) In the case of home health services (see § 405.131 and 405.236), a request for payment is not required for the second or subsequent claim submitted on behalf of such individual by the same participating provider of services under the same home care plan (see §§ 405.131 and 405.236).

(3) In the case of posthospital extended care services (see § 405.125), a request for payment is not required for the second or subsequent claim submitted on behalf of such individual by the same participating provider of services with respect to the same continuous period of extended care services.

(b) *Time limitation on requesting payment.* (1) A request for payment for provider services which are reimbursable on a reasonable cost basis must be filed (preferably with the provider, otherwise with the Social Security Administration or one of its carriers or intermediaries) by or on behalf of the individual furnished such services on or before whichever of the following is latest:

(i) December 31 of the calendar year following the year in which the services were furnished. Services furnished in the last 3 months of a calendar year shall be deemed furnished in the succeeding calendar year.

(ii) The last day of the sixth calendar month following the month in which the individual is sent notice of his entitlement to hospital or supplementary medical insurance, whichever is required for payment.

(iii) The last day of the sixth calendar month following the month in which an error or fault of the Social Security Administration or one of its carriers or intermediaries is rectified, where such error or fault was the cause of the failure of the individual or person acting on his behalf to file a request for payment within the time limit in subdivision (i) or (ii) of this subparagraph, whichever is applicable. Where written notice to the individual or his representative is necessary in order to rectify the error or fault, the error or fault shall be considered rectified on the date such notice is sent.

(2) For purposes of this paragraph, the whole of a continuous period of inpatient services in a hospital, psychiatric hospital, or extended care facility will be considered to have been furnished on the last day such services were provided, or if earlier, on the last day of the individual's eligibility to have payment made for the services (including services furnished on lifetime reserve days—see § 405.110(a)).

(c) *Effective date.* The time limitation in paragraph (b) of this section shall be effective only with respect to requests for payment filed after April 1973.

2. Section 405.1667 is revised to read as follows:

§ 405.1667 Claim for payment by a provider of services or a hospital which has elected to claim payment for emergency services.

(a) *Submitting a claim.* A participating provider of services, or a hospital which has elected to claim payment for emergency services, shall submit claims for payment under the hospital insurance plan and the supplementary medical insurance plan to its designated intermediary or carrier or to the Social Security Administration, as appropriate. Such provider or hospital shall file an individual's request for payment (see § 405.1663) with its intermediary or carrier or with the Social Security Administration, as appropriate, prior to, or

with, the submittal of the claim for payment for services furnished to the individual; except that, a provider or hospital which has entered into an arrangement to do so with its intermediary or carrier or with the Social Security Administration may retain an individual's request for payment as part of its files.

(b) *Time limitation on claiming payment.* A claim for payment for services furnished to a beneficiary must be filed on or before whichever of the following is the latest:

(1) The last day in which the beneficiary (or his representative) is permitted under § 405.1663(b) to file his request for payment.

(2) The last day of the sixth calendar month following the month in which the request for payment with respect to the services is filed by or on behalf of the individual. (For this purpose, where the request is filed with the Social Security Administration or one of its carriers or intermediaries, such request will be considered filed as of the date notice of the filing is sent to the provider.)

(3) The last day of the sixth calendar month following the month in which an error or fault of the Social Security Administration or one of its intermediaries or carriers is rectified, where such error or fault is the cause of the failure of the provider to file a claim for payment within the time limit in subparagraph (1) or (2) of this paragraph, whichever is applicable. Where written notice to the provider is necessary in order to rectify the error or fault, the error or fault shall be considered rectified on the date such notice is sent.

(c) *Effective date.* The time limitation in paragraph (b) of this section shall be effective only with respect to claims for payment filed after April 1973.

3. Section 405.1692 is revised to read as follows:

§ 405.1692 Time limitation for claiming benefits payable on a reasonable charge basis.

The time limit for claiming benefits payable on a reasonable charge basis are as follows:

(a) *Claim for payment for services other than emergency hospital services.* Effective with respect to claims submitted after April 1, 1968, a claim for payment under the supplementary medical insurance benefits plan (other than a claim for benefits for emergency hospital services (see paragraph (b) of this section)) submitted by, or on behalf of, any person(s) for the purpose of claiming payment on a reasonable charge basis, for covered services furnished an individual entitled under such plan, must be filed with the Social Security Administration, a carrier, or an intermediary on or before December 31 of the calendar year following the year in which such services were furnished. However, services furnished in the last 3 months of a calendar year shall be deemed furnished in the succeeding calendar year.

Example. An individual received surgery in August 1969. He (or the individual performing the surgery, if the right to claim payment has been assigned), must file a claim for payment for such services on or before December 31, 1970. If the surgery had been performed in November 1969, the claim must be filed on or before December 31, 1971.

(b) *Claim for payment for emergency hospital services.* (1) An individual's claim for payment under the hospital insurance or supplementary medical insurance benefits plan for covered emergency hospital services he has received from a nonparticipating hospital must be filed with the Social Security Administration, a carrier, or an intermediary on or before whichever of the following is the latest:

(i) December 31 of the calendar year following the year in which the services were furnished. Services furnished in the last 3 months of a calendar year shall be deemed furnished in the succeeding calendar year.

(ii) The last day of the sixth calendar month following the month in which the individual is sent notice of his entitlement to hospital or supplementary medical insurance, whichever is required for payment.

(iii) The last day of the sixth calendar month following the month in which an error or fault of the Social Security Administration or one of its carriers or intermediaries is rectified, where such error or fault is the cause of the failure of the individual or the person acting on his behalf to file a claim for payment within the time limit in subdivision (i) or (ii) of this subparagraph, as applicable. Where written notice to the individual or his representative is necessary in order to rectify the error or fault, the error or fault shall be considered rectified on the date such notice is sent.

(2) For purposes of this paragraph, the whole of a continuous period of inpatient hospital services will be considered to have been furnished on the date the services ended, or if earlier, on the last day of the individual's eligibility to have payment made for the services (including services furnished on lifetime reserve days—see § 405.110(a)).

(c) *Effective date.* The time limitation in paragraph (b) of this section shall be effective only with respect to claims for payment filed after April 1973.

4. Section 405.1694 is revised to read as follows:

§ 405.1694 Extension of time limitation.

Notwithstanding the provisions of § 405.1663(b), § 405.1667(b), or § 405.1692, where the last day of the time limitation falls on a nonworkday (Saturday, Sunday, legal holiday, or a day all or part of which is declared to be a nonworkday for Federal employees by statute or Executive order) a claim for payment will be considered filed timely if deposited in the U.S. Postal System or received by the Social Security Administration, a carrier, or an intermediary as applicable on the first workday thereafter.

[FR Doc.72-17308 Filed 10-10-72;8:48 am]

Chapter VI—Employment Standards Administration, Department of Labor

SUBCHAPTER B—FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969, AS AMENDED

PART 722—CRITERIA FOR DETERMINING WHETHER STATE WORKMEN'S COMPENSATION LAWS PROVIDE ADEQUATE COVERAGE FOR PNEUMOCONIOSIS AND LISTING OF APPROVED STATE LAWS

List of State Laws Found To Meet Criteria of Approval; Correction

In 37 F.R. Doc. 72-15148, dated September 7, 1972 (37 F.R. 18076), there was published as an amendment to Part 722 of Title 20, Code of Federal Regulations, a new section designated as § 722.401 and entitled *List of States' laws which meet the criteria for approval.*

Through typographical error, said section was numbered § 722.401. It should have been numbered § 722.104.

Signed at Washington, D.C., this 4th day of October 1972.

RICHARD J. GRUNEWALD,
Assistant Secretary for Employment Standards.

[FR Doc.72-17344 Filed 10-10-72;8:49 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

Ketamine Hydrochloride Injection

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (43-304V) filed by Bristol Laboratories and a supplemental new animal drug application (45-290V) filed by Parke, Davis & Co., proposing to revise the conditions of use of ketamine hydrochloride injection used as an anesthetic for cats. The supplemental applications are approved.

For consistency, the addresses of the sponsors are being deleted from § 135b.28(c) and the firms are being identified by their code number as listed in § 135.501(c).

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 135b is amended in § 135b.28 by revising paragraph (c) and subparagraph (e)(2) to read as follows:

§ 135b.28 Ketamine hydrochloride injection, veterinary.

* * * * *

(c) *Sponsors.* (1) See code No. 044 in § 135.501(c) of this chapter.

(2) See code No. 049 in § 135.501(c) of this chapter.

* * * * *

(e) *Conditions of use.* (1) It is used in cats for restraint or as the sole anesthetic agent in diagnostic or minor, brief surgical procedures that do not require skeletal muscle relaxation.

(2) It is administered intramuscularly at a recommended dose that ranges from 5 to 15 milligrams per pound of body weight depending on the effect desired.

* * * * *

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (10–11–72).

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

Dated: October 3, 1972.

FRED J. KINGMA,
Acting Director,
Bureau of Veterinary Medicine.

[FR Doc.72–17282 Filed 10–10–72;8:45 am]

Title 23—HIGHWAYS

Chapter I—Federal Highway Administration, Department of Transportation

PART 1—ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS

Guidelines for Consideration of Economic, Social, and Environmental Effects

Section 1.32 of Title 23 of the Code of Federal Regulations provides in the last sentence that "Selected order and memorandums are contained in Appendix A to this part." On August 30, 1972, the Federal Highway Administration issued Instructional Memorandum 20–4–72 entitled "Guidelines for Consideration of Economic, Social, and Environmental Effects (PPM 20–8 Modification)."

Part 1 of Title 23 of the Code of Federal Regulations is amended by adding the following instructional memorandum at the end of Appendix A.

Issued on October 2, 1972.

R. R. BARTELSMEYER,
Acting Federal
Highway Administrator.

[Instructional Memorandum 20–4–72
HEV–20]

AUGUST 30, 1972.

GUIDELINES FOR CONSIDERATION OF ECONOMIC, SOCIAL, AND ENVIRONMENTAL EFFECTS (PPM 20–8 MODIFICATION)

1. *Purpose.* a. This memorandum is issued to assure that:

(1) Possible adverse economic, social, and environmental effects relating to any proposed federally funded project on any Federal-aid highway system have been fully considered in developing such project.

(2) Final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe, and efficient transportation, public services, and the costs of eliminating or minimizing adverse effects.

b. Policy and Procedure Memorandum 20–8, issued January 14, 1969, provided guidance for the consideration of social, economic, and environmental effects in the design and location of highways. This instructional memorandum supersedes the list of effects in paragraph 4.c. of PPM 20–8 by consolidating it with the effects listed in 23 U.S.C. 109(h). It also sets forth reporting procedures to assure that the general types of consequences that may be expected from construction of the proposed highway improvement are being considered with respect to costs, gains, and losses.

2. *Authority.* Sections 135(a), 135(b) and 136(b) of the Federal-Aid Highway Act of 1970; 23 U.S.C. 109(h), 128(a) and 128(b).

3. *Application.* This memorandum applies to proposed projects which have not received PS&E (plans, specifications, and estimates) approval as of the effective date of this memorandum. These guidelines do not apply to projects which are already in various stages of physical construction or are exempt under the emergency provisions of paragraph 3.c. of PPM 20–8.

4. *Procedures.* a. As of the effective date of this memorandum, projects which have received design approval (as defined in PPM 90–1), may receive PS&E approval, if otherwise satisfactory, on the basis of past State highway department submissions which identify and document the economic, social, and environmental effects previously considered with respect to these advanced projects, together with a supplemental report, if necessary, covering the consideration and disposition of the items not previously covered and now listed herein in paragraph 4.b. The supplemental report shall be prepared by the State and submitted to the division engineer not later than the time of submission of PS&E documents for the next Federal-aid improvement of the highway section. This supplemental documentation may take the form of statements in the program submission (PR–1 or PR–9 forms and attachments), relative to the overall proposal being advanced, unless the division engineer determines that a more detailed report is warranted.

b. After the effective date of this memorandum, a State highway department request for location and design approval, as required under PPM 20–8, shall be accompanied by reports and other documents showing that the development of the project has taken into consideration the need for fast, safe, and efficient transportation together with highway costs, traffic benefits, and public services including provisions of national defense; and which discuss the anticipated economic, social, and environmental effects of the proposal and alternatives under consideration, to the extent applicable, on the following:

(1) "Regional and community growth" including general plans and proposed land use, total transportation requirements, and status of the planning process.

(2) "Conservation and preservation" including soil erosion and sedimentation, the general ecology of the area as well as man-made and other natural resources, such as: Park and recreational facilities, wildlife and waterfowl areas, historic and natural landmarks.

(3) "Public facilities and services" including religious, health and educational facilities; and public utilities, fire protection, and other emergency services.

(4) "Community cohesion" including residential and neighborhood character and stability, highway impacts on minority and other specific groups and interests, and effects on local tax base and property values.

(5) "Displacement of people, businesses, and farms" including relocation assistance, availability of adequate replacement housing, economic activity (employment gains and losses, etc.).

(6) "Air, noise, and water pollution" including consistency with approved air quality implementation plans, FHWA noise level standards (as required under PPM 90–2), and any relevant Federal or State water quality standards.

(7) "Aesthetic and other values" including visual quality, such as: "View of the road" and "view from the road," and the joint development and multiple use of space.

c. In addition to coverage of the significant differences and reasons supporting the alternative locations and designs, discussions of the above items and other economic, social, and environmental effects, which were raised during public hearings or which were otherwise considered, shall include: (1) Identification of the adverse effects, (2) appropriate measures to eliminate or minimize the adverse effects, (3) the estimated costs (expressed in either monetary, numerical or qualitative terms) of the measures considered.

d. The degree of analysis of the items may vary, depending upon the scope and the nature of project, the stage of project development, and the extent of the adverse effect.

e. Where material required by this memorandum has been previously submitted pursuant to other requirements, such as those in PPM's 20–8 or 90–1, the State highway department may either resubmit such material or make reference to it.

5. *Effective date.* The effective date of this memorandum is September 29, 1972.

[FR Doc.72–17317 Filed 10–10–72;8:50 am]

PART 1—ADMINISTRATION OF FEDERAL AID FOR HIGHWAYS

Process Guidelines (Economic, Social, and Environmental Effects on Highway Projects)

Section 1.32 of Title 23 of the Code of Federal Regulations provides in the last sentence that "Selected orders and memorandums are contained in Appendix A to this part." On September 21, 1972, the Federal Highway Administration issued Policy and Procedure Memorandum 90–4 entitled "Process Guidelines (Economic, Social, and Environmental Effects on Highway Projects)."

This memorandum implements section 136(b) of the Federal-Aid Highway Act of 1970 (23 U.S.C. 109(h)).

Part 1 of Title 23 of the Code of Federal Regulations is amended by adding the following policy and procedure memorandum at the end of Appendix A.

Issued on October 2, 1972.

R. R. BARTELSMEYER,
Acting Federal
Highway Administrator.

[Policy and Procedure Memorandum 90–4;
Transmittal 259]

PROCESS GUIDELINES (ECONOMIC, SOCIAL, AND ENVIRONMENTAL EFFECTS ON HIGHWAY PROJECTS)

PAR.

PAR.
8. Contents of the Action Plan.
9. Identification of Social, Economic, and Environmental Effects.
10. Consideration of Alternative Courses of Action.
11. Involvement of Other Agencies and the Public.
12. Systematic Interdisciplinary Approach.
13. Decisionmaking Process.
14. Interrelation of System and Project Decisions.
15. Levels of Action by Project Category.
16. Responsibility for Implementation.
17. Fiscal and Other Resources.
18. Consistency with Existing Laws and Directives.

1. *Purpose.* To provide to Highway Agencies and Federal Highway Administration (FHWA) field offices guidelines for the development of Action Plans to assure that adequate consideration is given to possible social, economic, and environmental effects of proposed highway projects and that the decisions on such projects are made in the best overall public interest. These guidelines identify issues to be considered in reviewing the present organization and processes of a Highway Agency as they relate to social, economic, and environmental considerations, and in developing desirable improvements. The guidelines recognize the unique situation of each State and do not prescribe specific organizations or procedures.

2. *Authority.* Section 109(h), title 23, United States Code, directs the following: "(h) Not later than July 1, 1972, the Secretary, after consultation with appropriate Federal and State officials, shall submit to Congress, and not later than 90 days after such submission, promulgate guidelines designed to assure that possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in developing such project, and that the final decisions on the project are made in the best overall public interest, taking into consideration the need for fast, safe and efficient transportation, public services, and the costs of eliminating or minimizing such adverse effects and the following:

(1) Air, noise, and water pollution;

(2) Destruction or disruption of manmade and natural resources, esthetic values, community cohesion and the availability of public facilities and services;

(3) Adverse employment effects, and tax and property value losses;

(4) Injurious displacement of people, businesses and farms; and

(5) Disruption of desirable community and regional growth.

Such guidelines shall apply to all proposed projects with respect to which plans, specifications and estimates are approved by the Secretary after the issuance of such guidelines."

3. *Definitions.* a. *Highway agency.*—The State highway department or State department of transportation with the primary responsibility for initiating and carrying forward the planning, design, and construction of Federal-aid highway projects.

b. *Human environment.*—The aggregate of all external conditions and influences (esthetic, ecological, biological, cultural, social, economic, historical, etc.) that affect the lives of humans.

c. *Environmental effects.*—The totality of the effects of a highway project on the human and natural environment.

d. *A–95 clearinghouse.*—Those agencies and offices in States, metropolitan areas, and multi-State regions which perform the coordination functions called for in Office of Management and Budget (OMB) Circular A–95.

e. The following definitions are provided solely to clarify the terms "system planning," "location," and "design" as they are used in these guidelines. A highway agency may choose to use different definitions in responding to these guidelines. If not stated otherwise, the following definitions will be assumed to be applicable:

(1) *System Planning*—Regional analysis of transportation needs and the identification of transportation corridors.

(2) *Location*—From the end of system planning through location approval.

(3) *Design*—From location approval through the approval of plans, specifications, and estimates.

4. *Policy.* a. It is the FHWA's policy that full consideration shall be given to economic, social, and environmental effects in the development of proposed Federal-aid projects, that provisions for insuring such consideration shall be incorporated in the decisionmaking process, and that decisions on such projects shall be made in the best overall public interest, taking into consideration the need for fast, safe, and efficient transportation, public services, and the costs of eliminating or minimizing possible adverse economic, social, and environmental effects.

b. The process by which decisions are reached should be such as to merit public confidence in the Highway Agency. To achieve this objective, it is the FHWA's policy that:

(1) Economic, social, and environmental effects be identified and studied early enough to permit analysis and consideration while alternatives are being formulated and evaluated.

(2) Other agencies and the public be involved in project development early enough to influence technical studies and final decisions.

(3) Appropriate consideration be given to reasonable alternatives, including the alternative of not building the project and alternative modes.

5. *Application.* These guidelines apply to State Highway Agencies that propose projects for which plans, specifications, and estimates are approved by the FHWA. Other agencies forwarding projects for the approval of the FHWA need not develop the "Action Plan" specified herein, but shall be guided by the stated principles in the development of such Federal-aid highway projects.

6. *Procedures.* a. To meet the requirements of these guidelines, each Highway Agency shall develop an Action Plan which describes the organization to be utilized and the processes to be followed in the development of Federal-aid highway projects from initial system planning through design.

b. The Action Plan should be consistent with the requirements of PPM's 20–8, 90–1, and of other applicable directives.

c. Involvement of other Federal, State, and local agencies, including A–95 Clearinghouses, and, where appropriate, agencies responsible for transportation planning in accordance with PPM 50–9, officials, and interested groups should be sought throughout the development stages of the Action Plan. Comments on the proposed Action Plan should be solicited from these agencies, groups, and individuals, and the Plan forwarded to the FHWA should include a summary of comments on the Plan (including the sources of such comments) and the State's disposition of them.

d. The FHWA, through its division and regional offices, will consult with the State in the development of the Action Plan and, within the limits of its resources, will be prepared to assist or advise.

e. The Action Plan shall be submitted to the Governor of the State for review and approval as a means of obtaining a high degree of interagency and intergovernmental coordination. Approval by the Governor may occur prior to submittal of the Action Plan to the FHWA, or, if desired by the State, may occur concurrently with FHWA approval.

f. The Action Plan shall be submitted to the FHWA not later than June 15, 1973, for approval. The FHWA will not give location approval on projects after November 1, 1973, unless the Action Plan has been approved.

7. *Implementation and revision.* a. The FHWA may review the States' implementation of their Action Plans at appropriate intervals. The FHWA may withhold location approvals, or such other project approvals as it deems appropriate, if the Action Plan is not being followed.

b. The Action Plan shall be implemented as quickly as feasible. A program of staged implementation for the period up to November 1, 1974, shall be developed and described in the Action Plan. It is expected that all aspects of the Action Plan will be implemented by this date. If the Highway Agency believes that any provision in its Action Plan cannot be implemented prior to November 1, 1974, it shall present a schedule for the implementation of such provisions to the FHWA, which will consider the proposed schedule on a case-by-case basis.

c. If the schedule for implementation set forth in an approved Action Plan is not met, the FHWA may withhold location approvals or such other project approvals as it deems appropriate.

d. The Action Plan may be revised by the Highway Agency. Major revisions will be reviewed and approved by the FHWA by the same process as for the initial Action Plan.

8. *Contents of the action plan.* a. The Action Plan shall indicate the procedures to be followed in developing highway projects, including organizational structure and assignments of responsibility by the chief administrative officer of the Highway Agency to positions or units within the Agency. Where participation of other agencies or consultants will be utilized, this should be so indicated. The topics to be covered by the Action Plan are outlined in the following paragraphs of this PPM.

b. The Action Plan should describe the procedures followed in developing the Action Plan and the steps taken to involve other agencies and the public during development of the Plan.

9. *Identification of social, economic, and environmental effects.* a. Identification of potential social, economic, and environmental effects, both beneficial and adverse, of alternative courses of action should be made as early in the study process as feasible, in accordance with PPM's 90–1 and 20–8 and IM 20–4–72. Timely information on such effects should be produced so that the development and consideration of alternatives and studies can be influenced accordingly. Further, the costs, financial and otherwise, of eliminating or minimizing possible adverse social, economic, and environmental effects should be determined.

b. The Action Plan should identify:

(1) The assignment of responsibility for:

(a) Providing information on social, economic, and environmental effects of alternative courses of action during system planning, location, and design stages.

(b) Controlling the technical quality of social, economic, and environmental studies.

(c) Monitoring current social, economic, and environmental research; monitoring environmental effects of completed projects, where appropriate; and disseminating "state-of-the-art" information within the agency.

(2) Procedures to be followed to insure that timely information on social, economic, and environmental effects:

(a) Is developed in parallel with alternatives and related engineering data, so that the development and selection of alternatives and other elements of technical studies can be influenced appropriately.

(b) Indicates the manner and extent to which specific groups and interests are beneficially and/or adversely affected by alternative proposed highway improvements.

(c) Is made available to other agencies and to the public early in studies.

(d) Is developed with participation of staffs of local agencies and interested citizens.

(e) Is developed sufficiently to allow for the estimation of costs, financial or otherwise, of eliminating or minimizing identified adverse effects.

10. *Consideration of alternative courses of action.* a. Alternatives considered should include, where appropriate, alternative types and scales of highway improvements and other transportation modes. The option of no highway improvement should be considered and used as a reference point for determining the beneficial and adverse effects of other alternatives. Appropriate alternatives which might minimize or avoid adverse social, economic, or environmental effects should be studied and described, particularly in terms of impacts upon specific groups and in relationship to 42 U.S.C. 2000d–2000d–4 (title VI of the Civil Rights Act 1964) and 41 U.S.C. 3601–3619 (title VIII of the Civil Rights Act of 1968). The key tradeoffs among the alternatives should be presented.

b. The Action Plan should identify the assignment of responsibility and the procedures to be followed to insure that:

(1) The consequences of the no-highway-improvement option are set forth, with data of a level of completeness and of detail consistent with that developed for other alternatives.

(2) A range of alternatives appropriate to the stage is considered at each stage from system studies through final design.

(3) The development of new transportation modes or the improvement of other modes are adequately considered, where appropriate.

(4) Nontransportation components, such as replacement housing, joint development, multiple use of rights-of-way, etc., are in coordination with transportation components.

(5) Suggestions from outside the Agency are given careful consideration.

11. *Involvement of other agencies and the public.* a. The President has directed Federal agencies to "develop procedures to insure the fullest practicable provision of timely public information and understanding of Federal plans and programs with environmental impact in order to obtain the views of interested parties" (Executive Order 11514). Policy and Procedure Memorandum 20–8 contains similar provisions. Interested parties should have adequate opportunities to express their views early enough in the study process to influence the course of studies, as well as the actions taken. Information about the existence, status, and results of studies should be made available to the public throughout those studies. The required public hearings (PPM 20–8) should be only one component of the agency's program to obtain public involvement.

b. The Action Plan should identify the assignment of responsibility and procedures to be followed:

(1) To insure that information is made available to other agencies and the public throughout the duration of project studies, and that such information is as clear and comprehensible as practicable concerning:

(a) The alternatives being considered.

(b) The effects of alternatives, both beneficial and adverse, and the manner and extent to which specific groups are affected.

(c) Right-of-way and relocation assistance programs and relocation plans.

(d) The proposed time schedule of project development, including major points of public interest.

(2) To insure that interested parties, including local governments and metropolitan, regional, State and Federal agencies, and the public have an opportunity to participate in an open exchange of views throughout the stages of project development.

(3) To select and coordinate procedures, in addition to formal public hearings, to be used to inform and involve the public.

(4) To utilize appropriate agencies with areawide responsibilities to assist in the coordination of viewpoints during project development.

(5) To involve appropriately the organization which is officially established in urbanized areas of over 50,000 population to conduct continuing, comprehensive, cooperative transportation planning (consistent with PPM 50–9 and IM 50–3–71).

12. *Systematic interdisciplinary approach.* a. United States Code, title 42, section 4332 (National Environmental Policy Act, 1969) requires that agencies use "a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment."

b. The Action Plan should indicate procedural arrangements or assignments of responsibilities which will be necessary to meet this requirement, including:

(1) The organization and staffing of interdisciplinary project groups which are systematic and interdisciplinary in approach, including the possible use of consultants and representatives of other State or local agencies.

(2) Recruitment and training of personnel with skills which are appropriate to add on a full-time basis, and the development of appropriate career patterns, including management opportunities.

(3) Additional training for present personnel to enhance their capabilities to work effectively in an interdisciplinary environment.

13. *Decisionmaking process.* a. The process of reaching various decisions on highway improvement projects should be reviewed to assure that it provides for the appropriate consideration of all economic, social, environmental, and transportation factors as required by these guidelines.

b. The Action Plan should identify:

(1) The processes through which other State and local agencies, government officials, and private groups may contribute to reaching decisions, and the authority, if any, which other agencies or government officials can exercise over decisions.

(2) Different decsion processes, if any, for various categories of projects (e.g., Interstate, Primary, Secondary, TOPICS) and for various geographic regions of the State (e.g., in various urban and rural regions) to reflect local differences in the nature of potential environmental effects or in the structure of local governments and institutions.

(3) The processes to be used to obtain participation in decisions by officials of appropriate agencies in other States for those situations in which the potential social, economic, and environmental effects are of interstate concern.

14. *Interrelation of system and project decisions.* a. Many significant economic, social, and environmental effects of a proposed project are difficult to anticipate at the system planning stage and become clear only during location and design studies. Conversely many significant environmental effects of a proposed project are set at the system's planning stage. Decisions at the system and project stages shall be made with consideration of their social, economic, environmental, and transportation effects to the extent possible at each stage.

b. The Action Plan should identify:

(1) Procedures to be followed to:

(a) Insure that potential social, economic, and environmental effects are identified insofar as practicable in system planning studies as well as in later stages of location and design.

(b) Provide for reconsideration of earlier decisions which may be occasioned by results of further study, the availability of additional information, or the passage of time between decisions.

(2) Assignment of responsibility for insuring that project studies are effectively coordinated with system planning on a continuing basis.

15. *Levels of action by project category.* a. A Highway Agency may develop different procedures to be followed depending upon the economic, social, environmental, or transportation significance of the highway section to be developed. Different procedures may also be adopted for various categories of projects, such as TOPICS, new route locations, or secondary roads, and for various regions of the State, such as urban areas or zones of particular environmental significance.

b. The Action Plan should identify:

(1) The categories which the Highway Agency will use to distinguish the different degrees of effort which under normal circumstances will be devoted to various types of projects.

(2) Assignment of responsibility for determining, initially and in periodic reviews, the category of each ongoing highway project.

(3) Procedures to be followed for each category (including identification of impacts, public involvement, decision process, and other issues covered in these guidelines).

16. *Responsibility for implementation.* Assignment of responsibility for implementation of the Action Plan should be identified.

17. *Fiscal and other resources.* a. An important component of the Action Plan is identification of resources of the Highway Agency and of other agencies required to perform the identified procedures and execute the assigned responsibilities.

b. The Action Plan should identify:

(1) The resources of the Highway Agency (in terms of personnel and funding) that will be utilized in implementing and carrying out the Action Plan.

