

FEDERAL REGISTER

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Announcing a New Statutory Citations Guide

HOW TO FIND U.S. STATUTES and U.S. CODE CITATIONS

This pamphlet contains typical legal reference situations which require further citing. Official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them to make the search. Additional finding aids, some especially useful in citing current material, also have been included. Examples are furnished at pertinent points and a list of reference titles, with descriptions, is carried at the end.

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11185

TO FACILITATE COORDINATION OF FEDERAL EDUCATION PROGRAMS

WHEREAS sound public policy requires a continuing appraisal of the relation of Federal educational activities to the educational needs and goals of the Nation and to its educational systems and institutions; and

WHEREAS the scope of, and program outlays for, Federal educational activities have been expanded greatly and have a significant influence on education in this country and on the American people; and

WHEREAS many Federal agencies are involved both directly and indirectly in carrying on educational programs either as Federal activities or in cooperation with State and local units of government; and

WHEREAS closer coordination of Federal educational activities will facilitate the resolution of common problems and otherwise promote effective planning and management of such activities; and

WHEREAS, under the direction of the Secretary of Health, Education, and Welfare (hereinafter referred to as the Secretary), the Office of Education is directed by law to collect data on the progress of education, provide information to aid in the maintenance of efficient school systems, and otherwise promote the cause of education throughout the country (14 Stat. 434; 20 U.S.C. 1):

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

SECTION 1. Functions of the Secretary of Health, Education, and Welfare. The Secretary, with the assistance of the Commissioner of Education (hereinafter referred to as the Commissioner), shall identify the education needs and goals of the Nation and from time to time shall recommend to the President policies for promoting the progress of education.

SEC. 2. Functions of the Commissioner of Education. Under the direction of the Secretary, the Commissioner shall:

(a) study the current effects of Federal activities upon the educational programs of State, local and nonprofit educational institutions, assess future trends of such activities, and (taking into consideration the relationship between education and policies in fields such as manpower development, defense, military manpower, economic growth, and science) develop recommendations for educational activities, or for coordination of policies affecting such activities;

(b) exercise leadership in seeking timely resolution of differences of opinion concerning policies or administrative practices with respect to Federal educational activities affecting educational institutions;

(c) make appropriate arrangements for obtaining advice and information, including establishment of ad hoc working groups to consider special problems, and utilizing existing interagency machinery wherever appropriate; and

(d) exercise initiative in obtaining pertinent and consistent data permitting an overview of Federal educational activities.

SEC. 3. Agency responsibilities. The heads of Federal agencies, as to their respective education related programs, shall:

(a) insofar as practicable, take such actions as may be necessary to assure: (1) conformity of their programs with the educational goals

and policies of the Nation, as identified by the Secretary, and (2) consistent administrative policies and practices among Federal agencies in the conduct of similar programs;

(b) keep each other fully and currently informed in order to achieve coordinated planning and prevent unnecessary duplication of activities;

(c) provide information requested by the Secretary or the Commissioner on educational matters; and

(d) cooperate with the Secretary and the Commissioner in the conduct of such studies and analyses as may be necessary to carry out the responsibilities and duties assigned by this order. To this end the heads of Federal agencies shall maintain information on current and planned activities that can readily be analyzed in conjunction with information on related activities of other Federal agencies.

SEC. 4. *Establishment and functions of a Federal Interagency Committee on Education.* (a) There is hereby established a "Federal Interagency Committee on Education" (hereinafter referred to as the "Committee").

(b) The Committee shall advise the Secretary, the Commissioner, and the heads of Federal agencies in connection with the responsibilities assigned to them by this order.

(c) The Committee shall be composed of the Commissioner, who shall be the chairman, and one appropriate representative of each of the following: the Department of State, the Department of Defense, the Department of Agriculture, the Department of Labor, the National Science Foundation, the Atomic Energy Commission, and the National Aeronautics and Space Administration.

(d) The chairman may invite Federal agencies additional to those which are represented on the Committee under the provisions of subsection (c), above, to designate representatives to participate in meetings of the Committee on matters of substantial interest to such agencies which are to be considered by the Committee.

(e) The Director of the Bureau of the Budget, the Chairman of the Council of Economic Advisers, and the Director of the Office of Science and Technology may each designate a member of his staff to attend meetings of the Committee as an observer.

(f) Each Federal agency which is represented on the Committee under the provisions of subsection (c), above, including the Department of Health, Education, and Welfare, shall furnish necessary assistance to the Committee in accordance with Section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691).

SEC. 5. *Construction.* Nothing in this order shall be construed as subjecting any Federal agency, or any function vested by law in, or assigned pursuant to law to, any Federal agency, to the authority of any other Federal agency, or as abrogating or restricting any such function in any manner.

SEC. 6. *Definition.* Except as may be inconsistent with the provisions of this order or otherwise inappropriate, the term "Federal agency", as used herein, includes any department or other agency or instrumentality (including officers) of the executive branch of the Government of the United States.

LYNDON B. JOHNSON

THE WHITE HOUSE,
October 16, 1964.

[F.R. Doc. 64-10723; Filed, Oct. 16, 1964; 3:04 p.m.]

Rules and Regulations

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 30—LICENSING OF BYPRODUCT MATERIAL

PART 40—LICENSING OF SOURCE MATERIAL

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

PART 70—SPECIAL NUCLEAR MATERIAL

Exemptions From Licensing Requirements for Certain AEC Contractors

On April 10, 1964, the Commission published in the FEDERAL REGISTER (29 F.R. 5007) for public comment proposed amendments to 10 CFR Parts 30, 40, 50, and 70 intended to redefine and clarify the scope of the exemptions for Atomic Energy Commission contractors by describing certain categories of contractors which would be exempted from the Commission's Licensing requirements.

Under the amendments set forth below to §§ 30.6, 40.11, 50.11, and 70.11, the following categories of Atomic Energy Commission contractors are included in the exemptions:

(1) Atomic Energy Commission prime contractors performing work for the Commission at United States Government-owned or controlled sites;

(2) Atomic Energy Commission prime contractors performing research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof;

(3) Atomic Energy Commission prime contractors using or operating nuclear reactors or other devices in a United States Government-owned vehicle or vessel; and

(4) Any other Atomic Energy Commission prime contractor or subcontractor when the Commission determines that the exemption of such contractor or subcontractor is authorized by law and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

The phrase "Government controlled site" means a site leased or otherwise made available to the Government under terms which afford to the Commission rights of access and control substantially equal to those which the Commission would possess if it were the holder of the fee as agent of and on behalf of the Government.

The amendments do not affect the status of other persons who are not subject to licensing for reasons unrelated to their contractual relationship with the Commission, such as the Department of Defense, common and contract carriers, and construction subcontractors.

In addition, the amendments provide that all currently unlicensed persons who are required to be licensed under the amended regulations will continue to be exempt on an interim basis if they apply within 60 days following the effective date of the amendments for either a license or an exemption. This interim exemption would remain in effect until final action in the matter is taken by the Commission. If an application for an exemption filed within the 60-day period is denied, the Commission will allow the applicant an additional 60 days within which to apply for a license, and the interim exemption will continue in effect until the license application has been finally acted upon.

The only change from the proposed amendments is the replacement of the phrase "in the interest of the common defense and security or national welfare" with the more general phrase "authorized by law", in each of the amended sections.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, the following amendments of 10 CFR Parts 30, 40, 50, and 70 are published as a document subject to codification to become effective ninety (90) days after publication in the FEDERAL REGISTER.

1. Section 30.6 of 10 CFR Part 30 is revised to read as follows:

§ 30.6 Persons using byproduct material under certain Atomic Energy Commission contracts.

Any prime contractor of the Commission is exempt from the requirements for a license set forth in sections 81 and 82 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Commission, manufactures, produces, transfers, receives, acquires, owns, possesses, uses, imports, or exports byproduct material for: (a) The performance of work for the Commission at a United States Government-owned or controlled site, including the transportation of byproduct material to or from such site and the performance of contract services during temporary interruptions of such transportation; (b) research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or (c) the use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel. In addition to the foregoing exemptions, any prime contractor or subcontractor of the Commission is exempt from the requirements for a license set forth in sections 81 and 82 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor manufactures, produces, transfers, receives, acquires, owns, possesses, uses, imports or exports byproduct material under his prime contract or subcontract when the Commission determines that the exemption of

the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety. Any person exempt from licensing under this part prior to the effective date of this amendment who would otherwise be required by virtue of this section to obtain a license shall continue to be so exempt on an interim basis. Such interim exemption shall expire 60 days from the effective date of this amendment, unless within said 60-day period either an application for a license covering the activity or an application for an appropriate exemption under this section is filed with the Commission. If either such application is filed within such 60-day period, the interim exemption shall remain in effect until final action in the matter is taken by the Commission.

2. Section 40.11 of 10 CFR Part 40 is revised to read as follows:

§ 40.11 Persons using source material under certain Atomic Energy Commission contracts.

Any prime contractor of the Commission is exempt from the requirements for a license set forth in sections 62, 63, and 64 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Commission, receives, possesses, uses, transfers, delivers, or imports into or exports from the United States source material for: (a) The performance of work for the Commission at a United States Government-owned or controlled site, including the transportation of source material to or from such site and the performance of contract services during temporary interruptions of such transportation; (b) research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or (c) the use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel. In addition to the foregoing exemptions, any prime contractor or subcontractor of the Commission is exempt from the requirements for a license set forth in sections 62, 63, and 64 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor receives, possesses, uses, transfers, delivers, or imports into or exports from the United States source material under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety. Any person exempt from licensing under this part prior to the effective date of this amendment who

would otherwise be required by virtue of this section to obtain a license shall continue to be so exempt on an interim basis. Such interim exemption shall expire 60 days from the effective date of this amendment, unless within said 60-day period either an application for a license covering the activity or an application for an appropriate exemption under this section is filed with the Commission. If either such application is filed within such 60-day period, the interim exemption shall remain in effect until final action in the matter is taken by the Commission.

3. Section 50.11 of 10 CFR Part 50 is revised to read as follows:

§ 50.11 Exceptions and exemptions from license.

Nothing in this part shall be deemed to require a license for:

(a) The manufacture, production, or acquisition by the Department of Defense of any utilization facility authorized pursuant to section 91 of the Act, or the use of such facility by the Department of Defense or by a person under contract with and for the account of the Department of Defense;

(b) The processing, fabrication, or refining of special nuclear material, or the separation of special nuclear material, or the separation of special nuclear material from other substances, by a prime contractor of the Commission under a prime contract for:

(1) The performance of work for the Commission at a United States Government-owned or controlled site;

(2) Research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or

(3) The use or operation of a production or utilization facility in a United States Government-owned vehicle or vessel; or by a prime contractor or subcontractor of the Commission under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety;

(c) The construction or operation of a production or utilization facility for the Commission at a United States Government-owned or controlled site, including the transportation of the production or utilization facility to or from such site and the performance of contract services during temporary interruptions of such transportation; or the construction or operation of a production or utilization facility in the performance of research in, or development, manufacture, storage, testing, or transportation of, atomic weapons or components thereof; or the use or operation of a production or utilization facility in a United States Government-owned vehicle or vessel: *Provided*, That such activities are conducted by a prime contractor of the Commission under his prime contract with the Commission;

(d) The construction or operation of a production or utilization facility by a prime contractor or subcontractor of the Commission under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety;

(e) The transportation or possession of any production or utilization facility by a common or contract carrier or warehouseman in the regular course of carriage for another or storage incident thereto.

Any person exempt from licensing under this part prior to the effective date of this amendment who would otherwise be required by virtue of paragraph (b), (c) or (d) of this section to obtain a license shall continue to be so exempt on an interim basis. Such interim exemption shall expire 60 days from the effective date of this amendment, unless within said 60-day period either an application for a license covering the activity or an application for an appropriate exemption under this section is filed with the Commission. If either such application is filed within such 60-day period, the interim exemption shall remain in effect until final action in the matter is taken by the Commission.

4. Section 70.11 of 10 CFR Part 70 is revised to read as follows:

§ 70.11 Persons using special nuclear material under certain Atomic Energy Commission contracts.

Any prime contractor of the Commission is exempt from the requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Commission, receives, possesses, uses, or transfers special nuclear material for: (a) The performance of work for the Commission at a United States Government-owned or controlled site, including the transportation of special nuclear material to or from such site and the performance of contract services during temporary interruptions of such transportation; (b) research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or (c) the use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel. In addition to the foregoing exemptions, any prime contractor or subcontractor of the Commission is exempt from the requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor receives, possesses, uses, or transfers special nuclear material under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the

work thereunder can be accomplished without undue risk to the public health and safety. Any person exempt from licensing under this part prior to the effective date of this amendment who would otherwise be required by virtue of this section to obtain a license shall continue to be so exempt on an interim basis. Such interim exemption shall expire 60 days from the effective date of this amendment, unless within said 60-day period either an application for a license covering the activity or an application for an appropriate exemption under this section is filed with the Commission. If either such application is filed within such 60-day period, the interim exemption shall remain in effect until final action in the matter is taken by the Commission.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 5th day of October 1964.

For the Atomic Energy Commission.

W. B. McCool,
Secretary to the Commission.

[F.R. Doc. 64-10706; Filed, Oct. 19, 1964; 8:49 a.m.]

Title 7—AGRICULTURE

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

[Avocado Order 4, Amdt. 5]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of certain varieties of avocados.

It is, therefore, ordered that the provisions of paragraph (b) of § 915.304 (29 F.R. 8462; 11704, 12002, 12550, 12925) are hereby amended by revising, in Table I, certain dates and minimum weights

applicable to the Sherman, Marcus, Nelson, Chica, Murphy, Leona, and Dunedin varieties of avocados so that, after such revision, the portion of such Table I relating to such varieties reads as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Sherman	10-14-64	16 oz.	10-26-64	14 oz.	11- 9-64	10 oz.	11-30-64
Marcus	10-14-64	32 oz.	11-23-64				
Nelson	10-19-64	14 oz. (3 3/16 in.)	11- 2-64	12 oz. (3 3/16 in.)	11-16-64	10 oz. (3 3/16 in.)	12- 7-64
Chica	10-26-64	15 oz.	11- 9-64	13 oz.	11-23-64	10 oz.	12-14-64
Murphy	10-26-64	16 oz.	11- 9-64	14 oz.	11-23-64	11 oz.	12-14-64
Leona	10-19-64	14 oz.	11- 2-64				
Dunedin	11-16-64	16 oz. (3 3/16 in.)	11-30-64	14 oz. (3 3/16 in.)	12-14-64	10 oz. (3 3/16 in.)	1- 4-65

The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., October 19, 1964.

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

Dated: October 15, 1964.

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

[F.R. Doc. 64-10707; Filed, Oct. 19, 1964;
8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

FOOD STARCH-MODIFIED

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 1471) filed by Corn Products Company, 717 Fifth Avenue, New York, N.Y., 10022, and other relevant material, has concluded that an amendment to § 121.1031 should issue to provide for the safe use of a food starch-modified by successive treatment with sodium tripolyphosphate and sodium trimetaphosphate. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.1031 (21 CFR 121.1031; 29 F.R. 12459) is amended by adding, alphabetically, a new item in paragraph (d) as follows:

§ 121.1031 Food starch-modified.

(d) * * *

Sodium tripolyphosphate and sodium trimetaphosphate. Limitation Residual phosphate in food starch-modified not to exceed 0.4 percent calculated as phosphorus.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

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

Dated: October 14, 1964.

WINTON B. RANKIN,
Assistant Commissioner
for Planning.

[F.R. Doc. 64-10668; Filed, Oct. 19, 1964;
8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 5061]

PART 1—CERTIFICATION, IDENTIFICATION, AND MARKING OF AIRCRAFT AND RELATED PRODUCTS

PART 39—AIRWORTHINESS DIRECTIVES [NEW]

This amendment is part of the Agency recodification program and adds Part 39—Airworthiness Directives [New] to the Federal Aviation Regulations to replace present Part 507 of the regulations of the Administrator as well as the pertinent part of § 1.24 of the Civil Air Regulations, upon which Part 507 is based.

During the remainder of the recodification project, Chapter I of Title 14 may contain more than one part bearing the same number. To differentiate between the two, the recodified parts will be labeled "[New]". The label will of course be dropped at the completion of the project as all of the regulations will be new.

This amendment is based on a part of the notice of proposed rule making published in the FEDERAL REGISTER on May 16, 1964 (29 F.R. 6446) and given further distribution as Notice No. 64-26. That notice proposed not only the recodification of Part 507 but in addition, proposed to substantively revise its provisions and those of § 1.24 of the Civil Air Regulations upon which that part is based. It must be emphasized that this amendment is simply the nonsubstantive recodification of Part 507 and § 1.24 and does not incorporate the proposed substantive amendments of Notice 64-26. The comments received on those substantive amendments are now being reviewed. Rather than delay the recodification until this review is completed, the recodified Part 39 [New] is being issued now. This action is not a withdrawal of the proposed substantive revision, and that portion of the notice of proposed rule making relating to that revision is still outstanding and will be acted upon at a later date.

A number of changes have been made in the recodification proposal, both as a result of comments received and as a result of further review by the Agency. Two comments have led to the rewording of proposed § 39.5 to make it clearer that it does not supersede the particular compliance time or effective date provisions of any airworthiness directive. The intent of this section is simply to ensure compliance with the requirements as stated in the directive itself, not to impose new ones.

Other minor changes of a technical nature have been made. They are not substantive and do not impose any burden on regulated persons. All current airworthiness directives are transferred to this Part without change.

The definitions, abbreviations, and rules of construction contained in Part 1 [New] of the Federal Aviation Regulations apply to Part 39 [New].

Interested persons have been afforded an opportunity to participate in the recodification of this regulation, and due consideration has been given to all relevant matter presented. The Agency appreciates the cooperative spirit in which the public's comments were submitted.

In consideration of the foregoing, effective November 20, 1964, Title 14 of the Code of Federal Regulations is amended as follows:

(1) Chapter III is amended by deleting Part 507.

(2) Chapter I is amended by deleting the first sentence of § 1.24(a) and by adding a Part 39 [New] reading as hereinafter set forth.

(Secs. 601 and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1421 and 1423))

Issued in Washington, D.C. on October 13, 1964.

N. E. HALABY,
Administrator.

PART 39—AIRWORTHINESS DIRECTIVES [NEW]

Subpart A—General

Sec.
39.1 Applicability.
39.3 General.

