

FEDERAL REGISTER

VOLUME 29 NUMBER 231

Washington, Thursday, November 26, 1964

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1964, and specifies how they are affected.

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Volume 77**UNITED STATES STATUTES
AT LARGE**

[88th Cong., 1st Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1963, reorganization plan, and Presidential proclamations. Included is a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11189

PLACING CERTAIN POSITIONS IN LEVELS IV AND V OF THE FEDERAL EXECUTIVE SALARY SCHEDULE

By virtue of the authority vested in me by subsection (g) of section 303 of the Government Employees Salary Reform Act of 1964, and as President of the United States, it is ordered as follows:

SECTION 1. The following offices and positions are placed in level IV of the Federal Executive Salary Schedule:

- (1) Director, Community Relations Service.
- (2) Chairman, Equal Employment Opportunity Commission.
- (3) Director, Bureau of Intelligence and Research, Department of State.
- (4) United States Attorney for the Southern District of New York.
- (5) United States Attorney for the District of Columbia.

SEC. 2. The following offices and positions are placed in level V of the Federal Executive Salary Schedule:

- (1) Assistant General Managers, Atomic Energy Commission (2).
- (2) Members, Equal Employment Opportunity Commission (4).
- (3) National Export Expansion Coordinator, Department of Commerce.
- (4) Special Assistant to the Secretary of Defense.
- (5) Associate Director (Policy and Plans), United States Information Agency.
- (6) Chief Benefits Director, Veterans Administration.
- (7) Director of International Scientific Affairs, Department of State.
- (8) United States Attorney for the Northern District of Illinois.
- (9) United States Attorney for the Southern District of California.
- (10) Deputy Director, National Security Agency.
- (11) Director, National Park Service, Department of the Interior.
- (12) Director, Bureau of Land Management, Department of the Interior.
- (13) Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor.
- (14) Commissioner of Labor Statistics, Department of Labor.

SEC. 3. This order shall be effective August 15, 1964.

LYNDON B. JOHNSON

THE WHITE HOUSE,
November 23, 1964.

[F.R. Doc. 64-12158; Filed, Nov. 24, 1964; 2:46 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 362—REGULATIONS FOR ENFORCEMENT OF FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Miscellaneous Amendments; Postponement of Effective Dates

On March 27, 1964, and August 29, 1964, amended regulations for the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act (7 CFR 362.1-362.25) were published in the FEDERAL REGISTER (29 F.R. 3801, 12419) including provisions in §§ 362.6 (f) and (g), 362.9, 362.10(d), and 362.14(a) (5). The provisions of §§ 362.6(f) (subsequently redesignated as § 362.6(g)) and 362.9, published on March 27, 1964, were made effective on May 26, 1964, with the proviso that the effective date for these provisions with respect to products for which labeling was accepted prior to May 26, 1964, should be January 1, 1965. The provisions of new § 362.6(f), and §§ 362.10(d) and 362.14(a) (5), published on August 29, 1964, were made effective on November 1, 1964, provided, however, that labels complying with these provisions could be used on a voluntary basis prior to that date, and provided further that economic poisons bearing labels not complying with these provisions could be distributed under the Act until July 1, 1965, if such labels were accepted in connection with registration prior to November 1, 1964, and were from stocks existing on that date.

It appears that undue hardship and expense will be caused the affected industry unless postponement of the January 1, 1965, and July 1, 1965, effective dates is granted. It does not appear that additional rule making procedure would provide the Department with any information that is not presently available and it is found on good cause that further rule making procedure in connection with this action is unnecessary. Therefore, the effective dates of January 1, 1965, and July 1, 1965, specified above, are hereby changed to October 1, 1965.

(Sec. 6, 61 Stat. 168; 7 U.S.C. 135d; 19 F.R. 74, as amended)

Done at Washington, D.C., this 23d day of November 1964.

B. T. SHAW,
Administrator,
Agricultural Research Service.

[F.R. Doc. 64-12130; Filed, Nov. 25, 1964; 8:49 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR CORN CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for corn crop insurance for the 1965 crop year.

ILLINOIS	
Jefferson.	Wayne.
IOWA	
Adams.	Allamakee.
MINNESOTA	
Winona.	Wright.
MISSOURI	
Jackson.	New Madrid.
NEBRASKA	
Polk.	
PENNSYLVANIA	
Adams.	Franklin.
WISCONSIN	
Jackson.	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 64-12120; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR COTTON CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for cotton crop insurance for the 1965 crop year.

ARKANSAS	
Greene.	
GEORGIA	
Turner.	
LOUISIANA	
Concordia.	Catahoula.
MISSISSIPPI	
Tippah.	
MISSOURI	
New Madrid.	
NORTH CAROLINA	
Chowan.	

TEXAS

Briscoe. Knox.
(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.
[F.R. Doc. 64-12121; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR GRAIN SORGHUM CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for grain sorghum crop insurance for the 1965 crop year.

NEBRASKA	
Johnson.	Pawnee.
Nemaha.	Polk.
Otoe.	Richardson.
TEXAS	
Briscoe.	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.
[F.R. Doc. 64-12122; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR OAT CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for oat crop insurance for the 1965 crop year.

IOWA	
Adams.	Allamakee.
MINNESOTA	
Winona.	Wright.
WISCONSIN	
Jackson.	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JOHN N. LUFT,
Manager,
Federal Crop Insurance Corporation.
[F.R. Doc. 64-12123; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR PEANUT CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for peanut crop insurance for the 1965 crop year. The type(s) of peanuts on which insurance is offered in each county is shown opposite of the county name.

GEORGIA

Turner—Runner, Spanish, Virginia.

NORTH CAROLINA

Chowan—Virginia.

Gates—Virginia.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 64-12125; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR RICE CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for rice crop insurance for the 1965 crop year.

ARKANSAS

Crittenden. Greene.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 64-12126; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR SOYBEAN CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for soybean crop insurance for the 1965 crop year.

ARKANSAS

Greene.

ILLINOIS

Jefferson.

Wayne.

IOWA
Allamakee.
LOUISIANA
St. Landry.

Concordia.
Catahoula.