(2) Resources that are available in other agencies to provide necessary information on social, economic, and environmental effects.

(3) Programs for the addition of trained personnel or fiscal or other resources to either the Highway Agency itself or other agencies.

18. *Consistency with existing laws and directives.* The Highway Agency should identify and report, either in the Action Plan or otherwise, areas where existing Federal and State laws and administrative directives prevent or hamper full compliance with these guidelines. Where appropriate, recommendations and proposed actions to overcome such difficulties should be described.

[FR Doc.72-17290 Filed 10-10-72;8:50 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 **Status of participating communities.**

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Alabama	Coffee	Elba	I 01 031 1010 01 through I 01 031 1010 04	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, AL 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	City Hall, Elba, Ala. 36323. Coffee County Courthouse, Elba, Ala. 36323.	Oct. 13, 1971. Emergency. Oct. 6, 1972. Regular.
Connecticut	Hartford	Avon				Oct. 6, 1972. Emergency.
Do	New Haven	West Haven				Do.
Florida	Collier	Everglades	I 12 021 0970 02	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Office of the City Clerk, City of Everglades, Everglades, Fla. 33929.	July 18, 1970. Emergency. Oct. 6, 1972. Regular.
Do	St. Johns	St. Augustine	I 12 109 2690 03	do	Office of the City Manager, City of St. Augustine, St. Augustine, Fla. 32084.	Sept. 25, 1970. Emergency. Oct. 6, 1972. Regular.
Do	Broward	Margate				Oct. 6, 1972. Emergency.
Massachusetts	Essex	Newbury				Do.
Do	do	Newburyport				Do.
Minnesota	Wright	Unincorporated areas.				Do.
New Jersey	Middlesex	Edison Township				Do.
Do	Bergen	Old Tappan				Do.
North Carolina	Beaufort	Washington				Do.
Pennsylvania	Bucks	Hilltown Township.				Do.
Do	do	Middletown Township.				Do.
Do	Cambria	Lower Yoder Township.				Do.
Do	Lancaster	Lititz Borough				Do.
Do	Luzerne	Kingston Borough.				Do.
Do	York	York				Do.
Rhode Island	Providence	North Providence				Do.
Texas	Bexar	Alamo Heights				Do.
Do	Hidalgo	Unincorporated areas.				Do.

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

Issued: October 2, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72–17235 Filed 10–10–72;8:45 am]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

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

§ 1915.3 List of communities with special hazard areas.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Alabama	Coffee	Elba	H 01 031 1010 01 through H 01 031 1010 04	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, AL 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	City Hall, Elba, Ala. 36323. Coffee County Courthouse, Elba, Ala. 36323.	Oct. 13, 1971.
Connecticut	Hartford	Avon				Oct. 6, 1972.
Do	New Haven	West Haven				Do.
Florida	Collier	Everglades	H 12 021 0070 02	Department of Community Affairs, 309 Office Plaza, Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Office of the City Clerk, City of Everglades, Everglades, Fla. 33929.	July 18, 1970.
Do	St. Johns	St. Augustine	H 12 109 2690 03	do	Office of the City Manager, City of St. Augustine, St. Augustine, Fla. 32084.	Sept. 25, 1970.
Do	Broward	Margate				Oct. 6, 1972.
Massachusetts	Essex	Newbury				Do.
Do	do	Newburyport				Do.
Minnesota	Wright	Unincorporated areas.				Do.
New Jersey	Middlesex	Edison Township				Oct. 6, 1972. Emergency.
Do	Bergen	Old Tappan				Do.
North Carolina	Beaufort	Washington				Do.
Pennsylvania	Bucks	Hilltown Township.				Do.
Do	do	Middletown Township.				Do.
Do	Cambria	Lower Yoder Township.				Do.
Do	Lancaster	Lititz Borough				Do.
Do	Luzerne	Kingston Borough.				Do.
Do	York	York				Do.
Rhode Island	Providence	North Providence				Do.
Texas	Bexar	Alamo Heights				Do.
Do	Hidalgo	Unincorporated areas.				Do.

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

Issued: October 2, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-17236 Filed 10-10-72;8:45 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7211]

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

Controlled Foreign Corporations Not Availed of To Reduce Taxes

On April 1, 1972, notice of proposed rule making with respect to the amendments of the Income Tax Regulations (26 CFR Part 1) under section 954(b)(4) of the Internal Revenue Code of 1954 (relating to exception for foreign corporations not availed of to reduce taxes) to conform the regulations to changes made by section 909 of the Tax Reform Act of 1969 (83 Stat. 718) was published in the FEDERAL REGISTER (37 F.R. 6688). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments of the regulations as proposed are hereby adopted without change.

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

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

Approved: October 4, 1972.

FREDERIC W. HICKMAN,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 954(b)(4) of the Internal Revenue Code of 1954, relating to exception for foreign corporations not availed of to reduce taxes, to section 909 of the Tax Reform Act of 1969 (83 Stat. 718), such regulations are amended as follows:

PARAGRAPH 1. Section 1.954 is amended by revising section 954(b)(4) and the historical note to read as follows:

§ 1.954 Statutory provisions; foreign base company income.

SEC. 954. *Foreign base company income.* * * *

(b) *Exclusions and special rules.* * * *

(4) *Exception for foreign corporations not availed of to reduce taxes.* For purposes of subsection (a), foreign base company income does not include any item of income received by a controlled foreign corporation if it is established to the satisfaction of the Secretary or his delegate that neither—

(A) The creation or organization of such controlled foreign corporation under the laws of the foreign country in which it is incorporated (or, in the case of a controlled foreign corporation which is an acquired corporation, the acquisition of such corporation created or organized under the laws of the foreign country in which it is incorporated), nor

(B) The effecting of the transaction giving rise to such income through the controlled foreign corporation,

has as one of its significant purposes a substantial reduction of income, war profits, or excess profits or similar taxes.

* * * * *

[Sec. 954 as added by sec. 12(a), Rev. Act 1962 (76 Stat. 1006); as amended by sec. 909, Tax Reform Act 1969 (83 Stat. 718)]

PAR. 2. Section 1.954–1(b) is amended by revising the heading and subdivision (i) of subparagraph (3) and by adding a new subparagraph (4). These amended and added provisions read as follows:

§ 1.954–1 Foreign base company income.

* * * * *

(b) *Exclusions from foreign base company income.* * * *

(3) *Income of controlled foreign corporations not availed of to substantially reduce income or similar taxes; taxable years ending on or before October 9, 1969*—(i) *General rule.* Foreign base company income does not include any item of gross income if it is established to the satisfaction of the district director that the creation or organization of the controlled foreign corporation receiving such item of gross income does not have the effect of substantially reducing income, war profits, excess profits, or similar taxes with respect to such item. See section 954(b)(4). For taxable years ending after October 9, 1969, see also subparagraph (4) of this paragraph.

* * * * *

(4) *Income of controlled foreign corporations not availed of to substantially reduce income or similar taxes; taxable years ending after October 9, 1969*—(i) *General rule.* Foreign base company income of a controlled foreign corporation for any taxable year ending after October 9, 1969, does not include any item of gross income received or accrued by such corporation during such year if it is established that both (*a*) the creation or organization of such corporation under the laws of the foreign country or possession of the United States in which it is incorporated, and (*b*) the effecting through such corporation of the transaction which gives rise to such income did not have as a significant purpose a substantial reduction of income, war profits, excess profits, or similar taxes. If the controlled foreign corporation receives or accrues an item of income in respect of which there has been no substantial reduction for the taxable year of income, war profits, excess profits, or similar taxes, it may, without reference to (*a*) or (*b*) of this subdivision, be excluded from foreign base company income under section 954(b)(4) and this subparagraph. On the other hand, if the controlled foreign corporation receives or accrues an item of income in respect of which there has been a substantial reduction for the taxable year of income, war profits, excess profits, or similar taxes, it may not be excluded from foreign base company income under section 954(b)(4) and this subparagraph if there is a failure to satisfy the requirements of either (*a*) or (*b*) of this subdivision. If it is established that the creation or organization of such corporation under the laws of the foreign country or possession of the United States in which it is incorporated did not have as one of its significant purposes a substantial reduction of income, war profits, excess profits, or similar taxes, then only that income may be excluded for the taxable year in respect of which it is established that the effecting through such corporation of the transaction giving rise to such income did not have as one of its significant purposes a substantial reduction of income, war profits, excess profits, or similar taxes. If with respect to the U.S. shareholder the foreign corporation became a controlled foreign corporation by reason of the acquisition of its stock, rather than by reason of its creation or organization under the laws of the foreign country or possession of the United States in which it is incorporated, it must be established, for purposes of (*a*) of this subdivision, that the acquisition of such corporation did not have as one of its significant purposes a substantial reduction of income, war profits, excess profits, or similar taxes.

(ii) *Substantial reduction of income taxes.* For purposes of this subparagraph, a determination as to whether there has been a substantial reduction of income, war profits, excess profits, or similar taxes with respect to an—

(*a*) Item of foreign personal holding company income described in § 1.954–2 shall be made by applying the principles of subparagraph (3)(ii) of this paragraph, or

(*b*) Item of foreign base company sales income described in § 1.954–3 or an item of foreign base company services income described in § 1.954–4 shall be made by applying the principles of subparagraph (3) (iii) and (iv) of this paragraph.

For illustrations of cases in which for purposes of this subparagraph it may be determined whether or not there has been a substantial reduction of income, war profits, excess profits, or similar taxes with respect to an item of income, see the examples in subparagraph (3) (viii) of this paragraph.

(iii) *Significant purpose defined.* For purposes of this subparagraph, to be significant a purpose must be important, but it is not necessary that it be the principal purpose or the purpose of first importance.

(iv) *Application of significant purpose test.* For purposes of determining whether the creation or organization of a controlled foreign corporation in a particular foreign country or possession of the United States, or whether the acquisition of a controlled foreign corporation in that country or possession, or whether the effecting of the income-producing transaction through that corporation had as one of its significant purposes a substantial reduction of income, war profits, excess profits, or similar taxes, all the facts and circumstances involved will be taken into account. Among the factors to be considered are the various purposes for the action; the type of business carried on, or to be carried on, by the controlled foreign corporation; the classes of income derived, or to be derived, by such corporation; the frequency with which the particular item of income is derived; the effective rate of tax imposed on such income; the place in which the income-producing transaction occurs or the source of such income; and the location of the persons purchasing the corporation's goods or services. Generally, if the income-producing activity carried on by a controlled foreign corporation takes place within the foreign country or possession of the United States in which the corporation is created or organized, the creation or organization of the corporation in that country or possession will not be considered to have as a significant purpose a substantial reduction of income, war profits, excess profits, or similar taxes.

(v) *Manner of demonstrating lack of tax reduction purpose.* It is the U.S. shareholder's responsibility, in accordance with § 1.964–3 and paragraph (d)(6) of § 1.964–4, to provide the district director with books or records sufficient to verify the gross income excluded from foreign base company income under section 954(b)(4) and this subparagraph. However, if the U.S. shareholder of a controlled foreign corporation desires to establish in respect of a proposed transaction that neither the creation or organization (or acquisition) of such corporation under the laws of the foreign country or possession of the United States in which it is incorporated nor the effecting through such corporation of the transaction giving rise to an item or items of income has as one of its significant purposes a substantial reduction of income, war profits, excess profits, or similar taxes, he may forward a statement setting forth sufficient facts and circumstances to the Commissioner of Internal Revenue, Attention: Income Tax Division, Washington, D.C. 20224, for a ruling. Where the Commissioner determines that a ruling is appropriate, a letter setting forth the Commissioner's determination will be mailed to the taxpayer. If the Commissioner determines that, upon the basis of the facts presented, the exclusion of section 954(b)(4) and this subparagraph applies to the income involved, the taxpayer should retain a copy of the Commissioner's letter as authority for excluding such income from foreign base company income for the taxable year.

(vi) *Other applicable rules.* The principles of subparagraph (3)(vi) of this paragraph, relating to the effect of the exclusion under section 954(b)(4) upon other amounts, and subparagraph (3)(vii) of this paragraph, relating to a branch treated as a separate wholly owned subsidiary corporation, apply for purposes of this subparagraph.

(vii) *Illustration.* The application of this subparagraph may be illustrated by the following example:

Example. A controlled foreign corporation is incorporated under the laws of a foreign

country. In the past the controlled foreign corporation has organized a number of other corporations in that country to operate radio and television stations there. The purpose of establishing these other corporations was to form a centrally managed radio and television network. The controlled foreign corporation's stock interest in these other corporations ranges from 10 percent to 100 percent. By reason of its stock interests and for other financial or technical reasons, the controlled foreign corporation has exercised effective practical control over the other corporations. The controlled foreign corporation also has conducted several businesses in the foreign country for a number of years which are related to the communications network it has been attempting to establish. In 1969, the communications agency of the foreign country changes its policy and rules that foreign corporations may not own more than 10 percent of the stock of local communications corporations. Since the controlled foreign corporation is more than 50 percent owned by U.S. persons, it is treated by the communications agency of the foreign country as being subject to this new rule. Because of this policy change, the controlled foreign corporation sells all its shares of stock in the radio and television corporations in the foreign country and realizes capital gains on the sales which are not taxed by the foreign country. Under this subparagraph, these gains are excluded from foreign base company income, since the controlled foreign corporation was organized in the foreign country to actively engage in business in that country and because the acquisition and the sale of the stock of the radio and television corporations by the controlled foreign corporation (rather than by its parent corporation or an affiliated corporation) did not have as one of its significant purposes a substantial reduction of income or similar taxes.

* * * * *

PAR. 3. Section 1.964–4 is amended by revising paragraph (d)(6) to read as follows:

§ 1.964–4 Verification of certain classes of income.

* * * * *

(d) *Foreign base company income and exclusions therefrom.* * * *

(6) *Income on which taxes are not substantially reduced.* The gross income excluded from foreign base company income under section 954(b)(4) and paragraph (b) (3) or (4) of § 1.954–1 in the case of a controlled foreign corporation not availed of to substantially reduce income taxes, the income or similar taxes incurred with respect thereto, and all other factors necessary to verify the application of such exclusion.

* * * * *

[FR Doc.72–17310 Filed 10–5–72;12:48 pm]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Certain National Wildlife Refuges in Nevada; Correction

In F.R. Doc. 72–12528, Volume 37, No. 155, dated Thursday, August 10, 1972, on page 16085, "Sheldon National Antelope Refuge" should be amended to read "Charles Sheldon Antelope Range."

JOHN D. FINDLAY,
Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 29, 1972.

[FR Doc.72–17288 Filed 10–10–72;8:46 am]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

WAIVER OF RETIREMENT BENEFITS

On page 16881 of the FEDERAL REGISTER of August 22, 1972, there was published a notice of proposed regulatory development to issue a regulation concerning waiver of retirement benefits. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

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

Effective date. This VA Regulation is effective the date of approval.

Approved: October 4, 1972.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

In § 3.261(a), subparagraph (15) is amended to read as follows:

§ 3.261 Character of income; exclusions and estates.

* * * * *

	Dependency (parents)	Dependency and indemnity compensation (parents)	Pension; protected (veterans, widows and children)	Pension; Pub. Law 86–211 (veterans, widows and children)	See →
(a) *Income:*					
* * *	* * *	* * *	* * *	* * *	* * *
(15) Retirement pay received direct from service department.	Included....	Included....	Included....	Included....	§ 3.262(e). § 3.262(h).
* * *	* * *	* * *	* * *	* * *	* * *

2. In § 3.262, paragraph (h) is amended to read as follows:

§ 3.262 Evaluation of income.

* * * * *

(h) *Retirement benefits waived.* Except as provided in this paragraph, retirement benefits (pension or retirement payments) which have been waived will be included as income. For the purpose of determining dependency of a parent, or eligibility of a parent for dependency and indemnity compensation or eligibility of a veteran, widow, or child for pension under laws in effect on June 30, 1960, retirement benefits from the following sources which have been waived pursuant to Federal statute will not be considered as income:

(1) Civil Service Retirement and Disability Fund;

(2) Railroad Retirement Board (see paragraph (g)(2) of this section);

(3) District of Columbia, firemen, policemen, or public school teachers;

(4) Former lighthouse service.

* * * * *

[FR Doc.72–17311 Filed 10–10–72;8:48 am]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 131—COLLEGE LIBRARY RESOURCES PROGRAM

Acquisition of Books and Other Material

On page 13350 of the FEDERAL REGISTER of July 7, 1972, there was published a notice of proposed rule making to issue regulations which would allow grant assistance to be used for various preparation costs involved in the acquisition by grantees under Part 131 of books and other materials to be used for library purposes.

Due consideration having been given to comments received and because of the weight of benefits that will result, the proposed regulations are hereby adopted without change and set forth below.

Effective date. The regulations shall be effective on the date of their publication in the FEDERAL REGISTER (10–11–72).

Dated: September 20, 1972.

S. P. MARLAND, Jr.,
Commissioner of Education.

Approved: October 2, 1972.

ELLIOT L. RICHARDSON,
Secretary.

Part 131 of Chapter I of Title 45 of the Code of Federal Regulations is amended by adding a new paragraph (u) to § 131.2, as follows:

§ 131.2 Definitions.

* * * * *

(u) "Acquisition of books and other materials to be used for library purposes" means the purchase, lease-purchase, or straight lease of such books and other materials and includes the necessary costs of ordering, processing, and cataloging such books and other materials and delivery of them to the initial place at which they are to be available for use. Such term does not

include the rebinding or repair of such books and other materials.

[FR Doc.72-17309 Filed 10-10-72;8:47 am]

Chapter X—Office of Economic Opportunity

PART 1068—COMMUNITY ACTION PROGRAM GRANTEE FINANCIAL MANAGEMENT

Subpart—Allowances and Reimbursements for Members of Policymaking Bodies (OEO Instruction 6803-1a)

MISCELLANEOUS AMENDMENTS

A. The first sentence of § 1068.5-1 is revised to read as follows:

§ 1068.5-1 Applicability of this subpart.

This subpart applies to all members of policymaking bodies of organizations receiving financial assistance under titles II and III-B of the Economic Opportunity Act of 1964, as amended, if the assistance is administered by OEO. * * *

* * * * *

B. Paragraphs (c) and (d) (1) and (2) of § 1068.5-2 are revised and paragraph (d) (5) is deleted as follows:

§ 1068.5-2 Definitions.

* * * * *

(c) "Meeting." A meeting for which proper notification has been given shall qualify as a meeting even though the meeting may fail for lack of quorum.

(d) "Policymaking Body." The following representative boards of a grantee will be considered policymaking bodies:

(1) Principal representative boards which are (i) the administering board of a public CAA, (ii) the governing board of a private CAA, and (iii) policy advisory committees of other grantees if constituted as required by § 1060.1 of this chapter.

(2) Delegate agency governing bodies if the delegate agency meets both the following tests: (i) Its activities are solely or substantially financed with OEO funds as part of the community action program; and (ii) at least one-third of its governing body is composed of democratically selected representatives of the poor persons whom the delegate agency serves.

* * * * *

§ 1068.5-3 [Amended]

C. In § 1068.5-3 *Policy:*

1a. The first sentence of paragraph (a) is revised as follows:

(a) *General.* Allowances and reimbursements may be paid to members of grantee policymaking bodies who are eligible for such payments in accordance with this subpart for attendance at meetings, when such payments serve to assure and encourage the maximum feasible participation of members of groups and residents of the areas served. * * *

b. In the fourth sentence of paragraph (a) delete "(see OEO Instruction 6710-1, section V, pages 3-24)".

C. Paragraph (b) (1) and (2) is revised to read as follows:

(b) *Allowances.* (1) *Who may be paid an allowance?* Any person who is a member of a grantee's policymaking body is eligible to be paid an allowance (i) as long as his family income falls within OEO Poverty Guidelines (§ 1060.2 of this chapter); and (ii) as long as he is not a Federal employee, not an employee of an OEO assisted organization, and not an employee of a State or local public agency.

(2) *Limitation on allowances.* (i) Allowances should not exceed $5 per meeting unless the grantees' principal representative board determines a higher payment more suitable. Allowances in excess of $5 may be paid only if justifiable on the basis of comparability with similar fees paid to the poor by antipoverty programs administered by non-CAP grantees and funded from sources other than OEO (e.g., Model Cities) in the same community. (Comparability means that the allowance plus the reimbursements paid by the OEO grantee would be commensurate with the total payments made to the poor by other agencies.) Grantees should consult with other antipoverty programs in their area to determine if the fees being paid to the poor by the various programs are comparable; (ii) no person shall be paid an allowance by any one OEO-assisted organization for attendance at more than two meetings per month, regardless of whether the meetings are for the same or different policymaking bodies.

d. Paragraphs (c)(1) (i), (ii), (2), (3) (i), (ii) are revised to read as follows:

(c) *Reimbursements.* (1) *Who may be paid a reimbursement?* (i) Any person, including a Federal employee, an employee of an OEO assisted organization, or an employee of a State or local public agency, whose family income falls within OEO Poverty Guidelines and who is a member of a grantee's policymaking body is eligible to be paid a reimbursement. Receiving an allowance does not preclude receiving a reimbursement for actual expenses incurred in attending that meeting; (ii) nonpoor members of a grantee's policymaking body may receive reimbursements for travel under conditions set forth in subparagraph (3) (i) of this paragraph and may receive per diem.

(2) *Limitations on reimbursements.* Persons may be reimbursed for up to six meetings per month. Any grantee reimbursement to an individual for monthly meetings over this number must be approved by the OEO Regional Office or headquarters funding office.

(3) *What expenses may be reimbursed?* The following expenses incurred as the result of actual attendance at meetings, or in the performance of other official duties and responsibilities in connection with a community action may be reimbursed:

(i) *Travel.* Reimbursement may be made for transportation to and from official meetings or other official appointments by the least expensive, convenient means of transportation. This shall be by public transportation or, when no public transportation is available. Where the community served by the community action programs covers a large geographic area, as in the case of a multicounty CAA or a statewide grantee, reimbursements may also be made to those nonpoor members of a policymaking body who must travel a "substantial distance" from their home to attend meetings within the community. The grantee's principal representative board shall determine what constitutes a "substantial distance" in this community. Such payments shall accord with the Standardized Government Travel Regulations, and Subparts 1069.3 and 1069.4 of this chapter. In cases where there is group riding, only the board member providing the vehicle shall be reimbursed.

(ii) *Per diem.* Per diem may be paid to both poor and nonpoor members of policymaking bodies when attendance at a meeting requires overnight lodging. Such payments shall accord with the Standardized Government Travel Regulations, and with Subparts 1069.3 and 1069.4 of this chapter, cited above. (A per diem allowance is paid in lieu of meals, lodging, and other subsistence expenses.)

e. The second sentence of paragraph (c)(3)(iii) is revised to read: "Such reimbursement shall be for the actual cost of the meal (including applicable tax and reasonable tip), but may not exceed $2.50 per person for lunch and $4 per person for dinner."

f. The third sentence of paragraph (c)(3)(iv) is revised to read: "In no event shall the rate of hourly reimbursement exceed the Federal minimum wage (currently $1.60)."

g. In the first sentence of paragraph (c)(3)(v), substitute "$18" for "$15".

h. Paragraph (c)(3)(vi) is revised to read as follows:

(vi) *Other expenses.* A grantee or delegate agency may permit board members to make telephone calls free of charge on telephones in the agency office for matters relating to official business. When agency telephones are not available, as for example when a meeting is held elsewhere than at agency offices, board members may be reimbursed for telephone calls relating to matters of official business. No reimbursement shall be made, however, for calls made on home telephones. Other unusual expenses may also be reimbursed subject to the availability of funds and with the approval of the appropriate OEO funding office.

i. Paragraph (c)(4) is revised as follows:

(4) *Meetings outside the community.* The eligibility for reimbursement of expenses incurred in attendance at meetings by board members as limited in this subpart applies only to meetings held within the area served by the community action program. Reimbursement for travel and per diem outside this area is covered in Subparts 1069.3 and 1069.4 of this chapter.

§ 1068.5-4 [Amended]

D. In § 1068.5-4 *Administration:*

1. Paragraph (a) is revised to read as follows:

(a) *Applying for funds.* Funds to pay allowances and reimbursements as defined in this subpart may be requested as part of any community action program application, or as an amendment to an existing program, but approval is subject to the availability of funds.

2. The second sentence of paragraph (b) is revised to read "Grantees shall obtain from individuals requesting reimbursement appropriate documentation of actual expenses incurred."

3. Paragraph (d) is revised to read as follows:

(d) *Public records.* The accounting records of allowance payments and expense reimbursements are required to be available for public inspection under the rules set forth in Subpart 1070.1 of this chapter.

WESLEY L. HJORNEVIK,
Deputy Director.

[FR Doc.72-17307 Filed 10-10-72;8:47 am]

PART 1069—COMMUNITY ACTION PROGRAM GRANTEE PERSONNEL MANAGEMENT

Subpart—Travel Regulations for CAP Grantees and Delegate Agencies (OEO Instruction 6910-1)

MISCELLANEOUS AMENDMENTS

Subpart 1069.3 of Part 1069 of Chapter X of Title 45 of the Code of Federal Regulations is amended as follows:

1. Section 1069.3-1 is revised to read as follows:

§ 1069.3-1 Applicability of this subpart.

This subpart applies to all grant programs financially assisted under titles I-D, II, and III-B of the Economic Opportunity Act, as amended, if the assistance is administered by OEO.

§ 1069.3-4 [Amended]

2. The second sentence of subparagraph (2) of paragraph (a) of § 1069.3-4 *General travel regulations* is revised to read as follows: "In no event, however, may the rates paid exceed 11 cents a mile."

3. A new § 1069.3-7 is added to read as follows:

§ 1069.3-7 Effective date.

The increase in the maximum rate of reimbursement for travel by privately owned automobile may be applied to travel on or after January 20, 1972, for those grantees and delegate agencies whose travel policies provide for using mileage rates in the Standardized Government Travel Regulations. Each grantee and delegate agency must determine whether the new maximum mileage rate will apply retroactively for travel undertaken between January 20, 1972, and April 5, 1972. Increased travel costs that may occur as a result must be absorbed within existing grant funds.

WESLEY L. HJORNEVIK,
Deputy Director.

[FR Doc.72-17305 Filed 10-10-72;8:47 am]

PART 1069—COMMUNITY ACTION PROGRAM GRANTEE PERSONNEL MANAGEMENT

Subpart—Per Diem Rates for OEO Grantees and Delegate Agencies (OEO Instruction 6910-2a)

Part 1069 of Chapter X of Title 45 of the Code of Federal Regulations is amended to read as follows:

1. Section 1069.3-7 *Per diem rates for OEO grantees and delegate agencies* is recodified as Subpart 1069.4.

2. The table of contents for Subpart 1069.4 is as follows:

Sec.
1069.4-1 Applicability of this subpart.
1069.4-2 Purpose.
1069.4-3 Background.
1069.4-4 Policy.
1069.4-5 Establishing per diem rates.
1069.4-6 Computation of per diem.
1069.4-7 Supply of per diem regulations.

AUTHORITY: The provisions of this subpart issued under section 602(n), 78 Stat. 530; 42 U.S.C. 2942.

3. Sections 1069.4-1 and 1069.4-2 are amended to read as follows:

§ 1069.4-1 Applicability of this subpart.

This subpart applies to all grant programs financially assisted under titles I-D, II, and III-B of the Economic Opportunity Act, as amended, if the assistance is administered by the Office of Economic Opportunity.

§ 1069.4-2 Purpose.

The purpose of this subpart is to establish the method for OEO grantees and delegate agencies to compute per diem.

4. Paragraph (a) of § 1069.3-7 is recodified as § 1069.4-3 and is revised to read as follows.

§ 1069.4-3 Background.

Public Law 91-114 amended the Standardized Government Travel Regulations (SGTR) by increasing the authorized maximum per diem rate from $16 to $25 for travel within the limits of the continental United States (the 48 contiguous States and the District of Columbia). The Office of Management and Budget has prescribed in Circular A-7, Standardized Government Travel Regulations, dated August 17, 1971, that all Government agencies shall fix per diem rates partly on the basis of the average amount the traveler pays for lodgings and that to this amount a suitable allowance for meals and miscellaneous expenses shall be added. The total per diem, however, Transportation Allowance Committee, Department of Defense, prescribes the per diem rates for civilian travel by Federal employees in Alaska, Hawaii, the Commonwealth of Puerto Rico, the Canal Zone, and possessions of the United States. These rates are published in the Civilian Personnel Per Diem Bulletin.

5. Paragraph (b) of § 1069.3-7 is recodified as § 1069.4-4 and is revised to read as follows:

§ 1069.4-4 Policy.

Although the Standardized Government Travel Regulations do not apply by their terms to OEO grantees or delegate agencies, OEO has reached the conclusion that the regulations contained therein represent reasonable restrictions and limitations which OEO grantees and delegate agencies should not exceed. Grantees and delegate agencies that follow the travel policies in the SGTR are authorized to reimburse employees, consultants, and members of governing or administrative boards up to a maximum per diem rate of $25 for official travel within the continental United States. However, the amount of per diem paid must be based on the average lodging cost per trip (including applicable taxes) not to exceed $13, plus a daily allowance for meals and miscellaneous expenses not to exceed $12. If an agency's own travel policies establish a lower maximum per diem rate, or the terms of its grants require a lower rate, the lower maximum applies. The maximum rates adopted by a grantee or delegate agency for official travel outside the continental United States shall be no higher than those prescribed by the Civilian Personnel Per Diem Bulletin.