Subpart B—Airworthiness Directives

39.11 Applicability.
39.13 Airworthiness directives.

AUTHORITY: The provisions of this Part 39 [New] issued under secs. 601 and 603, Federal Aviation Act of 1958 (49 U.S.C. 1421, 1423).

Subpart A—General

§ 39.1 Applicability.

This part prescribes airworthiness directives that apply to aircraft, aircraft engines, propellers, or appliances (hereinafter referred to in this part as "products") when—

(a) As a result of service experience, an unsafe condition with respect to a design feature, part, or characteristic is found in a product; and

(b) That condition is likely to exist or develop in other products of the same type design.

§ 39.3 General.

No person may operate a product to which an airworthiness directive applies except in accordance with the requirements of that airworthiness directive.

Subpart B—Airworthiness Directives

§ 39.11 Applicability.

This subpart identifies those products in which the Administrator has found an unsafe condition as described in § 39.1 and, as appropriate, prescribes inspections and the conditions and limitations, if any, under which those products may continue to be operated.

§ 39.13 Airworthiness directives.

(All airworthiness directives contained in § 507.10 of the regulations of the Administrator are hereby transferred to this section of the Federal Aviation Regulations.)

DISTRIBUTION TABLE

Former section	Revised section
1.24(a) (1st sentence through 3d comma).	39.1.
1.24(a) (1st sentence less portion preceding 3d comma).	39.3.
1.24(a) (footnote 5a)---	Surplusage.
1.24 (less 1st sentence of (a) and footnote 5a).	Transferred to Part 21 [New].
507.1 -----	39.1.
507.2 -----	Surplusage.
507.3 -----	Not a rule.
507.10 (less airworthiness directives).	39.11.
507.10 (airworthiness directives).	39.13.

[F.R. Doc. 64-10647; Filed, Oct. 19, 1964; 8:45 a.m.]

[Amdt. 91-8; Docket No. 6249]

PART 91—GENERAL OPERATING AND FLIGHT RULES [NEW]

Prohibition of Responding to Radar Clearances and Instructions Intended for Another Person

The Agency recently detected a hazardous condition caused by pilots who improperly flew radar clearances and instructions issued by Air Traffic Control to other pilots. In one recent incident an arriving aircraft was being radar vectored to the ILS final approach course while another aircraft was observed following the same radar instructions issued to the principal aircraft. In both of these cases it was determined that the pilots who were improperly following the vectors assigned to the other aircraft were complying with the controller's clearances and instructions for purposes of training without realizing this action could result in misidentification and have serious safety repercussions.

Positive identification of aircraft is a basic requirement for the use of radar in the air traffic control system. One method of establishing identification is based upon a turn of 30 degrees or more, provided that only one aircraft is observed to make a turn and the controller has reasonable assurance that the aircraft is within the area being displayed on the radar. When multitracks of targets are observed responding to identification and vectoring procedures being used, identification becomes difficult, or, if previously established, may be lost. Also, if an observed target responds to instructions intended for an aircraft not yet appearing on the radar display, safety of the pilot for whom the instruction was intended could be compromised. While pilots may intend no harm, continuation of these practices will derogate the radar controllers' capability of correctly identifying radar targets.

On the basis of the above, I have determined that a safety hazard exists requiring immediate regulatory action. In addition, I find it contrary to the public interest to comply with the notice, public procedure and effective date requirements of the Administrative Procedure Act, and therefore this regulation may become effective in less than 30 days.

In consideration of the foregoing, § 91.65 of Part 91 [New] of the Federal Aviation Regulation (14 CFR Part 91) is amended, effective 0001 e.s.t. on October 14, 1964, by adding the following new paragraph at the end thereof:

§ 91.65 Operating near other aircraft.

(d) Unless otherwise authorized by ATC, no person operating an aircraft may operate his aircraft in accordance with any clearance or instruction that has been issued to the pilot of another aircraft for radar Air Traffic Control purposes.

(Sec. 307(a), 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348(a), 1510)

Issued in Washington, D.C., on October 13, 1964.

N. E. HALABY,
Administrator.

[F.R. Doc. 64-10667; Filed, Oct. 19, 1964; 8:47 a.m.]

[Reg. Docket No. 6259]

[Special Federal Aviation Reg. No. 9]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Prohibition of Air Traffic Over and In the Vicinity of Houston, Tex.

On October 19, 1964, President Lyndon B. Johnson will visit Houston, Tex. The interest of the public in the President and the large assemblage of persons resulting from his presence should attract numerous aircraft in the area that will be operated over the city of Houston and through the airspace generally used by other aircraft. In addition, the Federal agency responsible for the security of the President has requested that we take appropriate action for his safety and the safety of other persons present.

In order to provide appropriate safeguards for aircraft operations in the area and for persons and property on the ground, I have determined that a temporary restriction must be imposed on air traffic to prohibit the operation of all types of aircraft in the vicinity of Houston, Tex., below 3,000 feet above the surface unless authorized by the Houston International Airport Traffic Control Tower.

I have determined that there is a requirement for the immediate adoption of this regulation for the safety of air commerce. Therefore, I find it impracticable and contrary to the public interest to comply with the notice and public procedure provisions of the Administrative Procedure Act and that good cause exists for making this regulation effective immediately.

In consideration of the foregoing, the following Special Federal Aviation Regulation is adopted:

(1) Unless otherwise authorized by the Houston International Airport Traffic Control Tower, no person may operate an aircraft during the period from 1600 to 2100 hours e.s.t. on October 19, 1964, below 3,000 feet above the surface within an area bounded on the south by the Houston VORTAC 290° True radial; on the west and north by an arc of a 15 nautical mile radius circle centered at the Houston VORTAC; and on the east by the Houston VORTAC 017° True radial.

(2) This regulation becomes effective immediately and expires at 2100 e.s.t., October 19, 1964.

(Sec. 307, Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on October 16, 1964.

HAROLD W. GRANT,
Deputy Administrator.

[F.R. Doc. 64-10727; Filed, Oct. 19, 1964; 9:22 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 6167; Amdt. 822]

PART 507—AIRWORTHINESS DIRECTIVES

McCauley Propellers

A proposal to amend Part 507 of the Regulations of the Administrator to supersede Amendment 555, 28 F.R. 3781, AD 63-8-4, as revised by Amendment 582, 28 F.R. 6830, with a new directive to require retirement of certain McCauley constant speed propellers was published in 29 F.R. 12037.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

McCauley. Applies to McCauley constant speed Models 2A36, B2A36, C2A36, D2A36, 2D36 Series propellers installed on various single-engine tractor-type aircraft except propellers with blade serial numbers with a "K" prefix above Serial Number K25150 and to all propellers with a "Y" following the blade serial number. Also excluded are all propellers with blades with plain serial numbers above 27064 and below 21298. (A plain serial number is one without a prefix or suffix letter.)

(These may be found on such aircraft as Bellanca 14-19-2, 14-19-3; Callair A-6; Cessna 180 Series, 182 Series, 185 Series, 210 Series, 305B, 321; Cessna 172 "Doyne" Conversion; Fletcher FU-24 Series; Lockheed 402-2; Meyers 200, 200A; Mooney Mark 20A, 20B, 20C; Navion B, D, E, F, G; Piper PA-24-180, PA-24-250; and Taylorcraft 20.)

Compliance required as indicated.

Because of the occurrence of cracks in the blade threaded shank on several propellers, accomplish the following:

(a) Propellers with affected blades not having accumulated the maximum time listed in Table II-C of McCauley Service Bulletin No. 48-C dated July 6, 1964, before the effective date of this AD and which have not been previously inspected in accordance with AD 63-8-4 shall be equipped with new blades prior to the accumulation of 100 hours' time in service after the accumulation of the maximum time in service listed in Table II-C of McCauley Service Bulletin No. 48-C dated July 6, 1964.

(b) Propellers with affected blades having accumulated a total time in service less than 1,000 hours when inspected in accordance with AD 63-8-4 and having accumulated less than 75 hours over the total service hours listed in Table III-C of McCauley Service Bulletin No. 48-C dated July 6, 1964, on the effective date of this AD shall be equipped with new blades prior to the accumulation of 100 hours' time in service over the total service hours listed in Table III-C.

(c) Propellers with affected blades having accumulated a total time in service less than 1,000 hours when inspected in accordance with AD 63-8-4 and having accumulated more than 75 hours over the total service hours listed in Table III-C of McCauley Service Bulletin No. 48-C dated July 6, 1964, on the effective date of this AD shall be equipped with new blades within the next 25 hours' time in service.

(d) Propellers with blades having accumulated a total time of less than 1,000

hours when inspected in accordance with AD 63-8-4 and which have not accumulated the maximum time in service listed in Table III-C of McCauley Service Bulletin No. 48-C dated July 6, 1964, on the effective date of this AD shall be equipped with new blades prior to the accumulation of 100 hours' time in service after the accumulation of the maximum time in service listed in Table III-C of McCauley Service Bulletin No. 48-C dated July 6, 1964.

(e) Propellers with blades having accumulated a total time in service of 1,000 hours or more when inspected in accordance with AD 63-8-4 shall be equipped with new blades at the next propeller overhaul, or prior to the next 1,000 hours after the last blade thread inspection, whichever occurs first.

(f) Identification of propeller blade serial numbers shall be determined in accordance with McCauley Service Bulletin No. 48-C dated July 6, 1964.

(McCauley Service Bulletin No. 48-C dated July 6, 1964, including Supplemental Revisions, and Service Manual 620215 cover this same subject.)

This supersedes Amendment 555, 28 F.R. 3781, AD 63-8-4, as revised by Amendment 582, 28 F.R. 6830.

This amendment shall become effective November 20, 1964.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on October 13, 1964.

G. S. MOORE,
Director.

Flight Standards Service.

[F.R. Doc. 64-10648; Filed, Oct. 19, 1964; 8:45 a.m.]

PART 507—AIRWORTHINESS DIRECTIVES

Deletion

CROSS REFERENCE: For a document deleting Part 507, see Part 39 [New] of Title 14, F.R. Doc. 64-10647, *supra*.

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 64-930]

PART 0—COMMISSION ORGANIZATION

Miscellaneous Amendments

In the matter of amendment of Part 0 of the Commission's rules to delegate authority to the Chief, Safety and Special Radio Services Bureau to act on applications for construction permits for new public coast stations in cases where such applications are now referred to the Commission en banc for action; and to clarify present joint delegation of authority where a common carrier application is involved.

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of October 1964;

The Commission having under consideration the above-captioned matters; It appearing, that it is desirable to delegate additional authority in § 0.331

of the Commission's rules to the Chief, Safety and Special Radio Services Bureau authorizing him to act on applications for construction permits for new public coast stations in cases where such applications are now referred to the Commission en banc for action; and

If further appearing, that the delegation of authority contained in § 0.331 to the Chief, Safety and Special Radio Services Bureau should also be amended to make clear that, with respect to applications involving common carrier matters, his authority shall be exercised jointly with the Chief, Common Carrier Bureau; and

It further appearing, that appropriate amendments should be made to §§ 0.304 and 0.333 relating to joint action by the Chief, Common Carrier Bureau and Chief, Safety and Special Radio Services Bureau in order to reflect the changes effected in § 0.331; and

It further appearing, that the subject amendments are made in the interest of reducing the number of matters which require action by the Commission en banc, and to clarify the present provisions of § 0.331, insofar as common carrier applications are concerned; and

It further appearing, that the amendments herein ordered are nonsubstantive in that they relate to organizational and procedural matters, and, hence, the rule making and effective date provisions of section 4 of the Administrative Procedure Act are not applicable; and

It further appearing, that the amendments herein ordered are issued pursuant to sections 4(i) and 5(d) (1) of the Communications Act of 1934, as amended:

It is ordered, Effective October 26, 1964, that Part 0 of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

Released: October 15, 1964.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

Part 0 is amended as follows:

1. Section 0.304 is amended to read:

§ 0.304 Authority delegated jointly to Chiefs of Common Carrier and Safety and Special Radio Services Bureaus.

Authority is delegated jointly to the Chief of the Common Carrier Bureau and the Chief of the Safety and Special Radio Services Bureau to act upon applications involving common carrier matters in the maritime mobile service, aeronautical mobile service, and in the fixed service in Alaska. (For record of actions taken under this section, see § 0.337.)

2. Section 0.331(a) is amended to read:

§ 0.331 Authority delegated.

(a) Consistent with and pursuant to the rules governing the Disaster Communications Service and the Maritime, Aviation, Public Safety, Industrial, Ama-

teur, Land Transportation, and Citizens Radio Services, and the Fixed Service in Alaska, on all applications for construction permits, modification of construction permits, extension of construction permits, station licenses, modification of station licenses, transfer of control or assignment of construction permits or station licenses, renewal of station licenses, amateur operator licenses, renewal or modification of amateur operator licenses and special temporary authorizations. With respect to applications involving common carrier matters, this authority shall be exercised jointly with the Chief, Common Carrier Bureau pursuant to §§ 0.304 and 0.333.

3. Section 0.333 is amended to read:

§ 0.333 Authority delegated jointly to Chiefs of Common Carrier and Safety and Special Radio Services Bureau.

Authority is delegated jointly to the Chief of the Common Carrier Bureau and the Chief of the Safety and Special Radio Services Bureau to act upon applications involving common carrier matters in the maritime mobile service, aeronautical mobile service, and in the fixed service in Alaska.

[F.R. Doc. 64-10669; Filed, Oct. 19, 1964; 8:47 a.m.]

[FCC 64-931]

PART 0—COMMISSION ORGANIZATION

Authority Delegated

In the matter of amendment of Part 0 of the Commission's rules to delegate authority to the staff to grant requests for waiver of the type acceptance requirements as set forth in § 87.77 for a period not to extend beyond January 1, 1967.

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of October 1964;

The Commission having under its consideration an additional delegation of authority to the staff;

It appearing, that it is desirable to delegate the Chief, Safety and Special Radio Services Bureau the authority to grant requests for waiver of the type acceptance requirement of § 87.77 for a period not to extend beyond January 1, 1967; and,

It further appearing, that such delegation of authority will result in a more efficient administration of the Commission's functions; and,

It further appearing, that the amendment herein ordered is non-substantive in that it relates to organizational and procedural matters and, therefore, the Public Notice and effective date provisions of section 4 of the Administrative Procedure Act are not applicable; and,

It further appearing, that the authority for the delegation herein ordered is contained in section 4(i) and 5(d)(1) of the Communications Act of 1934, as amended:

It is ordered, Effective October 22, 1964, that Part 0 of the Commission's rules is amended as set forth below.

[Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155]

Released: October 15, 1964.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

Part 0 is amended as follows:

1. Section 0.331(b) is amended by adding a new Subparagraph 16 as follows:

§ 0.331 Authority delegated.

(b) ***

(16) To grant waivers of the type acceptance requirements of § 87.77 of this chapter for a period not to extend beyond January 1, 1967, in cases substantially the same as those in which the Commission en banc has taken similar action.

[F.R. Doc. 64-10670; Filed, Oct. 19, 1964; 8:47 a.m.]

[FCC 64-928]

PART 1—PRACTICE AND PROCEDURE

Miscellaneous Amendments

In the matter of amendment of Part 1, Subpart A of the Commission's rules by adding sections 1.10 and 1.12 to the general rules of practice and procedure.

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of October 1964;

The Commission having under consideration the addition of new §§ 1.10 and 1.12 to its general rules of practice and procedure; and

It appearing, that the amendments adopted herein clarify procedures relating to the right of parties to obtain copies of documents submitted and transcripts of their testimony, and provide for the forwarding of notices and other written communications to attorneys by the Commission in all proceedings, including those which have not attained formal status and which are not governed by sections 7 and 8 of the Administrative Procedure Act; and

It further appearing, that procedures relating to availability of transcripts of testimony in hearing proceedings are now governed by § 1.202 and will continue to be so governed; and that provision for service on attorneys in formal proceedings, and the method of such service, is governed by §§ 1.47 and 1.211, and will continue to be so governed; and

It further appearing, that these amendments implement Recommendations 24-1, 26-1, and 26-3 of the Administrative Conference of the United States; and

It further appearing, that the amendments adopted herein are procedural in nature and hence that compliance with the notice and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary; and

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended:

It is ordered, Effective October 22, 1964, That Part 1 of the rules and regulations is amended as shown below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: October 15, 1964.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

1. Sections 1.10 and 1.12 are added, to read as follows:

§ 1.10 Transcript of testimony; copies of documents submitted.

In any matter pending before the Commission, any person submitting data or evidence, whether acting under compulsion or voluntarily, shall have the right to retain a copy thereof, or to procure a copy of any document submitted by him, or of any transcript made of his testimony, upon payment of the charges therefor to the person furnishing the same, which person may be designated by the Commission. The Commission itself shall not be responsible for furnishing the copies.

§ 1.12 Notice to attorneys of Commission documents.

In any matter pending before the Commission in which an attorney has appeared for, submitted a document on behalf of or been otherwise designated by a person, any notice or other written communication pertaining to that matter issued by the Commission and which is required or permitted to be furnished to the person will be communicated to the attorney, or to one of such attorneys if more than one is designated. If direct communication with the party is appropriate, a copy of such communication will be mailed to the attorney.

[F.R. Doc. 64-10671; Filed, Oct. 19, 1964; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Docket No. 3666; Order No. 65]

PART 79—SPECIFICATIONS FOR TANK CARS

Correction

In F.R. Doc. 64-10051, appearing at page 13997 of the issue for Saturday, October 10, 1964, the following corrections are made:

1. The fourth paragraph in the first column of page 13998 should read as follows:

Change the word "must" to "shall" in §§ 79.500-1, 79.500-3 (a), (b), and (d), 79.500-4 (a) and (b), 79.500-5(a), 79.500-6 (a) and (b), 79.500-7 (a) and (b) (1), 79.500-8, 79.500-10(a), 79.500-11, 79.500-12, 79.500-14, 79.500-16, 79.500-17 (a) (1) and (4), and 79.500-18.

2. In the introductory text of § 79.100-7(a), the words "Minimum tensile

strength 81,000 psi. Elongation in 2 inch minimum percent 21.0:" should be deleted.

3. The following entry should be added to the tabular matter following the introductory text of § 79.100-7(a):

ASTM A 302 Gr. B..... 80,000 20

4. The text of § 79.200-6(b), preceding the formula should read as follows:

(b) The thickness of a dished head shall not be less than specified in § 79.201-1, nor that calculated by the following formula:

5. In § 79.500-3(b), the citation reading "§ 79.500-18(b) and" should read "§ 79.500-18 (b) and (c)".

6. In § 79.500-6(a), the words "steel and oil quenching" should read "steel or oil quenching".

7. In § 79.500-10, the second occurrence of the words "safety devices", and the words "safety device", should read "safety relief devices" and "safety relief device", respectively.