MINNESOTA

Winona.

Wright.

MISSISSIPPI

Tippah.

MISSOURI

Jackson.

New Madrid.

WISCONSIN

Jackson.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 64-12127; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR TOBACCO CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby added to the list of counties published July 29, 1964, which were designated for tobacco crop insurance for the 1965 crop year. The type(s) of tobacco on which insurance is offered in each county is shown opposite of the county name.

GEORGIA

Turner ----- 14

KENTUCKY

Muhlenberg ----- 22, 31, 35

NORTH CAROLINA

Chowan ----- 12

Randolph ----- 11a

TENNESSEE

Hancock ----- 31

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 64-12128; Filed, Nov. 25, 1964; 8:49 a.m.]

PART 403—PEACH CROP INSURANCE

Subpart—Regulations for the 1965 and Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR PEACH CROP INSURANCE

Pursuant to authority contained in § 403.40 of the above-identified regulations, the following counties have been designated for peach crop insurance for the 1965 crop year.

ALABAMA

Chilton.

ARKANSAS

Cross.
Howard.
Johnson.

Lee.
St. Francis.

GEORGIA

Peach.

Upson.

NORTH CAROLINA

Cleveland.
Moore.

Richmond.
Rutherford.

SOUTH CAROLINA

Allendale.
Barnwell.
Chesterfield.
Edgefield.
Greenville.

Laurens.
Lexington.
Saluda.
Spartanburg.
York.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JOHN N. LUFT,
Manager,

Federal Crop Insurance Corporation.

[F.R. Doc. 64-12124; Filed, Nov. 25, 1964; 8:49 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1965 Crop of Upland Cotton—National Marketing Quota; National Allotment and National Reserve and Apportionment to the States and Counties; National Domestic Acreage Allotment; Referendum Date

COUNTY NORMAL YIELDS

(a) Section 722.260 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section establishes county normal yields for the 1965 crop of upland cotton.

(b) Notice that the Secretary was preparing to establish marketing quotas for the 1965 crop of upland cotton was published in the FEDERAL REGISTER on September 12, 1964 (29 F.R. 12878) in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003). No written submissions were received in response to such notice.

(c) In order to provide for orderly administration of the domestic acreage allotment program by the Agricultural Stabilization and Conservation State and county committees, it is essential that § 722.260 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and § 722.260 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.260 County normal yields for the 1965 crop of upland cotton.

The following table sets forth the county normal yields which are estab-

lished for the 1965 crop of upland cotton, as adjusted in accordance with § 722.4(b) (24) of the marketing quota regulations for the 1964 and succeeding crops of upland cotton and extra long staple cotton (29 F.R. 9767):

ALABAMA

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Autauga	454	Houston	401
Baldwin	361	Jackson	429
Barbour	351	Jefferson	376
Bibb	480	Lamar	347
Blount	404	Lauderdale	402
Bullock	310	Lawrence	487
Butler	377	Lee	392
Calhoun	367	Limestone	464
Chambers	437	Lowndes	353
Cherokee	491	Macon	411
Chilton	392	Madison	485
Choctaw	316	Marengo	348
Clarke	306	Marion	412
Clay	328	Marshall	473
Cleburne	297	Mobile	329
Coffee	377	Monroe	461
Colbert	447	Montgomery	369
Conecuh	362	Morgan	423
Coosa	267	Perry	408
Covington	389	Pickens	393
Crenshaw	358	Pike	325
Cullman	459	Randolph	353
Dale	373	Russell	318
Dallas	382	St. Clair	312
DeKalb	469	Shelby	478
Elmore	455	Sumter	330
Escambia	448	Talladega	322
Etowah	378	Tallapoosa	389
Fayette	429	Tuscaloosa	385
Franklin	361	Walker	330
Geneva	381	Washington	372
Greene	313	Wilcox	348
Hale	411	Winston	378
Henry	374		

ARIZONA

Cochise	820	Pima	924
Gila	776	Pinal	1,044
Graham	832	Santa Cruz	695
Greenlee	785	Yavapai	759
Maricopa	1,081	Yuma	1,210
Mohave	1,260		

ARKANSAS

Arkansas	429	Lafayette	538
Ashley	587	Lawrence	515
Baxter	454	Lee	537
Benton	261	Lincoln	559
Bradley	299	Little River	500
Calhoun	303	Logan	424
Chicot	542	Lonoke	504
Clark	377	Marion	331
Clay	526	Miller	447
Cleburne	326	Mississippi	579
Cleveland	333	Monroe	538
Columbia	261	Montgomery	307
Conway	450	Nevada	362
Craighead	529	Newton	315
Crawford	518	Ouachita	273
Crittenden	556	Perry	364
Cross	416	Phillips	590
Dallas	330	Pike	374
Desha	570	Poinsett	501
Drew	490	Polk	385
Faulkner	373	Pope	500
Franklin	422	Prairie	448
Fulton	390	Pulaski	405
Garland	257	Randolph	533
Grant	309	St. Francis	555
Greene	511	Saline	248
Hempstead	393	Scott	350
Hot Spring	283	Searcy	326
Howard	417	Sebastian	411
Independence	461	Sevier	318
Izard	382	Sharp	365
Jackson	493	Stone	421
Jefferson	567	Union	245
Johnson	580	Van Buren	271

ARKANSAS—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Washington	293	Woodruff	537
White	366	Yell	514

CALIFORNIA

Fresno	1,078	Riverside	1,220
Imperial	1,452	San Benito	783
Kern	1,166	San Bernar-	
Kings	948	dino	421
Los Angeles	757	San Diego	1,269
Madera	829	Stanislaus	750
Merced	886	Tulare	917

FLORIDA

Alachua	314	Lafayette	273
Baker	217	Leon	235
Bay	311	Levy	244
Calhoun	344	Liberty	228
Clay	395	Madison	266
Columbia	182	Nassau	320
Dixie	271	Okaloosa	307
Escambia	401	Putnam	266
Gadsden	223	Santa Rosa	414
Gilchrist	198	Suwannee	189
Hamilton	220	Taylor	215
Holmes	339	Union	246
Jackson	318	Walton	312
Jefferson	275	Washington	282