6. Paragraph (c) of § 1069.3-7 is recodified as § 1069.4-5 establishing per diem rates and in the first sentence the word "new" is deleted.

7. Paragraph (d) of § 1069.3-7 is deleted.

8. Section 1069.4-6 is added to read as follows:

§ 1069.4-6 Computation of per diem.

(a) *General.* Per diem rates will be computed partly on the basis of the average amount the traveler pays for lodgings (not to exceed $13), plus a suitable allowance (subsistence) for meals and miscellaneous expenses not to exceed $25 in total (lodging, plus subsistence). The resulting amount should be rounded to the next whole dollar, if the result is not in excess of the maximum per diem. If the amount (average lodging plus subsistence) is more than the maximum per diem allowable, the maximum per diem will be the amount allowed. Travelers will be required to furnish hotel and motel receipts for lodging when they request reimbursement for travel.

(b) *Period of entitlement.* The traveler is entitled to per diem from the time he leaves his home or office for official travel to the time of return to his home or office at the end of a trip; i.e., portal to portal. However, when the beginning time is within 30 minutes prior to the

end of a quarter day, per diem for such quarter day will not be allowed without a statement with the travel voucher explaining the official necessity for such departure or arrival.

(c) *Method of computation.* Per diem will be computed as follows:

Example (a).

Time and date	Lodging cost	Number of quarters
10:30 a.m., Nov. 1	$20	3
10:30 a.m., Nov. 2	18	4
10:30 a.m., Nov. 3	(1)	4
4:45 p.m., Nov. 4	(2)	3
Total	38	14

$38 lodgings÷3 night's travel=$12.60 per night rounded up to a $13 average per night.
$13 lodging average and $12 (meals and miscellaneous expenses)=$25 per diem.
$25×3½ days=$87.50 total per diem reimbursement for trip.

Example (b).

Time and date	Lodging cost	Number of quarters
7 p.m., Oct. 4	$12	1
7 p.m., Oct. 5	11	4
7 p.m., Oct. 6	(1)	4
7 p.m., Oct 7	13	4
7 p.m., Oct. 8	13	4
4 p.m., Oct. 9	(2)	3
Total	49	20

$49 lodgings÷5 nights=$9.80 per night, rounded up to $10 average per night.
$10 lodging average and $12 (meals and miscellaneous expenses)=$22 per diem.
$22×5=$110 total per diem reimbursement for the trip.

[1] Free lodging for the night is assumed.
[2] Lodging costs were not incurred.

9. Paragraph (e) of § 1069.3–7 is recodified as § 1069.4–7 and is revised to read as follows:

§ 1069.4–7 Supply of per diem regulations.

Copies of the Standardized Government Travel Regulations are attached to OEO Instruction 6910–2a. Copies of the Civilian Personnel Per Diem Bulletin will be provided to grantees and delegate agencies that travel in these areas upon request to the appropriate Regional Offices. Headquarters-funded grantees will receive copies from the funding office.

WESLEY L. HJORNEVIK,
Deputy Director.

[FR Doc.72-17306 Filed 10-10-72;8:47 am]

Title 49—TRANSPORTATION

Chapter III—Federal Highway Administration, Department of Transportation

SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC–9; Notice 72–17]

PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Coupling Devices and Towing Methods

On August 6, 1971, the Director of the Bureau of Motor Carrier Safety issued a notice of proposed rule making, in which he announced that he was considering a revision of § 393.70 of the Motor Carrier Safety Regulations, dealing with coupling and towing of articulated motor vehicles (other than vehicles used in driveaway-towaway operations), and an amendment to § 393.71 of the regulations, which pertains to coupling devices and towing methods for vehicles engaged in driveaway-towaway operations, to update the reference to an SAE standard (36 F.R. 14477, as corrected, 36 F.R. 17513).

The major feature of the proposal was the addition of requirements under which fifth wheel upper and lower half assemblies and full trailer towing devices would be certified and marked by their manufacturers with maximum gross load ratings, and commercial motor carriers using those assemblies and devices would be prohibited from using them to tow loads in excess of the ratings. The majority of the comments received in response to the notice was directed to the practicability of this scheme. Persons commenting indicated that, while a marking system appears to be meritorious as a means of conveying information to a driver, the weight of the towed vehicle should not be used as the sole benchmark for determining the capabilities of the coupling system. According to these comments, jerk loads, braking-induced loads, and loads generated during the coupling operations all must be considered in determining minimum strength characteristics of a coupling system. The respondents suggested that various portions of SAE Recommended Practices J700b, J133, and J848a should be considered for adoption as the criteria.

The Director, after considering these comments and other available data, has concluded that the marking scheme, as proposed, is not practicable at this time. Further research and study must be done along the lines suggested by the comments to develop a practicable marking requirement that can be safely implemented by the motor carrier industry. Accordingly, this aspect of the proposal is not now being implemented. The Bureau will continue to study this issue. If implementation of a marking requirement is deemed advisable in the future, another notice of proposed rule making will be issued to permit interested persons to comment on its contents.

The Director is, however, revising § 393.70 in an attempt to restate its present requirements with greater clarity and to make some changes to improve safety in light of comments and other data. Under § 393.70(f)(1) of the current rules, it is possible for safety chains, or devices having the same purpose as safety chains, to be attached to the pintle hook casting or forging of the towing vehicle. The Director is removing this exemption from the general prohibition against attaching safety devices in the nature of safety chains to the pintle hook or its backup support structure, effective with respect to vehicles having pintle hooks (or other tow-bar attachment devices) manufactured after July 1, 1973. The objective of this changed requirement—found in § 393.70(d)(1) of the revised rules—is to eliminate the possibility of total separation of the towed unit from the towing unit in the event of a failure of either the pintle hook or its supporting structure.

Section 393.71(h)(8) is being amended to update the reference to the SAE standard applicable to hitches and coupling systems used in driveaway-towaway operations of passenger car trailers. One person who responded to the notice of proposed rule making took the view that the reference to SAE Recommended Practice J684c would impose unnecessarily severe requirements upon motorists who use trailer hitches to tow recreational or utility vehicles. It is clear, however, that the rules now being issued, as well as all of the provisions of the Motor Carrier Safety Regulations, apply only to commercial interstate or foreign operations and are inapplicable to recreational or other pleasure trips in which motorists use combination vehicles. The imposition of a higher standard for commercial operations seems clearly warranted in light of the higher usage rates of commercial driveaway-towaway operations and the heavy-duty uses to which equipment employed in those operations is subjected.

In consideration of the foregoing, Part 393 of the Motor Carrier Safety Regulations (Subchapter III in Title 49, CFR) is amended as set forth below.

Effective date. These amendments are effective on July 1, 1973.

(Sec. 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegations of authority at 49 CFR 1.48 and 389.4)

Issued on September 30, 1972.

ROBERT A. KAYE,
Director,
Bureau of Motor Carrier Safety.

I. Section 393.70 of the Motor Carrier Safety Regulations is revised to read as follows:

§ 393.70 Coupling devices and towing methods, except for driveaway-towaway operations.

(a) *Tracking.* When two or more vehicles are operated in combination, the coupling devices connecting the vehicles shall be designed, constructed, and installed, and the vehicles shall be designed and constructed, so that when the combination is operated in a straight line on a level, smooth, paved surface, the path of the towed vehicle will not deviate more than 3 inches to either side of the path of the vehicle that tows it.

(b) *Fifth wheel assemblies*—(1) *Mounting*—(i) *Lower half.* The lower half of a fifth wheel mounted on a truck tractor or converter dolly must be secured to the frame of that vehicle with properly designed brackets, mounting plates or angles and properly tightened bolts of adequate size and grade, or devices that provide equivalent security. The installation shall not cause cracking, warping, or deformation of the frame. The installation must include a device for positively preventing the lower half

of the fifth wheel from shifting on the frame to which it is attached.

(ii) *Upper half.* The upper half of a fifth wheel must be fastened to the motor vehicle with at least the same security required for the installation of the lower half on a truck tractor or converter dolly.

(2) *Locking.* Every fifth wheel assembly must have a locking mechanism. The locking mechanism, and any adapter used in conjunction with it, must prevent separation of the upper and lower halves of the fifth wheel assembly unless a positive manual release is activated. The release may be located so that the driver can operate it from the cab. If a motor vehicle has a fifth wheel designed and constructed to be readily separable, the fifth wheel locking devices shall apply automatically on coupling.

(3) *Location.* The lower half of a fifth wheel shall be located so that, regardless of the condition of loading, the relationship between the kingpin and the rear axle or axles of the towing motor vehicle will properly distribute the gross weight of both the towed and towing vehicles on the axles of those vehicles, will not unduly interfere with the steering, braking, and other maneuvering of the towing vehicle, and will not otherwise contribute to unsafe operation of the vehicles comprising the combination. The upper half of a fifth wheel shall be located so that the weight of the vehicles is properly distributed on their axles and the combination of vehicles will operate safely during normal operation.

(c) *Towing of full trailers.* A full trailer must be equipped with a tow-bar and a means of attaching the tow-bar to the towing and towed vehicles. The tow-bar and the means of attaching it must—

(1) Be structurally adequate for the weight being drawn;

(2) Be properly and securely mounted;

(3) Provide for adequate articulation at the connection without excessive slack at that location; and

(4) Be provided with a locking device that prevents accidental separation of the towed and towing vehicles. The mounting of the trailer hitch (pintle hook or equivalent mechanism) on the towing vehicle must include reinforcement or bracing of the frame sufficient to produce strength and rigidity of the frame to prevent its undue distortion.

(d) *Safety devices in case of tow-bar failure or disconnection.* Every full trailer and every converter dolly used to convert a semitrailer to a full trailer must be coupled to the frame, or an extension of the frame, of the motor vehicle which tows it with one or more safety devices to prevent the towed vehicle from breaking loose in the event the tow-bar fails or becomes disconnected. The safety device must meet the following requirements:

(1) The safety device must not be attached to the pintle hook or any other device on the towing vehicle to which the tow-bar is attached. However, if the pintle hook or other device was manufactured prior to July 1, 1973, the safety device may be attached to the towing vehicle at a place on a pintle hook forging or casting if that place is independent of the pintle hook.

(2) The safety device must have no more slack than is necessary to permit the vehicles to be turned properly.

(3) The safety device, and the means of attaching it to the vehicles, must have an ultimate strength of not less than the gross weight of the vehicle or vehicles being towed.

(4) The safety device must be connected to the towed and towing vehicles and to the tow-bar in a manner which prevents the tow-bar from dropping to the ground in the event it fails or becomes disconnected.

(5) Except as provided in subparagraph (6) of this paragraph, if the safety device consists of safety chains or cables, the towed vehicle must be equipped with either two safety chains or cables or with a bridle arrangement of a single chain or cable attached to its frame or axle at two points as far apart as the configuration of the frame or axle permits. The safety chains or cables shall be either two separate pieces, each equipped with a hook or other means for attachment to the towing vehicle, or a single piece leading along each side of the tow-bar from the two points of attachment on the towed vehicle and arranged into a bridle with a single means of attachment to be connected to the towing vehicle. When a single length of cable is used, a thimble and twin-base cable clamps shall be used to form the forward bridle eye. The hook or other means of attachment to the towing vehicle shall be secured to the chains or cables in a fixed position.

(6) If the towed vehicle is a converter dolly with a solid tongue and without a hinged tow-bar or other swivel between the fifth wheel mounting and the attachment point of the tongue eye or other hitch device—

(i) Safety chains or cables, when used as the safety device for that vehicle, may consist of either two chains or cables or a single chain or cable used alone;

(ii) A single safety device, including a single chain or cable used alone as the safety device, must be in line with the centerline of the trailer tongue; and

(iii) The device may be attached to the converter dolly at any point to the rear of the attachment point of the tongue eye or other hitch device.

(7) Safety devices other than safety chains or cables must provide strength, security of attachment, and directional stability equal to, or greater than, safety chains or cables installed in accordance with subparagraphs (5) and (6) of this paragraph.

(8) When two safety devices, including two safety chains or cables, are used and are attached to the towing vehicle at separate points, the points of attachment on the towing vehicle shall be located equally distant from, and on opposite sides of, the centerline of the towing vehicle. Where two chains or cables are attached to the same point on the towing vehicle, and where a bridle or a single chain or cable is used, the point of attachment must be on the longitudinal centerline of the towing vehicle. A single safety device, other than a chain or cable, must also be attached to the towing vehicle at a point on its longitudinal centerline.

II. Section 393.71(h)(8) of the Motor Carrier Safety Regulations is revised to read as follows:

§ 393.71 Coupling devices and towing methods, driveaway-towaway operations.

* * * * *

(h) *Requirements for tow-bars.* Tow-bars shall comply with the following requirements:

* * * * *

(8) *Passenger car-trailer type couplings.* Trailer couplings used for driveaway-towaway operations of passenger car trailers shall conform to Society of Automotive Engineers Standard No. J684c, "Trailer Couplings and Hitches—Automotive Type," July 1970.[1]

* * * * *

[FR Doc.72-17316 Filed 10-10-72;8:48 am]

Title 6—ECONOMIC STABILIZATION

Chapter III—Price Commission

PART 300—PRICE STABILIZATION

Institutional Providers of Health Services; Uniform Rates for Nursing Homes

The purpose of this amendment is to revise § 300.18 by adding a new paragraph (i) which will permit certain institutional health providers to accept increased state uniform payments for nursing home services.

Payments to institutional providers of health services on behalf of patients under title XIX of the Social Security Act (Medicaid) or similar aid programs are set in accordance with State laws and regulations. Many States reimburse nursing homes for costs incurred by Medicaid patients on a uniform rate basis which may be an amount less than or equal to cost. In the past year nursing homes have been inspected to verify that Medicaid's quality standards are being met. As a result, about 9 percent of the nursing homes were decertified, and approximately 70 percent were required to make improvements. As the States establish new uniform rates, those new rates will reflect the increased costs of conformity to standards as well as cost increases, changes in the proportion of costs paid by the uniform rate, and, in some instances, cost increases for past years.

The new paragraph (i) of § 300.18 allows skilled nursing homes, extended care facilities, and intermediate care facilities to increase their prices for health care to Medicaid or other aid recipients

[1] Copies of the SAE standard may be obtained from the Society of Automotive Engineers, 2 Pennsylvania Plaza, New York, NY 10001.

when their State has certified the increased uniform rate to the Price Commission and when such a home or facility has increased no other prices during the fiscal year.

Under this procedure the State would certify through its single State agency for the administration of title XIX of the Social Security Act. In the event the State does not have such an agency, the Governor may designate the department of health or welfare to act as the certifier for the State. Prior to certification, the certifying agent must obtain a certificate of compliance from the Price Commission.

The State's certification must contain the former price; the date it was established; the new price; the percentage increase; the proposed effective date of the new price; and a statement that the new price to be paid for the purchase of health services from skilled nursing homes, extended care facilities, or intermediate care facilities is based on uniform rates set by the State, county or municipal government, is cost related, is necessary to implement and maintain the minimum standards of service required by Federal or State regulations, or both, and is, in the opinion of the certifier, not inflationary within the meaning of the Economic Stabilization Program guidelines.

In the event that an institutional provider has increased the price for services to other than Medicaid or similar aid program recipients during the fiscal year in which the uniform rate increase is effective, paragraph (i)(1) will not apply unless the provider rescinds all price increases made since the end of the prior fiscal year and remits to customers the revenues derived from charging prices in excess of the prior year's prices.

However, should an institutional provider increase the price for any other service after charging an increased price under the new paragraph (i) for aid recipients, the requirements of § 300.18 (a)–(h) will apply to all of the increased prices. Revenues derived both from price increases made subject to paragraph (i) and from any other price increase will then be included in the calculation of net revenue or profit margins and the limitation on aggregate annual revenues. In addition, each price increased above base must be justified by increases in allowable costs.

Since the purpose of this amendment is to provide immediate information and guidance with respect to compliance with price stabilization rules, it is hereby found that further notice and public procedure is impracticable and that good cause exists for making it effective in less than 30 days after publication in the FEDERAL REGISTER.

(Economic Stabilization Act of 1970, as amended, Public Law 90–379, 84 Stat. 799; Public Law 91–558, 84 Stat. 1486; Public Law 92–8, 85 Stat. 13; Public Law 92–15, 85 Stat. 38; Economic Stabilization Act Amendments of 1971, Public Law 92–210, 85 Stat. 743; E.O. 11640, 37 F.R. 1213, Jan. 27, 1972; Cost of Living Council Order No. 4, 36 F.R. 20202, Oct. 16, 1971)

In consideration of the foregoing, Part 300 of Title 6 of the Code of Federal Regulations is amended as set forth herein, effective October 6, 1972.

Issued in Washington, D.C., on October 6, 1972.

C. JACKSON GRAYSON, Jr.,
Chairman, Price Commission.

Section 300.18 is amended by adding the following new paragraph at the end thereof:

§ 300.18 Institutional providers of health services.

* * * * *

(i) *Uniform rates.* (1) Notwithstanding any other provision of this section, a skilled nursing home, extended care facility or intermediate care facility may charge a price in excess of the base price when the increased price has been certified to the Price Commission by the certifying agent for the State in which the provider is located and when the provider has not increased any other price during the fiscal year in which this increase becomes effective. If the provider has increased any other price, it may increase a price subject to this paragraph only if it—

(i) Rescinds all price increases made since the end of the fiscal year immediately preceding the effective date of the increase made under the authority of the first sentence of this paragraph; and

(ii) Remits to customers the revenues derived from those price increases, using the methods prescribed in § 300.54(d)(1)(ii).

If the provider increases the price for any other service after charging an increased price under this paragraph, the requirements of paragraphs (a)–(h) of this section will apply to all of the increases in price.

(2) The single State agency for the administration of title XIX of the Social Security Act, as amended July 30, 1965, Public Law 89–97, or, in the case of a State without such an agency, the department of health or welfare as designated by the Governor of the State, is the certifying agent for the purposes of this paragraph. Such certifying agent must receive a certificate of compliance from the Price Commission before it can certify an increase price.

(3) The certifying agent must certify to the Price Commission with respect to the price to be paid for the purchase of health services from skilled nursing homes, extended care facilities or intermediate care facilities—

(i) The former price, the date it was established, the new price, the percentage increase, and the proposed effective date of the new price;

(ii) That the new price is based on uniform rates set by the State, county, or municipal government;

(iii) That the increase is cost related;

(iv) That the increase is necessary to implement and maintain the minimum standards of service required by Federal or State regulations, or both; and

(v) That the increase, in the opinion of the certifying agent, is not inflationary within the meaning of the Economic Stabilization Program guidelines.

[FR Doc.72-17435 Filed 10-6-72;4:46 pm]

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

PART 115—STATE CERTIFICATION OF ACTIVITIES REQUIRING A FEDERAL LICENSE OR PERMIT

PART 123—STATE CERTIFICATION OF ACTIVITIES REQUIRING A FEDERAL LICENSE OR PERMIT

Redesignation

Pursuant to the provisions of Reorganization Plan No. 3 of 1970 (3 CFR 1970 Comp., p. 199), Part 115 of Title 40 of the Code of Federal Regulations is hereby redesignated as Part 123. This redesignation is made to free a block of numbers in Title 40 for related regulations of the Division of Oil and Hazardous Materials. These regulations will be proposed and published at a later date. No substantive change in the text of former Part 115 is made by this order except that the internal references are hereby changed to refer to the new Part 123.

Effective date period. Since the change made by this document is merely an editorial change, notice of proposed rule making under 5 U.S.C. 553, is unnecessary. Accordingly, this amendment is effective upon publication in the FEDERAL REGISTER (10–11–72).

Dated: October 2, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.72-17315 Filed 10-10-72;8:47 am]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 301]

LEVIES ON SALARIES AND WAGES

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by November 13, 1972. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601 (b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by November 13, 1972. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in sections 6331(d) and 7805 of the Internal Revenue Code of 1954 (85 Stat. 520, 26 U.S.C. 6331(d); 68A Stat. 917, 26 U.S.C. 7805).

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

In order to provide regulations under section 6331(d) of the Internal Revenue Code of 1954 as added by section 211 of the Revenue Act of 1971 (85 Stat. 520), the Regulations on Procedure and Administration (26 CFR Part 301) are amended as follows:

PARAGRAPH. 1. Section 301.6331–1 is amended by redesignating subsection (d) as (e), by adding a new subsection (d) immediately after subsection (c), and by revising the historical note. As amended, these redesignated, added, and revised provisions read as follows:

§ 301.6331 Statutory provisions; levy and distraint.

SEC. 6331. *Levy and distraint* * * *

(d) *Salary and Wages*—(1) *In general.* Levy may be made under subsection (a) upon the salary or wages of an individual with respect to any unpaid tax only after the Secretary or his delegate has notified such individual in writing of his intention to make such levy. Such notice shall be given in person, left at the dwelling or usual place of business of such individual, or shall be sent by mail to such individual's last known address, no less than 10 days before the day of levy. No additional notice shall be required in the case of successive levies with respect to such tax.

(2) *Jeopardy.* Paragraph (1) shall not apply to a levy if the Secretary or his delegate has made a finding under the last sentence of subsection (a) that the collection of tax is in jeopardy.

(e) *Cross references.* (1) For provisions relating to jeopardy, see Subchapter A of Chapter 70.

(2) For proceedings applicable to sale of seized property, see section 6335.

[Section 6331 as amended by sec. 104 (a), Federal Tax Lien Act 1966 (80 Stat. 1135); sec. 211 (a) Revenue Act 1971 (85 Stat. 520)]

PAR. 2. Section 301.6331–1 is amended by adding at the end thereof the following new paragraph:

§ 301.6331–1 Levy and distraint.

* * * * *

(c) *Notice of intent to levy on salary or wages*—(1) *In general.* Levy may be made under this section upon the salary or wages of an individual with respect to any unpaid tax only after the district director or the director of the service center has notified such individual in writing of his intention to make such levy. Such notice shall be given in person, left at the dwelling or usual place of business of such individual, or shall be sent by mail to such individual's last known address, no less than 10 days before the day of levy. If a notice has been given under this paragraph with respect to an unpaid tax, no further notice is required in the case of successive levies with respect to such unpaid tax. The notice required to be given under this paragraph is in addition to, and may be given at the same time as, the notice and demand described in § 301.6303–1.

(2) *Jeopardy.* Subparagraph (1) of this paragraph shall not apply to a levy if the district director or director of the service center has made a finding under paragraph (a) (2) of this section that the collection of tax is in jeopardy.

(3) *Effective date.* This paragraph shall apply with respect to levies made after March 31, 1972.

[FR Doc.72-17386 Filed 10-10-72;8:52 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 982]

FILBERTS GROWN IN OREGON AND WASHINGTON

Proposed Expenses of the Filbert Control Board and Rate of Assessment for 1972–73 Fiscal Year

Notice is hereby given of a proposal regarding expenses of the Filbert Control Board for the 1972–73 fiscal year and rate of assessment for that fiscal year, pursuant to §§ 982.60 and 982.61 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982; 37 F.R. 588), regulating the handling of filberts grown in Oregon and Washington. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The Board has recommended for the 1972–73 fiscal year beginning August 1, 1972, a budget of expenses in the total amount of $34,459. Based on the volume of filberts estimated to be subject to this regulatory program during the 1972–73 fiscal year, an assessment rate of 0.20 cent per pound of assessable filberts is expected to provide sufficient funds to meet the estimated expenses of the Board.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than October 18, 1972. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 982.317 Expenses of the Filbert Control Board and rate of assessment for the 1972–73 fiscal year.

(a) *Expenses.* Expenses in the amount of $34,459 are reasonable and likely to be incurred by the Filbert Control Board during the fiscal year beginning August 1, 1972, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for said fiscal year, payable by

each handler in accordance with § 982.61, is fixed at 0.20 cent per pound of filberts.

Dated: October 5, 1972.

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

[FR Doc.72-17342 Filed 10-10-72;8:49 am]

[7 CFR Part 984]

WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

Proposed Marketing Control Percentages for 1972–73 Marketing Year

Notice is hereby given of a proposal to establish marketable and surplus control percentages for walnuts for the 1972–73 marketing year. The year began August 1, 1972. The proposed percentages would be established in accordance with the provisions of the marketing agreement, as amended, and Order No. 984, as amended (7 CFR Part 984), regulating the handling of walnuts grown in California, Oregon, and Washington. The amended agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The proopsed marketable and surplus percentages are as follows: California (District 1), 82 percent and 18 percent, respectively; and Oregon and Washington (District 2), 91 percent and 9 percent, respectively. These percentages were recommended by the Walnut Control Board and are based on estimates of supply, and inshell and shelled trade demands adjusted for handler carryover, for the 1972–73 marketing year.

The total 1972–73 supply subject to regulation is estimated to be 123.3 million kernelweight pounds. Inshell and shelled trade demands adjusted for handler carryover are estimated at 28.6 and 72.5 million kernelweight pounds, respectively. The trade demand area includes the United States, Puerto Rico, and the Canal Zone.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than October 20, 1972. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 984.219 Marketable and surplus percentages for walnuts during the 1972–73 marketing year.

The marketable and surplus percentages during the marketing year beginning August 1, 1972, shall be as follows:

	California	Oregon-Washington
	District 1	*District 2*
Marketable percentages	82	91
Surplus percentages	18	9

Dated: October 5, 1972.

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

[FR Doc.72-17343 Filed 10-10-72;8:49 am]

Agricultural Stabilization and Conservation Service (Agricultural Adjustment)

[7 CFR Part 725]

FLUE-CURED TOBACCO

Determinations on Marketing Quotas for the 1973–74 Marketing Year

Pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq., hereinafter referred to as the "Act"), the Secretary under section 317 is preparing to determine and announce for flue-cured tobacco for the 1973–74 marketing year, (a) the amount of the national marketing quota, (b) the national average yield goal, (c) the national acreage allotment, (d) the reserve acreage for making corrections in farm acreage allotments, adjusting inequities, and for establishing allotments for new farms, (e) the national acreage factor, and (f) the national yield factor. Flue-cured tobacco farmers approved marketing quotas on an acreage-poundage basis for the 1971–72, 1972–73, and 1973–74 marketing years (35 F.R. 13076).

Section 317(a) of the Act provides the following definitions:

"National marketing quota" means the amount of a kind of tobacco produced in the United States which the Secretary estimates will be utilized in the United States and will be exported during the marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 15 percent of such estimated utilization and exports.

"National average yield goal" means the yield per acre which on a national average basis the Secretary detemines will improve or insure the usability of the tobacco and increase the net return per pound to the growers. In making this determination the Secretary shall give consideration to such Federal-State production research data as he deems relevant.

"National acreage allotment" means the acreage determined by dividing the national marketing quota by the national average yield goal.

"Farm acreage allotment" for a tobacco farm, other than a new tobacco farm, means the acreage allotment determined by adjusting uniformly the acreage allotment established for such farm for the immediately preceding year, prior to any increase or decrease in such allotment due to undermarketings or overmarketings and prior to any reduction for violations, so that the total of all allotments is equal to the national acreage allotment less the reserve provided in subsection (e) of this section with a further downward or upward adjustment to reflect any adjustment in the farm marketing quota for overmarketing or undermarketing and to reflect any reduction for violations, and including any adjustment for errors or inequities from the reserve.

A national yield factor shall be obtained by dividing the national average yield goal by a weighted national average yield computed by multiplying the preliminary farm yield for each farm by the acreage allotment determined for the farm prior to adjustments for overmarketing, undermarketing, or reductions required for violations and dividing the sum of the products by the national acreage allotment.

Section 317(d) of the Act requires the Secretary to determine and announce the national marketing quota, national acreage allotment, and national average yield goal for the 1973–74 marketing year for Flue-cured tobacco not later than December 1, 1972.

Section 317(e) provides in part that for each marketing year for which acreage-poundage quotas are in effect the Secretary in his discretion may establish a reserve from the national acreage allotment in an amount equivalent to not more than 1 percent of the national acreage allotment to be available for making corrections of errors in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms, which are farms on which tobacco was not produced or considered produced during the immediately preceding 5 years.

Section 317(g) provides, in part, that if the Secretary, in his descretion, determines it is desirable to encourage the marketing of grade N_2 tobacco, or any grade of tobacco not eligible for price support, in order to meet the normal demands of export and domestic markets, he may authorize the marketing of such tobacco without the payment of penalty or deduction from subsequent quotas to the extent of 5 percent of the farm marketing quota for the farm on which the tobacco was produced.

The Act (7 U.S.C. 1301(b)) defines the "reserve supply level" as the normal supply plus 5 percent thereof. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 percent of a normal year's domestic consumption and 65 percent of a normal year's exports. A "normal year's domestic consumption" is defined as the yearly

average quantity produced in the United States and consumed in the United States during the 10 marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the 10 marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports.