In § 79.500-16(b), the third word should read "relief" instead of "safety".

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 970]

CARROTS GROWN IN SOUTH TEXAS

Proposed Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment for the fiscal period ending July 31, 1965, hereinafter set forth, which were recommended by the South Texas Carrot Committee, established pursuant to Marketing Agreement No. 142, and Order No. 970, both as amended (7 CFR Part 970), regulating the handling of carrots grown in certain designated counties in South Texas. This is a regulatory program issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

§ 970.205 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the South Texas Carrot Committee, established under Marketing Agreement No. 142, and Order No. 970, both as amended, to enable the committee to perform its functions under the provisions of the marketing agreement and marketing order during the fiscal period August 1, 1964, through July 31, 1965, will amount to \$37,000.00.

(b) The rate of assessment to be paid by each handler under Marketing Agreement No. 142 and Order No. 970, both as amended, shall be one-half cent (\$0.005) per 50 pound sack (or crate) of carrots, or the equivalent quantity thereof packed in other containers, handled by him as the first handler thereof during said fiscal period.

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

Dated: October 15, 1964.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 64-10676; Filed, Oct. 19, 1964;
8:48 a.m.]

DEPARTMENT OF LABOR

Office of Labor-Management and
Welfare-Pension Reports

[29 CFR Part 416]

SUPERVISION OF ELECTIONS OF OFFICERS

Notice of Proposed Rule Making

Section 402(c) of the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 534, 29 U.S.C. 482) provides in substance that upon a finding by a federal court that, in an election of officers of a labor organization, violation of the election provisions of section 401 of the Act occurred and may have affected the outcome of the election, the court is to direct the conduct of a new election under the supervision of the Secretary, and so far as lawful and practicable in conformity with the constitution and bylaws of the labor organization. Accordingly, in order to implement the Act, the purpose of this part is to prescribe rules and regulations for the conduct of such elections.

Therefore, under the authority of section 402(b) of the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 534, 29 U.S.C. 482), Secretary's Order 24-63 (28 F.R. 9172), and Secretary's Order 25-63 (28 F.R. 9173), I propose to amend Chapter IV, 29 CFR by adding thereto a new Part 416. Interested persons are afforded 30 days after publication of this notice in the FEDERAL REGISTER to offer data, views, or arguments regarding the proposal, in writing, to the Labor-Management Services Administrator, U.S. Department of Labor, 14th Street and Constitution Avenue NW., Washington, D.C., 20210.

The proposed regulation shall read as follows:

- Sec.
416.1 Definitions.
416.2 Election Supervisor.
416.3 Pre-election conference.
416.4 Notice.
416.5 Pertinent records.
416.6 Conduct of the election.
416.7 Certification of results.
416.8 Voluntary rerun of elections.

AUTHORITY: The provisions of this Part 416 issued under sec. 402(b), 73 Stat. 534, 29 U.S.C. 482, Secretary's Order No. 24-63 (28 F.R. 9172) and Secretary's Order No. 25-63 (28 F.R. 9173).

§ 416.1 Definitions.

(a) "Secretary" means the Secretary of Labor.

(b) "Director" means the Director of the Office of Labor-Management and Welfare-Pension Reports.

(c) "Act" means the Labor-Management Reporting and Disclosure Act of 1959.

(d) "Court Order" means the order of the U.S. District Court directing the Secretary to supervise a labor organization election, issued under section 402 of the Act.

(e) "Interested Person" means any person or organization whose interests are or may be affected by a supervised election.

(f) "Supervisor" means the official of the U.S. Department of Labor, designated by the Director as Election Supervisor.

(g) "Election" means an election subject to Title IV of the Act and refers to the whole elective process, including the nomination procedures, the campaign, preparatory activities, the casting and counting of ballots, any run-off election, preservation of election records or any portion of the above as may be appropriate.

§ 416.2 Election Supervisor.

The Director shall appoint a Supervisor who shall be responsible for supervising the conduct of a fair and orderly election. The Supervisor may be assisted by such other persons as he, or the Director, may designate.

§ 416.3 Pre-election conference.

The Election Supervisor shall arrange for and convene a pre-election conference. Such conference will be informal in character and shall be for the purpose of ascertaining or establishing the procedures, rules and standards for the conduct of the election in a fair and orderly manner and, insofar as lawful and practicable, consistent with the labor organization's constitution and bylaws. Election rules, procedures and standards, including rules relating to eligibility to vote or be a candidate for office, which are deemed to be necessary to assure a fair and orderly election and which are not provided in the constitution and bylaws of the labor organization, shall be established at the conference by the Supervisor for purposes of the supervised election. Minutes of the conference, which shall include the issues raised, the decisions made and the rules adopted, shall be kept. A copy of the minutes will be made available upon request to any interested person.

§ 416.4 Notice.

(a) The Supervisor shall give notice to the labor organization, candidates in the contested election, and such other persons as he deems appropriate, of any court order, his appointment as Supervisor, and the time, place and purpose of a pre-election conference.

(b) Reasonable notice shall be given to interested persons of the procedures and rules that will govern the supervised election.

§ 416.5 Pertinent records.

Upon request of the Supervisor, the appropriate official of the labor organization having custody of records shall make available to the Election Supervisor a copy of the current constitution and bylaws and such pertinent records or information as the Supervisor may require.

§ 416.6 Conduct of the election.

Under the supervision of the Supervisor, the labor organization shall arrange for and provide appropriate notice of nominations and election, the printing and safeguarding of the ballots, equipment and supplies, facilities for conducting the election including, as appropriate, envelopes for mail ballots, polling places, booths, ballot boxes, voting machines, writing instruments, and other supplies and facilities necessary for holding the election, assuring the secrecy of the vote, counting and preserving the ballots and publishing the results. The Supervisor or his designees shall supervise all phases of the election and shall take such action as may be necessary to assure the conduct of a fair and orderly election in accordance with the court order, these regulations, and Title IV of the Act.

§ 416.7 Certification of results.

Upon completion of the supervised election, the Secretary will promptly certify to the Court the names of the persons elected.

§ 416.8 Voluntary rerun of elections.

To the extent applicable these regulations shall govern elections conducted under the supervision of the Secretary pursuant to voluntary compliance agreements with labor organizations.

Signed at Washington, D.C., this 14th day of October 1964.

JAMES J. REYNOLDS,
Labor-Management
Services Administrator.

[F.R. Doc. 64-10649; Filed, Oct. 19, 1964;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 15]

[Docket No. 15657; FCC 64-929]

OPERATION OF RADIO DOOR CONTROLS

Notice of Proposed Rule Making

In the matter of amendment of Part 15 of the Commission's rules, to provide for the operation of radio door controls; Docket No. 15657, RM-524.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has before it a petition (RM-524) from the Door Operator and Remote Controls Manufacturers Association (DORCMA), requesting that the Commission make an exception to the duty cycle requirement of § 15.211 (a) (3) of the rules, and permit the use

of transmitters without a timing restriction at frequencies above 225 Mc/s for radio control of garage door operators. This petition is supported by statements filed by a number of individual manufacturers of door controls urging favorable action on the DORCMA petition.

3. DORCMA is a nationwide trade association whose membership is comprised of companies engaged in the business of manufacturing and selling automatic door operators and associated radio transmitters and receivers. According to DORCMA, 90 percent of the garage door equipment produced in this country is manufactured by members of the Association. DORCMA estimates that there are some 500,000 residential garage door operators in use today and the present market indicates 90,000 to 100,000 garage door operators are being manufactured annually. Approximately 90 percent of these will be equipped with radio controls and about 50 percent of these will operate in the frequency range above 70 Mc/s. Annual production according to DORCMA will increase for the next 10 years. Along with the increasing market for new installations, there is at present a significant demand for replacement of obsolete openers that are common sources of interference.

4. In its petition, DORCMA enumerates three basic requirements for radio controlled garage door equipment: It must be legal, it must be safe, and it must be in the best interest of the public. Present regulations governing such equipment are alleged not to be compatible with these requirements. DORCMA, therefore, requests that specific rules be promulgated for garage door operators in the frequency range above 225 Mc/s.

5. They argue that the present rules have in effect restrained the market for reputable manufacturers who are forced to produce equipment for operation on frequencies below 70 Mc/s where there is no transmitter on/off requirement. Such equipment is bulky, more expensive and generally less appealing to customers than equipment operated on frequencies in the 225 Mc/s range. On the other hand, customer acceptance has been established for equipment designed for operation at VHF frequencies, due to its overall desirable characteristics.

6. The average radio controlled garage door requires about eight seconds for one complete operation. Under normal use, the operator activates the transmitter by a switch. The transmitter radiates a coded signal of about 0.6 second duration, and an additional 0.3 second is required for relay action to energize the motor. The door travels at the rate of one foot per second over a distance of about seven feet.

7. Under the present rules, § 15.211, radio control equipment operating above 70 Mc/s is required to be provided with means for automatically limiting operation so that the duration of each transmission shall not be greater than one second followed by a silent period of not less than 30 seconds. Thus, even for safety purposes, a second signal may not be transmitted until some 22 seconds after the door has completed its first

operation. Also, in cases when the transmitter is activated just beyond the receiver range, a full 30 seconds must elapse before another attempt may be made to operate the door.

8. DORCMA asserts that fly-by-night "loft" manufacturers have taken advantage of this situation and are producing inferior radio controls for operation in the 225 Mc/s range without regard to the rules requirement. Because of customer acceptance of these compact controls, they are taking an increasing share of the market. The design of this "loft" manufactured equipment according to DORCMA is several years behind the state of the art. DORCMA states further, that these illegal receivers are the primary source of interference from radio controlled garage door openers, and that some of these receivers have been found to radiate an order of magnitude above the level permitted by FCC rules. Regardless of the claimed illegality of the equipment produced by the "loft" manufacturers our records of interference from garage door openers tend to confirm that the prime source of interference is the radiation from the receiver.

9. DORCMA petitions the Commission to provide for operations of radio controls for door operators on frequencies above 225 Mc/s without the present timing restriction of one second on followed by a 30-second off or silent period. They suggest that the limits for the transmitter radiated field be the same as the radiation limits of § 15.63 for receivers. In addition to this, they propose that the receivers associated with garage door operators be required to reduce the radiated field about 6 db in order to reduce the interference potential. More specifically, DORCMA proposes that the RF radiation limits for these receivers be 50 uv/m at 100 feet at 130 Mc/s and increase linearly to 500 uv/m at 100 feet at 1000 Mc/s.

10. Normal operation of a radio control for use with a garage door opener says DORCMA, requires an alert receiver creating a radiation field for 24 hours a day whereas the transmitter is on for short periods, a few times a day. Receiver radiation, DORCMA continues, is almost the totally significant determining factor in the possible creation of a potential interference problem. DORCMA suggests therefore that any reduction of the radiation level from a receiver can very significantly reduce the interference potential of the control and will do more to decrease potential interference than a duty cycle limitation on the transmitter. The DORCMA statement says that field strength measurements show that some garage door receivers, that are in compliance with present limits radiate more RF energy than the companion transmitter and cause interference to other garage door receivers. Because of this, DORCMA has adopted a program to reduce receiver radiation to the lowest level possible.

11. The timing restrictions of § 15.211 (a) (3) were intended to preclude the operation of voice communication transmitters and the indiscriminate use of

signalling and control devices on frequencies above 70 Mc/s. It appears that this restriction has simultaneously introduced a safety hazard in the operation of radio controlled door operators by preventing a second operation when for safety purposes, it is necessary to stop the door during its travel.

12. Accordingly, to promote the safety of these radio controlled door operators, the Commission proposes to grant the DORCMA request in part, and remove the duty cycle limitation on frequencies above 70 Mc/s. However, the Commission insists that these devices be designed and constructed to be as interference-free as possible. To insure that harmful interference is minimized, the Commission is prohibiting operation on the aeronautical radionavigation and emergency frequencies and is proposing to require about 10 db greater suppression of radiation both from the receiver and the transmitter part of the control. The radio control is also required to be certificated with a detailed report of measurements filed with the Commission. The specific rules that are proposed are set out below.

13. A further consideration with respect to radio controls for door openers is the fact that these controls may be caused to operate by the reception of an interfering signal that fortuitously carries the necessary coding. They may also be caused to operate by a signal from a high-powered transmitter in the vicinity of the radio control receiver. Such unintentional operation may constitute an inconvenience or a safety hazard which, the Commission feels, should be called to the attention of the user. It is, therefore, important that the user be aware that under § 15.3 of the rules he must accept any interference which his device may receive. We propose, therefore, (§ 15.244) to require that each radio control be labelled with the following information:

Operation of this device is subject to the condition that no harmful interference is caused and that any interference received, including undesired operation of this device, must be accepted.

We propose that this information be incorporated as part of the certification required to attest compliance with the technical standards of these rules.

14. This proposal to amend the Commission's rules is issued under the authority of sections 4(i), and 303(r) of the Communications Act of 1934, as amended.

15. Comments in support of or in opposition to the proposed amendment may be filed on or before November 26, 1964. Reply comments may be filed on or before December 7, 1964. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

16. In accordance with the provision of § 1.215(b) of the Commission's rules, an original and 14 copies of all state-

ments, briefs, or comments filed shall be furnished the Federal Communications Commission.

Adopted: October 14, 1964.

Released: October 15, 1964.

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

It is proposed to amend Part 15 as follows:

1. The text of § 15.201(b) is amended to read as follows:

§ 15.201 Frequencies of operation.

(b) Frequencies above 70 Mc/s may be used in accordance with the requirements set forth in § 15.210.

2. Section 15.201 is amended by the deletion of paragraph (c).

3. A new § 15.210 is added to read as follows:

§ 15.210 Operation above 70 Mc/s.

(a) Telemetry devices and wireless microphones may be operated in the band 88-108 Mc/s according to the provisions of §§ 15.212 and 15.213.

(b) Radio controls for door operators may be operated above 70 Mc/s according to the provisions of § 15.214 and §§ 15.240 through 15.244.

(c) Other low power communication devices, manufactured on or after July 15, 1963, may be operated on any frequency above 70 Mc/s provided they comply with all of the following conditions:

(1) The radiated field on any frequency from 70 Mc/s up to and including 1000 Mc/s does not exceed the limits specified for receivers in § 15.63.

(2) The radiated field on any frequency above 1000 Mc/s does not exceed 500 microvolts per meter at a distance of 100 feet.

(3) The device is provided with means for automatically limiting operation so that the duration of each transmission shall not be greater than 1 second and the silent period between transmissions shall not be less than 30 seconds.

(4) The device shall be so constructed that there are no external or readily accessible controls which may be adjusted to permit operation in a manner inconsistent with the provisions of this paragraph.

(d) Except for telemetry devices and wireless microphones operated in accordance with the requirements of §§ 15.212 and 15.213, a low power communication device, manufactured before July 15, 1963, may be operated on any frequency above 70 Mc/s, provided it complies with all of the following conditions:

(1) The radiated field on any frequency from 70 Mc/s up to and including 1000 Mc/s does not exceed the limits specified for receivers in § 15.63.

(2) The radiated field on any frequency above 1000 Mc/s does not exceed 500 microvolts per meter at a distance of 100 feet.

(3) The device is provided with means for automatically limiting operation to a duration of not more than 1 second, not to occur more than once in 30 seconds.

§ 15.211 [Deleted]

4. Section 15.211 is deleted in its entirety.

5. A new § 15.214 is added to read as follows:

§ 15.214 Radio controls for door operators above 70 Mc/s.

(a) Adequate precautions shall be taken in the operation of such radio controls to insure that harmful interference is not caused to any authorized Government radio installation or any operation licensed by the Commission. In the event that such interference does occur, operation of the radio equipment which controls the door operator shall be promptly suspended and shall not be resumed until the interference has been eliminated.

(b) Users of these devices must accept any interference which may be caused by the operation of any authorized Government radio installation or Commission licensed station operating in accordance with the terms of its license.

(c) The fundamental frequency of operation of the radio control may be any frequency above 70 Mc/s excluding the following bands:

Mc/s	Mc/s
74.6-75.4	328.6-335.4
108-118	960-1215
121.4-121.6	1540-1660
242.8-243.2	4200-4400
265-285	5000-5250

(d) The signal radiated by the transmitter part of the control or by the receiver part of the control when measured at 100 feet shall not exceed the following:

Frequency of radiation Mc/s:	Field strength at 100 feet (uv/m)
Over 25 up to and including 70.	32.
Over 70 up to and including 200.	50.
200-1500	50-500 (linear variation plotted on log-log paper).
Over 1500	500.

(e) The device shall be certificated pursuant to § 15.240 and identified pursuant to § 15.244.

6. A new § 15.240 is added to read as follows:

§ 15.240 Certification of radio controls for door operators.

(a) No radio control for a door operator manufactured after _____¹ that operates above 70 Mc/s shall be operated without a station license unless it has been certificated to demonstrate compliance with the requirements in § 15.214.

(b) The certificate shall contain the information listed in § 15.241.

(c) The owner or operator need not certificate his own radio controlled door operator (receiver and transmitter) if it has been certificated by the manufacturer.

(d) Certification by the manufacturer shall be based on tests made on radio control combinations actually produced for sale. Tests shall be performed on a sufficient number of production units to insure that all production units comply

¹ A date will be inserted approximately 6 months after rules are finalized.

with the requirements of this subpart.

(e) A manufacturer's certification is acceptable only if the manufacturer agrees to furnish the user with a copy of § 15.214 containing the technical provisions applicable to radio controls for door operator.

7. A new § 15.241 is added to read as follows:

§ 15.241 Contents of certificate of radio controls for door operators.

(a) Name of the manufacturer and trade name of the device.

(b) Model numbers of the receiver and transmitter.

(c) The operating conditions under which the device is intended to be used.

(d) The antennas to be used with the device.

(e) Report of measurements pursuant to § 15.242.

(f) If filed by the manufacturer, a statement explaining the quality control procedures that will be followed to insure that all production units will comply with the provisions of § 15.214.

(g) If filed by the manufacturer, a statement setting forth the number of units that were measured and certifying that on the basis of the measurements made the radio control is capable of complying with the requirements of § 15.214 under normal operation and with usual maintenance.