GEORGIA

Appling	342	Forsyth	326
Atkinson	322	Franklin	370
Bacon	359	Fulton	335
Baker	324	Glascock	327
Baldwin	346	Gordon	422
Banks	379	Grady	349
Barrow	351	Greene	246
Bartow	460	Gwinnett	349
Ben Hill	418	Habersham	261
Berrien	391	Hall	332
Bibb	397	Hancock	323
Bleckley	459	Haralson	304
Brantley	246	Harris	370
Brooks	375	Hart	388
Bryan	369	Heard	365
Bulloch	408	Henry	387
Burke	364	Houston	423
Butts	390	Irwin	387
Calhoun	463	Jackson	307
Candler	359	Jasper	365
Carroll	331	Jeff Davis	349
Catoosa	414	Jefferson	373
Charlton	220	Jenkins	362
Chatham	315	Johnson	339
Chattahoo-		Jones	253
chee	151	Lamar	303
Chattooga	344	Lanier	334
Cherokee	282	Laurens	361
Clarke	288	Lee	387
Clay	418	Liberty	223
Clayton	258	Lincoln	230
Clinch	272	Long	320
Cobb	230	Lowndes	310
Coffee	380	Lumpkin	390
Colquitt	447	McDuffie	328
Columbia	248	McIntosh	218
Cook	433	Macon	480
Coweta	320	Madison	367
Crawford	406	Marion	380
Crisp	461	Meriwether	402
Dade	290	Miller	407
Dawson	232	Mitchell	364
Decatur	322	Monroe	287
De Kalb	243	Montgomery	314
Dodge	377	Morgan	376
Dooley	494	Murray	285
Dougherty	298	Muscogee	234
Douglas	250	Newton	341
Early	436	Oconee	408
Echols	272	Oglethorpe	338
Effingham	319	Paulding	298
Elbert	367	Peach	464
Emanuel	370	Pickens	336
Evans	407	Pierce	319
Fayette	332	Pike	417
Floyd	381	Polk	380

GEORGIA—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Pulaski	375	Toombs	397
Putnam	264	Treutlen	329
Quitman	302	Troup	347
Randolph	479	Turner	397
Richmond	269	Twiggs	387
Rockdale	399	Upson	293
Schley	374	Walker	289
Screven	395	Walton	390
Seminole	406	Ware	328
Spalding	289	Warren	326
Stephens	347	Washington	365
Stewart	406	Wayne	362
Sumter	504	Webster	309
Talbot	268	Wheeler	343
Tallapoosa	231	White	340
Tattnall	409	Whitfield	394
Taylor	510	Wilcox	385
Telfair	333	Wilkes	273
Terrell	509	Wilkinson	241
Thomas	401	Worth	417
Tift	376		

ILLINOIS

Alexander	388	Pulaski	407
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KANSAS

Montgomery	174
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KENTUCKY

Ballard	349	Graves	388
Calloway	320	Hickman	504
Carlisle	436	McCracken	374
Fulton	592	Marshall	366

LOUISIANA

Acadia	407	Livingston	349
Allen	317	Madison	604
Ascension	340	Morehouse	586
Avoyelles	508	Natchitoches	499
Beauregard	268	Ouachita	544
Blenville	269	Plaquemines	313
Bossier	494	Pointe Coupee	452
Caddo	555	Rapides	641
Calcasieu	309	Red River	496
Caldwell	529	Richland	437
Catahoula	453	Sabine	319
Claiborne	248	St. Helena	238
Concordia	536	St. James	265
De Soto	249	St. Landry	472
East Baton		St. Martin	408
Rouge	259	St. Tammany	218
East Carroll	623	Tangipahoa	209
East Feliciana	315	Tensas	595
Evangeline	462	Union	318
Franklin	425	Vermilion	393
Grant	497	Vernon	295
Iberia	298	Washington	321
Iberville	271	Webster	334
Jackson	269	West Baton	
Jefferson	357	Rouge	329
Jefferson Davis	397	West Carroll	454
Lafayette	449	West Feliciana	315
La Salle	465	Winn	266
Lincoln	292		

MISSISSIPPI

Adams	255	George	334
Alcorn	463	Greene	322
Amite	301	Grenada	555
Attala	450	Hancock	238
Benton	497	Hinds	376
Bolivar	589	Holmes	655
Calhoun	455	Humphreys	624
Carroll	526	Issaquena	683
Chickasaw	449	Itawamba	403
Choctaw	451	Jackson	318
Claiborne	392	Jasper	331
Clarke	310	Jefferson	305
Clay	437	Jefferson	
Coahoma	647	Davis	342
Copiah	359	Jones	355
Covington	394	Kemper	313
De Soto	524	Lafayette	414
Forrest	396	Lamar	369
Franklin	244	Lauderdale	301

RULES AND REGULATIONS

MISSISSIPPI—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Lawrence	279	Rankin	427
Leake	409	Scott	357
Lee	367	Sharkey	727
Leflore	641	Simpson	335
Lincoln	319	Smith	372
Lowndes	404	Stone	307
Madison	410	Sunflower	589
Marion	325	Tallahatchie	618
Marshall	498	Tate	546
Monroe	413	Tippah	484
Montgomery	532	Tishomingo	402
Neshoba	323	Tunica	588
Newton	301	Union	464
Noxubee	442	Walthall	354
Oktibbeha	356	Warren	549
Panola	560	Washington	659
Pearl River	284	Wayne	359
Perry	330	Webster	525
Pike	275	Wilkinson	312
Pontotoc	486	Winston	381
Prentiss	458	Yalobusha	541
Quitman	585	Yazoo	608

MISSOURI

Bollinger	431	Oregon	420
Butler	518	Ozark	283
Cape Girardeau	442	Pemiscot	608
Carter	423	Ripley	461
Dunklin	543	Scott	513
Howell	450	Stoddard	581
Mississippi	603	Vernon	429
New Madrid	562	Wayne	424

NEVADA

Clark	804	Nye	871
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NEW MEXICO