The subjects and issues involved in the proposed determinations are:

(1) The amount of the reserve supply level.

(2) The amount of the national marketing quota on an acreage-poundage basis.

(3) The amount of the national average yield goal.

(4) The amount of the national acreage allotment.

(5) The amount of acreage to be reserved from the national acreage allotment for making corrections in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms.

(6) The national acreage factor.

(7) Whether the Secretary should implement the provision in section 317(g) relating to N_2 or other grades of tobacco not eligible for price support.

The national yield factor is not considered an issue in this determination because it varies directly with the national average yield goal and the national average yield.

The community average yields, as computed in 1965 (30 F.R. 6207, 9875, 14487), will be used for the 1973–74 marketing year.

Consideration will be given to data, views, and recommendations pertaining to the proposed determinations, rules, and regulations covered by this notice which are submitted in writing to the Director, Tobacco Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to this notice will be made available for public inspection from 8:15 a.m. to 4:45 p.m. Monday through Friday, in Room 3741, South Building, 14th and Independence Avenue SW., Washington, D.C. All submissions must, in order to be sure of consideration, be postmarked not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D.C., on October 6, 1972.

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

[FR Doc.72-17437 Filed 10-10-72;9:45 am]

Animal and Plant Health Inspection Service

[7 CFR Part 319]

UNSHU ORANGES FROM JAPAN

Proposed Deletion of Marking Requirement

Notice is hereby given under the administrative procedure provisions of 5 U.S.C. 553 that a proposal has been made to the U.S. Department of Agriculture to amend Notice of Quarantine 28 (7 CFR 319.28, as amended, 37 F.R. 7481), relating to the importation of citrus fruit (Unshu oranges) pursuant to the Plant Quarantine Act (7 U.S.C. 151 et seq.) by deleting the first sentence of paragraph (b)(4)(i) thereof.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162; 29 F.R. 16210, as amended; 37 F.R. 6327, 6505)

The effect of this amendment would be to delete the marking requirement on each individual orange to show the country of origin.

On June 2, 1967, there was published in the FEDERAL REGISTER (32 F.R. 7958) a revision of Quarantine 319.28 which permitted the importation of Unshu oranges from Japan into specific areas of the United States. A number of safeguards were specified in the quarantine to prevent the introduction of citrus canker. One such safeguard was the marking of each individual fruit to show the country of origin. Following the admission of Unshu oranges in 1967 and during the past 5 years, the importer has experienced considerable hardship in meeting this requirement. Due to the odd shape of the Unshu orange, stamping cannot be done by machine and consequently each orange must be hand stamped.

The principal method of maintaining the identity of the Unshu oranges, under present regulations, is by stamping or printing a statement on the individual fruit wrapper and also on each box specifying the States into which the Unshu oranges may be imported and from which they are prohibited removal. Information made available by the present importer of the Unshu orange shows that 100 percent of the fruit was marketed and retailed exclusively by the box during the 1970 and 1971 seasons. It is anticipated that marketing by the box will continue for future sales. It appears that the deletion of the individual fruit marking requirement will not affect the degree of pest risk of introducing citrus canker into the United States nor prevent the effective enforcement of the restrictions on interstate distribution of the fruit within the United States.

All persons who desire to submit written data, views, or arguments in connection with the above proposal should file the same with the Deputy Administrator, Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250 not later than October 25, 1972. All written submissions made pursuant to this notice will be made available for public inspection at times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 5th day of October 1972.

G. H. WISE,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.72-17294 Filed 10-10-72;8:46 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 12292]

ROLLS ROYCE DART MODEL 542 SERIES ENGINES

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Rolls Royce Dart Model 542 Series engines. There have been reports of engine mounting feet cracks, loose studs and nuts on the engine mounting feet, and fracture of engine mounting feet studs on Rolls Royce Dart Model 542 Series engines that could result in excessive vibration and loss of retention of the engine from its mounts. Since this condition is likely to exist or develop in other engines of the same type design, the proposed airworthiness directive would require inspection of the engine mounting feet for cracks and loose nuts, and the engine mounting feet studs for fracture and looseness, and repair, if necessary, on Rolls Royce Dart Model 542 Series engines.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments, as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, DC 20591. All communications received on or before November 10, 1972, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice

may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

ROLLS ROYCE (1971) LTD. Applies to Rolls Royce Dart Engine Models 542–4, 542–4K, 542–10, 542–10J, and 542–10K. These engines are installed on, but not necessarily limited to, Convair Model 340/440 (commonly known as Convair 600/640) which have the subject engines installed as a result of modification, and NAMC YS–11 airplanes.

Compliance is required as indicated.

To detect engine mounting foot cracks, and engine mounting foot stud fractures, looseness, and loose nuts, accomplish the following:

(a) Within the next 200 hours' time in service after the effective date of this AD, unless already accomplished within the last 200 hours' time in service prior to the effective date of this AD, and thereafter at intervals not to exceed 400 hours' time in service from the last inspection, inspect the engine mounting feet for cracks and the mounting feet studs for fracture, looseness, and loose nuts, in accordance with Rolls Royce Service Bulletin DA. 72–384 dated August 24, 1971, or an FAA-approved equivalent.

(b) If any engine mounting feet are found cracked or any engine mounting feet studs are found to have loose nuts, or to be loose or fractured during an inspection required by paragraph (a), before further flight, repair in accordance with Rolls Royce Service Bulletin DA. 72–384 dated August 24, 1971, or an FAA-approved equivalent.

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

Issued in Washington, D.C., on October 4, 1972.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[FR Doc.72–17279 Filed 10–10–72;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 239, 249]

[Release Nos. 33–5313, 34–9801]

FORMS

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration certain proposed amendments to Form 8–K (17 CFR 249.308), which is used for reporting certain specified events under sections 13 and 15 (d) of the Securities Exchange Act of 1934 (Exchange Act); Forms 7–Q (17 CFR 249.307a) and 10–Q (17 CFR 249.308a), which are used for quarterly reporting of summarized financial information pursuant to those sections of the Exchange Act; Forms 10–K (17 CFR 249.310) and 12–K (17 CFR 249.312), which are used for annual reports pursuant to those sections of the Exchange Act; Forms S–1 (17 CFR 239.11), S–7 (17 CFR 239.26), S–8 (17 CFR 239.16b), S–9 (17 CFR 239.22), and S–11 (17 CFR 239.18), which are used for registration of securities under the Securities Act of 1933; and Forms 10 (17 CFR 249.210) and 12 (17 CFR 249.212), which are used for registration of securities under the Exchange Act.

The Commission has observed an increasing number of large charges to income which have come as a surprise to investors and which have called into question the adequacy of prior years' financial statements. Some of these charges have been of a size and nature such that it might be expected that they could have been foreseen by the entity involved. In this connection, registrants are urged to make special efforts to recognize incipient problems which might lead to these types of charges and to identify them clearly at the earliest possible time in financial statements and other forms of public disclosure, including public reports filed with the Commission, so that investors may recognize the risks involved. In this connection, registrants may consider disclosure of the investment involved in divisions operating at a loss and subject to discontinuance, the undepreciated cost of plant and equipment currently considered to be obsolete or of marginal utility, the extent of research and development costs incurred in connection with products whose success is not reasonably assured and other similar items where significant uncertainties exist as to realization. The Commission has previously urged more comprehensive disclosure of progress and problems encountered in defense and other long-term contracts which may also give rise to major charges against income (Securities Act Release No. 5263 dated June 22, 1972 (37 F.R. 21464)) and has urged greater diligence in the release of information on quarterly and other interim reports of operations (Securities Exchange Act Release No. 9559 dated April 5, 1972 (37 F.R. 21465)).

The Commission is concerned that investors may be misled as a result of such charges and the lack of information regarding their possible impact on prior or future years' earnings, and, accordingly, it is proposing certain changes in the above forms to require increased disclosure regarding the charges and to require timely review of them by the company's independent accountants. It is considered that the increased disclosure will enable the investing public to better evaluate the charges, once recorded, in the context of prior and future years' operations. These requirements cover data to be supplied in filings with the Commission. In addition, registrants are urged to make timely and adequate public disclosure of charges and credits of the type outlined herein prior to the filings with the Commission where it is possible to do so and to make public supplemental data at the time of filing.

Item 10 of Form 8–K would be amended to require disclosures specifically for extraordinary item charges and credits and material provisions for loss, in addition to the categories presently included therein, by revisions in the title and in paragraph (a). The phrase "revaluation of assets" would be eliminated from the title since it is only one of several kinds of extraordinary items included in the item.

Paragraph (a) of Item 10 would be expanded to require (1) a detailed description of the various components of such charges or credits; (2) disclosure of provisions for current or subsequent year losses; (3) a pro forma statement of operations for applicable prior periods showing the nature of all adjustments relating to the charge; (4) a detailed statement, where future losses are provided for, supporting the estimates of the loss and showing the quarterly periods in which it is estimated the loss and the cash outflow (if different) will be incurred; and (5) a report from the registrant's independent accountants attesting whether the factual data presented pertaining to the charge are fairly stated and whether the transaction has been presented properly.

New instructions would be added to pertinent items of Forms 7–Q, 10–Q, 10–K, 12–K, S–1, S–7, S–8, S–9, S–11, 10, and 12 to require, for any transaction previously reported pursuant to Item 10(a) of Form 8–K, a statement of the estimated and the actual loss for the period and a reconciliation of all charges and credits to any reserve provided, and (excepting Forms 7–Q and 10–Q) pro forma statements of net income reflecting adjustments for the charge.

Commission action. The Commission proposes to amend certain items and instructions of various sections of Parts 239 and 249 of Chapter II of Title 17 of the Code of Federal Regulations, and as so amended they would read as follows:

I. Form 8–K (17 CFR 249.308)

The caption of Item 10 would be amended and paragraph (a) would be amended as follows:

ITEM 10. Extraordinary Item Charges and Credits, Other Material Charges and Credits to Income of an Unusual Nature, Material Provisions for Loss, and Restatement of Capital Share Account.

(a) If there have been any extraordinary item charges or credits, any other material charges or credits to income of an unusual nature, or any material provisions for loss, the following shall be furnished for each charge (or credit):

(1) The date of the registrant's determination to make such charge (or credit) and the reasons therefor.

(2) Identification of the accounts affected, together with—

(i) A description of the various types of assets written down or off,

(ii) Provisions for losses on liquidation of assets, for current year operating losses, and for subsequent year losses,

(iii) Explanation of any credits,

(iv) A description of any change in accounting principles or practices or in the methods of applying such principles or practices which was made in connection with the transaction.

(3) Pro forma statements of operations for the past 5 fiscal years (and for any interim period in the current year and the comparable period of the prior year) reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported.

(4) Where future losses are provided for, a detailed statement supporting the estimate of the loss including information regarding any administrative or fixed costs allocated to the loss. This statement shall also show the quarters in which it is estimated that the loss and the cash outflow (if different from the loss) will be incurred.

(5) A report from the registrant's independent accountants in which they state that they have examined the documentation underlying the transaction being reported, whether the facts presented are fairly stated, and whether the transaction (both actual and forma) has been presented properly.

NOTE: For purposes of this paragraph, any item giving rise to a charge or credit to income which is (or is expected to be) set forth separately in the statement of operations or which is (or is expected to be) mentioned in a communication to stockholders (such as a quarterly report or a president's message) or which is the subject of a press release or is material by any other normal or usual test shall be deemed to be material.

II. Form 7–Q (17 CFR 249.307a).

A new instruction (k) would be added to General Instruction H, as follows:

(k) For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, state the amount of loss which was estimated therein to be applicable to the quarterly period being reported on and the comparable quarter of the prior years, if applicable, and the amount of the actual loss incurred in such quarters, and provide a detailed reconciliation showing all charges and credits to any reserve provided.

III. Form 10–Q (17 CFR 249.308a).

A new instruction (*l*) would be added to General Instruction H, as follows:

(*l*) For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, state the amount of loss which was estimated therein to be applicable to the quarterly period being reported on and the comparable quarter of the prior year, if applicable, and the amount of the actual loss incurred in such quarters, and provide a detailed reconciliation showing all charges and credits to any reserve provided.

IV. Form 10–K (17 CFR 249.310).

A new instruction (6) would be added to the instructions to Item 2, Summary of Operations, as follows:

(6) For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the period being reported on and the amount of the actual loss incurred in such period, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported.

V. Form 12–K (17 CFR 249.312).

A new instruction 6 would be added to the instructions as to exhibits, as follows:

6. For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the period being reported on and the amount of the actual loss incurred in such period, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported.

VI. Form S–1 (17 CFR 239.11).

A new instruction 7 would be added to Item 6, Summary of Operations, as follows:

7. For any transaction which was required to be reported pursuant to item (10(a) of Form 8–K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the periods being reported on and the amount of the actual loss incurred in such periods, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported. If the issuer was not a registrant of the Commission prior to the filing of this registration statement, this instruction shall apply to any transaction which would have been required to be reported pursuant to Item 10(a) of Form 8–K had the issuer been a registrant.

VII. Form S–7 (17 CFR 239.26).

Instruction 8 of Item 6, Statements of Income, would be changed to number 9 and a new instruction 8 would be added, as follows:

8. For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the periods being reported on and the amount of the actual loss incurred in such periods, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported.

VIII. Form S–8 (17 CFR 239.16b).

Instruction 4 of Item 19, Summary of Earnings, would be changed to No. 5 and a new instruction 4 would be added, as follows:

4. For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the periods being reported on and the amount of the actual loss incurred in such periods, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported.

IX. Form S–9 (17 CFR 239.22).

Instruction 6 to part (a) of Item 3, Statements of Income, would be changed to No. 7 and a new instruction 6 would be added, as follows:

6. For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the periods being reported on and the amount of the actual loss incurred in such periods, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported.

X. Form S–11 (17 CFR 239.18).

A new instruction 7 would be added to part (a) of Item 6, Summary of Financial Data, as follows:

7. For any transaction which was required to be reported pursuant to Item 10(a) of Form 8–K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the periods being reported on and the amount of the actual loss incurred in such periods, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis

of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported. If the issuer was not a registrant of the Commission prior to the filing of this registration statement, this instruction shall apply to any transaction which would have been required to be reported pursuant to Item 10(a) of Form 8-K had the issuer been a registrant.

XI. Form 10 (17 CFR 249.210).

A new instruction 5 would be added to Item 2, Summary of Operations, as follows:

5. For any transaction which was required to be reported pursuant to Item 10(a) of Form 8-K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the periods being reported on and the amount of the actual loss incurred in such periods, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported. If the issuer was not a registrant of the Commission prior to the filing of this registration statement, this instruction shall apply to any transaction which would have been required to be reported pursuant to Item 10(a) of Form 8-K had the issuer been a registrant.

XII. Form 12 (17 CFR 249.212).

A new instruction 9 would be added to the instructions as to exhibits, as follows:

9. For any transaction which was required to be reported pursuant to Item 10(a) of Form 8-K, which shall be cross-referenced hereto, (i) state the amount of loss which was estimated therein to be applicable to the periods being reported on and the amount of the actual loss incurred in such periods, and provide a detailed reconciliation showing all charges and credits to any reserve provided; and (ii) furnish pro forma statements of operations for the past 5 fiscal years and for any interim period in the current year reflecting the allocation of the charge (or credit) to these prior periods on the basis of the facts at the date of filing. In this statement, accumulated research and development costs shall be allocated to the year of incurrence when the charge involves a writeoff of such costs, and depreciation charges shall be revised to reflect adjusted asset lives when fixed assets are written down or off in the transaction being reported. If the issuer was not a registrant of the Commission prior to the filing of this registration statement, this instruction shall apply to any transaction which would have been required to be reported pursuant to Item 10(a) of Form 8-K had the issuer been a registrant.

The proposed amendments would be adopted pursuant to sections 6, 7, 8, 10, and 19(a) (15 U.S.C. 77f, 77g, 77h, 77j, and 77s) of the Securities Act of 1933 and sections 13, 15(d), and 23(a) (15 U.S.C. 78m, 78o, and 78w) of the Securities Exchange Act of 1934. All interested persons are invited to submit their views and comments on the proposed amendments, in writing, to the Chief Accountant, Securities and Exchange Commission, Washington, D.C. 20549, on or before November 17, 1972. All such communications should refer to File No. S7-455, and they will be available for public inspection.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

OCTOBER 2, 1972.

[FR Doc.72-17296 Filed 10-10-72;8:51 am]

[17 CFR Part 240]

[Release No. 34-9808; File No. S7-452]

MEMBERSHIP ON REGISTERED SECURITIES EXCHANGES FOR OTHER THAN PUBLIC PURPOSES

Additional Procedures

Introduction. On August 3, 1972, the Commission issued for public comment a proposal to adopt Securities Exchange Act Rule 19b-2, 17 CFR 240. 19b-2, concerning membership on registered securities exchanges for other than public puposes.[1] Although the comment period expired October 3, 1972, the Commission has received requests for a short extension of time in which to file comments on the proposed rule. The Commission release announcing the proposed rule also left open questions concerning additional hearing procedures to be followed, if any, after initial comments were received.[2] This release sets forth the additional procedures the Commission believes are appropriate at this time.[3]

Extention of time. In order to afford all interested persons an opportunity to express their views fully, the initial comment period is extended 10 days, and will expire on October 16, 1972. The Commission adheres to its previously expressed view that the public interest requires the prompt resolution of the issues arising out of the appropriate utilization of exchange membership;[4] nevertheless, the grant of a short extension of time for initial comments appears to be sufficient to enable all interested observers to make their views known on this important matter, and the Commission has determined that the grant of such an extension is in the public interest.

Supplementary written comments. In order to permit the fullest exposition of views, and to consider carefully the views already expressed on the Commission's proposed rule, the Commission has determined to permit supplementary written comments on its proposed rule after all persons wishing to do so have submitted their initial written views. To facilitate the efforts of those persons not in the Washington, D.C. area, copies of all initial comments received will be on file in each of the Commission's regional and branch offices.[5] It is expected that a significant portion of these supplementary written comments will be devoted to an analysis of the initial comments received, although this is not required. Furthermore, these supplementary written comments should consider, among other things, the competitive implications, if any, of the Commission's proposed rule.

Supplementary written comments should be addressed to the Office of the Secretary, Securities and Exchange Commission, 500 North Capitol Street NW., Washington, DC 20549, and must be received no later than November 6, 1972. All communications should refer to File No. S7-452 and will be available for public inspection in accordance with the Commission's Public Information Rules (17 CFR 200.80).

Oral presentation. In light of the significance of the issues involved, the Commission has determined to entertain oral statements by those persons submitting written comments. In order to facilitate the Commission in its consideration of any oral statements, the following procedures will be employed:

1. Oral statements shall be held during the week of November 27, 1972, and shall be limited to 15 minutes. Persons desiring additional time should request a specified additional amount of time, and accompany their request with an adequate explanation of their need for addition time. Thereafter, the Commission will notify all persons requesting an opportunity to make an oral presentation of the date and amount of time allocated therefor.

2. The written text of the oral statement to be given must be received by the Office of the Secretary of the Commission no later than 1 week prior to the scheduled oral statement.

3. Persons making an oral presentation should be prepared to respond to inquiries from the Commission and its staff.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

OCTOBER 5, 1972.

[FR Doc.72-17384 Filed 10-10-72;8:51 am]

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[1] Securities Exchange Act Release No. 9716 (Aug. 3, 1972) and in the FEDERAL REGISTER for August 12, 1972, at 37 F.R. 16409.

[2] Securities Exchange Act Release No. 9716, supra n. 1, at p. 5; 37 F.R. supra n. 1, at p. 16411.

[3] A number of comments received thus far, either by the Commission or its staff, have requested a trial-type, evidentiary hearing. In its release proposing Rule 19b-2, the Commission indicated its view that hearings of that nature would be inappropriate in this, a quasi-legislative context. Securities Exchange Act Release No. 9716, supra n. 1, at p. 5; 37 F.R., supra n. 1, at p. 16411. But any definitive conclusions respecting these requests will be deferred, at least until all comments on the proposed rule, written and oral, are received.

[4] Securities Exchange Act Release No. 9716, supra n. 1 at p. 2; 37 F.R. supra n. 1, at p. 16410.

[5] Copies of all initial comments may also be purchased from the Commission's contract copier by placing orders with the Commission's public reference room.

Notices

DEPARTMENT OF STATE

Agency for International Development

LIST OF INELIGIBLE SUPPLIERS

The following "List of Ineligible Suppliers" under AID Regulation 8 is currently in effect. All persons who anticipate AID financing for a transaction involving any person whose name appears on this list should take special notice of its contents.

SECTION 1. *Purpose of the list.* The list of ineligible suppliers implements the provisions of AID Regulation 8, "Suppliers of Commodities and Commodity-Related Services Ineligible for AID Financing" (22 CFR Part 208). Subject to the conditions described below AID will not make funds available to finance the cost of commodities or commodity-related services furnished by any supplier whose name appears on the list. A debarred supplier whose name appears in section 4 of a printed or published list has been placed thereon for the causes specified in § 208.5 of Regulation 8; a suspended supplier whose name appears in section 4 of a printed or published list has been placed thereon for the causes specified in § 208.7 of Regulation 8. AID has taken such action in accordance with the procedures described in Subpart D of Regulation 8

With respect to the interest of any U.S. bank which holds an AID letter of commitment special attention is called to the fact that the list as periodically modified by AID constitutes a special amendment to every letter of commitment to the effect that AID will not provide reimbursement to a bank for payment to any supplier whose name appears on the list, excepting only: (a) A payment made to a supplier on or before the initial date of suspension indicated for that supplier under an AID letter of commitment issued prior to that date, and (b) a payment made to a supplier under an irrevocable letter of credit opened or confirmed on or before the initial date of suspension indicated for that supplier under an AID letter of commitment issued prior to that date. A bank which receives copies of the list and the periodic modifications thereto shall be held in its relationship with AID to the standard of care described in § 201.73(f) of Regulation 1 (22 CFR § 201.73(f)) with respect to every transaction governed by an AID letter of commitment issued to that bank.

SEC. 2. *Contents of the list.* The list of ineligible suppliers consists of all suppliers and affiliates who have been debarred or suspended by AID. Additions to or deletions from the list are communicated directly to every U.S. bank holding an AID letter of commitment as they occur. AID endeavors to keep printed and published lists as current as possible by superseding or supplementary issuance. No prejudice whatsoever shall attach to a supplier whose name has been removed from this list.

SEC 3. *Suppliers Debarred from AID financing.*

NAME, ADDRESS, INITIAL DATE OF SUSPENSION, AND PERIOD OF DEBARMENT

Liao, Mr. J. Y. (aka Liao, Chi Yo), president, Summid Corp., 7–2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970, 5–7–71 to 5–7–74.

Mane Fils, Inc., 250 Park Avenue South, New York, NY, January 7, 1969, 2–6–70 to 2–6–73.

Mutual International Inc., 420–444 Market Street, San Francisco, CA 94111, September 23, 1968, 12–1–69 to 12–1–72.

Palmetto Industry Co., 32 Broadway, Suite 808, New York, NY 10004, March 15, 1968, 10–26–69 to 10–26–72.

Summid Corp., 7–2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970, 5–7–71 to 5–7–74.

Tumay, Mr. Francis, president, 32 Broadway, Suite 808, New York, NY 10004, March 15, 1968, 10–26–69 to 10–26–72.

Wong, P. C., & Co., 156 Funston Street, San Francisco, CA, September 23, 1968, 12–1–69 to 12–1–72.

Wong, Mr. Peter C., 156 Funston Street, San Francisco, CA, September 23, 1968, 12–1–69 to 12–1–72.

SEC. 4. *Suppliers suspended from AID financing.*

The following suppliers have been suspended from AID financing until further notice pending completion of an AID investigation of facts which may lead to the eventual debarment of such suppliers:

NAME, ADDRESS, AND INITIAL DATE OF SUSPENSION

Archifar Pharmaceutical Products, Inc., 20 Exchange Place, New York, NY 10005, November 9, 1966.

Associated Chemo-Pharm Industries, Inc., 20 Exchange Place, New York, NY 10005, November 9, 1966.

Chatham Shipping Corp., 375 Park Avenue, New York, NY 10022, April 30, 1970.

Colony Steel Co., 122 East 42d Street, New York, NY, March 26, 1968.

Concepcion, Mr. Segismundo, 160 Broadway, New York, NY 10038, April 22, 1969.

Concrete Pipe Machinery Co., Post Office Box 1708, Sioux City, IA 51102, August 10, 1970.

Corrigan-Gonzalez Export Corp., 4001 Northwest 25th Street, Miami, FL, November 17, 1970.

Corrigan & Sons, Inc., Post Office Box 218, San Antonio, FL, November 17, 1970.

Dixie Chick Co., 510 Davis Street SW., Gainesville, GA 30501, March 5, 1969.

Domestic Export Corp., 288 New York Avenue, Huntington, NY, February 14, 1972.

Eastar Trading Co., 1830 West Olympic Boulevard, Los Angeles, CA 90006, May 20, 1970.

Fertig, Capt. Arthur H., 19 West Street, New York, NY 10011, April 30, 1970.

Gubbay, Mr. Clement, 20 Exchange Place, New York, NY 10005, November 9, 1966.

Higgins, Thomas Edison, Enterprises, Inc., 660 Capri Boulevard, Treasure Island, FL 33706, April 5, 1967.

Higgins, Mrs. Mabel, 660 Capri Boulevard, Treasure Island, FL 33706, April 5, 1967.

Higgins, Mr. Thomas Edison, 660 Capri Boulevard, Treasure Island, FL 33706, April 5, 1967.

Industrial Waxes, Inc., 925 Dixie Terminal Building, Cincinnati, Ohio 45202, May 5, 1971.

International Clay Machinery Co. of Delaware, Inc., 15 Park Row, New York, NY 10038, August 9, 1971.

International Engineering, Inc., 15 Park Row, New York, NY 10038, August 9, 1971.

International Enterprises, 160 Broadway, New York, NY 10038, April 22, 1969.

Kim, Mr. Peter, Eastar Trading Co., 1830 West Olympic Boulevard, Los Angeles, CA 90006, May 20, 1970.

Lesh, Mr. George B., vice president, Chatham Shipping Corp., 375 Park Avenue, New York, NY 10022, April 30, 1970.

LeVita Industries, 35 La Patera Lane, Goleta, CA 93016, November 2, 1971.

LeVita, Mr. Frank O., North American Steel Co., Pontiac State Bank Building, Pontiac, Mich. 48058, November 2, 1971.

Long, Mr. Sumner A., president, Chatham Shipping Corp., 375 Park Avenue, New York, NY 10022, April 30, 1970.

Lowens, Mr. Ernest, 20 Exchange Place, New York, NY 10005, November 9, 1966.

Marclem, S.A., c/o Buffete Tapia, Calle 31 3–80 Panama City, Republic of Panama, October 25, 1967.

Meoni, Mr. A., 20 Exchange Place, New York, NY 10005, November 9, 1966.

McElroy, Mr. Roy H., president, International Clay Machinery Co. of Delaware, Inc., 15 Park Row, New York, NY 10038, August 9, 1971.

Navarro, Mr. Ben, 20 Exchange Place, New York, NY 10005, November 9, 1966.

North American Steel Co., Pontiac State Bank Building, Pontiac, Mich. 48058, November 2, 1971.

North Georgia Feed and Poultry, Inc., 514 Davis Street SW., Gainesville, GA 30501, March 5, 1969.

Pharma Scienta, 156 Rue de Damas, Imm. Homsi, Beirut, Lebanon, December 19, 1966.

Premium Finishes Sales, Inc., 925 Dixie Terminal Building, Cincinnati, Ohio 45202, May 5, 1971.

Price Paper Products Corp., 925 Dixie Terminal Building, Cincinnati, Ohio 45202, May 5, 1971.

Price, Mr. Thomas E., c/o Price Paper Products Corp., 925 Dixie Terminal Building, Cincinnati, Ohio 45202, May 5, 1971.

Price y Cia, Inc., 925 Dixie Terminal Building, Cincinnati, Ohio 45202, May 5, 1971.

R & Z Co., Inc., 2041–67 Pitkin Avenue, Brooklyn, NY 11207, October 23, 1969.

Richter, Gedeon, Pharmaceutical Products, Inc., 20 Exchange Place, New York, NY 10005, November 9, 1966.

Rogers, Mr. Henry, 2041–47 Pitkin Avenue, Brooklyn, NY 11207, October 23, 1969.

Rolquin, Mr. E. R., president, Domestic Export Corp., 288 New York Avenue, Huntington, NY, February 14, 1972.

Scheinis, Mr. Samuel, 122 East 42d St., New York, NY 10017, March 25, 1971.

Shalom, Mr. Raleigh, 20 Exchange Place, New York, NY 10005, November 9, 1966.

Societe des Laboratories Reunis (SOLAR), 156 Rue de Damas, Imm. Homsi, Beirut, Lebanon, December 19, 1966.

Spe-D-Magic Co., 660 Capri Boulevard, Treasure Island, FL 33706, April 5, 1967.