(h) If filed by the manufacturer, a statement certifying that a copy of § 15.214 will be furnished each purchaser of the radio control.

(i) Date of certificate.

(j) Signature. If filed by the manufacturer, the certificate shall be signed by a responsible official authorized to sign for the manufacturer and shall show his title.

8. A new § 15.242 is added to read as follows:

§ 15.242 Report of measurements of radio controls for door operators.

The report of measurements may be prepared by any engineer skilled in making and interpreting the measurements that are required and shall contain the following information:

(a) Identification of the equipment that was measured.

(b) Brief description of the devices, including tuning range, type circuit used and power input to the final stage of the transmitter.

(c) Brief description of the measurement procedure used.

(d) A report of the measurements obtained (on fundamental and harmonics).

(e) Signature of the engineer responsible for the report.

(f) The name and address of the engineer who made the measurements, and name and address of his employer, if any.

(g) Date the measurements were made.

9. A new § 15.243 is added to read as follows:

§ 15.243 Filing of the certificate of radio controls for door operators.

The certificate, whether prepared by the user or the manufacturer, shall be

filed with the Commission at the time the certificate is prepared. The technical data therein are not open to the public.

10. A new § 15.244 is added to read as follows:

§ 15.244 Identification of certificated radio controls for door operators.

(a) Each certificated radio control shall be identified by a distinctive seal or label, which may be a part of the name plate and which shall state the month and year of manufacture.

(b) The seal or label shall state that a certificate has been filed with the Commission attesting compliance with the requirements of this subpart.

(c) The seal or label shall state further:

"Operation of this device is subject to the condition that no harmful interference is caused and that any interference received, including undesired operation of this device, must be accepted."

(d) The seal or label shall be permanently attached to the receiver and transmitter and shall be readily visible for inspection by prospective purchasers.

(e) This identifying seal or label may be attached only after the certificate for the equipment has been filed with the Commission pursuant to § 15.243.

[F.R. Doc. 64-10672; Filed, Oct. 19, 1964; 8:48 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 18,520]

FEDERAL SAVINGS AND LOAN SYSTEM

Operations; Distribution of Earnings on Small Accounts

OCTOBER 14, 1964.

Resolved that, pursuant to Part 508 of the General Regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.1-1(a) of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.1-1(a)) be amended by an amendment the substance of which is as follows:

Amend § 545.1-1(a) of the rules and regulations for the Federal Savings and Loan System to read as follows:

(a) *Small accounts.* A Federal association which has a charter in the form of Charter N or Charter K (rev.) may, by resolution of its board of directors, provide that such association shall not distribute earnings on any savings account of less than \$50, and may reduce the said \$50 to such lesser amount as the board of directors may fix by resolution with respect to the distribution of earnings on savings accounts established in connection with a program for the encouragement of thrift offered by such association in cooperation with a school.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than November 20, 1964, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL]

HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 64-10678; Filed, Oct. 19, 1964; 8:48 a.m.]

[12 CFR Part 545]

[No. 18,521]

FEDERAL SAVINGS AND LOAN SYSTEM

Operations; Lending Powers

OCTOBER 14, 1964.

Resolved that, pursuant to Part 508 of the General Regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.6-1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-1) be amended by amendments, the substance of which are as follows:

1. Amend paragraph (b) of § 545.6-1 to read as follows:

(b) *Other dwelling units; combination of dwelling units, including homes, and business property involving only minor or incidental business use—*(1) *Monthly installment loans.* Subject to the limitations of § 545.6-7, installment loans may be made on other dwelling units or combinations of dwelling units, including homes, and business property involving only minor or incidental business use for an amount not in excess of 50 percent (or if authorized by the members of such an association, not in excess of 75 percent) of the value thereof, repayable monthly within 25 years, or, if an insured or guaranteed loan, not in excess of the maximum percentage of value acceptable to the insuring or guaranteeing agency and repayable within the period acceptable to such agency.

(2) *Other installment loans.* Loans that such an association may make on a monthly installment basis may also be made with interest payable at least semi-annually and with regular periodic principal installments payable at least annually in an amount sufficient to retire the debt, interest and principal within

15 years: *Provided*, That insured or guaranteed loans may be repayable upon such terms as are acceptable to the insuring or guaranteeing agency.

(3) *Loans without full amortization.* Any loan of a type that such an association may make on a monthly installment basis may also be made without full amortization of principal, but with interest payable at least semiannually, for an amount not in excess of 50 percent of the value of the security and for a term of not more than 5 years: *Provided*, That the requirements of this subparagraph with respect to semiannual payment of interest and the limitations of this subparagraph with respect to maximum percentage or other amounts and maximum terms of loans shall not be applicable to insured or guaranteed loans: *Provided further*, That, when the members of such association have authorized loans to be made without full amortization for an amount exceeding 50 percent of the value, such loans may be made up to the percentage of value authorized by the members but not in excess of:

(i) 60 percent of the value and for a term of not more than 3 years; and

(ii) 75 percent of the value and for a term of not more than 18 months, if such loan is made for the purpose of construction.

(4) *Loans not subject to the limitations of § 545.6-7.* Loans made under subparagraphs (1), (2), and (3) of this paragraph, by a Federal association whose aggregate general reserves, surplus, and undivided profits equal or exceed 5 percent of its withdrawable accounts, shall not be subject to the limitations of § 545.6-7 if the following requirements are met:

(i) The security property is located within the association's regular lending area;

(ii) The amount of the loan (unless an insured or guaranteed loan) does not exceed the lesser of (a) the maximum percentage of the value of the security authorized by subparagraphs (1), (2), and (3) of this paragraph and (b) an amount per dwelling unit within the limits set forth in section 207(c)(3) of the National Housing Act, with such increases therein as may be made from time to time by the Federal Housing Commissioner in accordance therewith, plus an amount that is not in excess of 75 percent of the value of such part of the security as is used for business purposes; and

(iii) The amount of such loan, plus the unpaid balances of outstanding loans meeting the requirements of this subparagraph, plus the amount of outstanding investments made pursuant to paragraph (a) of § 545.6-4 in participation interests in such loans, does not aggregate a total in excess of 10 percent of the association's assets.

2. Amend § 545.6-1(d) to read as follows:

(d) *Documentation.* The record of each loan the security for which includes one or more dwelling units shall contain documentation showing the number of dwelling units covered by the loan, the number of bedrooms in each dwelling

unit, and whether such dwelling units are in an elevator-type structure.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than November 20, 1964, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 64-10679; Filed, Oct. 19, 1964;
8:48 a.m.]

[12 CFR Part 545]

[No. 18,522]

FEDERAL SAVINGS AND LOAN SYSTEM

Operations; Purchase of Loans

OCTOBER 14, 1964.

Resolved that, pursuant to Part 508 of the General Regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.6-5 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-5) be amended by an amendment, the substance of which is as follows:

Amend § 545.6-5 of the rules and regulations for the Federal Savings and Loan System to read as follows:

§ 545.6-5 Purchase of loans.

A Federal association may purchase any loan that it may make, unless expressly prohibited by other provisions of this part, and may also purchase any insured loan secured by a home or combination of home and business property located outside of its regular lending area at an investment not exceeding the sum of (a) \$40,000 for each single-family dwelling, (b) an amount per dwelling unit within the limits set forth in section 207(c)(3) of the National Housing Act, with such increases therein as may be made from time to time by the Federal Housing Commissioner in accordance therewith, and (c) the percentage of value acceptable to the insuring agency of such part of the property as is not attributable to dwelling use. No loan may be purchased by a Federal associa-

tion from an affiliated institution without the prior approval of the Board, or from a director, officer or employee of such association, or from any person or firm regularly serving such association in the capacity of attorney-at-law. If a Federal association increases its savings accounts as a part of the purchase of any loan, it shall obtain such approval as is required by the rules and regulations for insurance of accounts.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than November 20, 1964, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 64-10680; Filed, Oct. 19, 1964;
8:48 a.m.]

[12 CFR Part 545]

[No. 18,523]

FEDERAL SAVINGS AND LOAN SYSTEM

Operations; Real Estate Loans and Investments Subject to 20-Percent- of-Assets Limitation

OCTOBER 14, 1964.

Resolved that, pursuant to Part 508 of the General Regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.6-7 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-7) be amended by an amendment, the substance of which is as follows:

Amend § 545.6-7 of the rules and regulations for the Federal Savings and Loan System to read as follows:

§ 545.6-7 Real estate loans and investments subject to 20-percent-of-assets limitation.

No Federal association may make or invest its funds in any loan of any of the types enumerated in paragraphs (a) through (d) of this section, except a guaranteed loan at least 20 percent of which is guaranteed, if the resulting aggregate amount of such loan and of the

following investments would exceed 20 percent of the association's assets:

(a) Loans on single-family dwellings, homes, or combinations of home and business property in excess of the sum of (1) \$40,000 for each single-family dwelling, and (2) an amount per dwelling unit within the limits set forth in section 207(c)(3) of the National Housing Act, with such increases therein as may be made from time to time by the Federal Housing Commissioner in accordance therewith, but if any such loan is secured by a blanket mortgage on two or more properties, only such parts of such loan as are apportionable to the respective security properties and as are in excess of the foregoing limitations shall be subject to the provisions of this paragraph (a);

(b) Loans on other dwelling units and loans on combinations of other dwelling units, including homes, and business property involving only minor or incidental business use except loans made pursuant to subparagraph (4) of § 545.6-1(b);

(c) Loans on other improved real estate;

(d) Loans on improved real estate located beyond the association's regular lending area, except insured loans purchased pursuant to § 545.6-5;

(e) Real estate owned, except

(1) Property owned and occupied by the association as an office;

(2) A home, or combination of home and business property which, immediately prior to its acquisition by the association, was security for a loan which was held by the association and which was not subject to the limitations of this § 545.6-7.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed

amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than November 20, 1964, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL]

HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 64-10681; Filed, Oct. 19, 1964; 8:49 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 21]

CORSET, BRASSIERE, AND ALLIED PRODUCTS INDUSTRY

Proposed Modification of Trade Practice Rules

Notice is hereby given that pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and provisions of Part 1, Subpart F, of the Commission's procedures and rules of practice, 28 F.R. 7083 (July 11, 1963), the Federal Trade Commission proposes to rescind § 21.4 *Identification and disclosure of fiber or material content*, of the Trade Practice Rules for the Corset, Brassiere, and Allied Products Industry promulgated December 1, 1955, since the Textile Fiber Products Identification Act and the rules and regulations issued thereunder supersede such § 21.4 in its entirety.

Interested or affected parties may submit their views, suggestions, objections,

or other information concerning the proposed rescission to the Chief, Division of Trade Practice Conferences and Guides, Bureau of Industry Guidance, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C., 20580, in writing not later than November 23, 1964.

Due consideration will be given by the Commission to all comments received before final action is taken in this matter.

Approved: October 8, 1964.

By direction of the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-10665; Filed, Oct. 19, 1964; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 170]

[Ex Parte No. MC-7; 95 M.C.C. 305]

WASHINGTON, D.C.

Commercial Zone; Extension of Time for Comments

OCTOBER 14, 1964.

Redefinition of the Washington, D.C. commercial zone:

At the request of interested persons, the time for filing written statements of data, views, and arguments in favor of, or against, the above proposed revision of the limits of the Washington, D.C., commercial zone is extended to November 2, 1964. The presently assigned date is October 19, 1964 (29 F.R. 13216). An original and 5 copies of such statements should be filed with the Commission at its office at Washington, D.C.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-10657; Filed, Oct. 19, 1964; 8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Foreign Assets Control

IMPORTATION OF CERTAIN MERCHANDISE DIRECTLY FROM TAIWAN

Available Certification by the Government of the Republic of China

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Republic of China under procedures agreed upon between that Government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following additional commodities:

Kumquats.
Po chai pills.
Chop suey vegetables.
Jelly grass.
Chinese medicinal herbs.
Dried bean curd (sheet and stick).

[SEAL] MARGARET W. SCHWARTZ,
Director, Office of
Foreign Assets Control.

[F.R. Doc. 64-10718; Filed, Oct. 19, 1964;
8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Arizona 034308]

ARIZONA

Order Providing for Opening of Public Lands

OCTOBER 12, 1964.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), the following described lands have been reconveyed to the United States:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 12 S., R. 11 E.,
Sec. 4, E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, NE $\frac{1}{4}$.
T. 12 S., R. 29 E.,
Sec. 7, lots 1, 2, 3, and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
Sec. 23;
Sec. 26.
T. 13 S., R. 29 E.,
Sec. 2, lots 1, 2, 3, and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
T. 12 S., R. 30 E.,
Sec. 18, lots 1, 2, 3, and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
Sec. 19, lots 1, 2, 3, and 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$.
T. 13 S., R. 30 E.,
Sec. 2, lots 1, 2, 3, and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, and SW $\frac{1}{4}$.

The areas described aggregate 4,541.48 acres.

2. The lands in T. 12 S., R. 11 E. are located in Pima County, approximately twenty miles northwest of Tucson and north of the Avra Valley Road. Topography is flat desert. Most of the lands

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are covered with an asphalt landing mat constructed for use as an emergency landing and training field in conjunction with the now closed Marana Air Force Base. The asphalt has deteriorated sufficiently to allow native grasses to become established. The perimeter of the landing mat is surrounded by a four strand fence.

3. The lands in Tps. 12 and 13 S., Rs. 29 and 30 E. are located in Cochise County in the upper San Simon drainage area. Topography is moderate to flat desert. Soils are fine sandy loam to silt loam with subsoils from loam to clay loam. Vegetation consists of creosote brush with a sparse understory of perennial and annual grasses.

4. No application for these lands will be allowed under the homestead, desert land or any other nonmineral public land law unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of a petition-application. Any petition-application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

5. Inquiries concerning these lands shall be addressed to: U.S. Bureau of Land Management, Arizona Land Office, 3022 Federal Building, Phoenix, Ariz., 85025.

RAYMOND C. CLEGHORN,
Acting State Director.

OCTOBER 12, 1964.

[F.R. Doc. 64-10664; Filed, Oct. 19, 1964;
8:47 a.m.]

ALASKA

Small Tract Public Sale Orders Cancelled in Their Entirety

OCTOBER 12, 1964.

1. Pursuant to the authority redelegated to me by Bureau Order 684, dated August 28, 1961 (26 F.R. 6215), as amended by the Alaska State Director in section 1, Delegation of Authority (29 F.R. 3015), dated February 27, 1964, I hereby cancel the following Alaska Small Tract Sale Orders:

- Small Tract Public Sale No. 1-AOS, May 10, 1957.
- Small Tract Public Sale No. 2-AOS, September 12, 1957.
- Small Tract Public Sale No. 3-AOS, May 29, 1958.
- Small Tract Public Sale No. 4-AOS, July 28, 1958.
- Small Tract Public Sale No. 5-AOS, March 12, 1959.
- Small Tract Public Sale No. 6-AOS, May 7, 1959.
- Small Tract Public Sale No. 7-AOS, June 9, 1959.
- Small Tract Public Sale No. 8-AOS, date unknown.
- Small Tract Public Sale No. 9-AOS, April 11, 1961.

j. Small Tract Public Sale No. 10-AOS, May 5, 1961.

k. Small Tract Public Sale No. 11-AOS, May 12, 1961.

l. Small Tract Public Sale No. 12-AOS, May 24, 1961.

m. Small Tract Public Sale No. 22-ALD, September 18, 1963.

2. This order will be effective immediately.

3. Inquiries concerning the status of the lands being released by this order should be addressed to the Manager, Anchorage District and Land Office, 555 Cordova Street, Anchorage, Alaska, 99501.

JAMES W. SCOTT,
Manager, Anchorage District
and Land Office.

[F.R. Doc. 64-10666; Filed, Oct. 19, 1964;
8:47 a.m.]

Geological Survey

CALIFORNIA, NEW MEXICO, UTAH, WYOMING

Definitions of Known Geologic Structures of Producing Oil and Gas Fields

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.), codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER, dated December 31, 1948, is hereby supplemented by the addition of the following list of defined structures effective as of the dates shown.

Name of Field, Effective Date, Acreage

(5) CALIFORNIA		
McDonald Anticline.....	July 27, 1964	1,547
(31) NEW MEXICO		
Corral Canyon.....	July 14, 1964	1,480
Leo-North Benson (revision).....	June 15, 1964	5,880
Lusk (revision).....	June 29, 1964	7,008
West Tonto.....	June 17, 1964	1,007
(44) UTAH		
Red Wash (revision).....	May 15, 1964	56,990
(50) WYOMING		
Cooper Cove and Dutton Creek (revision and consolidation).....	June 15, 1964	2,086
Garland (revision).....	Feb. 28, 1963	7,483
Heart Mountain (revision).....	June 17, 1964	1,528
North Oregon Basin (revision).....	Dec. 17, 1962	4,956
Nowood-Middle Dome (revision).....	Apr. 14, 1964	1,246
South Oregon Basin (revision).....	Dec. 17, 1962	7,662

R. H. LYDDAN,
Acting Director.

OCTOBER 9, 1964.

[F.R. Doc. 64-10650; Filed, Oct. 19, 1964;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration POWER SUPPLY SURVEYS

Approval of Loans for Generation or Transmission Facilities; Consideration of Applications

The first sentence of Paragraph III C of the notice on Power Supply Surveys (29 F.R. 2765) is revised to read as follows:

C. Requirement for Consideration of Loan Application. Loans for generation facilities; for transmission facilities to a power-type borrower; and for transmission, or transmission and generation, facilities in excess of \$2,000,000 to a distribution borrower will be made only after completion of a power supply survey by REA. * * *

The first sentence of Paragraph III D of the notice on Power Supply Surveys (29 F.R. 2765) is revised to read as follows:

D. Certification of Loans for Generation or Transmission. No loan for generation or transmission facilities will be made except in compliance with Bulletin 20-6, "Loans for Generation and Transmission," dated May 31, 1961, and, if a power supply survey is required by Paragraph C, upon certification by the Administrator to the Secretary of Agriculture that the loan has been approved after the completion of a power supply survey which shows that the loan is (a) needed to construct facilities to implement an existing contract or a proposed contract with the existing power supplier; or (b) needed to provide facilities or service for which there is no existing or proposed contract from any other power supplier; or (c) needed because existing and proposed contracts to provide the facilities or service to be financed were found to be unreasonable, each supplier involved was so advised, REA attempted to have such contracts made reasonable, and the existing or other proposed suppliers had failed or refused to do so within the time set by the Administrator. * * *

Effective this 14th day of October 1964.