Chaves	779	Lea	554
Curry	416	Luna	902
De Baca	520	Otero	707
Dona Ana	812	Quay	514
Eddy	795	Roosevelt	523
Grant	840	Sierra	793
Guadalupe	353	Socorro	645
Hidalgo	909	Valencia	452

NORTH CAROLINA

Alamance	294	Jones	312
Alexander	320	Lee	354
Anson	339	Lenoir	348
Beaufort	370	Lincoln	388
Bertie	384	Martin	349
Bladen	313	Mecklenburg	369
Brunswick	306	Montgomery	333
Burke	298	Moore	324
Cabarrus	332	Nash	366
Caldwell	299	New Hanover	268
Camden	414	Northampton	412
Carteret	312	Onslow	304
Catawba	330	Orange	301
Chatham	310	Pamlico	309
Chowan	388	Pasquotank	338
Cleveland	390	Pender	308
Columbus	317	Perquimans	376
Craven	309	Person	352
Cumberland	344	Pitt	341
Currituck	389	Polk	320
Davidson	337	Randolph	306
Davie	349	Richmond	333
Duplin	352	Robeson	347
Durham	301	Rowan	378
Edgecombe	373	Rutherford	346
Forsyth	307	Sampson	335
Franklin	327	Scotland	410
Gaston	334	Stanly	355
Gates	412	Tyrrell	326
Granville	317	Union	374
Greene	333	Vance	379
Guilford	319	Wake	327
Halifax	398	Warren	337
Harnett	361	Washington	344
Hertford	415	Wayne	388
Hoke	348	Wilkes	286
Hyde	329	Wilson	390
Iredell	361	Yadkin	279
Johnston	376		

OKLAHOMA

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Adair	160	Le Flore	276
Atoka	218	Lincoln	276
Beaver	237	Logan	315
Beckham	285	Love	213
Blaine	240	McClain	322
Bryan	273	McCurtain	447
Caddo	300	McIntosh	259
Canadian	307	Major	234
Carter	225	Marshall	294
Cherokee	198	Mayes	245
Choctaw	312	Murray	437
Cimmaron	233	Muskogee	313
Cleveland	341	Noble	257
Coal	283	Nowata	251
Comanche	198	Okfuskee	193
Cotton	204	Oklahoma	274
Craig	238	Okmulgee	190
Creek	215	Osage	373
Custer	254	Pawnee	312
Dewey	356	Payne	379
Ellis	255	Pittsburg	243
Garfield	355	Pontotoc	235
Garvin	368	Pottawatomie	258
Grady	353	Pushmataha	189
Grant	257	Roger Mills	300
Greer	285	Rogers	246
Harmon	359	Seminole	190
Harper	208	Sequoyah	448
Haskell	336	Stephens	264
Hughes	207	Texas	439
Jackson	407	Tillman	304
Jefferson	230	Tulsa	303
Johnston	256	Wagoner	307
Kay	420	Washington	321
Kingfisher	177	Washita	307
Kiowa	275	Woodward	221
Latimer	203		

SOUTH CAROLINA

Abbeville	372	Hampton	441
Aiken	378	Horry	274
Allendale	453	Jasper	291
Anderson	378	Kershaw	299
Bamberg	391	Lancaster	340
Barnwell	395	Laurens	358
Beaufort	284	Lee	398
Berkeley	337	Lexington	330
Calhoun	421	McCormick	320
Charleston	270	Marion	303
Cherokee	345	Marlboro	415
Chester	349	Newberry	364
Chesterfield	321	Oconee	350
Clarendon	399	Orangeburg	413
Colleton	339	Pickens	329
Darlington	385	Richland	362
Dillon	339	Saluda	378
Dorchester	391	Spartanburg	278
Edgefield	395	Sumter	368
Fairfield	281	Union	293
Florence	307	Williamsburg	343
Georgetown	221	York	313
Greenville	349		
Greenwood	322		

TENNESSEE

Bedford	426	Hardin	444
Benton	430	Haywood	584
Bradley	338	Henderson	541
Cannon	340	Henry	479
Carroll	590	Hickman	408
Chester	547	Humphreys	408
Coffee	437	Knox	480
Crockett	636	Lake	642
Davidson	393	Lauderdale	598
Decatur	458	Lawrence	420
De Kalb	390	Lewis	365
Dyer	572	Lincoln	445
Fayette	516	Loudon	419
Franklin	524	McMinn	335
Gibson	616	McNairy	491
Giles	391	Madison	575
Grundy	435	Marion	485
Hamilton	382	Marshall	408
Hardeman	538	Maury	362

TENNESSEE—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Meigs	356	Shelby	515
Monroe	303	Tipton	588
Moore	364	Van Buren	471
Obion	571	Warren	388
Perry	381	Wayne	370
Polk	368	Weakley	527
Rhea	397	White	372
Roane	389	Williamson	364
Robertson	387	Wilson	380
Rutherford	451		