Tricon International, Inc., 160 Broadway, New York, NY 10038, April 22, 1969.
United Pharmacal Laboratories, Post Office Box 1718, Lot 28, Foreign Trade Zone, Mayaguez, PR, December 19, 1966.
Westerling, Mr. Horst P. G., 925 Dixie Terminal Building, Cincinnati, Ohio 45202, May 5, 1971.
White Magic Co., 660 Capri Boulevard, Treasure Island, FL 33706, April 5, 1967.
Wolff, Mr. Tom G., 787 Tucker Road, North Dartmouth, MA, October 23, 1969.
Zubof, Mr. Samuel, 2041-47 Pitkin Avenue, Brooklyn, NY 11207, October 23, 1969.

Dated: October 3, 1972.

JAMES F. CAMPBELL,
Assistant Administrator for Program and Management Services.

[FR Doc.72-17285 Filed 10-10-72;8:45 am]

Office of the Secretary

[Public Notice 367; Delegation of Authority 104-8]

UNDER SECRETARY FOR SECURITY ASSISTANCE

Delegation of Authority

By virtue of the authority vested in me by section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381), and section 4 of the Act of May 26, 1949, as amended (22 U.S.C. 2658), State Department Delegation of Authority No. 104 of November 3, 1961 (26 F.R. 10608), as heretofore amended, is hereby further amended as follows:

1. Section 2 is amended as follows:

a. Paragraph (a)(2) is amended by changing the period at the end thereof to a comma and adding "not including chaper 4 of Part II of the Act."

b. Paragraph (a)(3) is amended to read as follows:

(3) The functions of negotiating, concluding, and terminating international agreements under the Act, other than agreements relating to security assistance programs, and under the Latin American Development Act, subject to the concurrences required by the State Department Circular 175 procedure.

c. Subsection (c) is revoked.

2. Section 6 is amended as follows:

a. Paragraph (b)(1) is amended to read as follows:

(1) To the Under Secretary for Security Assistance:

(A) Exclusive of the functions reserved to the Secretary of State herein, the functions conferred upon the Secretary of State by section 101 of the ex-Executive order insofar as such functions relate to programs under Part II of the Act and by Executive Order 11501 relating to sales under the Foreign Military Sales Act.

(B) Subject to section 2(a)(2) of this delegation of authority, the functions conferred upon the Secretary of State by section 622(c) of the Act and by section 2(b) of the Foreign Military Sales Act relating to continuous supervision and general direction of economic assistance and military assistance programs and military sales, including, but not limited to, whether there shall be a military assistance program for a country and the value thereof or a sale to a country and the amount thereof, to the end that such programs and sales are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.

(C) The functions conferred upon the Secretary of State by section 42(b) of the Foreign Military Sales Act, as amended.

(D) The functions conferred upon the President by section 8(d) of Public Law 91-672 (84 Stat. 2055).

(E) The functions of negotiating, concluding, and terminating international agreements relating to security assistance programs, subject to the concurrences required by the State Department Circular 175 procedure.

(F) The Under Secretary for Security Assistance shall be the officer with whom the Secretary of Defense shall consult pursuant to section 202 of the Executive order.

b. Paragraph (b)(2) is revoked.

c. Paragraphs (b)(3), (b)(4), and (b)(5) are redesignated as (b)(2), (b)(3), and (b)(4), respectively.

3. Section 7 is amended as follows:

a. Subsection (a) is amended to read as follows:

(a) (1) Any reference in this delegation of authority to any Act, order, determination, or delegation of authority shall be deemed to be a reference to such Act, order, determination, or delegation of authority as amended from time to time.

(2) Any reference in this delegation of authority to provisions of any appropriation Act shall be deemed to include a reference to any hereafter enacted provisions of law which are the same or substantially the same as such appropriation Act provisions.

(3) Unless otherwise specified, any reference in this delegation of authority to part I of the Act shall be deemed to be a reference also to chapter 4 of part II, and any reference in this delegation of authority to part II of the Act shall be deemed not to include chapter 4 of such part II, in accordance with section 202 (b) of Public Law 92-226 (86 Stat. 27).

(4) Any reference in this delegation of authority to security assistance shall be deemed to include all forms of security assistance, including military assistance under part II of the Act, sales, credit sales and guarantees under the Foreign Military Sales Act, security supporting assistance under chapter 4 of Part II of the Act, and naval vessel loans as authorized by law."

(2) Subsection (c) is amended to read as follows:

(c) Notwithstanding any provision of this delegation of authority, the Secretary of State or the Deputy Secretary of State may at any time exercise any function delegated to any officer of the Department of State, including the Agency, by this delegation of authority.

The foregoing amendments to State Department Delegation of Authority No. 104 shall become effective upon publication in the FEDERAL REGISTER. Any determinations, authorizations, regulations, rulings, certificates, orders, directives, contracts, agreements, standards, criteria, and other actions made, issued or entered into with respect to any function affected by this delegation of authority and not revoked, superseded, or otherwise made inapplicable before such effective date shall continue in full force and effect until amended, modified or terminated by appropriate authority.

Dated: October 2, 1972.

WILLIAM ROGERS,
Secretary of State.

[FR Doc.72-17324 Filed 10-10-72;8:48 am]

[Public Notice 368]

PROPOSED OCEAN DUMPING CONVENTION

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of State has prepared a draft environmental impact statement for the proposed draft Convention for the Prevention of Marine Pollution by Dumping produced by the Intergovernmental Meeting on Ocean Dumping at Reykjavik, Iceland, from April 10-15, 1972, as amended in certain respects at the Intergovernmental Meeting on Ocean Dumping at London on May 30 and 31, 1972. The Government of the United Kingdom has invited the United States to send representatives to a plenipotentiary conference to be held in London from October 30-November 10, 1972, for the purpose of concluding a final Convention for the Prevention of Marine Pollution by Dumping.

The Reykjavik Draft, as altered by the London amendments, would prohibit all deliberate disposal at sea from vessels and aircraft of certain dangerous substances, and require permits for the dumping of other substances in accordance with detailed criteria.

Copies of the environmental impact statement may be obtained by writing to the National Technical Information Service, Department of Commerce, Springfield, Va. 22151. Comments on the proposed action are welcome before October 27, 1972, addressed to the Office of Environmental Affairs, Room 7822, Department of State, Washington, D.C. 20520.

Dated: October 2, 1972.

For the Secretary of State.

CHRISTIAN A. HERTER, Jr.,
Special Assistant to the Secretary for Environmental Affairs.

[FR Doc.72-17325 Filed 10-10-72;8:48 am]

[Public Notice 369]

PROPOSED USE OF DETROIT RIVER PIPES TO PERMIT HYDROCARBON TRANSMISSION

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of State has prepared a draft Environmental Impact Statement that evaluates the environmental implications of a proposed pipeline to be constructed by the Dome Pipeline Corp., that will transport liquid hydrocarbons from a storage cavern at Windsor, Ontario, to a natural gas reforming plant at Green Springs, Ohio. The preparation of this statement has been occasioned by the fact that the Dome Corp. requires an amendment to a permit issued on March 13, 1969, pursuant to Executive Order 11423. The permit, which was originally issued to American Brine, Inc., authorized the construction, connection, operation, and maintenance of two pipelines for the transportation of commercial fluids other than hydrocarbons, and one appurtenant electric cable, under the Detroit River to a point on the international boundary line between the United States and Canada. Dome Petroleum now seeks an amendment of the permit to authorize transportation in these existing pipelines which are to be part of the Windsor-Green Springs line of liquid hydrocarbons.

Copies of the Environmental Impact Statement may be obtained by writing to the National Technical Information Service, Department of Commerce, Springfield, Va. 22151.

Comments on the proposed action are welcome within 30 days and should be addressed to the Office of Environmental Affairs, Room 7822, Department of State, Washington, D.C. 20520.

Dated: October 2, 1972.

For the Secretary of State.

CHRISTIAN A. HERTER, Jr.,
Special Assistant to the Secretary for Environmental Affairs.

[FR Doc.72-17326 Filed 10-10-72;8:48 am]

POSTAL RATE COMMISSION

POSTAL FACILITIES

Notice of Visits

OCTOBER 6, 1972.

In furtherance of the Postal Rate Commission's training program published in the FEDERAL REGISTER on September 20, 1972 (37 F.R. 19404), Commissioners will be visiting the Washington, D.C., Post Office and associated facilities in the Washington area on October 16, 17, and 18, 1972.

No particular matter at issue in contested proceedings before the Commission nor the substantive merits of a matter that is likely to become a particular matter at issue in contested proceedings before the Commission will be discussed.

Reports of the visits will be on file in the Commission's docket room.

Place of visit:	*Date of visit*
Washington, D.C., Post Office	Oct. 16, 1972
Northern Virginia Sectional Center Facility	Oct. 17, 1972
Prince Georges Sectional Center Facility	Oct. 18, 1972

By direction of the Commission.

JOSEPH A. FISHER,
Secretary.

[FR Doc.72-17376 Filed 10-10-72;8:51 am]

POSTAL FACILITIES

Notice of Visits

OCTOBER 6, 1972.

In furtherance of the Postal Rate Commission's training program published in the FEDERAL REGISTER on September 20, 1972 (37 F.R. 19404), employees of the Commission will be visiting the Washington, D.C., Post Office and associated facilities in the Washington area during the week of October 24, 1972.

No particular matter at issue in contested proceedings before the Commission nor the substantive merits of a matter that is likely to become a particular matter at issue in contested proceedings before the Commission will be discussed.

Reports of the visits will be on file in the Commission's docket room.

By direction of the Commission.

JOSEPH A. FISHER,
Secretary.

[FR Doc.72-17377 Filed 10-10-72;8:51 am]

DEPARTMENT OF THE INTERIOR

National Park Service

NORTHEAST REGIONAL ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meetings of the Northeast Regional Advisory Committee on October 12 and 13, 1972, in Philadelphia, Pa.

The October 12 meetings will be assembled in the Conference Room of Independence National Historical Park, 313 Walnut Street, at 9 a.m. for a field trip through Independence National Historical Park. The meeting will reassemble in the National Park Service, Northeast Regional Office Conference Room, 143 South Third Street, at 2 p.m., to discuss the planning and programing for Independence National Historical Park, and the planning and programing for the region.

The October 13 meetings will begin at 9 a.m. and 1:30 p.m. in the Northeast Regional Office Conference Room to discuss and critique the regional bicentennial program, and consider the recent report of the Conservation Foundation on the National Park System.

Further information may be obtained from the Office of the Director, Northeast Region, National Park Service, 143 South Third Street, Philadelphia, PA.

Dated: October 5, 1972.

STANLEY W. HULETT,
Acting Director, National Park Service.

[FR Doc.72-17345 Filed 10-10-72;8:49 am]

Office of the Secretary

[INT FES 72-36]

AUTHORIZED SAN LUIS UNIT—CENTRAL VALLEY PROJECT, CALIF.

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement for the authorized San Luis Unit of Central Valley Project, Calif. The environmental statement concerns a proposed water supply for the purpose of furnishing irrigation water to a 600,000-acre service area on the west side of the San Joaquin Valley in the Los Banos to Kettleman City area of California. Copies are available for inspection at the following locations:

Office of Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, Telephone: (303) 343-4491.

Division of Engineering Support, Technical Services Branch, E&R Center, Denver Federal Center, Denver, Colo. 80225, Telephone: (303) 234-3007.

Office of the Regional Director, Bureau of Reclamation, 2800 Cottage Way, Sacramento, CA 95825, Telephone: (916) 481-6100.

Fresno CVP Construction Office, Bureau of Reclamation, Federal Building, Room 5301, 1130 O Street, Fresno, CA 93721, Telephone: (209) 487-5000.

Single copies of the final environmental statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. In addition, copies may be purchased from the National Technical Information Service, Department of Commerce, Springfield, Va. 22151. Please refer to the statement number above.

Dated: October 4, 1972.

W. W. LYONS,
Deputy Assistant Secretary of the Interior.

[FR Doc.72-17287 Filed 10-10-72;8:45 am]

JOHN E. FORD, Jr.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken

place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of September 28, 1972.

Dated: September 28, 1972.

JOHN E. FORD, Jr.

[FR Doc.72-17300 Filed 10-10-72;8:46 am]

MAXWELL S. McKNIGHT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of October 26, 1972.

Dated: September 29, 1972.

MAXWELL S. MCKNIGHT.

[FR Doc.72-17301 Filed 10-10-72;8:46 am]

EDGAR A. WEYMOUTH, Jr.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of September 24, 1972.

Dated: September 27, 1972.

EDGAR A. WEYMOUTH, Jr.

[FR Doc.72-17302 Filed 10-10-72;8:46 am]

DEPARTMENT OF COMMERCE

Office of Import Programs

INSTITUTE FOR MUSCLE DISEASE, INC., ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 73-00151-00-46040. Applicant: Institute for Muscle Disease, Inc., 515 East 71st Street, New York, NY 10021. Article: Anticontamination device for Elmiskop I electron microscope. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is a compatible accessory for an existing electron microscope currently in use for scientific investigation. Application received by Commissioner of Customs: August 17, 1972.

Docket No. 73-00152-33-46070. Applicant: Sloan-Kettering Institute for Cancer Research, 425 East 68th Street, New York, NY 10021. Article: Scanning electron microscope, Model S-4. Manufacturer: Cambridge Scientific Instruments, Ltd., United Kingdom. Intended use of article: The article is intended to be used to study:

(a) The surface configuration of cells;

(b) The three-dimensional relationship of various tissues (collections of cells such as intestinal mucosa, tumors, etc.);

(c) The relationship of certain microorganisms such as mycoplasma or viruses with the cells these organisms attach to and enter; and

(d) The arrangement and attachment of antigens to cell surfaces.

The article will also be used in the courses "Microscopy for Cancer Research" and "Advanced Cytology" to teach graduate students and postdoctoral fellows the configuration and relationships of cancer cells versus normal cells. Application received by Commissioner of Customs: September 14, 1972.

Docket No. 73-00155-00-46070. Applicant: University of California at Santa Cruz, Purchasing Office, Santa Cruz, Calif. 95060.

Article: Goniometer Stage (GS-3). Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is an accessory for an existing scanning electron microscope being used by students and faculty in the fields of biology, geology, and paleontology. Biologists are studying the form, structure, development, and chemical composition of spores of lower land plants, especially of bryophytes; as well as conducting a study of the structure of the outer membrane of mitochondria. Geologists are investigating terrestrial and lunar glasses and their alteration products; and also structures and defects within crystals are being studied. Paleontological study with the scanning electron microscope is being made of ultramicroscopic fossils such as coccoliths and discoasters. The addition of this accessory to the scanning electron microscope will permit observation of any material with much greater facility and thus be extremely useful as a teaching aid. Application received by Commissioner of Customs: September 19, 1972.

Docket No. 73-00157-91-32500. Applicant: University of Georgia, Botany Department, Athens, Ga. 30601. Article: InfraRed Gas Analyser, Model SB2. Manufacturer: Grubb Parsons, United Kingdom. Intended use of article: The article is intended to be used in studies of the gas exchange properties of plant leaves, for simultaneous determinations of H_2O and CO_2 fluxes while holding the leaf environment nearly constant. Application received by Commissioner of Customs: September 18, 1972.

Docket No. 73-00158-33-37100. Applicant: Bucknell University, Lewisbrug, Pa. 17837. Article: Yeda-press (tissue homogenizer). Manufacturer: Yeda Research & Development Co., Ltd., Israel. Intended use of article: The article is intended to be used to prepare subcellular organelles or membrane fractions. Specifically it will be used to homogenize rat testicular tissue for preparation of Golgi apparatus membranes from the male germ cell in a research project designed to gain information regarding the Golgi apparatus membrane system as it relates to acrosome formation and sperm competence.

Docket No. 73-00159-99-07500. Applicant: State University College of New York, Brockport, N.Y. 14420. Article: Precision Calorimetry System, Model 8700. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in chemistry courses to familiarize students with modern precision calorimetry as applied to physiochemical measurements, instrumental analysis, inorganic thermochemistry, biochemical studies and research techniques in thermochemistry for the study of the energetics of organic reactions in their mechanisms. Application received by Commissioner of Customs: September 14, 1972.

SETH M. BODNER,
Director, Office of Import Programs Divisions.

[FR Doc.72-17320 Filed 10-10-72;8:48 am]

Maritime Administration

CONSTRUCTION OF COMBINATION RO/RO CONTAINERSHIP

Recomputation of Foreign Cost; Notice of Intent

Notice is hereby given of the intent of the Maritime Subsidy Board to determine whether there has been a significant change in the foreign shipbuilding

market conditions of combination RO/RO containerships (identified as MA Design C–7–S–95a) and if there has been such a change, to recompute the foreign cost for the construction of such type of vessels, pursuant to the provisions of section 502(b) of the Merchant Marine Act, 1936, as amended, and in connection with the award of any new contract related to the construction of such type of vessels.

Any person, firm, or corporation having any interest (within the meaning of section 502(b)) in such recomputations may file written statements by the close of business on October 18, 1972, with the Secretary, Maritime Subsidy Board, Maritime Administration, Room 3099B, Department of Commerce Building, 14th and E Streets NW., Washington, D.C. 20235.

Dated: October 6, 1972.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, JR.,
Secretary.

[FR Doc.72–17430 Filed 10–10–72;8:51 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[FAP 3B2828]

MONSANTO CO.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 3B2828) has been filed by Monsanto Co., 1101 17th Street NW., Washington, DC 20036, proposing that § 121.2536 *Filters, resin-bonded* (21 CFR 121.2536), be amended to provide for the safe use of phenol-formaldehyde resins chemically modified with cyanoguanidine and urea in the manufacture of resin-bonded glass fiber filters intended for filtering food.

Dated: October 1, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72–17280 Filed 10–10–72;8:45 am]

[FAP 2B2788]

PENNWALT CORP.

Notice of Withdrawal of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Pennwalt Corp., Plastics Department, 900 First Avenue, King of Prussia, PA 19406, has withdrawn its petition (FAP 2B2788), notice of which was published in the FEDERAL REGISTER of August 2, 1972 (37 F.R. 15443), proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of copolymers of vinylidene fluoride and tetrafluoroethylene as articles or components of articles used in contact with food.

Dated: October 1, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72–17281 Filed 10–10–72;8:45 am]

Office of the Secretary

INPATIENT HOSPITAL DEDUCTIBLE

Announcement of Dollar Amount

Pursuant to authority contained in section 1813(b)(2) of the Social Security Act (42 U.S.C. 1395e(b)(2)), as amended, and a ruling of the Price Commission under 6 CFR 300.18 of its regulations, I hereby determine and announce that the dollar amount which shall be applicable for the inpatient hospital deductible, for purposes of section 1813(a) of the Act, as amended, shall be $72 in the case of any spell of illness beginning during 1973.

The Social Security Act provides that, for calendar years after 1968, the inpatient hospital deductible shall be equal to $40 multiplied by the ratio of (1) the current average per diem rate for inpatient hospital services for the calendar year preceding the year in which the promulgation is made (in this case, 1971) to (2) the current average per diem rate for such services for 1966. The law further provides that, if the amount so determined is not an even multiple of $4, it shall be rounded to the nearest multiple of $4. Further, it is provided that the current average per diem rates referred to shall be determined by the Secretary of Health, Education, and Welfare from the best available information as to the amounts paid under the program for inpatient hospital services furnished during the year by hospitals who are qualified to participate in the program, and for whom there is an agreement to do so, for individuals who are entitled to benefits as a result of insured status under the Old-Age, Survivors, and Disability Insurance program or the Railroad Retirement program.

The data available to make the necessary computations of the current average per diem rates for calendar years 1966 and 1971 are derived from individual inpatient hospital bills that are recorded on a 100-percent basis in the records of the program. These records show, for each bill, the total inpatient days of care, the interim reimbursement amount, and the total interim cost (the sum of interim reimbursement, deductible, and coinsurance).

Each individual bill is assigned both an initial month and a terminal month, as determined from the first day covered by the bill and the last day so covered. Insofar as the initial month and the terminal month fall in the same calendar year, no problems of classification occur.

Two tabulations of interim reimbursements are prepared, one summarizing the bills with each assigned to the year in which the period it covers begins, and the other summarizing the same bills with each assigned to the year in which the period it covers ends. The true value with respect to the interim costs for a given year on an accrual basis should fall between the amount of total costs shown for bills beginning in that year and the amount shown for bills ending in that year.

The average interim per diem rate for inpatient hospital services for calendar year 1966, on the basis described, is $37.93, while the corresponding figure for calendar year 1971 is $72.21. It may be noted that these averages are based on about 30 million days of hospitalization in 1966 and 63 million days of hospitalization in 1971. The ratio of the 1971 rate to the 1966 rate is 1.904.

In order to reflect accurately the change in the average per diem hospital cost under the program, the average interim cost (as shown in the tabulations) must be adjusted for (i) the effect of final cost settlements made with each provider of services after the end of its fiscal year to adjust the reimbursement to that provider from the amount paid during that year on an interim basis to the actual cost of providing covered services to beneficiaries, and for (ii) changes in the benefit structure since the base year, 1966. To the extent that the ratio of final cost to interim cost is different in the current year than it was in 1966, the increase in average interim per diem costs will not coincide with the increase in actual cost that has occurred. The inclusion of the lifetime reserve days in the current tabulation of the average interim per diem cost when such days were not included in the corresponding tabulation for the base year, 1966, will understate the estimate of the increase in cost that has occurred, because the average cost per day of very long confinements in a hospital is less than the average for all confinements. In order to estimate the increase in average per diem cost that has occurred, a comparison must be based on similar benefits in the two periods (1971 and 1966); thus the effect of lifetime reserve days, must be eliminated from the current year tabulation. Actuarial analysis of the data available indicates that these adjustments do not change the ratio shown above by enough to result in a different deductible for 1973. The values shown in this report do not reflect these adjustments for final cost settlements or lifetime reserve days.

When the ratio of 1.904 is multiplied by $40, it produces an amount of $76.16, which must be rounded to $76. The Cost-of-Living Council, however, has ruled that the inpatient hospital deductible represents a price paid by Medicare recipients for hospital services and is, therefore, governed by Price Commission regulations limiting the increase which

can be charged by institutional providers of health services. The Price Commission has further ruled that the increase allowable is limited to 6 percent. Rounded to the nearest multiple of $4, this produces a rate of $72 for 1973. Accordingly, the inpatient hospital deductible for spells of illness beginning during the calendar year 1973 is $72.

Dated: October 5, 1972.

ELLIOT L. RICHARDSON,
Secretary.

[FR Doc.72-17399 Filed 10-10-72;8:52 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N-72-119; Administrative Division File No. 2-59]

CORONA DE TUCSON ET AL.

Notice of Hearing

Notice is hereby given that:

1. Corona de Tucson, Inc., its officers and agents, hereinafter referred to as Respondent being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated August 29, 1972, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45 (b)(1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the Developer's Statement of Record for Corona de Tucson and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property Report.

2. The Respondent filed an answer received September 11, 1972, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for a Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b): *It is hereby ordered* that a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before David Knight in Room 7233, Department of HUD Building, 451 7th Street SW., Washington, DC, on November 10, 1972, at 10 a.m.

The following time and procedure is applicable to such hearing:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before October 27, 1972.

5. The Respondent is *hereby notified* that failure to appear at the above scheduled hearing shall be deemed a default and the proceeding shall be determined against Respondent, the allegations of which shall be deemed to be true, and an Order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

GEORGE ROMNEY,
Secretary of Housing and Urban Development.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.72-17289 Filed 10-10-72;8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA-Pet-No. 59]

VERMONT RAILWAY, INC.

Notice of Petition for Exemption From Hours of Service Act

OCTOBER 5, 1972.

The Vermont Railway, Inc., has petitioned the Federal Railroad Administration pursuant to 45 U.S.C. 64(a) for an exemption, with respect to certain employees, from the Hours of Service Act, 45 U.S.C. secs. 61, 62, 63, and 64.

Interested persons are invited to participate by submitting written data, views, or comments. Communications should identify the docket number and should be submitted in triplicate to Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: Docket FRA-Pet-No. 59, 400 Seventh Street SW., Washington, DC 20590. Communications received before November 10, 1972, will be considered by the Federal Railroad Administrator before taking final action. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5428, Nassif Building, 400 Seventh Street SW., Washington, DC

EDWARD F. CONWAY, Jr.,
Acting Assistant Chief Counsel for Safety Regulation.

[FR Doc.72-17323 Filed 10-10-72;8:48 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-277, 50-278]

ENVIRONMENTAL REPORT, SUPPLEMENTAL ENVIRONMENTAL REPORTS, AND AEC DRAFT ENVIRONMENTAL STATEMENT FOR PEACH BOTTOM ATOMIC POWER STATION UNITS 2 AND 3

Notice of Availability

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations set forth in Appendix D to 10 CFR Part 50, notice is hereby given that documents entitled "Applicant's Environmental Report and Supplement 1 through Supplement No. 6 to Environmental Report" (collectively known as the "reports"), submitted by the Philadelphia Electric Co., have been placed in the Commission's Public Document Room at 1717 H Street NW., Washington, DC and in Martin Memorial Library, 159 East Market Street, York, PA. The reports are also available at the Pennsylvania State Planning Board, 503 Finance Building, State Capitol, Harrisburg, Pa., and at the York County Planning Commission, 1320 West Market Street, York, PA.

Notice of availability of the applicant's Environmental Report and Supplement No. 1 was published in the FEDERAL REGISTER on January 18, 1972 (37 F.R. 747).

The reports have been analyzed by the Commission's Directorate of Licensing, and a Draft Environmental Statement, dated October 1972, related to the proposed issuance of operating licenses for the Peach Bottom Atomic Power Station Units 2 and 3, located at Philadelphia Electric Co.'s site in Peach Bottom Township, has been prepared and has been made available for public inspection at the locations designated above. Copies of the Commission's Draft Environmental Statement may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Pursuant to Appendix D to CFR Part 50, interested persons may, within forty-five (45) days from the date of publication of this notice in the FEDERAL REGISTER, submit comments for the Commission's consideration on the Report and Supplements, on the Draft Environmental Statement, and on the proposed action. Federal and State agencies are being provided with copies of the Draft Environmental Statement (local agencies may obtain this document on request), and when comments thereon of the Federal, State, and local officials are received, they will be made available for public inspection at the above designated locations. Comments on the Draft Environmental Statement from interested members of the public should be addressed 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 4th day of October 1972.

For the Atomic Energy Commission.

DANIEL R. MULLER,
Assistant Director for Environmental Projects, Directorate of Licensing.

[FR Doc.72-17283 Filed 10-10-72;8:45 am]

[Docket No. 50-336]

CONNECTICUT LIGHT & POWER CO. ET AL.

Facility Operating License; Notice of Receipt of Application, Consideration of Issuance, and Opporunity for Hearing

Connecticut Light & Power Co., the Hartford Electric Light Co., Western Massachusetts Electric Co., and the Millstone Point Co. (the applicants), pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, have filed an application, which was docketed on August 14, 1972, together with a final safety analysis report, for a license to operate the Millstone Nuclear Power Station, Unit No. 2, a pressurized water nuclear reactor (the facility), located at the Millstone Nuclear Power Station, an approximately 500-acre site on Long Island Sound in the town of Waterford, Conn.

The Atomic Energy Commission (the Commission) will consider the issuance of a facility operating license to the applicants which would authorize the applicants to possess, use, and operate Millstone Unit No. 2 at steady-state power levels not to exceed 2,560 megawatts thermal in accordance with the provisions of the license and the technical specifications appended thereto. The license would be issued upon receipt of a report on the applicants' application for a facility operating license by the Advisory Committee on Reactor Safeguards, the submission of a favorable safety evaluation of the application by the Commission's Directorate of Licensing, the Completion of the environmental review required by the Commission's regulations in 10 CFR Part 50, Appendix D, and a finding by the Commission that the application for the facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations in 10 CFR Chapter 1. Construction of the facility was authorized by Construction Permit No. CPPR-76 issued by the Commission on December 11, 1970.

Prior to issuance of any operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of Construction Permit No. CPPR-76. In addition, the license will not be issued until the Commision has made the findings, reflecting its review of the application under the Act which will be set forth in the proposed license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public. Upon issuance of the license, the applicants will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

The facility is subject to the provisions of section B of Appendix D to 10 CFR Part 50, which sets forth procedures applicable to review of environmental considerations for production and utilization facilities for which construction permits or operating licenses were issued in the period January 1, 1970–September 9, 1971. Notice is hereby given, pursuant to the Act and the regulations in 10 CFR Part 2, rules of practice, and Appendix D to 10 CFR Part 50 Implementation of the National Environmental Policy Act of 1969, that a hearing will be held in the captioned proceeding by an Atomic Safety and Licensing Board (Board) at a time and place to be fixed by subsequent order of the Board to consider and make determinations on the matters set forth below.

1. In the event that this proceeding is not a contested proceeding as defined by 10 CFR 2.4(n) of the Commission's rules of practice, the Board will without conducting a de novo evaluation of the application determine whether the environmental review conducted by the Commission's regulatory staff pursuant to Appendix D of 10 CFR Part 50 has been adequate.