NORMAN M. CLAPP,
Administrator.

[F.R. Doc. 64-10656; Filed, Oct. 19, 1964;
8:46 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration UNITED STATES LINE CO.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that United States Lines Company, acting pursuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following listed cruises:

Ship	Commences	Termi- nates	Itinerary
SS United States.	1965 Feb. 13	1965 Feb. 22	New York, Nassau, Curacao, St. Thomas, New York.
Do.	Mar. 27	Apr. 5	Do.

Any person, firm, or corporation having any interest, within the meaning of Public Law 87-45, in the foregoing who desires to offer data, views, or arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C., 20235, by close of business on November 6, 1964.

In the event an opportunity to present oral argument is also desired, specific reason for such request should also be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

Dated: October 14, 1964.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 64-10651; Filed, Oct. 19, 1964;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-23]

DEPARTMENT OF THE ARMY, EDGEWOOD ARSENAL

Notice of Amendment of Byproduct, Source, and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 5 to License No. 19-1826-6 which authorizes the following:

1. Receipt, packaging, and storage of waste byproduct, source, and special nuclear material at Edgewood Arsenal, Md.
2. Transportation of waste byproduct, source, and special nuclear material from Federal Government facilities to Edgewood Arsenal, Md.
3. Transportation of waste byproduct, source, and special nuclear material to authorized land burial sites in the United States.
4. An increase in the quantity of source material from 30,000 pounds to 54,000 pounds.
5. A change in the designation of the licensee from Department of the Army, United States Army Munitions Command, Chemical-Biological-Radiological Agency, Army Chemical Center, Md., to Department of the Army, United States Army Edgewood Arsenal, Edgewood Arsenal, Md.
6. Renewal of the license for a period of two years.

The Army's waste management program has been licensed since May 1959. The Commission has evaluated the Army's facilities, equipment and procedures and has found them adequate for the program conducted by the Army.

This license amendment does not involve significant hazards considerations different from those previously evaluated and provides for the continuation of previously authorized activities.

The Commission has found that the application complies with the requirements of the Act and the Commission's regulations. The Commission has determined pursuant to the provisions of 10 CFR Parts 2, 30, 40, and 70 that the issuance of the amendment is consistent with applicable provisions of law, regulations, and orders issued by the Commission.

Within fifteen (15) 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. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

The text of the license is attached to this notice, except for "Appendix A" which is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., October 13, 1964.

For the Atomic Energy Commission.

LYALL JOHNSON,
Acting Director,
Division of Materials Licensing.

[License No. 19-1826-6; Amdt. No. 5]

In accordance with application dated April 10, 1964, License No. 19-1826-6 is amended in its entirety to read as follows:

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, Code of Federal Regulations, Chapter 1, Parts 30, 40, and 70 and subject to the statements and representations contained in the application, a license is hereby issued to the Department of the Army, United States Army Edgewood Arsenal, Edgewood Arsenal, Md. (1) to receive, possess, and package waste byproduct, source and special nuclear material at Edgewood Arsenal, (2) to transport waste byproduct, source and special nuclear material from Federal Government facilities to Edgewood Arsenal, and (3) to transport waste byproduct, source, and special nuclear material to authorized land burial sites in the United States.

This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended and is subject to the provisions of 10 CFR 20, "Standards for Protection Against Radiation", all other applicable rules, regulations, orders of the Atomic Energy Commission now or hereafter in effect, and to the following conditions:

1. The licensee shall not possess more than 500 curies of byproduct material, 54,000 pounds of source material, and 100 grams of special nuclear material at any one time.
2. Operations conducted under this license shall be performed by, or under the supervision of, individuals designated by the Edgewood Arsenal Isotope Committee.

3. The transportation of AEC-licensed material shall be subject to the applicable regulations of the Interstate Commerce Commission, United States Coast Guard and other agencies of the United States having appropriate jurisdiction, and where such regulations are not applicable shall be in accordance with the following requirements except as specifically provided by the Atomic Energy Commission:

A. Outside Shipping Containers

(1) The containers shall meet any one of the following specifications described in Appendix A attached hereto:

a. Specification 15A, 15B, 12B, 6A, 6B, 17C, 17H, 19A, or 19B, for the containment of radioactivity in amounts not in excess of 2.7 curies; except polonium, 2 curies; or

b. Specification 55 for containment of solid cobalt 60, cesium 137, iridium 192, or gold 198 in amounts not in excess of 300 curies.

(2) There shall be no radioactive contamination on any exterior surface of the container in excess of 500 d/m/100 sq. cm. alpha and 0.1 mrem/hr beta-gamma radiation.

(3) The smallest dimension of the container shall not be less than 4 inches.

(4) The radiation level at any accessible surface of the container shall not exceed 200 mrem/hr.

(5) At one meter from any point on the radioactive source the radiation level shall not exceed 10 mrem/hr.

(6) Containers which contain radioactive material emitting only alpha and/or beta radiation shall contain sufficient shielding to prevent the escape of primary corpuscular radiation to the exterior surface and to reduce the secondary radiation at the surface of the container so that it does not exceed 10 mrem/24 hours at any time during transportation.

B. Inside Containers

(1) Solid and gaseous radioactive materials shall be packed in suitable inside containers designed to prevent rupture and leakage under conditions incident to transportation.

(2) Liquid radioactive materials must be packed in sealed glass, earthenware, or other suitable containers. The container must be surrounded on all sides by an absorbent material sufficient to absorb the entire liquid contents and be of such nature that its efficiency will not be impaired by chemical reactions with the contents. Where shielding is required the absorbent material must be placed within the shield. If the inside container meets the Specification 2R in Appendix A the absorbent material is not required.

(3) Materials containing radioisotopes of plutonium, americium, polonium, or curium, or the isotope strontium 90, in quantities in excess of 100 microcuries, must be packed in containers which meet Specification 2R in Appendix A.

C. Shielding

Inside containers must be completely surrounded with sufficient shielding to meet the requirements of subparagraphs A(4), A(5), and A(6) of this condition. The shield must be so designed that it will not open or break under conditions incident to transportation.

D. Labeling

Each outside container label required under Section 20.203(f) or 10 CFR 20 shall bear the following information:

(1) Total activity in millicuries, or in the case of source and special nuclear material, the total weight;

(2) Principal radioisotope;

(3) Radiation level at the surface of the container and at one meter from the source; and

(4) The name and address of the licensee.

E. Each vehicle in which licensed material is transported shall be marked or placarded on each side and the rear with lettering at

least 3 inches high as follows: "DANGEROUS—RADIOACTIVE MATERIAL."

F. Accidents

In the event of an accident involving any vehicle transporting licensed material, immediate steps shall be taken to prevent radioactive exposure of persons and to control contamination.

G. Exemptions

Specific approval must be obtained from the Atomic Energy Commission for modification of, or exemption from, the requirements of the license condition. Requests for such approval should be directed to the Chief, Isotopes Branch, Division of Materials Licensing, Atomic Energy Commission, and should contain sufficient information to support such a request.

4. The licensee shall store and package by-product, source and special nuclear material only at Edgewood Arsenal, Md.

5. The licensee shall dispose of waste by-product, source and special nuclear material only by transfer to authorized land burial sites in the United States.

6. Except as specifically provided otherwise by this license, the licensee shall conduct activities authorized in this license in accordance with the statements, representations, and procedures contained in the application for license dated April 10, 1964.

This amendment is effective as of the date of issuance and shall expire two (2) years from the last day of the month in which this amendment is issued.

Date of issuance: October 13, 1964.

For the Atomic Energy Commission.

LYALL JOHNSON,
Acting Director,
Division of Materials Licensing.

[F.R. Doc. 64-10644; Filed, Oct. 19, 1964;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15374-15376; FCC 64M-1013]

KTIV TELEVISION CO. (KTIV) ET AL.

Order Continuing Hearing

In re applications of KTIV Television Company (KTIV), Sioux City, Iowa, Docket No. 15374, File No. BPCT-3127; for construction permit to make changes in the facilities of television broadcast station KTIV; Peoples Broadcasting Corporation (KVTI), Sioux City, Iowa, Docket No. 15375, File No. BPCT-3128; for construction permit to make changes in the facilities of television broadcast station KVTI; Palmer Broadcasting Company, Des Moines, Iowa, Docket No. 15376, File No. BPCT-3138; for construction permit to make changes in the facilities of television broadcast station WHO-TV.

Pursuant to the hearing sessions of October 7, 8, and 13, 1964, and with the concurrence of all counsel: *It is ordered*, This 13th day of October 1964, that the hearing herein be and the same is hereby continued without date.

Released: October 14, 1964.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-10673; Filed, Oct. 19, 1964;
8:48 a.m.]

[Docket No. 12604 etc.; FCC 64M-1019]

BLUE ISLAND COMMUNITY BROADCASTING CO., INC., ET AL.

Order Regarding Procedural Dates

In re application of Blue Island Community Broadcasting Co., Inc., Blue Island, Illinois, Docket No. 12604, File No. BPH-2485; Elmwood Park Broadcasting Corporation, Elmwood Park, Illinois, Docket No. 13294, File No. BPH-2636; for construction permits; Evelyn R. Chauvin Schoonfield (WXFM), Elmwood Park, Illinois, Docket No. 13296, File No. BRH-179; for renewal application.

The Hearing Examiner having under consideration a "Petition for Extension of Procedural Dates" filed jointly by counsel for applicants Blue Island and Schoonfield on October 13, 1964, requesting extension in procedural dates as specified below:

It appearing, that counsel and representatives of these applicants have held meetings since the Examiner scheduled the presently applicable procedural dates, for the purpose of exploring the possibility of resolving the conflict between their proposals, and that additional time is required to permit further meetings looking toward that end;

It appearing, that it is proper and in the public interest to afford these parties the additional extensions of time sought by them for an attempt to reach an appropriate settlement in this long-pending proceeding so as to obviate further hearing, and that counsel for the Broadcast Bureau has informally indicated that there is no objection on his part to an extension of procedural dates without expressing any view as to the desirability of the proposed new dates;

Accordingly, it is ordered, This 14th day of October 1964, that the subject extension petition of the applicants is granted, and the pertinent procedural dates are extended as follows:

Procedure	From	To
Exchange of exhibits	Oct. 14, 1964	Nov. 9, 1964
Notification as to witnesses	Nov. 4, 1964	Nov. 30, 1964
Evidentiary hearing	Nov. 16, 1964	Dec. 7, 1964

Released: October 15, 1964.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-10674; Filed, Oct. 19, 1964;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 1178; Agreements 8680-4, 8680-5]

ITALY/U.S. NORTH ATLANTIC FREIGHT POOL

Consolidation of Proceeding

Pursuant to sections 15 and 22 of the Shipping Act, 1916, the Commission ordered an investigation and hearing to determine whether Agreements 8680, as amended, and 8680-3 should be approved, disapproved, cancelled or modified.

These matters are presently being considered under Docket No. 1178.

On January 3, 1964, the Secretary of the Italy/U.S. North Atlantic Freight Pool filed Agreement 8680-4 which modifies the basic agreement to provide (1) for the withdrawal of Kulukundis Lines, Ltd., effective December 31, 1963; (2) for the participation of Hansa Line in the pooling agreement, and (3) for revision of the pool percentages and the number of sailings and port calls assigned to the parties. Notice of the filing of Agreement 8680-4 was published in the FEDERAL REGISTER on January 18, 1964.

On August 4, 1964, Agreement 8680-5 was filed by the Secretary of the Pool to further modify the basic agreement to provide for the withdrawal therefrom of Prudential Lines, Inc., effective June 30, 1964, and for the admission of Torm Lines and Zim Israel Navigation Co., Ltd., to participation in the pooling arrangement effective July 1, 1964, and for revision of the pool percentages and the number of sailings and calls assigned to the parties thereto. Notice of the filing of this agreement was published in the FEDERAL REGISTER on August 20, 1964.

The Commission is of the view that a full investigation of Agreements 8680-4 and 8680-5 is necessary to determine whether the Commission under section 15 may permit adjustment of operations and pooling accounts of the member lines for a period prior to the approval of the agreements. Also approval of Agreements 8680-4 and 8680-5 would appear inconsistent with the Commission's action with respect to Agreements 8680, as amended, and 8680-3 which instituted an investigation and hearing under Docket No. 1178.

Now therefore, it is ordered, That a hearing be and is hereby instituted pursuant to sections 15 and 22 of the Shipping Act, 1916, to determine whether Agreements 8680-4 and 8680-5 should be approved, disapproved or modified.

It is further ordered, That this proceeding be, and is hereby, joined with the investigation and hearing on Agreements 8680, as amended, and 8680-3 now under consideration in Docket No. 1178, and that notice of this order be served on all parties to that proceeding in addition to the new parties to Agreements 8680-4 and 8680-5.

By the Commission.

[SEAL]

THOMAS LISI,
Secretary.

[F.R. Doc. 64-10662; Filed, Oct. 19, 1964;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-9283 etc.]

ATLANTIC REFINING CO.

Order Approving Rate Settlement Proposal, Severing and Terminating Proceedings and Prescribing Refunds

OCTOBER 8, 1964.

There is before us for consideration a Motion for Approval of Settlement Pro-

¹ The additional dockets involved herein are set forth in Appendixes A, B, and C, attached hereto.

posal, Termination of Rate Proceedings, and for Shortened Procedure Certification filed on May 7, 1964, as amended on July 31, 1964, by Atlantic Refining Company (Atlantic) encompassing the rates for 124 of Atlantic's currently effective FPC Gas Rate Schedules. Comments have been filed by some of the parties to these proceedings, all of which have been given due consideration. In summary, the settlement proposal as filed by Atlantic provides:

(1) Settlement rates, including tax reimbursement, equal to or less than the Commission's applicable area ceilings with two exceptions hereinafter discussed;

(2) Atlantic waives the right to file for contractually authorized increased rates until August 1, 1967, for all of the rate schedules involved in the settlement. However, Atlantic reserves the right to file for any increased rates, if contractually authorized, up to the applicable area-rate levels established by any order or rule of the Commission, or to file for any contractually authorized increase in tax reimbursement;

(3) Atlantic will delete any favored nation and price redetermination clauses contained in its Rate Schedule Nos. 5, 48, 49, 124, 148, 152, and 159, and additionally will delete the periodic pricing provisions in its Rate Schedule Nos. 6, 32, 125, 151, 181, 187, and 246;

(4) Refunds with interest at the applicable rates, under rate schedules where collection was made subject to refund, of the difference between the revenues actually collected and those which would have been collected at the settlement rate, in each instance, commencing with December 1, 1961, to the date of issuance of this order for all of Atlantic's rate schedules.

(5) Exclusion from the settlement proposal of sales in the Permian Basin; twenty-five sales related to previous offers of settlement accepted by the Commission; one sale to another producer whose resale rate is under suspension; five sales consolidated in certificate proceedings that are presently before the Commission and those matters relating to Rate Schedule Nos. 118, 147, and 150 together with their pending section 4(e) proposed rate increase in Docket No. G-17741.²

With respect to refunds, the parties to the settlement conference utilized cost of service studies and revenues based on contract rates to determine Atlantic's revenue-cost relationship. These studies indicate that it is appropriate that we require that refunds should be computed for sales made on and after December 1, 1961. Applicable interest shall be paid on all of the refunds through July 31, 1964. Such refunds will be approximately \$4,766,470, exclusive of interest. Atlantic's future revenues will be decreased approximately \$3,216,000 annually as a result of the settlement.

The purchasers of gas under the various rate schedules to which this settle-

² Atlantic does not propose a settlement of the 4(e) proceedings involving Rate Schedule Nos. 118, 147, and 150, or the termination of any refund obligations thereunder but will supersede the existing rates of 23.55 cents per Mcf with a rate of 17.5 cents per Mcf to be effective August 1, 1964.

ment proposal relates are all natural gas pipeline companies subject to our jurisdiction under the Natural Gas Act, and many of such purchasers in turn have customers who are natural gas pipelines. Some of these pipeline customers of Atlantic or Atlantic's customers are required under express provisions of outstanding orders of this Commission to flowthrough to their customers all or any part of the refunds they may receive from Atlantic as a result of this settlement; others may choose so to do in the absence of such express provisions. For all of the reasons set forth in our order in Humble Oil and Refining Company Docket Nos. G-9287 and G-9288, et al., — FPC — order issued July 8, 1964, we shall require Atlantic to retain the amounts of refund ordered herein until further order directing the nature of their disposition³ and also to submit within 45 days of this order to the Commission and each customer a detailed report setting out, by purchasers, the amount of refund related to each rate schedule, the volume of gas sold thereunder and the period covered. We shall also by separate action direct each of the pipeline purchasers within ten days from the receipt of such report, to submit a report of their own setting forth whether they intend to pass on all or part of such refund amounts to their customers and the names of such customers and amounts of refund each would receive, or, if they claim the right to retain any portion of the refunds, a brief statement as to the legal or equitable basis for such claim. In the event such reports indicate that the refunds will flow through to ultimate consumers or distribution companies not subject to the Commission's jurisdiction, the Commission will authorize the release of such refund sums by Atlantic (unless a State regulatory authority after notification of the sum to be made available to a company subject to its regulatory jurisdiction asks us to defer releasing the funds until it can determine their ultimate disposition). In the event a pipeline purchaser from Atlantic (or a pipeline customer of such a pipeline) indicates that it is asserting a claim to retain substantial refund sums the Commission will by further order prescribe the procedure for determining the relative rights to such funds of such pipeline or its customers.

Settlement rates which are exceptions to the applicable area ceiling are proposed by Atlantic for sales to Tennessee Gas Transmission Company (TGT) and to United Fuel Gas Company (United Fuel) in South Louisiana.⁴ The sale to TGT is made under Atlantic's FPC Gas Rate Schedule No. 3 in the Bayou Sale Field, St. Martin Parish. Atlantic proposes to add substantial reserves under this schedule. In 1958 Atlantic dedicated 333 Bcf of natural gas to TGT from specific reservoirs in the field. Subsequently, it has developed approximately

³ Exempted from this requirement are the refunds to be made to Colorado Interstate Gas Company, El Paso Natural Gas Company and Arkansas Louisiana Gas Company, since the amount of refunds to those companies is de minimis.

⁴ TGT and United Fuel were each represented at the settlement conferences and each actively participated therein.