TEXAS

Anderson	216	Fayette	238
Andrews	281	Fisher	309
Angelina	263	Floyd	578
Aransas	276	Foard	234
Archer	161	Fort Bend	352
Armstrong	276	Franklin	205
Atascosa	214	Freestone	163
Austin	287	Frio	551
Bailey	444	Gaines	457
Bastrop	180	Galveston	304
Baylor	258	Garza	359
Bee	230	Gillespie	171
Bell	172	Glasscock	562
Bexar	206	Goliad	178
Blanco	167	Gonzales	167
Borden	304	Gray	246
Bosque	139	Grayson	196
Bowie	492	Gregg	178
Brazoria	377	Grimes	285
Brazos	528	Guadalupe	231
Brewster	822	Hale	554
Briscoe	453	Hall	327
Brooks	111	Hamilton	154
Brown	152	Hansford	347
Burleson	436	Hardeman	280
Burnet	119	Hardin	219
Caldwell	241	Harris	228
Calhoun	302	Harrison	177
Callahan	153	Hartley	271
Cameron	395	Haskell	280
Camp	197	Hays	189
Carson	264	Hemphill	285
Cass	247	Henderson	157
Castro	518	Hidalgo	443
Chambers	242	Hill	150
Cherokee	217	Hockley	466
Childress	276	Hood	187
Clay	241	Hopkins	156
Cochran	468	Houston	195
Coke	150	Howard	274
Coleman	159	Hudspeth	776
Collin	218	Hunt	195
Collingsworth	292	Irion	334
Colorado	290	Jack	185
Comal	159	Jackson	275
Comanche	118	Jasper	197
Concho	205	Jeff Davis	880
Cooke	219	Jefferson	216
Coryell	152	Jim Hogg	109
Cottle	285	Jim Wells	201
Crockett	436	Johnson	171
Crosby	513	Jones	228
Culberson	884	Karnes	161
Dallam	392	Kaufman	179
Dallas	209	Kendall	223
Dawson	386	Kerr	227
Deaf Smith	396	Kimble	230
Delta	243	King	248
Denton	248	Kinney	520
DeWitt	193	Kleberg	298
Dickens	278	Knox	313
Dimmit	475	Lamar	252
Donley	257	Lamb	483
Duval	106	Lampasas	149
Eastland	132	La Salle	299
Ector	482	Lavaca	196
Ellis	202	Lee	163
El Paso	905	Leon	196
Erath	140	Liberty	248
Falls	203	Limestone	125
Fannin	222	Live Oak	187
		Llano	167

TEXAS—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Loving	747	San Jacinto	169
Lubbock	539	San Patricio	349
Lynn	376	San Saba	221
McCulloch	155	Schleicher	329
McLennan	160	Scurry	291
McMullen	129	Shackelford	178
Madison	256	Shelby	156
Marion	125	Smith	140
Martin	360	Somervell	150
Mason	391	Starr	246
Matagorda	292	Stephens	153
Maverick	462	Sterling	459
Medina	356	Stonewall	213
Menard	180	Sutton	646
Midland	398	Swisher	524
Milam	233	Tarrant	210
Mills	174	Taylor	184
Mitchell	272	Terry	494
Montague	210	Throck-	
Montgomery	203	morton	175
Moore	277	Titus	209
Morris	181	Tom Green	272
Motley	265	Travis	167
Nacogdoches	186	Trinity	161
Navarro	161	Tyler	268
Newton	144	Upshur	124
Nolan	268	Upton	476
Nueces	343	Uvalde	649
Ochiltree	442	Val Verde	516
Oldham	261	Van Zandt	168
Palo Pinto	177	Victoria	277
Panola	154	Walker	219
Parker	145	Waller	290
Parmer	594	Ward	737
Pecos	798	Washington	248
Polk	168	Webb	483
Potter	286	Wharton	316
Presidio	802	Wheeler	254
Rains	160	Wichita	260
Randall	317	Wilbarger	291
Reagan	570	Willacy	408
Red River	297	Williamson	216
Reeves	809	Wilson	228
Refugio	307	Winkler	623
Roberts	330	Wise	164
Robertson	543	Wood	166
Rockwall	216	Yoakum	423
Runnels	219	Young	175
Rusk	198	Zapata	487
Sabine	207	Zavala	650
San			
Augustine	186		

VIRGINIA

Brunswick	334	Mecklenburg	326
Charlotte	313	Nansemond	376
Chesapeake	384	Patrick	364
Cumberland	307	Prince Edward	313
Dinwiddie	331	Prince George	369
Greensville	376	Southampton	346
Halifax	340	Surry	395
Isle of Wight	403	Sussex	341
Lunenburg	339	Virginia Beach	344

(Sec. 301, 78 Stat. 173; 7 U.S.C. 1301)

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

Signed at Washington, D.C., on November 20, 1964.

RAY FITZGERALD,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 64-12129; Filed, Nov. 25, 1964; 8:49 a.m.]

No. 231—2

Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order No. 49]

PART 1049—MILK IN THE INDIANAPOLIS, INDIANA, MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Indianapolis, Ind., marketing area (7 CFR Part 1049), it is hereby found and determined that:

(a) The following provision of the order no longer tends to effectuate the declared policy of the Act.

In § 1049.51(a) the phrase "for the first 18 months beginning with the effective date of this section".

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension will provide for temporary continuation of the Class I price provisions of the Indianapolis, Indiana, market due to expire November 30, 1964.

(4) Evidence on proposed amendments to the Class I price provisions was received at a hearing held September 24, 1964. A recommended decision was issued November 17, 1964. Under this decision the Class I price differential would be continued at its present level (\$1.27) and a common supply-demand adjuster to apply to this market and the Fort Wayne market would be adopted. This suspension action is necessary since there is insufficient time to complete the required procedures for amending the order before the expiration date of the present Class I pricing provision.

Therefore, good cause exists for making this order effective December 1, 1964.

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

Effective date: December 1, 1964.

Signed at Washington, D.C., on November 20, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 64-12102; Filed, Nov. 25, 1964; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 64-CE-11]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone and Transition Area

On July 31, 1964 and August 29, 1964, a notice of proposed rule making and a correction were published in the FEDERAL REGISTER (29 F.R. 11130) and (29 F.R. 12430), respectively, which proposed the modification of the control zone and transition area at Bloomington, Ind.

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

In consideration of the foregoing, Part 71 [New] is amended, effective 0001 e.s.t., February 4, 1965, as hereinafter set forth.

1. In § 71.171 (29 F.R. 1101), the Bloomington, Ind., control zone is amended to read:

Within a 3-mile radius of the Monroe County Airport, Bloomington, Ind. (latitude 39°08'25" N., longitude 86°37'00" W.), and within 2 miles each side of the Bloomington VOR 236° radial, extending from the 3-mile radius zone to 8 miles SW of the VOR, and within 2 miles each side of the Bloomington VOR 072° radial, extending from the 3-mile radius zone to 8 miles E of the VOR, effective from 0600 to 2330 hours, local time, daily.

2. In § 71.181 (29 F.R. 1160), the Bloomington, Ind., transition area is amended to read:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Monroe County Airport, Bloomington, Ind. (latitude 39°08'25" N., longitude 86°37'00" W.), within 5 miles NW and 8 miles SE of the Bloomington VOR 236° radial, extending from the VOR to 12 miles SW, and within 5 miles S and 8 miles N of the Bloomington VOR 072° radial, extending from the VOR to 12 miles E.