2. In the event that this proceeding is a contested proceeding, the Board will decide any matters in controversy among the parties within the scope of Appendix D to 10 CFR Part 50, with regard to whether, in accordance with the requirements of Appendix D to 10 CFR Part 50, the construction permit should be continued, modified, terminated, or appropriately conditioned to protect environmental values.

3. Regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with section A.11 of Appendix D to 10 CFR Part 50, (a) determine whether the requirements of section 102(2)(c) and (D) of NEPA and Appendix D to 10 CFR Part 50 of the Commission's regulations have been complied with in this proceeding; (b) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view toward determining the appropriate action to be taken; and (c) determine, after weighing the environmental, economic, technical, and other benefits against environmental costs and considering available alternatives, whether the construction permit should be continued, modified, terminated, or appropriately conditioned to protect environmental values.

The Board will be designated by the Atomic Energy Commission. Notice as to its membership will be published in the FEDERAL REGISTER. Within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, the applicants may file a request for a hearing with respect to issuance of the facility operating license and any person whose interest may be affected by this proceeding may file a petition for leave to intervene (1) with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the construction permit should be continued, modified, terminated, or appropriately conditioned to protect environmental values; and (2) with respect to the issuance of the facility operating license. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR 2.714. As required by 10 CFR 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Office of the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or the Commission's Public Document Room, 1717 H Street NW., Washington, DC, not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER. A petition for leave to intervene which is not timely will not be granted unless the Commission determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Commission has considered those factors specified in 10 CFR 2.714(a).

If a request for a hearing or petition for leave to intervene with respect to the issuance of a facility operating license is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

Any person who does not wish to, or is not qualified to become a party to this proceeding concerning continuation, modification, termination, or conditioning the construction permit may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715. A person making a limited appearance may only make an oral or written statement on the record, and may not participate in the proceeding in any other way. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be

fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER.

A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above.

In the event that this proceeding concerning continuation, modification, termination, or conditioning the construction permit is not contested, the Board will convene a prehearing conference of the parties within sixty (60) days after this notice of hearing or such other time as may be appropriate, at a time and place to be set by the Board. It will also set the schedule for the evidentiary hearing. Notice of the prehearing conference and the hearing will be published in the FEDERAL REGISTER.

In the event that this proceeding concerning continuation, modification, termination, or conditioning the construction permit becomes a contested proceeding, the Board will convene a special prehearing conference of the parties to the proceeding and persons who have filed petitions for leave to intervene, or their counsel, to be held within sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.751a.

The Board will convene a prehearing conference of the parties, or their counsel, to be held subsequent to any special prehearing conference and within sixty (60) days after discovery has been completed, or within such other time as may be appropriate, at a place to be set by the Board for the purpose of dealing with the matters specified in 10 CFR 2.752.

Notices of the dates and places of the special prehearing conference, the prehearing conference, and the hearing will be published in the FEDERAL REGISTER.

For further details pertinent to the matters under consideration, see the application for the facility operating license dated August 10, 1972, as amended, and the applicant's environmental report dated November 15, 1971, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Conn. 06385. As they become available, the following documents also will be available at the above locations: (1) The report of the Advisory Committee on Reactor Safeguards on the application for facility operating license; (2) the Commission's draft detailed statement on environmental considerations pursuant to 10 CFR Part 50, Appendix D; (3) the Commission's final detailed statement on environmental considerations; (4) the safety evaluation prepared by the Directorate of Licensing; (5) the proposed facility operating license; and (6) the proposed technical specifications, which will be attached to the proposed facility operating license. Copies of items (3), (4), and (5) may be obtained by request to the Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

With respect to this proceeding concerning continuation, modification, termination, or conditioning the construction permit, the Commission will delegate to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission. The Commission will establish the Appeal Board pursuant to 10 CFR 2.785 and will make the delegation pursuant to subparagraph (a)(1) of that section. The Appeal Board will be composed of a Chairman, and two other members to be designated by the Commission. Notice as to the membership of the Appeal Board will be published in the FEDERAL REGISTER.

Dated at Germantown, Md., this 5th day of October 1972.

UNITED STATES ATOMIC ENERGY COMMISSION,
PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.72-17403 Filed 10-10-72;8:52 am]

[Dockets Nos. 50-282, 50-306]

NORTHERN STATES POWER CO.

Notice of Consideration of Issuance of Facility Operating Licenses; Notice of Opportunity for Hearing

The Atomic Energy Commission (the Commission) will consider the issuance of facility operating licenses to the Northern States Power Co. (the applicant) which would authorize the applicant to possess, use, and operate the Prairie Island Nuclear Generating Plant Units 1 and 2, two pressurized water nuclear reactors (the facilities), located on the applicant's site northwest of Red Wing, Goodhue County, Minn. Each unit would operate at steady-state power levels not to exceed 1,650 megawatts thermal in accordance with the provisions of the license and the technical specifications appended thereto. The licenses would be issued upon the receipt of a report on the applicant's application for facility operating licenses by the Advisory Committee on Reactor Safeguards, the submission of a favorable safety evaluation on the application by the Commission's Directorate of Licensing, the completion of the environmental review required by the Commission's regulations in 10 CFR Part 50, Appendix D, and a finding by the Commission that the application for the facility licenses, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended (Act), and the Commission's regulations in 10 CFR Chapter 1. Construction of the facilities was authorized by Construction Permits Nos. CPPR-45 and CPPR-46, issued by the Commission on June 25, 1968. Construction of Unit 1 is anticipated to be completed by February 1, 1973, and Unit 2 by February 1, 1974.

Prior to issuance of any operating licenses, the Commission will inspect each facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of the above noted Construction Permit. In addition, the licenses will not be issued until the Commission has made the findings, reflecting its review of the application under the Act which will be set forth in the proposed licenses, and has concluded that the issuance of the licenses will not be inimical to the common defense and security or to the health and safety of the public. Upon issuance of the licenses, the applicant will be required to execute an indemnity agreement as required by section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

The facilities are subject to the provisions of 10 CFR Part 50, Appendix D, section C.3 which sets forth procedures applicable to review of invironmental considerations for production and utilization facilities for which construction permits were issued prior to January 1, 1970.

Within thirty (30) days from the date of publication of this 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 with respect to the issuance of the facility operating licenses. Requests for a hearing and petitions for leave 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 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.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR 2.714. As required by 10 CFR 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the

basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Office of the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER. A petition for leave to intervene which is not timely will not be granted unless the Commission determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Commission has considered those factors specified in 10 CFR 2.714(a).

For further details pertinent to the matters under consideration, see the application for the facility operating licenses dated January 28, 1971, as amended, and the applicant's environmental report dated November 5, 1971, as supplemented, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Environmental Library of Minnesota, 1222 Southeast Fourth Street, Minneapolis, MN 55414. As they become available, the following documents also will be available at the above locations: (1) The report of the Advisory Committee on Reactor Safeguards on the application for facility operating licenses; (2) the Commission's draft detailed statement on environmental considerations pursuant to 10 CFR Part 50, Appendix D; (3) the Commission's final detailed statement on environmental considerations; (4) the safety evaluation prepared by the Directorate of Licensing; (5) the proposed facility operating licenses; and (6) the technical specifications, which will be attached to the proposed facility operating licenses.

Copies of items (1), (3), (4), and (5) may be obtained by request to the Deputy Director for Reactor Projects, Directorate of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 6th day of October 1972.

For the Atomic Energy Commission.

A. GIAMBUSSO,
Deputy Director for Reactor Projects Directorate of Licensing.

[FR Doc.72-17402 Filed 10-10-72;8:52 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23542]

ATC BYLAWS INVESTIGATION

Postponement of Hearing

Notice is hereby given that, because of a conflict involving one party and to serve the convenience of at least two others, the hearing in this proceeding is postponed from October 25, 1972 (37 F.R. 20049, September 23, 1972), to October 30, 1972, at 10 a.m. (local time) in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC.

Dated at Washington, D.C., October 4, 1972.

[SEAL] HENRY WHITEHOUSE,
Administrative Law Judge.

[FR Doc.72-17328 Filed 10-10-72;8:48 am]

[Docket No. 22628; Order 72-9-89]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fare Matters; Correction

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 25th day of September, 1972. Agreement C.A.B. 22068; R-33.

The above order printed in the FEDERAL REGISTER on page 20741 of the issue for Tuesday, October 3, 1972, should be Order 72-10-1 and the adoption date should be October 2, 1972.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-17327 Filed 10-10-72;8:48 am]

CIVIL SERVICE COMMISSION

PRINTING MANAGEMENT SPECIALIST, NATIONWIDE

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on September 19, 1972, for positions of Printing Management Specialist (for applicants with a baccalaureate degree with a major in Printing Management), GS-1654-7/11, Nationwide.

Assuming other legal requirements are met, the agency may pay the expense of travel and transportation to first post of duty for appointees to these positions.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.72-17396 Filed 10-10-72;8:51 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN COSTA RICA

Entry or Withdrawal From Warehouse for Consumption

OCTOBER 5, 1972.

On October 1, 1971, the United States Government requested the Government of Costa Rica to enter into consultations concerning exports to the United States of cotton textile products in Categories 53 and 61 produced or manufactured in Costa Rica. Since no solution was mutually agreed upon, the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3, and Article 6(c) relating to nonparticipants, established restraints at levels of 29,400 dozen for Category 53 and 89,250 dozen for Category 61 for the 12-month period beginning October 1, 1971, and extending through September 30, 1972. (See 36 F.R. 23096.)

On September 29, 1972, the United States Government informed the Government of Costa Rica that it was renewing for an additional 12-month period, beginning October 1, 1972, and extending through September 30, 1973, the restraint on cotton textile products in Category 53 only, produced or manufactured in Costa Rica. Pursuant to Annex B, paragraph 2, of the Long-Term Arrangement, the level of restraint for this 12-month period is 5 percent greater than the level of restraint applicable to Category 53 for the preceding 12-month period.

There is published below a letter of October 5, 1972, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amount of cotton textile products in Category 53, produced or manufactured in Costa Rica, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning October 1, 1972, be limited to the designated level.

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

OCTOBER 5, 1972.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning October 1, 1972, and extending through September 30, 1973, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 53, produced or manufactured in Costa Rica, in excess of a level of restraint for the period of 30,870 dozen.

In carrying out this directive, entries of cotton textile products in Category 53, produced or manufactured in Costa Rica, which have been exported to the United States from Costa Rica prior to October 1, 1972, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period

October 1, 1971, through September 30, 1972. In the event that the level of restraint established for that period has been exhausted by previous entries, such goods shall be subject to the level set forth in this letter.

A detailed description of Category 53 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Costa Rica and with respect to imports of cotton textiles and cotton textile products from Costa Rica have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

[FR Doc.72-17411 Filed 10-10-72;8:52 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 11(p)(1) of the Federal Water Pollution Control Act, as amended, and, accordingly, have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/Operator and Vessels*
01027---	Flensburger Befrachtungskontor Uwe C. Hansen & Co. Volta Venture.
01062---	Mayfair Tankers, Ltd.: Mayfair Loyalty.
01088---	Schulte & Bruns: Ilse Schulte.
01428---	The Ocean Steam Ship Co., Ltd.: Antenor.
01713---	Egeria S.P.A.—Palermo: Gherenuk.
01861---	BP Tanker Co., Ltd.: British Dart.
02039---	"GRYF" Deep Sea Fishing Co.: Buran.
02179---	Globtik Tankers International Ltd.: Tundra Breeze.
02198---	The Peninsular & Oriental Steam Navigation Co.: Garmula.
02332---	Lykes Bros. Steamship Co., Inc.: Almeria Lykes.
02575---	Sandra Shipping Co., Ltd.: Aurora.
02631---	Ednasa Co. Ltd.: Lennia. Lalinda.
02935---	Cable and Wireless Ltd.: Mercury.
02959---	Kokuyo Kaiun K.K.: Kinukawa Maru.
02977---	J. Ray McDermott & Co., Inc.: McDermott Tidelands 08.
02982---	The Shipping Corp. of India Ltd.: State of Meghalaya.
03047---	E. I. du Pont de Nemours & Co.: EIDC-8.
03471---	Nippo Kisen Kabushiki Kaisha: Queen Venture.
03501---	Osaka Shosen Mitsui Senpaku K. K.: New York Maru.
03509---	Taiyo Shosen K. K.: Pegasus No. 1.
03546---	A/S Mosvolds Rederi: Mosbrook.
03720---	Global Marine Inc.: Hughes Glomar Explorer.
03923---	Shinwa Kaiun Kabushiki Kaisha: Shinen Maru. Shinyu Maru. Yawata Maru. Tojo Maru.
03933---	Newdigate Steamship Co., Ltd.: Erisort.
04046---	A/S Mosbulkers: Mosfield.
04087---	Merichem Co.: NMS 1400.
04088---	Petrolane Offshore Construction Services Inc.: Alligator.
04413---	Leif Hoegh & Co. A/S: Hoegh Vedette.
04462---	Empresa Nacional "Elcano" De La. Marina Mercante S.A.: Castillo Manzanares.
04567---	Ken Hieng Navigation (Panama) Corp., S.A.: Kensei.
04601---	American Tunaboat Association: Anna Maria. City of Lisbon. City of Panama.
04623---	Seaspan International Ltd.: Doris Yorke. Greg Yorke.
04625---	American Commercial Lines, Inc.: Pat Breen.
04637---	McAllister Bros. Inc. (New York): McAllister 128.
05245---	Blaesbjerg & Co.: Arctic Scan.
05471---	Belcher Oil Co.: Belcher No. 24.
05505---	Marmanosa Compania Naviera S.A.: Pantokrator.
05617---	Maritima Del Norte, S.A.: Sierra Jara.
05713---	W. B. Enterprises, Inc.: W-8.
05735---	Solstad Rederi: Concordia Fonn.
05816---	Allan B. Hyde & Meade D. Hyde: Hybur Transport. Hybur.
05862---	World Tide Shipping Corp.: Shomron.
06347---	Marlineas Mundiales S.A.: Pioneer.
06435---	Dampskibsaktieselskabet Den Norske Afrika-OG Australielinie, Wilhelmsens Dampskibsaktieselskab, A/S Tonsberg, A/S Tankfart, I, A/S Tankfart IV, A/S Tankfart V, A/S Tankfart IV: Tricolor.
06510---	Compagnie Nationale Algerienne De Navigation C.N.A.N.: Ibn Badis.
06516---	Stott, Mann & Co., Ltd.: Calvados.
06671---	Kitanihon Kisen Kabushiki Kaishiya: Oji Maru No. 1.
06709---	Ahjin Haewoon Jushik Hoesa: Yongjin.
06799---	Compagnie Generale Transbaltique: Sibelius.
07067---	Liberian Dove Transports, Inc.: Eastern Treasure.
07075---	Federal Off-Shore Services Ltd.: Mary B VI. Cathy B. Janie B.
07113---	Cape Sable Shipping, Ltd.: Cape Sable.
07129---	Cape Cod Maritime Ltd.: Cape Cod.
07198---	Navarino Shipping Co. Ltd.: Aegis Bounty.
07203---	Nava Shipping Co., Ltd.: Alexandros T.
07207---	Althea Maritime Corp.: Aeolos.
07217---	Prodos Compania Naviera, S.A.: Marigo.
07218---	Juno Maritime Corp.: Comet.
07236---	Independent Marine Transport, Inc.: Peter Reiss. John Purves.
07240---	Swan Steamship Co., S.A.: Asia Falcon.
07244---	Three Rivers Shipping Co., Ltd.: Buenos Aires.
07249---	Astrofeliz Armadora S.A.: Vasso.
07250---	Astrocamino Armadora S.A.: Pacific Colocotronis.
07251---	Fundadora Armadora S. A.: Aspassia.
07252---	Hidalgo Atlantico Navegacion S.A.: Natal.
07253---	Oxford Shipping Inc.: Lord Frontenac.
07256---	Tiha Inc.: Atlantic Carrier.
07258---	Kee Yeh Navigation (Panama) Corp. S.A.: Kee Lee.
07265---	Kitanihon Gyogyo Kabushiki Kaisha: Yusho-Maru No. 2.
07266---	Hamaya Suisan Kabushiki Kaisha: Eikyu-Maru No. 82.
07267---	Taiheiyo Suisan Kabushiki Kaisha: Hatsue Maru No. 55. Hatsue Maru No. 38.
07268---	Kabushiki Kaisha Shinya Shoten: Shintoku Maru No. 25.
07269---	Nemuro Daiichi Gyogyo Seisan Kumiai: Fukuyoshi-Maru No. 75. Fukuyoshi-Maru No. 85.
07270---	Maruhon Suisan Kabushiki Kaisha: Ebisu-Maru No. 88.
07271---	Sasaki Junzo: Mito Maru No. 82.
07272---	Tenyo Gyogyo Kabushiki Kaisha: Tenyo Maru No. 25.
07273---	Nemuro Kaiyogyogyo Seisan Kumiai: Tsune Maru No. 31.
07274---	Shinya Tetsuzo: Shinko-Maru No. 3.
07275---	Kabushiki Kaisha Watarai Shoten: Koshin Maru No. 11.
07276---	Anglo-Pacific Line Ltd.: Biak Maru.

Certificate No.	Owner/Operator and Vessels
07277---	Cape Hatteras Shipping Co., Inc.: Cape Hatteras.
07280---	Angelbros Compania Naviera S.A.: Theoris.
07281---	Stylco Comp. Naviera S.A.: Brothers.
07282---	I. S. Joseph Shipping Co. (Liberia) Ltd.: Anna K.
07283---	Evergreen Line S.A.: Ever Welfare. Ever Nobility. Ever Lucky.
07284---	Laxia Shipping Co. Ltd.: San George.
07286---	Halifax Shipping Co. Ltd.: Halifax.
07292---	Hinode Kisen Co. Ltd.: Tomiwaka Maru No. 8.
07293---	Hellespont Shipping Co. Ltd.: Kimon.
07294---	Aetos Shipping Co. Ltd. S.A.: Ithaki Castle.
07295---	Andina Compania Naviera S.A.: Ithaki Reefer.
07296---	Astroleal Compania Naviera S.A.: Ithaki Island.
07300---	Kemira Oy: Kotkaniemi.
07301---	Alimar Compania Naviera S.A. Panama: Annitsa Carras.
07303---	Panfam Navigation Co., Ltd.: Karyatis.
07306---	Kong Heung Industrial Co., Ltd.: Kum Yong No. 103.
07312---	Tetien Navigation Co., Ltd.: Tetien.
07323---	Pamphilos Shipping Co., Ltd.: Marathon.
07324---	Voleon Navigation Co., Ltd.: Atticos.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-17329 Filed 10-10-72;8:48 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below-indicated vessels, pursuant to Part 542 of Title 46 CFR and section 11(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner/Operator and Vessels
01185---	Aksjeselskapet Kosmos: Jagarda. Jaricha.
01426---	Kuwait Shipping Co. (S.A.K.): Al Mubarakiah.
01437---	Carlton Steamship Co. Ltd.: Lynton.
01448---	Burnside Shipping Co. Ltd.: Simonburn.
01570---	Rimnes Compania Naviera S.A.: Panagiotis Xilas.
01884---	Northern Barge Line Co.: NBL-2.
02198---	The Peninsular & Oriental Steam Navigation Co.: Northumberland.
02501---	Standard Oil Co. of California: Hawaii Standard.
02625---	Partenreederei M.V. Anita: Anita.
02976---	Arthur-Smith Corp.: J.T.S. 600.
02990---	Tota Shipping Co. S.A. Panama: Navishipper.
03128---	Global Seas Inc.: Tichi.
03153---	Caprice Navigation Corp.: Tigris.
03154---	Valiant Navigation Corp.: Delfini.
03156---	Deneb Navigation Corp.: Trechon.
03158---	Aquarius Navigation Corp.: Taktikos.
03161---	Andromeda Navigation Corp.: Triena.
03428---	Hachiuma Kisen K.K.: Malay Maru.
03458---	Matsuoka Kisen K.K.: Andes Maru.
03459---	Meiji Kaiun K.K.: Meiten Maru.
03471---	Nippo Kisen K.K.: Homei Maru.
03518---	Tokyo Senpaku K.K.: Kyoto Maru.
03561---	Skibsaksjeselskapet "Solvang": Kongsborg.
03727---	Continental Oil Co.: CAGC No. 1. CAGC No. 2.
03841---	American Export Lines: Expeditor.
03979---	Moran Towing Corp.: Moran 106.
04009---	Kameve Cia. Nav. S.A.: Aegis Star.
04088---	Petrolane Offshore Construction Services, Inc.: Packer Jet Barge II.
04394---	Philippine President Lines, Inc.: Liberty Three. President. President Macapagal. President Marcos. President Osmena. President Quezon.
04484---	Choshi Maguro Gyogyo Seisan Kumiai: Itomaru No. 18.
04526---	Eifuku Gyogyo Kabushiki Kaisha: Eifukumaru No. 18.
04644---	Koberg Corp. Ltd.: Koberg.
05046---	Magnolia Marine Transport Co.: Levi. Quin. Waring.
05573---	Companhia De Navegacao Carregadores Acoreanos: Ribeira Grande.
05576---	Aeas Compania Naviera S.A.: Aeas.
05746---	Campanella Corp.: Pittsburgh. PRR 44. U701.
05800---	Partenreederei MS Brunskappel: Brunskappel.
05890---	Enterprise Shipping Co. Ltd.: Robert Clifton.
06369---	Spartan Endeavour Shipping Co. Ltd.: Tachys.
06370---	Pisces Navigation Corp.: P Tekton.
06371---	Aires Navigation Corp.: Tropis.
06509---	River Transportation Inc.: T-200.
06805---	Spartan Pride Shipping Co. Ltd.: Aris.
06841---	Southeast Tanker Co.: Aquario.
06943---	Alphard Navigation Corp.: Tychos.
07071---	Epidavros Shipping Co. Ltd.: Tagma.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-17330 Filed 10-10-72;8:49 am]

FEDERAL POWER COMMISSION

[Docket No. G-7009 etc.]

CITIES SERVICE OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

OCTOBER 3, 1972.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before October 30, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-7009 D 9-25-72	Cities Service Oil Co., Post Office Box 300, Tulsa, OK 74102.	Columbia Gas Transmission Corp., Big Sandy Field, various counties, Ky.	Nonproductive	
CI67-1519 E 9-15-72	General American Oil Co. of Texas (successor to Austral Gas Co.), 1800 First National Bank Bldg., Dallas, Tex. 75206.	Michigan Wisconsin Pipe Line Co., Lawson Field, Acadia Parish, La.	21.7241	15.025
CI70-149 A 9-20-72	Forest Oil Corp., 1300 National Bank of Commerce, San Antonio, Tex. 78205.	Columbia Gas Transmission Corp., Blocks 255 and 256 Fields, Vermilion area, Offshore Louisiana.	35.0	15.025
CI71-105 E 9-11-72	Petro-Lewis Corp. (successor to Monterey Pipeline Co.), 1600 Broadway, Denver, CO 80202.	United Gas Pipe Line Co., Sunrise Field, Terrebonne Parish, La.	22.375	15.025
CI71-665 D 9-18-72	King Resources Co., 100 Security Life Bldg., Denver, Colo. 80202.	Northern Natural Gas Co., Gomez Field, Pecos County, Tex.	(1)	
CI73-198 B 9-15-72	Gulf Oil Corp., Post Office Box 1589, Tulsa, OK 74102.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., (North Louise Field, Wharton County, Tex.).	Depleted	
CI73-199 B 9-18-72	Belco Petroleum Corp., 2100 First City National Bank Bldg., Houston, Tex. 77002.	Oklahoma Natural Gas Co., Major County, Okla.	Depleted	
CI73-200 A 9-18-72	Midwest Oil Corp., 1700 Broadway, Denver, CO 80202.	Northern Natural Gas Co., Davidson Ranch Area, Crockett County, Tex.	[2] 30.0	14.65
CI73-201 A 9-18-72	Mobil Oil Corp., Post Office Box 1774, Houston, TX 77001.	Southern Natural Gas Co., Main Pass Block 122 and 133 Field, Offshore (Federal) Louisiana.	[3] 26.0	15.025
CI73-202 A 9-19-72	Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.	Northern Natural Gas Co., Quito Area, Ward County, Tex.	[3] 37.0	14.65
CI73-203 A 9-15-72 [4]	Pioneer Production Corp., Post Office Box 2542, Amarillo, TX 79105.	Texas Eastern Transmission Corp., South Bird Island Field, Kleberg County, Tex.	16.0654063	14.65
CI73-205 B 9-19-72	Deposit Guaranty National Bank, Executor, Estate of Joe W. Latham, Post Office Box 1200, Jackson, MS 39205.	United Gas Pipe Line Co., Pistol Ridge, Pearl River, Miss.	Depleted	
CI73-206 A 9-21-72	Cities Service Oil Co., Post Office Box 300, Tulsa, OK 74102.	Consolidated Gas Supply Corp., Island Creek Coal C Well No. 4, acreage in Big Creek District, McDowell County, W. Va.	40.0	15.325
CI73-207 B 9-18-72	Ralph H. Meriwether, Ted Collins, Jr., Robert E. Tucker, Jr., 1006 Midland National Bank Bldg., Midland, Tex. 79701.	Northern Natural Gas Co., Gomez (Ellenburger) Field, Pecos County, Tex.	(5)	
CI73-208 B 9-21-72	Skelly Oil Co., Post Office Box 1650, Tulsa, OK 74102.	Arkansas Louisiana Gas Co., Barham Unit, Simsboro Field, Lincoln Parish, La.	Depleted	
CI73-210 A 9-21-72	Texas Oil & Gas Corp., Fidelity Union Tower Bldg., Dallas, Tex. 75201.	Colorado Interstate Gas Co., Division of Colorado Interstate Corp., Laverne Field, Harper County, Okla.	[6] 21.32	14.65
CI73-211 A 9-22-72	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, TX 76107.	El Paso Natural Gas Co., Eddy County, N. Mex.	[3] 30.0	14.65
CI73-212 A 9-22-72	Stephens Production Co., 115 North 12th St., Fort Smith, AR 72901.	Arkansas Louisiana Gas Co., Kinta Field, Le Flore County, Okla.	23.75	14.65
CI73-213 (CI70-145) F 8-25-72	Dwight S. Ramsay (successor to King Resources Co.), Post Office Box 52027, Lafayette, La 70501.	United Gas Pipe Line Co., South Bourg Field, Terrebonne Parish, La.	[7] 21.25	15.025
CI73-215 (CI64-1192) F 9-21-72	S.S.C. Gas Producing Co. (successor to Pennsoil Producing Co. et al), Post Office Box 292, Pettus, TX 78146.	United Gas Pipe Line Co., Strauch-Wilcox Field, Bee County, Tex.	[3] 24.8472	14.65
CI73-216 A 9-21-72 [8]	Temeco Oil Co., Post Office Box 2511, Houston, TX 77001.	Tennessee Gas Pipeline Co., Hagist Ranch Field, Duval County, Tex.	24.25	14.65
CI73-218 A 9-25-72	Amoco Production Co., Post Office Box 591, Tulsa, OK 74102.	Natural Gas Pipe Line Co. of America, West Johnson Bayou Field, Cameron Parish, La.	[3] 36.8	15.025
CI73-219 A 9-25-72	Humble Oil & Refining Co., Post Office Box 2180, Houston, TX 77001.	Columbia Gas Transmission Corp., Pecan Island Field, Vermilion Parish, La.	36.0	15.025

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

[1] Production of gas has never commenced from the subject acreage, and the deletion of this acreage from the certificate will permit the acreage to be developed in connection with other land for the production of gas.
[2] Subject to upward and downward B.t.u. adjustment.
[3] Applicant is willing to accept a certificate at an initial rate of 27 cents per Mcf subject to B.t.u. adjustment; however, the contract price is 37 cents per Mcf.
[4] Applicant proposes to cover its own interest in the sale of natural gas heretofore authorized to be made by Carrl Oil, now applicant for a small producer certificate.
[5] Ralph H. Meriwether, Ted Collings, Jr., and Robert E. Tucker, small producer certificate holders in Dockets Nos. CS71-985, CS71-1041, and CS71-1044, respectively, seek permission and approval to release nonproductive acreage so that it may be included in a drilling unit for an additional well to be drilled in the Gomez Field.
[6] Applicant is willing to accept a certificate at an initial rate of 21.32 cents subject to B.t.u. adjustment; however, the contract price is 25 cents.
[7] Rate in effect subject to refund in RI71-473.
[8] Applicant proposes to cover its own interest in the sale of natural gas heretofore authorized to be made by Ralph E. Fair, Inc., now holder of a small producer certificate.

[FR Doc.72-17242 Filed 10-10-72;8:45 am]

[Docket Nos. CP72-5, CP72-170]

MOUNTAIN FUEL SUPPLY CO. AND COLORADO INTERSTATE GAS CO.

Order Granting Portion of Petition To Amend Prior Order, Granting Interventions and Setting Dates for Submittal of Evidence and for Hearing

OCTOBER 2, 1972.