83 Bcf of additional reserves which it will dedicate to TGT. Additionally, it will renegotiate its contract to eliminate the favored nation and price redetermination provisions therefrom; provide for a 1 cent per Mcf price escalation through 1981; extend the makeup period to February 26, 1971; provide for no increase in TGT's take or pay obligation under the contract until January 1, 1968, and increase the "swing" provision from 100 percent to 125 percent of deliverability. The circumstances surrounding this sale to TGT are similar to those we considered regarding a sale made by Cities Service Production Company in our order approving its general rate settlement in Docket No. G-9510, et al., 28 FPC 1114 (order issued December 20, 1962) and we there approved an exception to the applicable area ceiling. Therefore we here approve Atlantic's proposed reduction in its presently effective rate from 22.8333 cents to the settlement rate of 17.5 cents per Mcf.

The sale to United Fuel is made under Atlantic's FPC Gas Rate Schedule No. 63 in the Midland Field, Acadia Parish. This sale is made under a contract dated January 5, 1953, and is for a 20-year period. Between 1956 and 1961 Atlantic has added approximately 64 Bcf of natural gas by dedication of reserves to this contract. Subsequent to 1956 Atlantic increased the area dedication adding new productive horizons which increased the reserves by approximately 352 Bcf of gas. This additional dedication of reserves and acreage subsequent to our assumption of regulation of independent producers caused us to grant an exception to the applicable area ceiling in the general rate settlement in Gulf Oil Company, et al., Docket Nos. G-9520, et al., 29 FPC 837 (order issued April 25, 1963) and for the same reasons we approve Atlantic's proposed reduction of the presently effective rate of 21.1 cents to 19 cents per Mcf.

The settlement proposal includes rates for which issuance of related permanent certificates is pending, some of which are for sales presently being made under temporary certificates.⁵ We shall set such applications for abridged hearing in accordance with section 7 of the Natural Gas Act, providing that the settlement rates shall be the initial rates.

Additionally, included in the settlement proposal is a pending certificate application for a sale by Atlantic in Texas Railroad Commission District No. 4 to South Texas Natural Gas Gathering Company under Atlantic's FPC Gas Rate Schedule No. 283 in the Schmidt Field. This sale is presently involved in the Turnbull & Zoch Drilling Co. (Operator), et al., proceedings, Docket Nos. G-17960, which are presently in hearing before a presiding examiner. Testimony and evidence have been introduced regarding such sale, and we deem it proper, in this instance, to omit the sale from the settlement and make the rate contingent upon the final order issued in such proceeding.

⁵ Docket Nos. G-9980, CI60-459, CI61-291, CI61-482, and CI63-1490.

On August 14, 1964, the Pennsylvania Public Utility Commission (PUC) filed its comments in answer to Atlantic's amended motion. PUC's comments regarding Atlantic's proposal are similar to those considered by us in Humble (supra) and we there set forth our reasons for approval of that general rate settlement. The same reasons pertain here. We consider the reduction and stability in rates for the moratorium period gained by each of the settlements we have approved to be of great value to the public. As we noted in Humble, each settlement is approved subject to the applicable area rate proceedings. Pending final disposition of those proceedings, certainty is gained in large measure by settlement. Our approval of Atlantic's proposal results in Atlantic refunding approximately 56 percent of the amounts it has collected subject to refund above the settlement rates and the reduced rates of approximately \$2,892,000 annually will constitute disallowance of approximately 65 percent of the increased rates currently being collected in section 4(e) proceedings. In addition, approximately \$324,000 annual reduction will result from reduction of rates under two sales being made under temporary certificates and five sales where the settlement rates are reduced below the "last firm rate".

We believe that the principles underlying the present settlement proposal are consistent with those utilized in previous major independent producer rate settlements.

Our action herein should not be construed as constituting approval of any future rate increases, if any, that may be filed under the subject rate schedules, and is without prejudice to any findings or order of the Commission in future proceedings, including area rate or similar proceedings, involving Atlantic's rates and rate schedules.

The Commission finds: The proposed settlement of the subject proceedings on the basis described, herein, as more fully set forth in the Settlement Proposal filed by Atlantic on May 7, 1964, as amended July 31, 1964, is in the public interest and it is appropriate in carrying out the provisions of the Natural Gas Act, that it be approved and made effective as herein-after ordered, and good cause exists for approving the settlement rates, for severing and terminating certain proceedings and providing for refunds.

The Commission orders:

(A) The settlement of these proceedings on the basis of the settlement proposal, filed by Atlantic on May 7, 1964, and as amended on July 31, 1964, is approved.

(B) The applicable settlement rates set out in Appendix A hereto are approved, and such rates shall be effective as of September 1, 1964, except for Rate Schedule Nos. 118, 147, and 150 wherein the rates shall be effective as of August 1, 1964.

(C) The approved settlement rates shall be applicable during the moratorium period herein provided for to all sales of natural gas from all acreage dedicated as of the date of issuance of

this order under each of the rate schedules currently on file with the Commission whether such sales are made by Atlantic, its successors or assignees.

(D) Atlantic shall compute the difference between the rates collected subject to refund and the related settlement rates or rate not subject to refund whichever rate is the greater for the period from December 1, 1961, to the date of this order, together with interest as specified in each docket to July 31, 1964. Atlantic shall within 45 days from the date of this order submit a report to the Commission, and serve a copy on each of the purchasers involved, setting out by purchasers the amount of refunds related to each rate schedule (showing separately the principal and applicable interest), the bases used for such determination and the periods covered.

(E) Atlantic shall retain the amounts shown in the report required under paragraph (D) above, subject to further order of the Commission directing the disposition of those amounts: *Provided, however*, Atlantic shall within 90 days from the date of this order, (1) refund with interest as specified in each docket computed to July 31, 1964, the difference between the rates collected subject to refund and the related settlement rates, on and after December 1, 1961, to the date of this order for all of such of Atlantic's Rate Schedules, where the rates were collected subject to refund for sales of natural gas to Colorado Interstate Gas Company, El Paso Natural Gas Company and Arkansas Louisiana Gas Company and (2) report to the Commission in writing, the amount of refunds made to Colorado Interstate Gas Company, El Paso Natural Gas Company and Arkansas Louisiana Gas Company showing separately the amount of principal and interest so paid, and the bases used for such determination, together with releases from its purchasers showing receipt of the refunds in conformity with the settlement proposal as approved herein.

(F) If Atlantic elects to commingle these retained refunds with its general assets and use them for its corporate purposes, it shall pay interest thereon at the rate of 6 percent per annum on all funds thus available from November 25, 1964, to the date on which they are paid over to the person ultimately determined to be entitled thereto in a final order of the Commission.

(G) If Atlantic elects to deposit the retained refunds in a special escrow account, Atlantic shall tender for filing on or before November 25, 1964, an executed Escrow Agreement, conditioned as set out below accompanied by certificate showing service of a copy thereof upon each of its jurisdictional customers. Unless notified to the contrary by the Secretary within 30 days from the date of filing thereof, the Escrow Agreement shall be deemed to be satisfactory and to have been accepted for filing. The Escrow Agreement shall be entered into between Atlantic and any bank or trust company used as a depository for funds of the U.S. Government and the agreement shall be conditioned as follows:

(1) Atlantic, the bank or trust company, and the successors and assigns of each, shall be held and formally bound unto the Federal Power Commission for the use and benefit of those entitled thereto, with respect to all amounts and the interest thereon deposited in a special escrow account, subject to such Agreement, and such bank or trust company shall be bound to pay over to such person or persons as may be identified and designated by final order of the Commission and in such manner as may be therein specified, all or any portion of such deposits and the interest thereon.

(2) The bank or trust company may invest and reinvest such deposits in any short-term indebtedness of the United States or any agency thereof or in any form of obligation guaranteed by the United States which is, respectively, payable within 120 days as the said bank or trust company in the exercise of its sound discretion may select.

(3) Such bank or trust company shall be liable only for such interest as the invested funds described in Paragraph (2) above will earn and no other interest may be collected from it.

(4) Such bank or trust company shall be entitled to such compensation as is

fair, reasonable and customary for its services as such, which compensation shall be paid out of the escrow account to such bank or trust company. Said bank or trust company shall likewise be entitled to reimbursement for its reasonable expenses necessarily incurred in the administration of this escrow account, which reimbursement shall be made out of the escrow account.

(5) Such bank or trust company shall report to the Secretary quarterly, certifying the amount deposited in the trust account for the quarterly period.

(H) The pending certificate proceedings in Docket Nos. G-9980, CI60-459, CI61-291, CI61-482, and CI63-1490 set out in Appendix B hereto shall not be terminated on the basis of the approval of the settlement proposal, but shall be determined after hearing in accordance with section 7 of the Natural Gas Act.

(I) Within 90 days from the date of this order, Atlantic shall make such filings under its rate schedules as are required to make effective the terms of the settlement proposal.

(J) Upon full compliance by Atlantic with all the terms and provisions of this order, the section 4(e) proceedings listed in Appendix A hereto, except those re-

lated to Rate Schedule Nos. 118, 147, and 150, and the section 5(a) proceedings in Docket Nos. G-9283 and G-9284 shall terminate.

(K) Upon termination of the section 4(e) proceedings listed in Appendix C hereto, in accordance with Paragraph (J) above, said proceedings shall be severed from the consolidated proceedings in Docket Nos. AR61-2, AR64-1, and AR64-2, respectively; the section 7(c) proceedings listed in Appendix C are hereby severed from their respective consolidated proceedings, and the consolidation order issued September 23, 1960, in Docket No. G-9283, et al., is rescinded.

(L) This order is without prejudice to any findings or orders which have been or may be made hereafter by the Commission, and is without prejudice to claims or contentions which may be made by Atlantic, the Commission staff, or any affected party hereto, in any proceedings now pending, including area rate or similar proceedings, or hereafter instituted by or against Atlantic or any other companies, person or parties affected by this order.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

FPC GNS No.	FPC rate area and pressure base field	Purchaser	Docket Nos.		Rates—Cents per Mcf at area pressure base (inclusive of tax reimbursement)		
			Certificate	Rate	Not subject to refund	In effect sub- ject to refund	Settlement rate
	<i>Texas RR Comm. Dist. No. 1 at 14.65 p.s.i.a.</i>						
7	Jake Hamon	Tenn. Gas T. Co.	G-3894	G-19659	12.12268	17.24347	14.0
237	San Miguel Creek	Trans. G. P. L. Corp.	CI62-363		14.189		14.189
269	do.	do.	CI63-1197		*5.00		5.00
	<i>Texas RR Comm. Dist. No. 2 at 14.65 p.s.i.a.</i>						
40	Clayton	Nat. Gas P. Co.	G-3894		9.5209		9.5209
41	Greta	Trans. G. P. L. Corp.	G-3894		9.1102		9.1102
42	Mission Valley, et al.	do.	G-4689		8.89089		8.89089
44	Burnell-North Pettus	United G. P. L. Co.	G-3894		14.00		14.00
45	Cabeza Creek	do.	G-3894		13.2002		13.2002
46	South Cabeza Creek	do.	G-3894		13.2002		13.2002
47	Boyce-Poehler, et al.	do.	G-3894		13.2002		13.2002
144	Clayton	Nat. Gas P. Co.	G-13355		12.20		12.20
152	Cologne	Tenn. Gas T. Co.	G-10354	G-17365	10.80887	*15.11402	14.60
			G-10354	RI64-600			
186	McFaddin	United G. P. L. Co.	G-15231		13.1664		13.1664
190	Appling	Coastal States Gas Producing Co.	G-16886		12.1152		12.1152
194	North Mission Valley	Texas Eastern	G-17870		10.80		10.80
214	New Refugio	Tenn. Gas T. Co.	CI60-426	RI64-418	*14.00	(7)	14.00
247	Clayton	Nat. Gas P. Co.	G-3219		9.5209		9.5209
254	do.	do.	G-10651		13.20		13.20
259	Dunn	Texas Eastern	G-18927		12.20		12.20
268	Karon	do.	CI63-890		12.00		12.00
278	Houdman	do.	CI64-48		*12.00		12.00
	<i>Texas RR Comm. Dist. No. 3 at 14.65 p.s.i.a.</i>						
32	South Hyatt	Tenn. Gas T. Co.	G-3894	G-17121	13.27857	*15.95016	15.00
124	Magnet-Withers	do.	G-9325	G-17291	13.49751	*16.16947	14.60
				RI64-600			
200	Palacios	Florida Gas Trans.	G-11186	RI62-464	*17.50	18.50	16.00
215	Englehart	Tenn. Gas T. Co.	CI60-459(T)	RI64-424	*16.16947	(7)	16.00
218	West Nona Mills	Trunkline Gas Co.	CI61-107		*14.75		14.75
270	South Spanish Camp	Valley Gas Trans.	CI63-1222		*14.00		14.00
	<i>Texas RR Comm. Dist. No. 4 at 14.65 p.s.i.a.</i>						
5	Mustang Island	Tenn. Gas T. Co.	G-3894	G-19847	*12.12268	*15.26187	14.60
6	N. Minnie Bock	do.	G-3894	RI60-301		*17.24374	
			G-3894	G-19847	11.90337	14.87589	15.00
				RI60-301		17.24347	
39	Hagist Ranch	Nat. Gas P. Co.	G-3894		9.5209		9.5209
43	Odum	Trans. G. P. L. Corp.	G-3894		8.001795		8.001795
48	Triple A	United G. P. L. Co.	G-3894	RI61-127	7.5960	15.00	14.60
49	Red Fish Bay-M.I.	do.	G-3894	G-13583	12.660	14.80	14.60
125	Seven Sisters	do.	G-3894	RI63-171		17.74782	
148	Tabasco	Tenn. Gas T. Co.	G-9366	G-19659	*12.12268	17.24347	15.00
151	West Mission	do.	G-10354	G-19847	*12.12268	17.24347	14.60
159	Hagist Ranch	do.	G-10354	G-19659	*12.12268	17.24347	15.00
		Nat. Gas P. Co.	G-10715	G-12954	12.80	14.1344	14.60
				RI63-66		15.00	

See footnotes at end of table.

APPENDIX A—Continued

FPC GRS No.	FPC rate area and pressure base field	Purchaser	Docket Nos.		Rates—Cents per Mcf at area pressure base (inclusive of tax reimbursement)		
			Certificate	Rate	Not subject to refund	In effect sub- ject to refund	Settlement rate
198	McGill Ranch	Florida Gas Trans.	G-10389	RI62-462	*16.50	17.50	11 15.00
199	East Aransas Pass	do	G-11041	RI62-464	*17.0+T.R.	18.0	15.00
201	East Corpus Christi Bay	do	G-10086	RI62-462	*16.5+T.R.	17.5	15.00
224	Northeast Thompsonville	Nat. Gas P. Co.	CI61-482	(OT)	*18.0		11 15.00
241	La Gloria	Trans. G. P. L. Corp.	G-3287		8.890883		8.890883
242	do	Nat. Gas P. Co.	G-3288		10.81979		10.81979
246	Hagist Ranch	do	G-3280	RI63-66	14.1344	15.00	* 13.00
271	East Plymouth	Banquet Gas Co.	CI63-400		*7.00		7.00
<i>Texas RR Comm. Dist. No. 6 at 14.65 p.s.i.a.</i>							
24	North Lansing	Ark. La. Gas Co.	G-3894		12.5541		12.5541
181	Carthage	Texas Eastern	G-13975	G-16647 G-19537 RI61-128 RI62-78 RI63-135 RI64-185	*14.40	14.60 14.80 15.00 15.20 15.40 15.60	* 15.00
187	Willow Springs	do	G-15403	G-16647 G-19537 RI61-128 RI62-78 RI63-135 RI64-185	13 13.90	13 14.10 13 14.30 13 14.50 13 14.70 13 14.90 13 15.10	* 15.00
<i>Texas RR Comm. Dist. No. 10 at 14.65 p.s.i.a.</i>							
285	Kiowa Creek and Bechtold	Northern Nat. Gas Co.	CI64-947		*17.00		17.00
<i>Oklahoma-Other at 14.65 p.s.i.a.</i>							
52	West Edmond	Cities Ser. Gas Co.	G-3894		10.50		10.50
163	North Norman	do	G-11028	RI63-213	11.00	12.00	11.00
169	South Eureka	do	G-12318	G-20278	12 12.25	12 12.25	12 11.25
225	Woodward Area (see Oklahoma-Panhandle Area)	Mich. Wis. P. L. Co.	CI61-752		*15.0+Btu		15 15.0+Btu
236	Burns	Ark. La. Gas Co.	CI62-214	RI63-358	*12.00	13.00	12.00
264	Avard and Lenora	Panhandle Eastern P. L. Co.	CI62-1511		*15.0+Btu		15 15.0+Btu
274	Northeast Trail	do	CI63-1491		*17.0+Btu		17 15.0+Btu
<i>Oklahoma Panhandle at 14.65 p.s.i.a.</i>							
133	Guymon-Hugoton	Nat. Gas P. Co.	G-9980	G-12461 G-15027 G-18208 RI60-218 RI61-448 RI62-398 RI63-400	*16.00	16.20 16.40 16.60 16.80 17.00 17.20 17.40	16.00
170	Mocane	Colo. Inter. Gas Co.	G-12358		* 15.0+Btu		15 15.0+Btu
172	Southeast Camrick	Nat. Gas P. Co.	G-12787	G-14735 G-17988 RI60-145 RI61-374 RI62-310 RI63-359 RI64-044	*16.2	16.40 16.60 16.80 17.00 17.20 17.40	16.20
173	Laverne	Colo. Inter. Gas Co.	G-12988	RI63-66	* 15.0+Btu	16 16.0+Btu	15 15.0+Btu
174	Mocane (Southwest Camp Creek)	Northern Nat. Gas Co.	G-13908	RI62-212	* 15.0+Btu	16 16.0+Btu	15 15.0+Btu
203	Northwest Doby Springs	Mich. Wis. P. L. Co.	G-18708		* 17.0+Btu		17 15.0+Btu
205	Guymon-Hugoton	Kans. Nebr. Nat. Gas Co.	G-18859	G-19659 RI61-131 RI62-77 RI63-88 RI64-179	*16.40	16.60 16.80 17.00 17.20 17.40	16.40
206	Highland	El Paso Nat. Gas Co.	G-17571				(25) 16.00
213	Northeast Woodward	Cities Ser. Gas Co.	CI60-320		*16.00		16.00
216	Guymon-Hugoton	Northern Nat. Gas Co.	CI60-511	RI64-418	*16.50		16.50
219	Northeast Elmwood and Griggs	Transwestern P. L. Co.	CI61-291	(T)	*17.00		17.00
223	Northwest Dower	Nat. Gas P. Co.	CI61-718	RI62-310 RI63-359	*17.00	17.20 17.40	17.00
225	Woodward Area (see Oklahoma-Other)	Mich. Wis. P. L. Co.	CI61-752		*17.0+Btu		17 17.0+Btu
250	Southeast Liberal	Panhandle Eastern P. L. Co.	G-3875	G-17311	14.00	15.00	14.00
263	Mocane-Laverne	do	CI62-1497		*17.00		17.00
267	Northwest Lovedale	Cities Ser. Gas Co.	CI63-819		*16.00		16.00
273	Northwest Midwell	Panhandle Eastern P. L. Co.	CI63-1490	(CT)	*17.0+Btu		17 17.0+Btu
280	Northwest Dower	Nat. Gas P. Co.	CI64-206		*17.00		17.00
285	Ivanhoe	Northern Nat. Gas Co.	CI64-947		*17.00		17.00
<i>Kansas at 14.65 p.s.i.a.</i>							
51	Hugoton	Cities Ser. Gas Co.	G-3894		10.7195		10.7195
127	Northwest Sharon and Blunk	do	G-9393	G-20305	*12.00	13.00	12.00
175	McKinney	Northern Nat. Gas Co.	G-13126	RI62-199	*14.00	15.00	14.00
234	North Harper Ranch and Sitka	do	CI62-105		*16.00		16.00
<i>Wyoming at 15.025 p.s.i.a.</i>							
(50)	Riverton Dome	Northern Utilities	G-3894		12.00		12.00
(50-11)	do	Kans. Nebr. Nat. Gas Co.			13.00		13.00
252	Worland	Montana-Dakota Utilities Co.	G-3873		13.00		13.00
256	Elk Basin	do	G-3996		8.00		8.00
<i>San Juan Area-New Mexico at 15.025 p.s.i.a.</i>							
281	Blanco-Mesa Verde	El Paso Nat. Gas Co.	G-3894		* 13.0000	* 13.0551	* 13.0000
(16)	South Blanco	do	G-13635	RI64-269	13.00	12.0495	13.00
178	Aztec	do	G-13637	RI64-269	13.00	12.0495	13.00
192	Bisti Gallup	do	G-17809	RI64-269	13.00	13.0536	13.00
249	Fulcher-Kutz	do	G-3762		11.0466		12 12.0509
251	do	do	G-3874		11.0466		12 12.0509
279	Basin-Dakota	Sou. Union Gath. Co.	CI64-207	RI64-275	10.00	10.04125	* 13.00

See footnotes at end of table.