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

Issued in Washington, D.C., on November 18, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-12073; Filed, Nov. 25, 1964; 8:45 a.m.]

[Airspace Docket No. 63-CE-79]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]**Control Zone and Transition Area; Alteration**

On October 14, 1964, Federal Register Document 64-10410 was published in the FEDERAL REGISTER (29 F.R. 14102) which altered the control zone, designated a transition area, and revoked the control area extension at Gage, Okla. The effective date of the rule is 0001 e.s.t., December 10, 1964.

Subsequent to the publication of this rule in the FEDERAL REGISTER it was determined that the Gage radio range, upon which one of the control zone extensions and one of the transition area extensions are based, will be decommissioned December 10, 1964. Therefore, the reason and justification for the pertinent extensions will no longer exist after the effective date of the rule and action is taken herein to reflect the changes in the control zone and transition area descriptions.

Since the reason for the extensions will not exist at the effective date of the rule, notice and public procedure pertaining to this amendment is unnecessary and the effective date of the final rule as initially adopted is retained.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended as hereinafter set forth.

1. In § 71.171 (29 F.R. 1101, 14102), the Gage, Okla., control zone is amended to read:

Within a 5-mile radius of the Gage Municipal Airport (latitude 36°17'45" N., longitude 99°46'30" W.), and within 2 miles each side of the Gage VORTAC 118° radial, extending from the 5-mile radius zone to the VORTAC.

2. In § 71.181 (29 F.R. 1160, 14102), the Gage, Okla., transition area is amended to read:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Gage Municipal Airport (latitude 36°17'45" N., longitude 99°46'30" W.); and that airspace extending upward from 1,200 feet above the surface within 8 miles SW and 5 miles NE of the Gage VORTAC 118° and 298° radials, extending from 2 miles SE to 13 miles NW of the VORTAC, and within 12 miles E and 10 miles W of the Gage VORTAC 180° radial, extending from the VORTAC to 11 miles S of the VORTAC.

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

Issued in Washington, D.C., on November 19, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-12074; Filed, Nov. 25, 1964; 8:45 a.m.]

[Airspace Docket No. 63-SW-53]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]**Revocation of Control Area Extension, Alteration of Control Zone, and Designation of Transition Area and Control Zone**

On August 6, 1964, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (29 F.R. 11382) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Austin, Tex., terminal area.

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

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective 0001 e.s.t., April 29, 1965, as hereinafter set forth.

(a) In § 71.165 (29 F.R. 1073), the Austin, Tex., control area extension is revoked.

(b) Section 71.171 (29 F.R. 1101) is amended as follows:

1. The Austin, Tex., control zone is amended to read:

Austin, Tex. (Robert Mueller Municipal Airport)

Within a 5-mile radius of Robert Mueller Municipal Airport (latitude 30°17'55" N., longitude 97°42'00" W.); within 2 miles each side of the Austin ILS localizer NW course, extending from the 5-mile radius zone to 1 mile SE of the INT of the ILS localizer NW course and the Austin VORTAC 269° radial; and within 2 miles each side of the Austin VORTAC 184° radial, extending from the 5-mile radius zone to the VORTAC.

2. The Austin, Tex. (Bergstrom AFB) control zone is designated to read:

Austin, Tex. (Bergstrom AFB)

Within a 5-mile radius of Bergstrom AFB (latitude 30°11'45" N., longitude 97°40'35" W.); within 2 miles each side of the Bergstrom VOR 002° radial, extending from the 5-mile radius zone to 3.5 miles N of the VOR; within 2 miles each side of the Bergstrom ILS localizer S course, extending from the 5-mile radius zone to the LOM, excluding that portion within the Austin, Tex. (Robert Mueller Municipal Airport) control zone.

(c) In § 71.181 (29 F.R. 1160), the following is added:

Austin, Tex.

That airspace extending upward from 700 feet above the surface within a 12-mile radius of latitude 30°23'25" N., longitude 97°43'35" W.; within a 7-mile radius of Bergstrom AFB; within 2 miles each side of the Bergstrom ILS localizer S course, extending from the 7-mile radius area to 12 miles S of the LOM; within 2 miles each side of the Bergstrom VOR 002° and 182° radials, extending from the 7-mile radius area to 12 miles S of the VOR; and within 2 miles each side of the Austin ILS localizer SE course, extending from the 7-mile radius area to 8 miles SE of the Austin LOM; and that airspace extending upward from 1,200 feet above the surface within an area beginning at latitude 30°33'30" N., longitude 98°31'30" W.; to latitude 30°48'00" N., longitude 98°03'00" W.; to latitude 30°48'00" N., longitude 97°39'00" W.; to latitude 30°57'00" N., longitude 97°36'00" W.; to latitude 30°55'00" N., longitude 97°26'00" W.; to latitude 30°48'00" N., longitude 97°14'00" W.; to latitude 30°48'00" N., longitude 97°05'20" W.; to latitude 29°54'00" N., longitude 96°49'00" W.; to latitude 29°45'30" N., longitude 98°06'00" W.; thence to point of beginning; and that airspace extending upward from 4,500 feet MSL within an area beginning at latitude 30°48'00" N., longitude 97°05'20" W.; to latitude 30°51'00" N., longitude 96°56'00" W.; to latitude 30°39'15" N., longitude 96°38'00" W.; to latitude 30°33'00" N., longitude 96°40'00" W.; to latitude 30°30'30" N., longitude 96°32'00" W.; to latitude 30°26'00" N., longitude 96°58'30" W.; thence to point of beginning.

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

Issued in Washington, D.C., on November 18, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-12075; Filed, Nov. 25, 1964; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES**Chapter II—Securities and Exchange Commission**

[Release No. 34-7465]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934**Regulation of Specialists**

On September 24, 1964, in Securities Exchange Act Release No. 7432, and in the FEDERAL REGISTER of October 6, 1964, 29 F.R. 13777, the Securities and Exchange Commission announced that it had under consideration a proposal to adopt a rule under the Securities Exchange Act of 1934 ("Exchange Act") regulating the conduct of specialists on national securities exchanges. The background of the proposal is discussed in that release.