On August 28, 1972, Colorado Interstate Gas Co., a division of Colorado Interstate Corp. (CIG), filed a petition to amend the Commission's order issued August 11, 1972, in Docket Nos. CP72–5 and CP72–170. In addition, CIG applied for temporary authority and requested a shortened notice period.

On May 24, 1972, the Commission consolidated a section 7(a) application by Mountain Fuel Supply Co. (Mountain Fuel) in Docket No. CP72–5 with section 7(c) applications by CIG in Docket Nos. CP72–170 and CP72–210. The May 24, 1972, order as modified by a July 7, 1972, order authorized CIG to construct facilities proposed in Docket No. CP72–170. On August 11, 1972, the Commission at Docket Nos. CP72–5 and CP72–170 authorized CIG to operate the aforementioned facilities and to make peak day sales of 1,304,499 Mcf. In addition CIG was ordered to sell and deliver up to 1,500 Mcf per day to Mountain Fuel for a period of 20 years.

CIG now requests that the Commission amend the order issued August 11, 1972, to authorize an increase in peak day deliveries from 1,304,499 to 1,320,271 Mcf. This proposed increase in peak day deliveries would be to the following types of customers:

Type of Customer	*Peak Day Increase (Decrease) Mcf*
Residential and Commercial	16,152
Electric Generation	1,820
Industrial Process	(2,200)
Total	15,772

As indicated above, the primary use of the increased peak day sales will be residential and commercial which should be approved. However, included in the proposed amendment are sales increases to Greeley Gas Co. (Greeley) of 60 Mcf per day and 1,820 Mcf per day for industrial process use and electric generation, respectively, and to Ideal Cement Co. (Ideal) of 800 Mcf per day for industrial process use. In light of the current national gas supply situation, these proposed sales increases to Greeley and Ideal should be more closely analyzed, particularly as to (1) the necessity of these increases, (2) the ultimate end use of the gas involved, and (3) the alternatives available. Accordingly, a hearing will be held to develop a complete record concerning these proposed increases.

The granting of CIG's petition except as to the specific sales increases to Greeley and Ideal renders CIG's request for temporary relief moot.

Notice of CIG's petition was issued August 30, 1972, and published in the FEDERAL REGISTER on September 1, 1972 (37 F.R. 17868), September 11, 1972, was set as the date by which all protests and petitions to intervene were to be filed.

A joint petition to intervene in support of CIG was timely filed by Public Service Co. of Colorado, Western Slope Gas Co., The Pueblo Gas and Fuel Co., and Cheyenne Light, Fuel and Power Co.

The Commission orders:

(A) The order issued August 11, 1972, in Docket Nos. CP72–5 and CP72–170 is hereby amended to permit the increased peak day sales by Colorado Interstate Gas Co. indicated on the attached Appendix A. In all other respects the order remains unchanged.

(B) 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 before a duly designated Administrative Law Judge commencing at 10 a.m. (E.d.t.) on October 26, 1972, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426 for the purpose of determining whether increased peak day sales by Colorado Interstate Gas Co. to Greeley Gas Co. of 1,880 Mcf per day and to Ideal Cement Co. of 800 Mcf per day would serve the public convenience and necessity.

(C) The above-named petitioners to intervene are permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in said joint petition for leave to intervene: *And Provided further,* That the admission of such interveners shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(D) Colorado Interstate Gas Co. and all interveners shall file with the Commission and serve upon all parties and the Commission Staff on or before October 13, 1972, case-in-chief evidence upon which they rely in support of their respective positions.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

	Peak day authorized 8–11–72	Peak day authorized this order
JURISDICTIONAL CUSTOMERS		
Rate Schedule G–1:	(*Mcf*)	(*Mcf*)
City of Colorado Springs, Colo	112,856	115,000
City of Fort Morgan, Colo	4,500	4,500
City of Trinidad, Colo	6,000	6,000
Greeley Gas Co	8,440	8,602
Northern Gas Co	400	400
Northern Natural Gas Co. (Peoples Division) [1]	24,450	24,400
Public Service Company of Colorado	411,030	422,423
Pueblo Gas & Fuel Co	57,400	58,050
Western Gas Interstate Co	3,357	3,394
Total Rate Schedule G–1	628,433	642,769
Rate Schedule SG–1:		
City of Walsenburg, Colo	2,000	2,000
Eastern Colorado Utility Co	2,200	2,100
Town of Keyes, Okla	400	400
Total Rate Schedule SG–1	4,600	4,500
Rate Schedule P–1:		
Cheyenne Light, Fuel & Power Co	47,935	50,010
Citizens Utilities Co	24,867	23,675
Kansas-Nebraska Natural Gas Co., Inc	21,000	21,000
Mountain Fuel Supply Co		1,500
Raton Natural Gas Co	6,298	6,200
Western Slope Gas Co	196,421	194,595
Total Rate Schedule P–1	296,521	296,980
Rate Schedule PS–1:		
Cheyenne Light, Fuel & Power Co	839	500
Citizens Utilities Co	1,208	
City of Colorado Springs, Colo	36,767	42,000
City of Fort Morgan, Colo	2,400	2,400
City of Trinidad, Colo	1,240	1,300
Greeley Gas Co	1,160	1,160
Northern Natural Gas Co. (Peoples Division) [1]	7,500	6,890
Public Service Co. of Colorado	119,209	123,427
Pueblo Gas & Fuel Co	8,242	7,000
Raton Natural Gas Co	3,702	3,600
Western Gas Interstate Co	693	732
Western Slope Gas Co	43,560	35,908
Total Rate Schedule PS–1	226,520	224,917
Rate Schedule H–1:		
Natural Gas Pipeline Co. of America	50,000	50,000
Total jurisdictional	1,206,074	1,219,166
NONJURISDICTIONAL CUSTOMERS		
General firm:		
City of Colorado Springs, Colo	5,000	5,000
City of Trinidad, Colo	1,100	1,100
CF&I Steel Corp	45,000	45,000
Great Western Sugar Co	14,000	14,000
Ideal Cement Co	125	3,825
Public Service Co. of Colorado	24,500	24,500
Total general firm	89,725	86,225
Peaking service firm:		
CF&I Steel Corp	5,000	5,000
Ideal Cement Co	3,700	
Total peaking service firm	8,700	5,000
Total nonjurisdictional	98,425	98,425
Total transmission system	1,304,499	1,317,591

[1] Based upon the assumption that Northern Natural Gas Co., Peoples Division, and Northern Natural Gas Co., Plateau Region, be combined effective Oct. 1, 1972.

[FR Doc.72–17247 Filed 10–10–72;8:45 am]

[Dockets Nos. RP72–91 etc.]

SOUTHERN NATURAL GAS CO.

Notice of Proposed Changes in Rates and Charges

OCTOBER 6, 1972.

Southern Natural Gas Company, Dockets Nos. RP72–91, RP73–13, RP73–16, RP73–46.

Take notice that Southern Natural Gas Co. (Southern) on September 29, 1972, tendered for filing two sets of revised tariff sheets to its FPC Gas Tariff, Sixth Revised Volume No. 1, proposed to become effective on November 1, 1972. One set of revised tariff sheets contains proposed changes in rates and charges which would increase annual revenues for jurisdictional sales and service in the amount of $2,929,728, of which $2,044,485 is based upon purchased gas costs and $885,243 is based upon advance payments in the amount of $10 million which Southern states it anticipates it will make in October 1972. The other set of tariff sheets, designated "Alternative Proposed Tariff Sheets," reflects only the increased purchased gas costs. The proposed revenue increases are over and above the rates and charges which became effective on October 1, 1972, subject to refund in Dockets Nos. RP72–91 et al.

In the event that the anticipated advance payment agreements have not been executed by October 21, 1972, Southern says it will immediately notify the Commission, and thereupon, it requests: (i) That the Alternate Proposed Tariff Sheets become effective November 1, 1972, reflecting only the increased purchased gas costs; and (ii) that the first set of tariff sheets be suspended until the time such advance payment agreements have been executed.

Southern states that the reasons for the proposed rate increases are: (1) The increased cost of gas supply resulting from the "millage adjustment" filed by United Gas Pipe Line Co. on August 18, to become effective October 21, 1972, through December 31, 1972, in Dockets Nos. RP71–41 et al., and (2) the aforementioned advance payments to producers which are in excess of amounts reflected in its rate increase filing in Dockets Nos. RP72–91 et al. All other items of cost included in this rate filing are identical to those in the rate filings in Dockets Nos. RP72–91 et al. No other tariff changes are proposed.

Copies of the increased rate filing have been served upon all jurisdictional customers and upon interested State commissions.

Any person desiring to be heard or to protest said application should file a protest, or if not previously granted intervention in Dockets Nos. RP72–91 et al., file a petition to intervene with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 20, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72–17350 Filed 10–10–72;8:51 am]

FOREIGN-TRADE ZONES BOARD

[Order 90]

LITTLE ROCK, ARK.

Resolution Approving Application and Order Authorizing Issuance of Grant for a Foreign-Trade Zone

Proceedings of the Foreign-Trade Zones Board, Washington, D.C.

Resolution and order. Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board has adopted the following resolution and order:

The Board, having considered the matter hereby orders:

After consideration of the application of the State of Arkansas, made by its Department of Industrial Development, filed with the Foreign-Trade Zones Board on January 31, 1972, requesting a grant of authority for the establishing, operating, and maintaining of a foreign-trade zone at the Port Terminal Warehouse, Little Rock, Ark., the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, approves the application for a grant. Should any proposal be made to use the zone for any manufacturing operation, the grantee shall prenotify the Board's executive secretary for clearance prior to the commencement of such an operation. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized and directed to sign and issue an appropriate grant of authority in favor of the State of Arkansas.

GRANT TO ESTABLISH, OPERATE, AND MAINTAIN A FOREIGN-TRADE ZONE AT LITTLE ROCK, ARK.

Whereas, by an Act of Congress approved June 18, 1934, an Act "To provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a–81u), (hereinafter referred to as "the Act") the Foreign-Trade Zones Board (hereinafter referred to as "the Board") is authorized and empowered to grant to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under the jurisdiction of the United States;

Whereas, the State of Arkansas (hereinafter referred to as "the Grantee"), through its Department of Industrial Development, has made application in due and proper form to the Board which requests the establishment, operation, and maintenance of a foreign-trade zone at Little Rock, Ark.;

Whereas, notice of said application has been given and published, and full opportunity has been afforded all interested parties to be heard; and

Whereas, the Board has found that under the Act the proposed plans and location are suitable for the accomplishment of the purposes of a foreign-trade zone at Little Rock, Ark., and that the facilities and appurtenances which in said application it is proposed to provide are sufficient;

Now, therefore, the Board hereby grants to the Grantee the privilege of establishing, operating, and maintaining a foreign-trade zone, designated on the records of the Board as Zone No. 14, at the specific location mentioned above and more particularly described on the maps accompanying the application requesting authority for a foreign-trade zone at Little Rock, Ark., marked as Exhibits No. IX and No. X, said grant being subject to the provisions, conditions, and restrictions of the Act and the regulations issued thereunder, to the same extent as though the same were fully set forth herein, and also to the following express conditions and limitations, to-wit:

The Grantee shall make no deviation from the maps, plans, specifications, drawings, and blueprints accompanying the said application and marked as Exhibits Nos. I to XIII inclusive, before or after completion of the structures or work involved, unless such deviation has previously been submitted to and has received the approval of the Board.

The work of construction under this grant shall commence immediately following the date of the grant. Said work shall be diligently prosecuted to completion and the work of construction shall be completed and operation of the foreign-trade zone shall be commenced by the Grantee within a reasonable time from the date of issuance of the grant.

The Grantee shall fully comply with all applicable provisions of the laws relating to the protection and preservation of the navigable waters of the United States, and shall secure legally required authorization and approval for work in navigable waters of the United States. The Grantee shall also obtain all necessary construction permits from Federal, State, and municipal authorities. The grant herein made shall not be construed as conveying such approvals.

The Grantee shall allow officers and employees of the United States of America free and unrestricted access to and throughout the foreign-trade zone in the performance of their official duties.

The Grantee shall prenotify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operation within the zone.

The grant shall not be construed to relieve the Grantee from liability for injury or damage to the person or property of others occasioned by the construction, operation, or maintenance of said zone, and in no event shall the United States of America be liable therefor.

The grant is further subject to settlement locally by the District Director of Customs and the District Engineer with the Grantee regarding compliance with their respective requirements for the protection of the revenue of the United States and the installation of suitable facilities.

In Witness Whereof, the Foreign-Trade Zones Board has caused its name to be signed and its seal to be affixed hereto by its Chairman and Executive Officer, Peter G. Peterson, at Washington, D.C., this 4th day of October 1972, pursuant to order of the Board.

FOREIGN-TRADE ZONING BOARD,
PETER G. PETERSON,
Chairman and Executive Officer.

Attest:

JOHN J. DA PONTE, JR.,
Executive Secretary.

[FR Doc.72-17819 Filed 10-10-72;8:47 am]

GENERAL SERVICES ADMINISTRATION

BATTERY, STORAGE: VEHICULAR, IGNITION, LIGHTING, AND STARTING

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 Proposed Federal Specification W–B–131J, Battery, Storage: Vehicular, ignition, lighting, and starting.

The primary purpose of the conference is to provide a forum for review and discussion of the proposed qualification testing program. In addition, consideration will be given to 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.

The conference will be held on October 24, 1972, at 9:30 a.m., Room 508, Building 3, Crystal Mall, 1931 Jefferson Davis Highway, Arlington, VA. Anyone who wants to attend or desires further information should contact Mr. John T. Miller, General Services Administration, Federal Supply Service, at telephone number (Area Code 703) 557–7827 or write General Services Administration, Federal Supply Service (FMSE), Washington, D.C. 20406.

Issued in Washington, D.C., on September 29, 1972.

M. S. MEEKER,
Commissioner.

[FR Doc.72-17813 Filed 10-10-72;8:47 am]

VENETIAN BLINDS

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 Proposed Federal Specification AA–V–200B, Venetian Blinds.

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.

The conference will be held on October 25, 1972, at 9:30 a.m., Room 508, Building 3, Crystal Mall, 1931 Jefferson Davis Highway, Arlington, VA. Anyone who wants to attend or desires further information should contact Mr. Joseph F. Lawless, General Services Administration, Federal Supply Service, at telephone number (Area Code 703) 557-7866 or write General Services Administration, Federal Supply Service (FMSF), Washington, D.C. 20406.

Issued in Washington, D.C., on September 29, 1972.

M. S. MEEKER,
Commissioner.

[FR Doc.72-17312 Filed 10-10-72;8:47 am]

[Federal Property Management Regs.; Temporary Reg. E-25]

SOLE SOURCE ADPE PROCUREMENTS

To: Heads of Federal Agencies.

1. *Purpose.* This regulation establishes policy and procedures which are designed to restrict the procurement of automatic data processing equipment (ADPE) in excess of $10,000 without a specific delegation of procurement authority (DPA) from GSA when such procurement is to be accomplished as a sole source procurement action.

2. *Effective date.* This regulation is effective upon publication (10-11-72) in the FEDERAL REGISTER.

3. *Expiration date.* This regulation expires April 2, 1973, unless sooner revised or superseded.

4. *Applicability.* The provisions of this regulation apply to all Federal agencies.

5. *General.* Automatic data processing equipment, software, and maintenance services are procured in conformance with applicable regulations and the provisions of Office of Management and Budget (OMB) Circular No. A-54, dated October 14, 1961. These directives provide that ADPE procurements will not be accomplished until systems specifications are available and equal opportunity and appropriate consideration are provided to all responsible and responsive offerors capable of meeting the Government's requirements. Any procurement action which does not conform with these requirements is considered a "sole source" procurement, the basis and justification for which are to be documented in accordance with prevailing regulations governing sole source procurement by agencies of the Federal Government.

6. *Restriction on sole source ADPE procurements.* Irrespective of the provisions of FPMR 101-32.403-1, sole source procurement of ADPE in excess of $10,000 by either lease or purchase is permitted only after receiving a DPA from GSA. Where a sole source procurement appears to be in the best interest of the Government, agencies shall submit to GSA a request for a delegation of procurement authority accompanied by a statement or determination and finding justifying the requested action. The determination and finding shall be prepared under the provisions of FPMR 101-26.105(b), signed by the contracting officer, and approved by the head of the agency or his authorized designee. The determination and finding shall be accompanied by a certification as to the availability of a systems specificaton in accordance with the provisions of OMB Circular No. A-54 or, in the absence of a systems specification, a written explanation of the basis for the selection and certification which indicates that it is in the best interest of the Government to deviate from the provisions of OMB Circular No. A-54.

7. *Agency comments.* Comments concerning the effect or impact of this regulation on agency operations or programs should be submitted to the General Services Administration (CP), Washington, D.C. 20405, no later than December 29, 1972, for consideration and possible incorporation into the permanent regulation.

8. *Effect on other issuances.* This regulation supplements the ADPE procurement policy in FPMR 101-32.403 and FPMR 101-32.404.

ARTHUR F. SAMPSON,
Acting Administrator of General Services.

OCTOBER 3, 1972.

[FR Doc.72-17314 Filed 10-10-72;8:47 am]

NATIONAL SCIENCE FOUNDATION

VERY LARGE ARRAY (VLA)

Summary Statement of Federal Action Affecting the Environment

A summary statement concerning the VLA was published in the FEDERAL REGISTER, Volume 37, No. 139, page 14338, July 19, 1972. Comments received on the draft environmental impact statement have been reviewed and taken into consideration in preparing the final environmental statement.

The final environmental statement has been filed with the Council on Environmental Quality. Copies are available from the Deputy Assistant Director for National and International Programs, National Science Foundation, Washington, D.C. 20550.

Dated: October 6, 1972.

RAYMOND L. BISPLINGHOFF,
Acting Director.

[FR Doc.72-17380 Filed 10-10-72;8:51 am]

SECURITIES AND EXCHANGE COMMISSION

[812-3224]

CHRISTINA SECURITIES CO. AND E. I. DU PONT DE NEMOURS & CO.

Notice of Filing of Application for an Order Exempting Transactions Between Affiliates Incident to a Merger

OCTOBER 3, 1972.

Notice is hereby given that Christiana Securities Co. (Christiana) Wilmington, Del. 19898, a Delaware corporation, registered under the Investment Company Act of 1940 (Act) as a closed-end nondiversified management investment company, and E. I. du Pont de Nemours & Co. (Du Pont), a Delaware corporation (hereinafter collectively referred to as "Applicants"), have filed a joint application pursuant to sections 6(c), 17(b), and 17(d) of the Act and Rule 17d-1 thereunder, for an order exempting from the provisions of 17(a) and permitting under section 17(d) and Rule 17d-1 certain transactions incident to a proposed merger of Christiana into Du Pont, with Du Pont as the surviving corporation. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Christiana owns approximately 28.3 percent of the outstanding common stock of Du Pont. Accordingly, Christiana presumptively controls Du Pont within the meaning of section 2(a)(9) of the Act, and the companies are affiliated persons as defined in section 2(a)(3) of the Act. Moreover, certain directors, officers and other affiliated persons of Applicants are stockholders of Christiana or Du Pont or both companies.

Christiana has outstanding 106,500 shares of 7 percent cumulative preferred stock, having a liquidation value of $100 per share and a redemption price of $120 per share, and 11,710,103 shares of common stock. Christiana's common stock is traded in the over-the-counter market in only limited quantities, and its market price consistently has been less than the market value of Christiana's underlying assets, generally ranging from 20 percent to 25 percent less during the 2 years preceding public announcement of a possible merger. There are approximately 6,683 holders of Christiana common stock and 1,516 holders of the preferred stock. Christiana's assets consist of cash and securities, of which the most important holding is 13,417,120 shares (28.28 percent) of the outstanding common stock of Du Pont. The value of the total security holdings of Christiana as of July 17, 1972, based primarily on market values, was $2,226,814,066, of which 98.7 percent was represented by its holdings of common stock of Du Pont. The remaining security holdings of

Christiana consist primarily of 16,256 (0.96 percent) shares of the $4.50 preferred stock of Du Pont, 69,216 (3.45 percent) shares of the common stock of Wilmington Trust Co. (Wilmington) and all of the outstanding shares of the News Journal Co. (News Journal). The total value of $2,226,814,066 for the security holdings of Christiana is based on the average closing prices on the New York Stock Exchange on July 10 through 14, 1972 for the Du Pont common and preferred stock ($2,199,854,642); the average closing bid prices in the over-the-counter market on July 10 through July 14, 1972, for the Wilmington common stock ($2,699,424); and the fair market value of the News Journal common stock based upon an appraisal as of July 17, 1972 ($24,260,000). Christiana also has other assets consisting, at June 30, 1972, of (1) cash and cash equivalents, less current liabilities, in the net amount of $5,981,367 and (2) a claim for refund of Federal income taxes and interest, carried on the books as a deferred charge in the amount of $11,723,013.

Christiana's net asset value has been adjusted as follows for purposes of the proposed merger:

Total Net Asset Value of Christiana (as above)	$2,244,518,446
Less adjustments:	
Adjustment to reflect tax claim at no value	11,723,013
Distribution cost for Wilmington Trust (3 percent of market value)	80,983
Capital gains tax @ 30 percent on sale of:	
Wilmington Trust (tax basis=$903,592)	514,455
News-Journal (tax basis =$846,107)	7,024,168
Merger expenses (50 percent of estimated total expenses)	750,000
Cash reserved for tax claim expenses	1,000,000
Adjusted net asset value of Christiana	2,223,425,827

Under the plan of merger, the tax claim, together with $1 million of Christiana's cash to be reserved to cover expenses to pursue the claim, will be treated at the time of the merger as having no value. The tax claim and related cash reserved for expenses will become the property of Du Pont on the effective date of the merger, and if upon settlement of the tax claim any proceeds are realized they will be distributed to the former Christiana shareholders as described below. The expenses of the merger are to be shared equally. Accordingly, the net asset value of Christiana's cash and cash equivalents has been adjusted to reflect both the reservation of the $1 million related to the tax claim and $750,000 related to merger expenses. The application also states that Du Pont intends to hold the Wilmington and News-Journal stock for only the period required for the orderly disposition thereof. Accordingly, the net asset values of these holdings have been adjusted to reflect the estimated expenses of disposition and a tax of 30 percent on the capital gains which would result from their sale at the values reflected for such assets.

Du Pont has outstanding 1,688,850 shares of $4.50 series cumulative preferred stock without par value, 700,000 shares of $3.50 series cumulative preferred stock without par value, and 47,566,694 shares of common stock held by approximately 224,964 shareholders.

Under the proposed plan of merger, the outstanding common stock of Christiana will be converted into Du Pont common stock at the rate of one share of Christiana common stock for each 1.123 shares of Du Pont common stock. For the purpose of computing this conversion ratio, Christiana was valued at 97½ percent of the adjusted value of its net assets, as described below, and the Du Pont common stock to be issued to the Christiana common stockholders was valued at $163.875 a share, the average closing market price for Du Pont common stock on the New York Stock Exchange on the 5 trading days immediately preceding July 17, 1972, the date on which the proposed merger plan was approved in principle by Christiana and Du Pont's boards of directors. The number of additional shares of Du Pont common stock, if any, to be distributed to the former Christiana common stockholders upon settlement of the tax claim will be determined by converting any net proceeds from the settlement, along with any residue of funds reserved for payment of expenses of pursuing the tax claim, into Du Pont common stock having corresponding value and such shares will be delivered to an agent appointed for such purpose. The agent will distribute such additional shares of Du Pont common stock pro rata to the former Christiana common stockholders in proportion to the Du Pont common stock received by them in the merger transaction. The price for Du Pont common stock to be used for the foregoing conversion will be the average of the closing prices for Du Pont common on the New York Stock Exchange for the 10 trading days preceding the date on which refund payment by the Government is received by Du Pont or, if no refund is to be received, the date on which judgment to that effect becomes final.

On the effective date of the merger the Christiana preferred stock will be converted into Du Pont common stock having a current market value equal to $120 per preferred share, the preferred call price. The Du Pont common stock to be exchanged for such preferred stock will be valued at the average of the closing prices for the common stock on the New York Stock Exchange for the 10 trading days preceding the effective date of the merger. The conversion rate was estimated at 0.7323 shares of Du Pont common stock for one share of Christiana preferred stock, based on the current average price for Du Pont common stock on July 17, 1972.

The shares of Du Pont common stock used for the merger will be newly issued shares. All common and preferred stock of Du Pont owned by Christiana will be retired in the merger. All other shares of Du Pont will remain outstanding. Du Pont will not issue fractional shares to the stockholders of Christiana. Instead, such stockholders having a fractional interest in a share of Du Pont common stock will be provided an opportunity, through an agent appointed for such purpose, to: (1) Sell such interest, or (2) purchase the additional fractional interest required to make up one full share.

Under Delaware Corporaton Law, after approval of the agreement of merger by the respective boards of directors of Christiana and Du Pont, the affirmative vote of the holders of a majority of the total outstanding shares of common stock of each company will be required. Christiana and Du Pont will arrange for special meetings of their stockholders, after obtaining the requested exemption order, for stockholder vote on the merger proposal, such vote to be subject to receipt of a Ruling from the Internal Revenue Service that the proposed merger may be consummated on a tax-free basis. Under Delaware Corporation Law, any holder of Christiana's preferred stock who objects in writing within the prescribed time may receive a cash payment equal to the appraised value of his preferred stock. No such right is available with respect to any Christiana common shares or to any Du Pont common or preferred shares.

The proposed plan of merger and the method of determining the conversion ratios were developed on the basis of independent financial studies made by three investment banking firms acting as financial advisors. The investment banking firms were engaged by special committees of the boards of Christiana and Du Pont, which had been appointed to negotiate and submit recommendations with respect to the proposed merger. In the case of each company, the special board committee consisted of two directors with no director, officer or employee relationship with the other company. Independent studies and recommendations regarding a suitable range of merger terms were prepared by Morgan Stanley and Co., to advise both Christiana and Du Pont; Kidder, Peabody and Co., Inc., to advise Christiana separately; and First Boston Corp. to advise Du Pont separately. Negotiations by the special board committees were conducted with due consideration of the recommendations made by the financial advisers regarding ranges of merger terms they would consider fair and reasonable, and resulted in proposals by the special board committees for a merger with terms thereof based on 97½ percent of Christiana's adjusted net asset value, that is a discount of 2½ percent. However, the effective rate of discount is approximately 1.8 percent to the Christiana shareholders when effect is given to their recapture of approximately 28 percent by reason of becoming shareholders of Du Pont. The Du Pont special board committee considered merger terms reflecting the proposed discount of Christiana's adjusted net asset

value fair and reasonable for all parties affected, and appropriate in the circumstances to provide sound business reasons for Du Pont to undertake the merger and the disposition of those securities acquired in the merger which Du Pont does not wish to retain. The Christiana special board committee considered the terms fair and reasonable for all concerned in the light of significant benefits in the merger to the Christiana common stockholders in acquiring a more readily marketable security, elimination of the sizable market discount from net asset value which has prevailed on the Christiana stock prior to the merger announcement, and the elimination of the Federal income tax payable by Christiana at the currently effective rate of 7.2 percent on dividends received on the Du Pont common stock. As to the Christiana preferred stockholders, the application states that the market value of their holdings will increase to the amount at which they could have been redeemed.

Applicants state they are requesting a ruling from the Internal Revenue Service to the effect that no gain or loss for Federal income tax purposes will be recognized to either Du Pont or Christiana or to their stockholders as a result of the merger except with respect to: (1) Cash received by any Christiana stockholder in connection with his disposition of an interest in a fractional share of Du Pont common stock, (2) cash received by any dissenting preferred stockholder of Christiana who elects appraisal rights, and (3) certain portions of any contingent distribution in connection with the tax claim.

The proposed discount as a basis for the merger falls within the range recommended by each of the financial advisors, and each has expressed the opinion that the resultant merger terms are fair and reasonable for all parties affected.

Section 17(a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to or purchasing from such registered company or any company controlled by such registered company, any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17(b) grants an exemption from the provisions of section 17(a), after finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of the registered investment company, as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act. Section 17(d) of the Act and Rule 17d–1 thereunder, taken together, provide among other things, that it shall be unlawful for any affiliated person, acting as principal, to participate in, or effect any transaction in connection with any joint enterprise or arrangement in which any such registered company, or a company controlled by such registered company, is a participant unless an application regarding such arrangement has been granted by an order of the Commission. Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any transaction or class of transaction from any provision of the Act if and to the extent 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, no later than October 27, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said 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 Investment Company Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72–17293 Filed 10–10–72;8:46 am]

[File No. 500–1]

MERIDIAN FAST FOOD SERVICES, INC.

Order Suspending Trading

OCTOBER 2, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.01 par value, of Meridian Fast Food Services, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors.

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from October 3, 1972, through October 12, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72–17299 Filed 10–10–72;8:46 am]

[Releases Nos. 33–5263, 34–9650]

DEFENSE AND OTHER LONG TERM CONTRACTS

Prompt and Accurate Disclosure of Information

The Securities and Exchange Commission today emphasized the need for publicly held companies to make prompt and accurate disclosure to securities holders and the investing public of material information, both favorable and unfavorable, with respect to progress and problems encountered in the course of performing under long-term contracts and programs involving significant technical or engineering problems and significant dollar amounts, including certain defense procurement contracts.