APPENDIX A—Continued

FPC GRS No.	FPC rate area and pressure base field	Purchaser	Docket Nos.		Rates—Cents per Mcf at area pressure base (Inclusive of tax reimbursement)		
			Certificate	Rate	Not subject to refund	In effect sub- ject to refund	Settlement rate
San Juan Area-Colorado at 15.025 p.s.i.a.							
180	Ignacio-Blanco	El Paso Nat. Gas Co.	G-13674		13.00		13.00
253	Piceance Creek	do.	G-10233		11.00		11.00
North Louisiana at 15.025 p.s.i.a.							
2	North Ruston	Miss. Riv. Fuel Corp.	G-3894		13.7042		13.7042
53	Ada	Ark. La. Gas Co.	G-3894		13.4533		13.4533
54	North Ruston	do.	G-3894		14.720		14.720
56	Vixen	Humble Gas T. Co.	G-3894	G-13145 G-13145 G-15719 RI63-7	*10.00	15.00 16.00 16.50 18.50	15.75
59	Sibley	United G. P. L. Co.	G-3894		12.5252		12.5252
64	Sentell	Ark. La. Gas Co.	G-4690		13.9613		13.9613
167	Bethany-Longstreet	do.	G-11905		12.8713		12.8713
171	Cadeville	United G. P. L. Co.	G-12484		13.50		13.50
176	Hico-Knowles	Tex. Gas Trans. Corp.	G-13257		18.25		18.25
182	Locust Ridge	Phillips Pet. Co.	G-14402		14.50		14.50
188	Terryville	Tex. Gas Trans. Corp.	G-15541		18.25		18.25
202	Ada	United G. P. L. Co.	G-18572		*18.25		18.25
221	Terryville	Tex. Gas Trans. Corp.	CI61-660		*18.75		18.75
227	Calhoun	do.	CI61-1245		*18.75		18.75
228	Vixen	Ark. La. Gas Co.	CI61-1284		*18.50		18.50
231	Cartwright	Tex. Gas Trans. Corp.	CI61-1439		*18.75		18.75
266	Cheniere Brake	Ark. La. Gas Co.	CI63-638		*18.33		18.33
272	West Vixen	do.	CI63-1437		*17.00		17.00
South Louisiana at 15.025 p.s.i.a.							
3	Bayou Sale	Tenn. Gas T. Co.	G-3894	G-16033	10.7263	10.9763	17.50
4	Midland	do.	G-3894	G-16723		22.8333	
55	North Tepehate	Tex. Gas Trans. Corp.	G-3894	G-16033	10.7263	10.9763	15.75
57	Lewisburg and North Lewisburg	do.	G-3894	G-16723		22.8333	
			G-3894	G-16127	14.50	18.5	15.75
				G-11844	11.6467	19.9360	15.75
				G-15719		20.8110	
63	Midland	United Fuel Gas Co.	G-3765	RI61-335		20.9360	19.00
				G-9443	17.50	17.40	
				G-11247		17.80	
				G-13440		18.20	
				G-15719		18.95	
				G-16518		19.10	
				G-16518		19.35	
				G-19536		19.50	
				RI61-128		19.90	
				RI62-78		20.30	
				RI63-92		20.70	
				RI64-185		21.10	
118	Palmetto	Trans. G. P. L. Corp.	G-954	(S)	17.50	23.55	17.50
147	Live Oak	do.	G-10354	(S)	17.50	23.55	17.50
150	Midland	do.	G-10354	(S)	17.50	23.55	17.50
155	East Lake Palourde	Tex. Gas Trans. Corp.	G-8809	(S)	17.50	23.55	17.50
195	Live Oak	Trans. G. P. L. Corp.	G-18070		21.75		20.625
211	Saturday Island	Sou. Nat. Gas Corp.	CI60-264	G-19922	17.50	18.50	17.50
257	Jeanerette	Tex. Gas Trans. Corp.	G-16151		*19.175		19.175
260	South Pass	Tenn. Gas T. Corp.	G-19138	RI62-276	20.75	21.75	20.625
166	Bourg	United Fuel Gas Co.	G-11904	RI61-485	19.50	23.60	19.50
				G-12159	*17.00	17.80	17.00
				G-13440		18.20	
				G-15719		18.70	
				G-16518		19.10	
				G-19536		19.50	
				RI61-131		19.90	
				RI62-77		20.30	
				RI63-93		20.70	
				RI64-179		21.10	

¹ Includes 0.21931 cent per Mcf for dehydration by seller.
² Filed for 17.78069 cents per Mcf, effective July 20, 1964, in RI64-600. (18.0 cents—0.21931 cent dehydration charge by buyer.)
³ Filed for 15.0 cents per Mcf, effective June 1, 1964, in RI64-418.
⁴ 16.01780 cents per Mcf less 0.21931 cent per Mcf for dehydration plus 0.15167 cent per Mcf tax reimbursement equals 15.95016 cents per Mcf.
⁵ Filed for 19.33333 cents per Mcf, including tax reimbursement, less 0.21931 cent per Mcf for dehydration equals 19.11402 cents per Mcf, effective July 20, 1964, in RI64-600.
⁶ Filed for 19.33333 cents per Mcf, including tax reimbursement; effective July 20, 1964, in RI64-600.
⁷ Filed for 16.95016 cents per Mcf, including tax reimbursement, plus 0.21931 cent per Mcf for dehydration, equals 17.16947 cents per Mcf, effective June 1, 1964, in RI64-424. Consolidated in R.R. Comm. Dist. No. 3 proceedings.
⁸ Includes tax reimbursement and dehydration charge by seller.
⁹ Settlement rate for term of contract.
¹⁰ No producing properties currently active.
¹¹ Pursuant to terms of settlement proposal.
¹² Prices reduced 0.5 cent per Mcf for amortization.
¹³ Prices reflect 0.75 cent per Mcf dehydration charge by buyer.
¹⁴ B.t.u. adjustment operates proportionately downward and at 1/100 cent per Mcf/B.t.u. upward from 1000 B.t.u./cf., maximum upward B.t.u. adjustment at 1,200 B.t.u./cf.
¹⁵ B.t.u. adjustment operates proportionately upward and downward from 1,000 B.t.u./cf.
¹⁶ B.t.u. adjustment operates proportionately upward and downward from 1,000 B.t.u./cf. maximum upward B.t.u. adjustment at 1,200 B.t.u./cf.
¹⁷ Filed for 17.6 cents per Mcf. Suspended October 10, 1964, in RI64-705. FPC order dated April 29, 1964.
¹⁸ Filed for 17.6 cents per Mcf. Suspended to August 22, 1964, in RI64-644.
¹⁹ B.t.u. adjustment operates at 1/100 cent per Mcf/B.t.u. upward and downward from 1,000 B.t.u./cf. Maximum upward B.t.u. adjustment at 1,200 B.t.u./cf.
²⁰ Supplement No. 3 to Rate Schedule No. 203 consolidated in Sunray DX proceeding; omitted from settlement proposal.
²¹ Settlement rate pursuant to terms and conditions of FPC Opinions No. 390 and 390-A.

²² Filed for 17.5 cents per Mcf. Suspended to June 1, 1964, in RI64-418.
²³ Filed for 17.6 cents per Mcf. Suspended to August 26, 1964, in RI64-644.
²⁴ Settlement rate applicable to application adding acreage filed March 2, 1964, with the Federal Power Commission.
²⁵ Subject to conditions in temporary authorization issued August 5, 1963, in CI63-1490.
²⁶ Rate Schedule No. 281 superseded Rate Schedule No. 16.
²⁷ 13.0 cents per Mcf effective July 17, 1959, per Supplement No. 1 to Rate Schedule No. 16. (Mesaverde Formation gas only.)
²⁸ Filed for 13.0551 cents per Mcf. Suspended to June 23, 1964, in RI64-546 (Mesaverde Formation gas only).
²⁹ Rate Schedule No. 281 includes price for Pictured Cliffs Formation gas at 12.0509 cents per Mcf. No Pictured Cliffs gas production.
³⁰ 13.0 cents per Mcf including tax reimbursement.
³¹ Pictured Cliffs gas. Liquid payment provisions of contract to operate to gross price of 13.0 cents per Mcf.
³² 13.0 cents per Mcf includes tax reimbursement. Settlement rate subject to 3.0 cents per Mcf line amortization charge by buyer pursuant to contractual arrangements.
³³ Price increase application filed November 21, 1963. Suspended to June 1, 1964, in RI64-454.
³⁴ Docket No. G-17741. Pursuant to the terms of the settlement offer, this docket is not terminated and will remain consolidated with Docket No. AR61-2 et al.
³⁵ Depleted. Rate schedule cancelled July 18, 1963. Supplement No. 3 subject to refund in Docket No. G-17741.
³⁶ Initial price of 17.0 cents per Mcf certified by FPC order dated November 27, 1963; suspension docket subject to refund.
³⁷ Rate includes tax reimbursement and is subject to 0.21931 cents dehydration charge by buyer.
³⁸ Initial rate.
³⁹ (CT) Conditioned temporary authority.
⁴⁰ (T) Temporary authority issued. Permanent certificate not issued.
⁴¹ (A) Application for certificate. Permanent certificate not issued.

APPENDIX B

PENDING CERTIFICATE APPLICATION AND AMENDMENTS

Rate schedule—Supplement No.	Area and field	Purchaser	Date of contract	Docket No.	Initial price	Settlement price
215	Texas RR Comm. Dist. No. 5 at 14.65 p.s.i.g.	Tenn. Gas T. Co.	3-16-60	CI60-459 ¹	16.16947	*16.00
224	Texas RR Comm. Dist. No. 4 at 14.65 p.s.i.g.	Nat. Gas P. Co.	9-1-60	CI61-482 ²	18.00	*15.00
133-11	Northwest Thompsonville	Nat. Gas P. Co.	1-6-56	G-9980 ³	16.00	*16.00
219	Guymon-Hugoton	Transwestern P. Co.	7-25-60	CI61-291 ⁴	17.00	*17.00
219-1	Northeast Elmwood and Southeast Griggs.	Transwestern P. Co.	7-25-60	CI61-291 ⁴	17.00	*17.00
273	Northeast Elmwood and Southeast Griggs. Northwest Midwell	Panhandle Eastern.	4-17-63	CI63-1490 ⁵	17.0+ Btu	*17.0+ Btu

¹ T.A. April 26, 1960 (consolidated in Dist. 3 proceedings).² Cond. T.A. at 18.0 cents—FPC Order November 25, 1960.³ Addition of acreage—T.A. December 4, 1959.⁴ T.A. granted December 13, 1960.⁵ Addition of acreage—T.A. April 7, 1961.⁶ Cond. T.A.—August 5, 1963 (new contract).

APPENDIX C

CONSOLIDATED DOCKETS

Texas Gulf Coast area dockets consolidated in AR64-2			South Louisiana area dockets consolidated in AR61-2 South Louisiana			Hugoton-Anadarko area docket consolidated in AR64-1 Oklahoma-Panhandle		
Docket Nos.	GRS Nos.	Supplement Nos.	Docket Nos.	GRS Nos.	Supplement Nos.	Docket Nos.	GRS Nos.	Supplement Nos.
RRC Dist. No. 1			G-16723.....	3	4	G-12461.....	133	5
G-10659.....	7	4	G-16723.....	4	7	G-15027.....	133	7
			G-16127.....	55	6 and 7	G-18208.....	133	9
			G-11844.....	57	6	RI60-218.....	133	13
			RI61-335.....	57	9	RI61-448.....	133	15
			G-13440.....	63	4	RI62-398.....	133	16
RRC Dist. No. 2			G-16518.....	63	7	RI63-400.....	133	18
G-17305.....	152	2	G-19536.....	63	10	G-14735.....	172	2
			RI61-128.....	63	12	G-17988.....	172	3
			RI62-78.....	63	14	RI60-145.....	172	4
			RI63-92.....	63	15	RI61-374.....	172	5
			RI64-185.....	63	16	RI62-310.....	172	6
RI64-600.....	152	3	G-19022.....	195	3	RI63-359.....	172	7
RI64-418.....	214	1	RI62-276.....	257	2	RI64-644.....	172	8
RRC Dist. No. 3			RI61-485.....	260	1	RI63-66.....	173	1
G-17121.....	32	7	G-12159.....	166	-----	RI62-212.....	174	1
			G-13440.....	166	4	G-19059.....	205	1
			G-16518.....	166	6	RI61-131.....	205	3
			RI61-131.....	166	9	RI62-77.....	205	4
			RI62-77.....	166	10	RI63-88.....	205	5
RI64-600.....	32	8	RI63-93.....	166	11	RI64-179.....	205	6
G-17291.....	124	4	RI64-179.....	166	12	RI64-418.....	216	2
RI64-600.....	124	5	Section 7(c) Docket Consolidated in H. L. Hawkins et al. Docket Nos. G-18077 et al. CI60-459.			RI62-310.....	223	1
RI62-464.....	200	10				RI63-359.....	223	2
RI64-424.....	215	1				RI64-644.....	223	3
RRC Dist. No. 4						G-17311.....	250	2
G-19847.....	5	5	Section 7(c) Docket Consolidated in Turnbull and Zoch et al. Docket Nos. G-17990 et al. CI61-482.			Oklahoma-Other		
RI60-301.....	5	6				RI63-213.....	163	7
G-19847.....	6	7				G-20278.....	169	2
RI60-301.....	6	8				RI63-358.....	236	4
RI61-127.....	48	8				Kansas		
G-13583.....	49	6				G-20305.....	127	4
RI63-171.....	49	8				RI62-199.....	175	4
G-19659.....	125	2				Section 7(c) Docket Consolidated in Turnbull and Zoch et al. Docket Nos. G-17990 et al. CI61-482.		
G-19847.....	148	3						
G-19658.....	151	1						
G-12954.....	159	1 and 2						
RI63-66.....	159	4						
RI62-462.....	198	8				Section 7(c) Docket Consolidated in Turnbull and Zoch et al. Docket Nos. G-17990 et al. CI61-482.		
RI62-464.....	199	9						
RI62-462.....	201	8						
RI63-66.....	246	9						

[F.R. Doc. 64-10553; Filed, Oct. 19, 1964; 8:45 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator
CONTRACTS COMPLIANCE OFFICER
ET AL.

Designation and Functions

1. *Contracts Compliance Officer for the Housing and Home Finance Agency* (under regulations of President's Committee on Equal Employment Opportunity codified at 41 CFR Ch. 60), designation and functions. The Deputy Housing and Home Finance Administrator is hereby designated the Contracts Compliance Officer for the Housing and Home Finance Agency, pursuant to the requirement in the regulations of the President's Committee on Equal Employment Opportunity codified under 41 CFR 60-1.5 (b), to execute the powers, functions, and duties prescribed or authorized to be carried out by such Officer under 41 CFR Ch. 60, including the authority under 41 CFR 60-1.24(b) to make the Agency decision on a complaint.

2. *Employment Policy Officer for the Housing and Home Finance Agency* (under regulations of President's Committee on Equal Employment Opportunity codified at 5 CFR Part 1401), designation and functions. The Deputy Housing and Home Finance Administrator is hereby designated the Employment Policy Officer for the Housing and Home Finance Agency, pursuant to the requirement in the regulations of the President's Committee on Equal Employment Opportunity codified under 5 CFR 1401.3 (b), to execute the powers, functions, and duties prescribed or authorized to be carried out by such Officer under 5 CFR Part 1401.

3. *Housing and Home Finance Administrator's designated representative to make final decision under 5 CFR 1401.20* (regulations of President's Committee on Equal Employment Opportunity), designation and functions. The Deputy Housing and Home Finance Administrator is hereby named the Housing and Home Finance Administrator's designated representative empowered under 5 CFR 1401.20 of the regulations of the President's Committee on Equal Employment Opportunity to make the final decision in the disposition of a complaint by an employee or applicant for employment within the Housing and Home Finance Agency.