The Commission has considered the comments and suggestions received on the proposal and has adopted Rule 11b-1 (17 CFR 240.11b-1) in the form stated below, effective January 4, 1965.

Summary of Rule 11b-1 (17 CFR 240.11b-1). Specialists are exchange members who "specialize" in particular securities traded on the floor of an exchange. They act as brokers, executing orders entrusted to them by other brokers on behalf of the latter's customers, and they also purchase or sell securities as principal for their own account (dealer transactions) to assist in the maintenance of the market.

nance of a fair and orderly market in the securities in which they specialize.

Paragraph (a) (1) of Rule 11b-1 (17 CFR 240.11b-1) provides that national securities exchanges may register members as specialists and permit them to act as dealers. Under paragraph (a) (2), if an exchange permits its specialists to act as dealers, the rules of such an exchange must meet certain standards. The rules must include adequate minimum capital requirements; a requirement that a specialist affirmatively engage in a course of dealings for his own account to assist in the maintenance, so far as practicable, of a fair and orderly market; restrictions limiting a specialist's dealer transactions to those reasonably necessary to permit him to maintain a fair and orderly market; provisions setting forth the brokerage responsibilities of a specialist; and procedures which will provide for effective and systematic surveillance of the activities of specialists.

Paragraph (a) (3) of Rule 11b-1 (17 CFR 240.11b-1) requires exchanges not exempted from the rule to file with the Commission copies of their rules in the areas covered by paragraph (a) (2), and provides that the Commission may disapprove any change or addition to such rules in accordance with the procedure prescribed in paragraph (a) (3) of the rule. Under this procedure, the Commission must give an exchange written notice, within 30 days after filing, of its intention to determine whether or not a change or addition in its specialist rules should be disapproved. The exchange proposing such a change or addition has 60 days thereafter to present evidence or argument and the Commission may, after consideration of all relevant material presented in writing or at a hearing, enter an order disapproving such change or addition if it finds that it is inadequate to achieve the purposes set forth in paragraph (a) (2) of the rule or is inconsistent with the public interest or the protection of investors.

Paragraph (b) of Rule 11b-1 (17 CFR 240.11b-1) permits the Commission to institute proceedings, under certain circumstances, to require an exchange to cancel or suspend a specialist's registration in one or more of his specialty securities if he engages in transactions which are not part of a course of dealings reasonably necessary to permit him to maintain a fair and orderly market or to act as an odd-lot dealer in such securities.

Paragraph (c) of Rule 11b-1 (17 CFR 240.11b-1) defines the term "rules" of an exchange broadly to include its constitution, articles of incorporation, by-laws, or rules or instruments corresponding thereto, and its stated policies. Paragraph (d) of the rule provides for an exemption from the various provisions of the rule for national securities exchanges complying with the provisions of section 11(c) of the Exchange Act.

Purpose of Rule 11b-1 (17 CFR 240.11b-1). Section 11(a) of the Exchange Act authorizes the Commission to prescribe such rules and regulations as it deems necessary or appropriate in the public interest or for the protection

of investors to regulate or prevent transactions on the floor of an exchange by members for their own account. That section also permits the Commission to make exceptions from such rules for transactions by specialists which meet the standards contained in section 11(b). Under the latter section, if a specialist is permitted by rules and regulations of the Commission to act as a dealer, such rules and regulations "shall restrict his dealings so far as practicable to those reasonably necessary to permit him to maintain a fair and orderly market." Rule 11b-1 (17 CFR 240.11b-1), as complemented by the rules of the exchanges, will provide a comprehensive system for the regulation of specialists in compliance with this statutory mandate.

Securities Exchange Act Release No. 7432 describes a series of changes in the rules, policies and procedures of the New York and American Stock Exchanges governing specialists that will take effect concurrently with the effectiveness of Rule 11b-1 (17 CFR 240.11b-1). As detailed in Release No. 7432, these changes in exchange rules are designed to improve the dealer performance of specialists, to ameliorate various problems arising because the specialist is permitted to exercise the functions of both broker and dealer, and to provide for more effective surveillance of specialists' activities. The Commission expects that the rules, policies and procedures of the New York Stock Exchange and the American Stock Exchange, as so modified and expanded, will meet the standards described in paragraph (a) (2) of Rule 11b-1 (17 CFR 240.11b-1).

Rule 11b-1 (17 CFR 240.11b-1) and the changes in the rules, policies and procedures of the New York and American Stock Exchanges governing specialists have been developed upon the basis of an intensive study of the specialist system made by the Commission's Special Study of Securities Markets¹ and in subsequent discussions between the Commission and the respective exchanges on the Special Study recommendations. The Commission believes that these measures constitute an effective basis for the regulation and surveillance of specialist activities on the New York and American Stock Exchanges. However, the effectiveness of these measures depends in great part upon the manner in which the exchanges exercise their self-regulatory responsibilities. If experience indicates that the regulatory approach incorporated in Rule 11b-1 (17 CFR 240.11b-1) is unworkable or should be modified, the Commission is not precluded from exercising its broad rule-making power under section 11(b) and will make such regulatory changes as may be necessary or desirable.

In accordance with the provisions of paragraph (d) of Rule 11b-1 (17 CFR 240.11b-1), the Commission proposes to exempt the following national securities exchanges having specialist systems from the provisions of Rule 11b-1 (17 CFR 240.11b-1): Boston Stock Exchange, Cincinnati Stock Exchange, Detroit Stock

Exchange, Midwest Stock Exchange, National Stock Exchange, Pacific Coast Stock Exchange, Philadelphia-Baltimore-Washington Stock Exchange and Pittsburgh Stock Exchange. The exemption is based upon the limited volume of transactions on these exchanges and the fact that the Commission has not made any studies of the structure of regional exchange specialist systems.