There are a number of factors arising from defense and other forms of long-term contracting on which clear and meaningful disclosure is necessary if the public is to be adequately apprised of the investment merits and risks of the securities of companies significantly involved in this type of business. Many defense contracts, for example, are extremely complex in their terms, calling for multifaceted weapons systems involving significant technological advances; such contracts may be performed over extended periods of time and may be subject to numerous changes in specifications or in delivery schedules. In addition, significant additional costs may be incurred which were not anticipated at the time a bid was submitted for the contract. A contractor also may incur substantial costs before reaching agreement with the Government on the price for any contract changes. Thus, at any given time in the performance of such a contract an estimate of its profitability is often subject not only to additional costs to be incurred but also to the outcome of future negotiations or possible claims relating to costs already incurred. While long-term defense contracts have presented significant examples of these factors, there can be comparable risks and disclosure problems in other long-term contracts or programs, particularly those involving advanced technology.

Government contracts are subject to renegotiation of profit and to termination for the convenience of the Government, which in some cases may have a material financial impact upon the company. Extended periods of time may be required to settle claims and during such periods the possibility exists, particularly in major contracts, that the working capital of the company may be materially affected.

Contracts also vary as to type, such as, for example, cost-plus fixed fee, fixed price, fixed price incentive, and so on. The ability to estimate progress at any given time may vary from contract to contract depending in part on the type of contract and its terms.

Because of the above factors, costs to be incurred in the performance of such contracts and ultimate profit to be realized often cannot be known in the early stages of the contract. Accordingly, such matters are necessarily the subject of estimates which are difficult to make with any certainty. Nothwithstanding such difficulties, registrants have an obligation to make every effort to assure that progress on material contracts—such as earnings, losses, anticipated losses or material cost overruns—is properly reflected in the registrant's financial statements and, where necessary to a full understanding, discussed in appropriate textual disclosure.

The Commission in emphasizing its concern about adequate disclosure in these areas has taken into account the report of the staff, released today, on disclosure practices of companies engaged in defense contracting[1] and the problems encountered by certain defense contractors as illustrated by the brief case studies contained in that report.

The defense contracting investigation was instituted following the public release of an investigative staff report on the Lockheed Aircraft Corp.[2] The severe problems encountered by Lockheed in connection with its C5A contract, viewed in the light of the investigative record in that matter, raised questions as to whether the various disclosures made by Lockheed concerning its problems had in retrospect been adequate. With respect to certain aspects of the C5A contract the staff in its Lockheed report concluded:

> While there was a very general disclosure * * * touching upon some of these points * * * the statements made did not fully and adequately disclose all pertinent factors and it requires much reading between the lines, with knowledge of the underlying circumstances, to catch the issues and the real risks facing this company.[3]

In view of the situation disclosed in the Lockheed report the Commission was concerned as to whether the Lockheed C5A contract involved problems typical of the defense industry. The Commission directed the staff to conduct an inquiry for the primary purpose of gathering information concerning disclosure of defense contracting and determining whether the Commission's rules and forms were adequate or whether they could or should be revised to provide a basis for improved disclosures in the future by such companies.

The defense contracting report has concluded that the Commission's present rules and disclosure forms are generally adequate and no amendments appear necessary. The staff noted, however, that the application of the present requirements by some defense contractors could be improved. Among other things, it was noted that disclosures vary in quantity and quality from company to company and to some extent according to the nature of the document in which they are contained—for example between the Form 10–K (17 CFR 249.310) and Annual Report to Stockholders. In view of the fact that of these two documents, only the Annual Report to Stockholders receives wide public dissemination, the Commission urges issuers to make every effort to assure that disclosures contained therein are as complete and accurate as those contained in documents filed with the Commission. In this connection, the Commission has published for comment and is presently considering adoption of an amendment to Form 10–K which would require specification by all reporting companies of items of information supplied in Form 10–K but omitted from the Annual Report to Stockholders.[4]

The Commission has considered the issuance of a release containing specific guidelines for disclosure by registrants engaged in defense contracting or other long-term, material dollar amount operations involving similar risks. The Commission recognizes, however, that the nature of such undertakings, particularly in the area of long-term contracts involving procurement of sophisticated weapons systems, involves such varied and complex considerations—including severe definitional problems—as to make the imposition of inflexible guidelines impracticable. Rather, the Commission regards it as incumbent on issuers to assess the special problems in each material contract or program with a view to making adequate and understandable public disclosure. Further, in considering whether to issue formal guidelines, the Commission noted that the staff's report covers a period of time when procurement was often conducted under the concept of "Total Package Procurement", the method which played such a major part in the difficulties surrounding the Lockheed C5A contract. The Department of Defense has since recognized that development of major weapons systems by its nature is dealing with the unknown, and does not contemplate continued use of the Total Package Procurement method, providing instead that contracts and subcontracts calling for the development of a weapons system, wherever appropriate, will be on a cost-contracting basis rather than a fixed-price method.

Corporate managers are urged to review their policies with respect to corporate disclosure on defense and other long-term contracting and insure that adequate disclosure policies are followed with respect to reports filed with the Commission or distributed to investors. The Commission further emphasizes that the responsibility for prompt and adequate disclosure rests with registrants and their professional advisors. The Commission also wishes to reiterate the statements made in our 1970 release regarding "Timely Disclosure of Material Corporate Developments."[5]

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

JUNE 22, 1972.

[FR Doc.72–17297 Filed 10–10–72;8:51 am]

[Release No. 34–9559]

FINANCIAL REPORTING

Quarterly and Other Interim Reports of Operations

The Commission urges issuers to exercise greater diligence in the release of information with respect to results of operations for fiscal years and for quarterly or other portions thereof. While most issuers have displayed great skill in presenting information so that its significance can be grasped by all and have done so in complete candor, some issuers have not been successful in their communications effort. The audience to which such information is presented includes a wide range of sophistication and depth of interest. Expert financial analysts and casual investors are among those to whom such information is addressed.

Further, such news releases must compete for space and attention in news media with reports of many other events some of which may be more striking in terms of drama or human interest. In some instances a poor or weak news release with respect to results of operations has been misconstrued so that news reports with respect to the information have been incomplete, inadequate, and occasionally misleading. Such instances frequently arise because financial publishers, who are usually under severe time pressure for publication, have difficulty in deciphering the material.

The most frequent area of weakness of corporate news releases is the comparison of results of current and preceding periods without setting forth with appropriate emphasis unusual items affecting the interim periods. The Commission's position in this regard as set forth in reporting forms should be considered by issuers in designing appropriate disclosures.

In the area of results of operations for quarterly periods the Commission has provided instructions to Form 10–Q (17 CFR 249.308a) for reports to be filed with the Commission for the first three quarters of each fiscal year. See paragraph H, "Presentation of Financial Information," of Form 10–Q, Securities Exchange Act Release No. 9004 (35 F.R. 17537), dated October 28, 1970, as

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[1] See, "In the Matter of Disclosures by Registrants Engaged in Defense Contracting;" Administrative Proceeding File No. 3–2485 (June 22, 1972).

[2] See, "Report of Investigation in reference to Lockheed Aircraft Corp.," HO–423 (May 25, 1970).

[3] *Ibid.* page 58.

[4] Securities Exchange Act of 1934, Release No. 9576 (April 20, 1972) [37 F.R. 9045].

[5] Securities Act of 1933, Release No. 5092 (October 15, 1970) [35 F.R. 16733].

amended by Release No. 9344 (36 F.R. 19363), dated September 27, 1971. These instructions provide guidance for dealing with situations frequently encountered. Among events and circumstances which may require additional disclosure to provide information needed for the understanding of reports of operations for successive periods are the seasonal sale of a single-crop agricultural commodity, a business combination treated for accounting purposes as a pooling of interests, the disposition of a significant portion of the business or the acquisition of a significant amount of assets in a transaction treated for accounting purposes as a purchase, changes in accounting principles or practices or methods of applying principles or practices (including consolidation practices) adopted during the period which may have a material effect on the results of operations, seasonal or other specified factors contributing to an unusual increase or decrease in net sales or income and material retroactive adjustments subsequent to the initial reporting for the period affected. In this connection, attention is invited to subparagraph (i) of paragraph H regarding material prior period adjustments. In most instances this instruction would require that the summarized financial information for the comparable period of the preceding year be restated to give effect to the adjustments, and that information be furnished by footnote or otherwise, showing the effect of such adjustments upon results of operations previously published.

Quarterly reports on Form 10–Q are neither required to be sent to security holders nor required to be filed for the fourth quarter of an issuer's fiscal year. Some issuers publish separately the results of operations for the fourth quarter: All issuers should consider adoption of the practices. In addition, investors and other users of investment information may compare results for the full year with results for the first quarter. The issuer should include adequate information with respect to year-end adjustments or unusual transactions which occurred during the fourth quarter, otherwise the impressions with regard to operations for the fourth quarter, and possibly the trend of the affairs of the issuer, will not be accurate.

Issuers are required to report to the Commission, in response to Item 10(a) of Form 8–K (17 CFR 249.308), with respect to material charges or credits of an unusual nature such as a material charge to costs or expenses in connection with a write-down, write-off or abandonment of assets or obsolescence of inventory or a material credit to income in connection with a disposal of investments or assets. See Securities Exchange Act Release No. 9344 dated September 27, 1971. Again, the material required by Form 8–K is not required to be sent to security holders. However, some of the information called for may be so important that the principal portions should be included in news releases and periodic reports to security holders.

In some instances tax adjustments or tax management transactions made at the year-end have not been adequately explained with the result that the investing public has been furnished confusing information with regard to trends in the operations of an issuer. Since final computations of tax liability cannot be made until the results of operations of the full taxable period, usually the taxable year, are known, tax provisions for quarterly and interim periods are estimated. If such estimates differ materially from the computations for the full year, appropriate disclosure of the effect on the comparability of quarterly or other interim periods is necessary. Disclosure of the effect of elections to recognize revenues or expenses for tax purposes should be furnished also.

The Commission is giving further consideration to the provisions of Item 10(a) of Form 8–K, as mentioned above, to determine whether revision thereof may be appropriate to provide further information with respect to items required to be reported in response thereto.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

APRIL 5, 1972.

[FR Doc.72-17298 Filed 10-10-72;8:51 am]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, Rev. 14, Amdt. 3]

REGIONAL DIRECTORS

Delegation of Authority To Conduct Program Activities in Field Offices

Delegation of Authority No. 30 (Revision 14) (37 F.R. 12651), as amended (37 F.R. 14840, 37 F.R. 19405), is hereby further amended by revising Part I, section A, paragraph 4; Part III, section C, paragraph 2; and Parts II and VIII in their entirety. This amendment more clearly defines certain authorities; eliminates references to class B disasters; includes authority to contract for local credit bureau services and loss verification services; and removes the restriction for Region III to exercise authority with respect to surety guarantees.

Part I, section A, paragraph 4, is revised to read as follows:

4. *Disaster loans.* See Part II, section A, paragraphs 1 and 2.

Part III, section C, paragraph 2, is revised to read as follows:

2. *Surety guarantee.* To guarantee sureties of small businesses against portions of losses resulting from the breach of bid, payment, or performance bonds on contracts not to exceed $500,000.

Part II—Disaster Loans, and Part VIII—Administrative, are revised in their entirety and set forth below.

Effective dates: Part I, sec. A, par. 4—July 1, 1972; Part II and Part VIII—July 1, 1972; Part III, sec. C, par. 2—October 1, 1972.

THOMAS S. KLEPPE,
Administrator.

PART II—DISASTER PROGRAM

SECTION A.—*Disaster loan approval authority.* 1. To decline direct disaster and immediate participation disaster loans in any amount and to approve such loans up to the total SBA funds of: (1) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000; and (2) $500,000 on disaster business loans (excluding displaced business loans, coal mine health and safety loans, occupational safety and health loans, and economic injury disaster loans in connection with declarations made by the Secretary of Agriculture for natural disasters) except to the extent of refinancing of a previous SBA disaster loan.

2. To decline disaster guaranteed loans in any amount and to approve such loans up to an SBA guarantee of $1 million.

3. To appoint as a processing representative any bank in the disaster area.

4. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired.

SEC. B—*Administrative authority*—1. *Establishment of disaster field offices.*—To establish field offices upon receipt of advice of the designation of a disaster area; to close disaster field offices when no longer advisable to maintain such offices; and to obligate the Small Business Administration to reimburse General Services Administration for the rental of temporary office space.

2. *Contractual authority.*—a. To contract for local credit bureau services and loss verification services pursuant to chapter 4 of title 41, United States Code, as amended, subject to the limitations contained in section 257 (a) and (b) of that chapter.

b. *Other administrative authority.* See Part VIII.

PART VIII—ADMINISTRATIVE

SECTION A. *Authority to purchase, rent, or contract for equipment, services and supplies*—1. *To purchase reproduction* of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. *Purchase and contract authority.* To purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; contract for repair and maintenance of equipment and furnishings; contract for printing (Government sources only); contract for services required in setting up and dismantling and moving

SBA exhibits; and issue Government bills of lading pursuant to chapter 4 of title 41, United States Code, as amended, subject to the limitations contained in section 257 (a) and (b) of that chapter.

3. *Rental of motor vehicles.* To rent motor vehicles and garage space for the storage of such vehicles when not furnished by this Administration.

4. *To rent temporarily SBA conference space* located within the respective geographical jurisdiction. Except Regional Director, Region III, whose jurisdiction excludes the Metropolitan Washington area.

[FR Doc.72-17303 Filed 10-10-72;8:46 am]

TARIFF COMMISSION

[TEA-W-157]

WORKERS' PETITION FOR DETERMINATION

Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the former workers of the Airco Speer Electronics Components, DuBois, Pa., the U.S. Tariff Commission, on October 4, 1972, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with radio frequency coils, molded ceramic capacitors, and fixed precision metal film resistors (of the type provided for in Item Nos. 682.60, 685.80, and 686.10 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in room 437 of the customhouse.

Issued: October 5, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.72-17304 Filed 10-10-72;8:47 am]

INTERSTATE COMMERCE COMMISSION

[Notice 91]

ASSIGNMENT OF HEARINGS

OCTOBER 2, 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. No amendments will be entertained after the date of this publication.

I&S M-26022, General Increase, July 1972, Eastern Central Territory, now assigned October 10, 1972 at Washington, D.C. is postponed to October 18, 1972, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 66886 Sub 28, Belger Cartage Service, Inc., hearing continued to October 4, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-42487 Sub 785, Consolidated Freightways Corp. of Delaware, now assigned October 30, 1972, at Lexington, Ky., is postponed indefinitely.

No. 32055, Louisville and Nashville Railroad Co., et al. v. Akron, Canton & Youngstown Railroad Co., et al., No. 34275, Cincinnati, New Orleans & Texas Pacific Railway Co., et al. v. Akron, Canton & Youngstown Railroad Co., et al., No. 35585, Akron, Canton & Youngstown Railroad Co., et al. v. Aberdeen and Rockfish Railroad Co., et al., No. 35585 Sub 1, Burlington Northern, Inc., et al. v. Aberdeen and Rockfish Railroad Co., et al., continued to November 1, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I&S No. 8761, TOFC Service, to and from Pacific coast ports, now assigned November 13, 1972, at Washington, D.C., is canceled.

MC 123383 Sub 61, Boyle Brothers, Inc., now being assigned hearing November 7, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 21866 Sub 75, West Motor Freight, Inc., now being assigned hearing November 9, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 133095 Sub 30, Texas Continental Express, Inc., now being assigned hearing November 13, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 133095 Sub 28, Texas Continental Express, Inc., now being assigned hearing November 15, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 136748, Milton K. Morris, Inc., now being assigned hearing November 15, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-11560, Cooper-Jarrett, Inc.—Purchase (Portion)—Pacific Intermountain Express Co., MC-F-11561, Lee Way Motor Freight, Inc.—Purchase (Portion)—Pacific Intermountain Express Co., FD 27141, Lee Way Motor Freight, Inc., MC-F-11562, Tidewater Inland Express, Inc.—Purchase (Portion)—Pacific Intermountain Express Co., MC-F-11594, Pacific Intermountain Express Co.—Merger—Ryder Truck Line, now being assigned November 29, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-117686 Sub 134, Hirschbach Motor Lines, Inc., now assigned October 11, 1972, at Washington, D.C., is canceled and application dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-17331 Filed 10-4-72;10:10 am]

[Notice 94]

ASSIGNMENT OF HEARINGS

OCTOBER 5, 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. No amendments will be entertained after the date of this publication.

MC 83539 Sub 321, C & H Transportation Co., Inc., continued to January 9, 1973 (2 days), at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 135772, Barrett Transfer & Storage Co., now assigned October 30, 1972, at Seattle, Wash., hearing will be held in Room 1155, 909 First Avenue.

MC-113861 Sub 51, Wooten Transports, Inc., Extension Memphis, Tenn., now assigned October 30, 1972, at Memphis, Tenn., is postponed indefinitely.

F.D. No. 27022, The Colorado & Wyoming Railway Co.—construction and operation, Pueblo County, Colo., now assigned October 30, 1972.

F.D. 26945, Colorado and Southern Railway Co.—construction and operation—near Minnequa, Pueblo County, Colo., now assigned October 30, 1972, at Denver, Colo., will be held in Court Room, Fifth Floor, Federal Building, 19th and Stout Streets, Denver, Colo.

MC-110689 Sub 5, Airway Trucking Co., now assigned November 6, 1972, at San Francisco, Calif., MC-F-11539 and MC-43038 Sub 451, directly related, Commercial Carriers, Inc.—control and merge—B.&H. Truckaway Co., now assigned November 13, 1972, at San Francisco, Calif., will be held in Court of Claims Room 2041, Federal Building, 450 Golden Gate Avenue, San Francisco, CA.

MC 44605 Sub 39, Milne Truck Lines, Inc., now being assigned January 8, 1972 (4 weeks), at San Francisco, Calif., in a hearing room to be later designated.

MC 51146 Sub 271, Schneider Transport, Inc., now assigned October 30, 1972, MC-C-7838, Moore Van & Storage, Inc., James W. Moore, doing business as Ft. Worth Transfer Co. & Ft. Worth Storage & Transfer Co., O. K. Transfer & Storage Co., Cartwright Van Lines, Inc., and American Red Ball Transit Co., Inc.—investigation of operations, now assigned October 31, 1972, MC 133095 Sub 25, Texas Continental Express, Inc., now assigned November 1, 1972, MC 113459 Sub 70, H. J. Jeffries Truck Line, Inc., now assigned November 2, 1972, MC 115841 Sub 434, Colonial Refrigerated Transportation, Inc., now assigned November 3, 1972, MC 94350 Sub 298, Transit Homes, Inc., now assigned November 6, 1972, at Dallas, Tex., will be held in Room 5A-15, Federal Building, 1100 Commerce Street, Dallas, TX.

MC-59961 Sub 7, Lasham Cartage Co., now assigned October 30, 1972, at Miami, Fla., will be held in Room 5720, Public Utilities Commission, Southwest 17th Street, Miami, FL.

MC 3700 Sub 66, Manhattan Transit Co., now assigned October 30, 1972, at Newark, N.J., will be held in the offices of the Board of Public Utilities Commissioners of New Jersey, 1100 Raymond Boulevard, Newark, NJ.

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

[FR Doc.72-17334 Filed 10-10-72;8:50 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 5, 1972.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42541—*Corn and grain sorghums to points in Texas.* Filed by Southwestern Freight Bureau, agent (No. B-359), for interested rail carriers. Rates on corn and grain sorghums and related articles, in carloads, as described in the application, from points in Arkansas and Missouri, to points in Texas.

Grounds for relief—Motortruck competition.

Tariff—Supplement 75 to Southwestern Freight Bureau, agent, tariff ICC 4967. Rates are published to become effective on November 4, 1972.

FSA No. 42542—*Soda ash from points in Wyoming.* Filed by Western Trunk Line Committee, agent (No. A-2678), for interested rail carriers. Rates on soda ash, in bulk, in covered hopper cars, as described in the application, from Alchem, Stauffer, and Westvaco, Wyo., to Ottawa and Utica, Ill.

Grounds for relief—Rate relationship.

Tariff—Supplement 426 to Western Trunk Line Committee, agent, tariff ICC A-4411. Rates are published to become effective on November 10, 1972.

FSA No. 42543—*Salt to Akron, Ohio.* Filed by Southwestern Freight Bureau, agent (No. B-360), for interested rail carriers. Rates on salt, common, in box cars, as described in the application, from Jefferson Island, La., to Akron, Ohio.

Grounds for relief—Barge-truck competition.

Tariff—Supplement 34 to Southwestern Freight Bureau, agent, tariff ICC 4914. Rates are published to become effective on November 5, 1972.

FSA No. 42544—*Acids between points in Minnesota, North Dakota, South Dakota, also southern and southwestern territories.* Filed by Western Trunk Line Committee, agent (No. A-2676), for interested rail carriers. Rates on acids, in tank-car loads, as described in the application, between points in Minnesota, North Dakota, and South Dakota, on the one hand, and points in southern and southwestern territories, on the other.

Grounds for relief—Market competition and short-line distance formula and grouping.

Tariffs—Supplement 155 to Western Trunk Line Committee, agent, tariff ICC A-4727, and supplement 149 to Southwestern Freight Bureau, agent, tariff ICC 4883. Rates are published to become effective on November 10, 1972.

By the Commission.

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

[FR Doc.72-17335 Filed 10-10-72;8:50 am]

[Ex Parte No. 281]

INCREASED FREIGHT RATES AND CHARGES, 1972

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 27th day of September 1972.

The Commission having this day made a report on its investigation of increases in freight rates and charges proposed by common carriers by railroad in the United States in their petitions filed December 13, 1971 (surcharge), and February 28, 1972 (selective increases), and subsequent petitions related thereto, said report containing its findings of fact and conclusions thereon, which report is hereby referred to and made a part hereof:

It is ordered, That changes in freight rates and charges, to the extent authorized herein, may be made effective upon notice to the Commission and the general public of 15 days with respect to commodities not moving in the recycling process and 35 days in the case of commodities being transported for purposes of recycling, by filing and posting in the manner prescribed in the act.

It is further ordered, That subject to the same (15-day) notice requirement and contemporaneously with effective implementation of the authority relating to nonrecyclable commodities contained in the preceding paragraph, respondents be, and they are hereby, required to cancel (1) the surcharge tariff, as amended, and (2) the selective increase schedules to the extent not approved herein.

It is further ordered, That outstanding orders in other proceedings be, and they are hereby, modified so as to permit establishment of the further changes in interstate freight rates and charges herein authorized.

It is further ordered, That all tariff schedules changing interstate rates or charges under the authority of this order, which rates or charges are maintained or held in force by virtue of outstanding orders of the Commission, shall make specific reference to this order.

It is further ordered, That in making effective any increases in rates or charges herein authorized, the respondents be, and they are hereby, required to protect and maintain all established port relationships and to apply any such increases on export or import traffic subject to the limitations provided in this report.

And it is further ordered, That this proceeding be, and it is hereby, discontinued.

SUPPLEMENTAL FOURTH SECTION ORDER No. 20367

It appearing, that, the Commission, by fourth section order No. 20367, entered December 21, 1971, in Ex Parte No. 281, Increased Freight Rates and Charges, 1972, as modified and amended by supplemental order No. 20367, entered February 1, 1972, authorized carriers parties to the proceeding to establish and maintain the increased rates and charges described therein without observing the provisions of section 4 of the Interstate Commerce Act;

And it further appearing, that carriers parties to the proceeding applied for relief from the provisions of section 4 of the act necessary to establish the rates and charges sought; that the increase in rates and charges authorized herein cannot be published and made effective without producing in some instances rates or charges that yield greater compensation in the aggregate for the transportation of like kind of property for a shorter than for a longer distance over the same line or route in the same direction, or greater compensation as a through rate or charge than aggregate of intermediate rates or charges subject to the act, in contravention of section 4 thereof;

It is ordered, That fourth section order No. 20367, entered, modified, and amended as aforestated, be, and it is hereby, further modified and amended by adding thereto the following paragraphs:

It is further ordered, That, carriers subject to the Interstate Commerce Act and parties to said proceeding be, and they are hereby, authorized to depart from the provisions of section 4 to the extent necessary to establish and maintain the increases in rates and charges authorized in the order in Ex Parte No. 281 of this date.

It is further ordered, That, carrier parties to said proceeding be, and they are hereby, authorized to establish and maintain rates and charges authorized in the order of this date, without observing the long-and-short-haul provision of section 4 of the act in cases arising out of the failure to apply the full increases in rates and charges over interstate routes between points in a single State, in turn caused by failure of the State authorities to authorize the full increases permitted in said proceeding.

And it is further ordered, That in those instances in which rates in contravention of section 4 are established under authority contained herein, the schedules containing such shall make reference to this order in the manner required by rule 28 of Tariff Circular No. 20.

AMENDMENT TO SPECIAL PERMISSION NO. 72-2600, AS AMENDED, AUTHORIZING CERTAIN DEPARTURES FROM THE COMMISSION'S PUBLISHED TARIFF REGULATIONS

It is ordered, That Special Permission No. 72-2600, as amended, be, and it is hereby, further amended to permit the establishment of the increases in freight rates and charges authorized by the Commission in this order, subject to the terms, conditions, and limitations therein.

It is further ordered, That said special permission, as amended, be, and it is hereby further modified and amended so as to provide that all rule relief authorized shall expire on July 13, 1973, in lieu of January 13, 1973, and that the special permission, as amended, shall be void as authority for filing on and after June 12, 1973.

And it is further ordered, That, in all other respects, the terms of the original permission, as heretofore amended, shall remain the same.

By the Commission.

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

[FR Doc.72-17332 Filed 10-10-72;8:50 am]

[Notice 139]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by Division 3 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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73037. By order of August 10, 1972, Division 3, acting as an appellate division, approved the transfer to Acadian Express, Inc., Buffalo, N.Y., of the operating rights in Certificate No. MC-128529 issued October 2, 1968, to Cardinal Air Service Corp., Buffalo, N.Y., authorizing the transportation of general commodities, with the usual exceptions, between the Greater Buffalo International Airport (Erie County), N.Y., on the one hand, and, on the other, Detroit Metropolitan Airport (Wayne County), Mich., Logan International Airport (Suffolk County), Mass., and Pittsburgh International Airport (Allegheny County), Pa., and points in Erie County, N.Y.

Robert D. Gunderman, Suite 1708, Statler Hilton, Buffalo, N.Y. 14202, attorney for applicants.

No. MC-FC-73038. By order of August 10, 1972, Division 3, acting as an Appellate Division, approved the transfer to Buf-Air Freight, Inc., Cheektowaga, N.Y., of the operating rights in Certificate No. MC-128529 (Sub-No. 1), issued August 31, 1967, to Cardinal Air Service Corp., Buffalo, N.Y., authorizing the transportation of general commodities, with the usual exceptions, (1) between the Greater Buffalo International Airport (Erie County), N.Y., and Rochester-Monroe County Airport (Monroe County), N.Y., and points in Genesee County, N.Y., and (2) between the Greater Buffalo International Airport (Erie County), N.Y., and the Rochester-Monroe County Airport (Monroe County), N.Y., on the one hand, and, on the other, the following airports: Newark Airport (Essex County), N.J., Albany County Airport (Albany County), Broome County Airport (Broome County), Olean Municipal Airport (Cattaraugus County), Jamestown Municipal Airport (Chautauqua County), Chemung County Airport (Chemung County), Watertown Airport (Jefferson County), Oneida County Airport (Oneida County), Clarence E. Hancock (Onondaga County), LaGuardia and John Fitzgerald Kennedy International Airports (Queens County), Massena Airport (Lawrence County), and Tompkins County Airport (Tompkins County), N.Y., Cleveland-Hopkins Municipal Airport (Cuyahoga County), Ohio, and Bradford-McKean County Airport (McKean County), Pa.

Robert D. Gunderman, Suite 1708, Statler Hilton, Buffalo, N.Y. 14202, attorney for applicants.

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

[FR Doc.72-17336 Filed 10-10-72;8:50 am]

[Ex Parte No. 288]

PROTECTIVE SERVICE CHARGES—1972

Extension of Time for Filing Protests

It appearing, that by report and order of the Commission on petition, entered on September 5, 1972, the respondents herein were authorized to publish certain increases in rates and charges for protective services to become effective upon not less than 30 days' notice, but not earlier than November 6, 1972, with an appropriate refund provision, and required the filing of protests thereto not later than October 20, 1972; and

It further appearing, that the respondents have advised the Commission that they expect to file the said increases on October 16, 1972, to become effective on 30 days' notice, or on November 15, 1972; and that, in view thereof, to afford the shipping public an adequate opportunity to evaluate the proposal and to prepare any protests thereto; therefore,

It is ordered, That the time for filing protests be, and it is hereby, extended to October 30, 1972.

Dated at Washington, D.C., this 27th day of September 1972.

By the Commission, Chairman Stafford.

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

[FR Doc.72-17333 Filed 10-10-72;8:50 am]

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