4. *Supersede*. This designation supersedes the designation of Acting HHFA Contracts Compliance Officer and Employment Policy Officer effective February 21, 1963.

(E.O. 10925 of March 6, 1961, 3 CFR, 1961 Supp., p. 86; E.O. 11114 of June 22, 1963, 3 CFR, 1963 Supp., p. 185; and regulations of President's Committee on Equal Employment

Opportunity codified under 5 CFR Part 1401 and 41 CFR Ch. 60)

Effective as of August 24, 1964.

[SEAL]

ROBERT C. WEAVER,
Housing and Home
Finance Administrator.

[F.R. Doc. 64-10661; Filed, Oct. 19, 1964;
8:47 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRO- DUCED OR MANUFACTURED IN YUGOSLAVIA

Limitation of Entry and Withdrawal From Warehouse

OCTOBER 15, 1964.

On May 14, 1964, the United States 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 6 relating to non-participants, requested the Government of Yugoslavia to restrain exports of cotton textiles in Categories 1 and 2 produced or manufactured in Yugoslavia to certain designated levels during the twelve month period beginning on March 30, 1964, and extending through March 29, 1965. On January 2, 1964, existing restraints in Categories 26 and 48-49 were renewed for the twelve month period beginning on January 3, 1964, and extending through January 2, 1965.

There is published below a letter of October 15, 1964, from the Chairman, President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts in Categories 1, 2, 26, and 48-49 of cotton textiles produced or manufactured in Yugoslavia which may be entered, or withdrawn from warehouse for consumption in the United States be limited to certain designated levels as adjusted to reflect entries for consumption and withdrawals from warehouse for consumption reported through August 31, 1964.

On October 5, 1964, the United States and Yugoslavia entered into a bilateral agreement on trade in cotton textiles to take effect January 1, 1965. Further directives will be issued to the Bureau of Customs prior to that date to implement the bilateral agreement.

This directive supplements but does not amend previous directives of May 18, 1964, and June 22, 1964, regarding imports of certain cotton textiles produced or manufactured in Yugoslavia, which were published respectively on May 22, 1964 (29 F.R. 6710) and June 27, 1964 (29 F.R. 8189-8190).

JAMES S. LOVE, JR.,
Chairman, Interagency Textile
Administrative Committee,
and Deputy to the Secretary
of Commerce for Textile Pro-
grams.

THE SECRETARY OF COMMERCE PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

Washington 25, D.C.
OCTOBER 15, 1964.

COMMISSIONER OF CUSTOMS,
DEPARTMENT OF THE TREASURY,
Washington, D.C.

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 relating to non-participants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, you are directed to prohibit, effective October 23, 1964, and until further notice, entry into the United States for consumption, and withdrawal from warehouse for consumption, of cotton textiles in Categories 1, 2, 26, and 48-49 produced or manufactured in Yugoslavia, in excess of the following levels of restraint as adjusted for previous entries:

Category	12-month levels of restraint	12-month levels of restraint less adjustments
1	70,000 lbs.	44,471 lbs. ¹
2	60,000 lbs.	1,600 lbs. ¹
26	1,400,000 sq. yds.	581,159 sq. yds. ²
48-49	11,000 doz.	6,526 doz. ²

¹ These levels reflect entries reported during the period March 30, 1964, through August 31, 1964. No adjustments have been made to reflect any other entries which may have been made from March 30, 1964.

² These levels reflect entries reported during the period January 3, 1964, through September 25, 1964. No adjustments have been made to reflect any other entries which may have been made from January 3, 1964.

A detailed description of the listed Categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551), and amendments thereto on March 24, 1964 (29 F.R. 3679).

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 Yugoslavia and with respect to imports of cotton textile products from Yugoslavia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of Section 4 of the Administrative Procedure Act. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

C. D. MARTIN, JR.,
Acting Secretary of Commerce, and
Acting Chairman, President's
Cabinet Textile Advisory Com-
mittee.

[F.R. Doc. 64-10682; Filed, Oct. 19, 1964;
8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-X, Disaster
No. 3]

MANAGER, DISASTER FIELD OFFICE, LAFAYETTE, LA.

Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Regional Director by Delegation

of Authority No. 30 (Revision 9), 29 F.R. 11777, there is hereby redelegated to the Manager of Lafayette Disaster Field Office the following authority.

A. *Financial Assistance.* 1. To approve and decline disaster loans in an amount not exceeding \$50,000.

2. To execute loan authorizations for Washington and Regional Office approved loans and for disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____
Manager, Disaster Field Office.

3. To cancel, reinstate, modify and amend authorization for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by an SBA employee designated as Acting Manager of the disaster field office.

Effective date: October 12, 1964.

ROBERT E. WEST,
Regional Director,
Dallas, Texas.

[F.R. Doc. 64-10645; Filed, Oct. 19, 1964;
8:45 a.m.]

[Delegation of Authority 30-X, Disaster
No. 5]

MANAGER, DISASTER FIELD OFFICE, MORGAN CITY, LOUISIANA

Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, there is hereby redelegated to the Manager of Morgan City Disaster Field Office the following authority.

A. *Financial Assistance.* 1. To approve and decline disaster loans in an amount not exceeding \$50,000.

2. To execute loan authorizations for Washington and Regional Office approved loans and for disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By _____
Manager, Disaster Field Office.

3. To cancel, reinstate, modify and amend authorization for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager of the disaster field office.

Effective date: October 12, 1964.

ROBERT E. WEST,
Regional Director,
Dallas, Texas.

[F.R. Doc. 64-10646; Filed, Oct. 19, 1964;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Docket No. M-18827]

GENERAL INCREASE, BETWEEN EAST AND TERRITORIES WEST

Investigation and Suspension

It appearing, that by order dated September 18, 1964, in the above-entitled proceeding, the Board of Suspension instituted an investigation into and concerning the lawfulness of the rates, charges, and regulations contained in certain schedules described therein;

It further appearing, that under section 216(g) of the Interstate Commerce Act respondents have the burden of proof to show that the proposed changed rates, charges, and regulations are just and reasonable;

And it further appearing, that in order that consideration be given to all factors which may bear upon a proper determination of the issues, including the question whether the resulting earnings would be just and reasonable, it is deemed appropriate in the public interest and pursuant to section 216(1) of the act that the information specified below be included in the record to be developed in this proceeding:

And good cause appearing therefor:

It is ordered, That respondents be, and they are hereby, notified and required to submit information and supporting data which shall include, among other things, actual cost and revenue data (including anticipated revenue to show the effect of the proposed increase) and operating ratios specifically related to the traffic and territories involved, overall operating ratios, detailed data to establish the representative nature of the carriers used, and detailed data to disclose carrier-affiliate financial and operating relationships and transactions, as generally indicated by the admonitions in General Increase—Middle Atlantic and New England Territories, 319 I.C.C. 168, and in General Increases—Transcontinental, 319 I.C.C. 792, and in addition all pertinent evidence and supporting data for the individual representative carriers regarding, but not limited to, the following as they relate to their overall operations and to those specifically relating to the traffic and territories involved:

(1) Ratios of net income before and after income taxes to net worth (assets minus liabilities),

(2) Ratio of net carrier operating income to total carrier operating revenues,

(3) Ratios of net income before and after income taxes to total carrier operating revenues,

(4) Ratios of net carrier operating income to net book value of carrier oper-

ating property plus net working capital (current assets minus current liabilities),

(5) Ratios of net income before and after income taxes to net book value of carrier operating property plus net working capital (current assets minus current liabilities);

It is further ordered, That the detailed data required to be submitted by respondents regarding carrier-affiliate financial and operating relationships and transactions shall include, with respect to any and all individuals, partnerships, and corporations affiliated with respondents, the following information:

1. Name of each affiliate from which respondent, during the year 1963, acquired, leased or purchased lands, buildings, equipment, materials, supplies, parts, tires, tubes, gasoline, oil, or other property or services used by respondent in its operations as a motor common carrier.

2. Kinds of property or service which each affiliate supplied to respondent.

3. Basis of charges for property or services supplied by affiliate to respondent, including the base and rate for rental charges.

4. Total charges by each affiliate to respondent during year 1963 for:

- Lease of vehicles.
- Lease of terminals.
- Lease of other property.
- Pickup and delivery of shipments.
- Repair and servicing of vehicles.
- Management, accounting, financial, legal, purchasing, or traffic solicitation services.

g. Property sold by affiliate to respondent.

5. If the affiliate derives revenue from the sale or lease of property or from services through transactions with persons other than respondent, indicate the percentage of the revenue of such business to the total revenue of the affiliate in the year 1963.

6. A copy of the income statements of each affiliate for the year 1963 and the latest period of 1964 for which an income statement is available.

7. A statement listing the amounts of wages, salaries, bonuses, and other compensation paid by the affiliate in 1963 to any individual who is also a respondent or an officer, director or substantial stockholder of a respondent; or the wife or close relative of a respondent or officer, director or substantial stockholder of a respondent.

8. The term "affiliate" as used in this order means:

a. Any individual who is also a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent, or of an officer, director, or substantial stockholder of a respondent.

b. Any partnership in which one of the partners is a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

c. Any corporation whose stock is wholly or partly owned by a respondent; by an officer, director, or substantial stockholder of a respondent; or by the

wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

d. Any corporation which exercises control over the operations or finances of respondent.

It is further ordered, That the traffic studies to be submitted shall be based upon actual operations conducted during identical periods of time for each carrier, and the actual cost studies shall be based upon the operations of the same carriers as used in the traffic studies; and that the periods of time selected for, as well as the motor carriers used in, such cost and traffic studies, shall be shown to be representative and their selection statistically sound;

It is further ordered, That all of the required data specified in this order shall be based upon and reflect at least the most recent annual reporting period;

It is further ordered, That the detailed information called for by this order with respect to carrier-affiliates shall be in writing and shall be verified by a person or persons having knowledge thereof, and a verified original and two additional copies shall be mailed to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423, in sufficient time to reach the Commission on or before December 21, 1964; and, in addition, that this information is to be introduced into evidence by respondents but may be in summary form, if so desired, cf. Surcharge on Small Shipments Within Central States, 63 M.C.C. 157;

It is further ordered, That:

(1) The respondents and interveners in support thereof shall serve on the parties of record on or before December 21, 1964, their direct evidence in the form of verified statements (with appendices, if any); and that they also, at the same time, shall mail two copies to this Commission, together with certificates of service in accordance with § 1.22(a) of the general rules of practice; and the executed original shall be tendered at the hearing;

(2) The protestants and interveners in support thereof shall serve on the parties of record on or before January 25, 1965, their evidence in the form of verified statements (with appendices, if any); and that they shall comply also with the provisions in the preceding paragraph regarding the mailing and service of statements;

(3) This proceeding be, and it is hereby, assigned for hearing before a Hearing Examiner to be designated on February 15, 1965, at 9:30 a.m., U.S. standard time at the office of the Interstate Commerce Commission in Washington, D.C., for the purpose of receipt in evidence of the verified statements, cross-examination thereon if requested, and the introduction of rebuttal evidence and to permit the examiner to close the record;

(4) Parties desiring to cross-examine witnesses who have submitted verified statements must give notice, in writing, of such request to affiant and his counsel, if any, on or before February 8, 1965, a copy of such notice to be filed simultaneously with this Commission. Failure of any witness whose attendance is requested to appear at the hearing for

cross-examination shall be considered good cause for the rejection of his verified statement (with appendixes, if any);

(5) All underlying data used in the preparation of evidence set forth in the verified statements (with appendixes, if any) shall be made available in the office of the party serving such verified matter during usual office hours for inspection by any party of record desiring to do so; and that underlying data shall be made available also at the hearing, but only if and to the extent specifically requested in writing and required by any party for the purpose of cross-examination;

(6) Anyone desiring to become a party of record and to participate in the hearing, and receive and/or serve copies of the evidence to be filed in accordance with the procedure set forth above, must notify the Commission and all the then known parties of record, in writing, on or before November 12, 1964. Attached hereto is a list of the presently known parties of record.¹

(7) Evidence presented which fails to conform to the above-outlined procedure will not become a part of the record in this proceeding.

It is further ordered, That a copy of this order be delivered to the Director, Office of Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

And it is further ordered, That, to avoid future unnecessary service upon those respondents who, although participating carriers in the tariff schedules which are the subject of investigation herein, are not actively interested in the outcome of such investigation, subsequent service on respondents herein of notices and orders of the Commission will be limited to those respondents who:

- (1) have been identified by name in the order or orders of investigation herein,
- (2) specifically make written request to the Secretary of the Commission to be included on the service list, or
- (3) have appeared at a hearing.

Dated at Washington, D.C., this 24th day of September A.D. 1964.

By the Commission, Commissioner Tucker.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-10658; Filed, Oct. 19, 1964;
8:46 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 15, 1964.

Protests to the granting of an application must be prepared in accordance with rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39330: Liquid caustic soda to Opelika, Ala. Filed by O. W. South, Jr., agent (No. A4578), for interested rail

carriers. Rates on liquid caustic soda, in tank carloads, from Brunswick, Ga., to Opelika, Ala.

Grounds for relief: Market competition.

Tariff: Supplement 151 to Southern Freight Association, agent, tariff I.C.C. S-194.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-10659; Filed, Oct. 19, 1964;
8:46 a.m.]

[Notice 1064]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 15, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66845. By order of October 10, 1964, the Transfer Board approved the transfer to Bill Davidson Transport Limited, a corporation, Oshawa, Ontario, Canada, of the operating rights issued by the Commission December 14, 1961, under Permit No. MC 123568, to Charles H. Titus and Brant C. Stamp, a partnership, doing business as Titus & Stamp Transport, Haliburton, Ontario, Canada, authorizing the transportation of lumber, over irregular routes, from ports of entry in New York on the United States-Canada boundary line, to Buffalo, N.Y. Joseph Gutmann, 160 Bay St., Toronto 1, Ontario, Canada, chartered accountant and licensed trustee, for applicants.

No. MC-FC 67017. By order of October 12, 1964, the Transfer Board approved the transfer to Severaid Motor Freight, Incorporated, Story City, Iowa, of Certificate in No. MC 22968, issued July 12, 1943, to J. M. Severaid, doing business as Severaid Motor Freight, Story City, Iowa, and of application in No. MC 22968 Sub 2 for a certificate of registration to operate in interstate or foreign commerce authorizing operations under the former second proviso of section 206 (a) (1) of the Act supported by Iowa Certificate No. 617, as amended; authorizing the transportation under the certificate in No. MC 22968 of general commodities, excluding household goods, and other specified commodities, between Des Moines, Iowa, and Randall, Iowa; and under its filing in No. MC 22968 Sub 2, authorizing the transportation of intrastate freight as follows: Des Moines, Ankey, Huxley, Ames, Gilbert, Story City, Roland, McCallsburg, Garden City,

Randall, Jewell, Ellsworth, and Story City, except for the transportation of freight originating or interchanged at Des Moines or Ames or at any point intermediate thereto and destined to another of those points or for transfer to another carrier at any of those points. William A. Landau, 1307 Walnut Street, Des Moines, Iowa, representative for applicants.

No. MC-FC 67190. By order of October 12, 1964, the Transfer Board approved the transfer to G. F. Trucking, Inc., New Haven, Conn., of the operating rights in Certificate of Registration No. MC 98280 Sub 1, issued September 25, 1964, to Gabriel Fucci, doing business as G & F Trucking Company, New Haven, Conn., corresponding to the grant of intrastate authority to transfer, pursuant to Motor Common Carrier Certificate No. C-1038, dated March 1, 1952, as amended and reissued June 2, 1958, by the Public Utilities Commission of the State of Connecticut. David Meyers, C.P.A., 1098 Chapel Street, New Haven, Conn., representative for applicants.

No. MC-FC 67221. By order of October 12, 1964, the Transfer Board approved the transfer to Paul Silvers and Eddie Wilson, a partnership, doing business as Silvers and Wilson Truck Service, Rocky Ford, Colo., of the Certificate of Registration in No. MC 120626 Sub 1, issued January 8, 1964, to Audry Silvers and Paul Silvers, a partnership, doing business as Silvers Truck Service, Rocky Ford, Colo., authorizing transportation in interstate and foreign commerce consistent with the intrastate operations authorized by the Public Utilities Commission of the State of Colorado in Certificate No. 1025, issued February 28, 1939. Cover Mendenhall, 915 Railroad Avenue, Rocky Ford, Colo., 81067, attorney for applicants.

No. MC-FC 67226. By order of October 12, 1964, the Transfer Board approved the transfer to Joseph R. Conlin, Sr., and Joseph Fisher, a partnership, doing business as C & F Trucking Co., Prospect Park, Pa., of the operating rights issued by the Commission June 9, 1941, under Certificate No. MC 19868 to John Kessler, Philadelphia, Pa., authorizing the transportation, over irregular routes, of ship ranges and parts, shipbuilders' supplies, and electrical machinery and supplies, from Philadelphia, Pa., to New York, N.Y., Wilmington, Del., and points in New Jersey. Raymond A. Thistle, Jr., Suite 1408-09, 1500 Walnut Street, Philadelphia 2, Pa., attorney for applicants.

No. MC-FC 67236. By order of October 12, 1964, the Transfer Board approved the transfer to Earl J. Wiles, doing business as R. E. Wiles Truck Service, Carlinville, Ill., of the operating rights issued by the Commission November 18, 1957, under Certificate No. MC 74176, to Olive Wiles, doing business as R. E. Wiles Truck Service, Carlinville, Ill., authorizing the transportation, over regular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, serving points in St. Louis County, Mo., within the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as off-route points

¹ List filed as part of original document.

in connection with regular route-operations between Springfield, Ill., and St. Louis, Mo.; between Springfield, Ill., and St. Louis, Mo., serving all intermediate points; and between Carlinville, Ill., and Eldred, Ill., serving all intermediate points and the off-route points of Greenfield and Rockridge, Ill. A. A. Marshall, 216 Buder Building, St. Louis, Mo., 63101, registered practitioner for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-10660; Filed, Oct. 19, 1964;
8:47 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President will appear in the daily FEDERAL REGISTER under Title 2, *The Congress*. A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 88th Congress, Second Session.

October 16, 1964

S. 3060.....Public Law 88-665

To amend and extend the National Defense Education Act of 1958 and to extend Public Laws 815 and 874, Eighty-first Congress (federally affected areas).

H.R. 12259.....Public Law 88-666

To amend the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Government of Cuba.

CUMULATIVE CODIFICATION GUIDE—OCTOBER

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