Statutory basis. The Securities and Exchange Commission acting pursuant to the Securities Exchange Act of 1934, as amended, and particularly sections 11(a), 11(b) and 23(a) thereunder, deeming it necessary for the exercise of the functions vested in it, and necessary and appropriate in the public interest and for the protection of investors, hereby adopts Rule 11b-1 (17 CFR 240.11b-1) as set forth below, effective January 4, 1965.

The action of the Commission follows: Title 17 of the Code of Federal Regulations is amended by adding a new § 240.11b-1 to read as follows:

§ 240.11b-1 Regulation of specialists.

(a) (1) The rules of a national securities exchange may permit a member of such exchange to register as a specialist and to act as a dealer. Any change in or addition to the rules of such exchange in the areas covered by subparagraph (2) of this paragraph made after this section becomes applicable to such exchange shall be subject to the provisions of subparagraph (3) of this paragraph.

(2) The rules of a national securities exchange permitting a member of such exchange to register as a specialist and to act as a dealer shall include:

(i) Adequate minimum capital requirements in view of the markets for securities on such exchange;

(ii) Requirements, as a condition of a specialist's registration, that a specialist engage in a course of dealings for his own account to assist in the maintenance, so far as practicable, of a fair and orderly market, and that a finding by the exchange of any substantial or continued failure by a specialist to engage in such a course of dealings will result in the suspension or cancellation of such specialist's registration in one or more of the securities in which such specialist is registered;

(iii) Provisions restricting his dealings so far as practicable to those reasonably necessary to permit him to maintain a fair and orderly market or necessary to permit him to act as an odd-lot dealer;

(iv) Provisions stating the responsibilities of a specialist acting as a broker in stocks in which he is registered; and

(v) Procedures to provide for the effective and systematic surveillance of the activities of specialists.

(3) Every national securities exchange not exempted from this section shall file with the Commission copies of its rules in the areas covered by subparagraph (2) of this paragraph. Any change in or addition to such rules shall take effect in the manner provided for by the rules of such exchange and the provisions of the Act and rules and regulations thereunder, except that such change or addition shall not continue in

¹ See Report of the Special Study of Securities Markets, Pt. 2, pp. 57-171.

effect after the Commission enters an order disapproving such change or addition; and the Commission shall enter an order disapproving such change or addition if the Commission finds that it is inadequate to achieve the purposes of the provisions set forth in subparagraph (2) of this paragraph or is inconsistent with the public interest or the protection of investors. The Commission will not disapprove any such change or addition unless it has given such exchange written notice of its intention to determine whether or not such change or addition should be disapproved and such notice shall be given within 30 days after the filing thereof. Within 60 days after such notice, such exchange shall have the opportunity to present to the Commission any evidence or arguments with respect to such change or addition. After consideration of all relevant material presented in writing or at a hearing, the Commission may enter an order disapproving such change or addition, or may permit such change or addition to continue in effect: *Provided, however*, That the validity, force or effect of any act or omission by an exchange or a member, officer or employee thereof in bona fide reliance on such change or addition prior to the entry of such an order of disapproval shall not be affected thereby.

(b) If after appropriate notice and opportunity for hearing the Commission finds that a member of a national securities exchange registered with such exchange as a specialist in a specified stock or stocks has, for any account in which he, his member organization, or any participant therein has any beneficial interest, direct or indirect, effected transactions in such stock or stocks which were not part of a course of dealings reasonably necessary to permit such specialist to maintain a fair and orderly market, or to act as an odd-lot dealer, in the stocks in which he is registered and were not effected in a manner consistent with the rules adopted by such exchange pursuant to paragraph (a) (2) (iii) of this section, the Commission may by order direct such exchange to cancel, or to suspend for such period as the Commission may determine, such specialist's registration in one or more of the securities in which such specialist is registered: *Provided, however*, If such exchange has itself suspended or canceled such specialist's registration in one or more of the securities in which such specialist is registered, no further sanction shall be imposed pursuant to this paragraph (b) except in a case where the Commission finds substantial or continued misconduct by a specialist: *And provided, further*, That the provisions of this paragraph (b) shall not apply to a member of a national securities exchange exempted pursuant to the provisions of paragraph (d) of this section.

(c) For the purposes of this section, the term "rules" of an exchange shall mean its constitution, articles of incorporation, by-laws, or rules or instruments corresponding thereto, whatever the name, and its stated policies.

(d) Any national securities exchange may apply for an exemption from the provisions of this section in compliance

with the provisions of section 11(c) of the Act.

(Secs. 11(a), 11(b), and 23(a), 48 Stat. 891, 892, 901, as amended, 15 U.S.C. 78k(a), 78k(b), 78w)

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

NOVEMBER 20, 1964.

[F.R. Doc. 64-12079; Filed, Nov. 25, 1964;
8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 56312]

PART 16—LIQUIDATION OF DUTIES

Countervailing Duty Orders

Treasury Decision 55567 (27 F.R. 1554) limited the application of the countervailing duty orders with respect to certain manufactures of silk produced in the United Kingdom of Great Britain and Northern Ireland (T.D. 53476, 19 F.R. 2405; T.D. 55023, 25 F.R. 243) to such merchandise exported prior to October 1, 1961.

Treasury Decision 55184 (25 F.R. 7099) limited the application of the countervailing duty order with respect to almonds exported from Spain (T.D. 54792, 24 F.R. 1177) to such exportations made prior to July 21, 1959.

Treasury Decision 55044 (25 F.R. 1156) limited the application of the countervailing duty order with respect to wool tops imported from Uruguay (T.D. 53257, 18 F.R. 2653, as modified by T.D. 53446, 19 F.R. 1421, and T.D. 54798, 24 F.R. 1684) to such merchandise exported prior to December 17, 1959.

In view of the passage of time since the dates of the above described limitations, it is no longer likely that importations subject to the countervailing duty orders will be made. The table in § 16.24(f) which lists the countervailing duty orders currently in effect is therefore amended as follows:

The listing "Silk and silk articles" in the "Commodity" column and all matter pertaining thereto in the columns headed "Treasury Decision" and "Action" are hereby deleted.

The listing "Spain" and "Uruguay" in the "Country" column; "Almonds" and "Wool tops" in the "Commodity" column; and all matter pertaining to these listings in the "Treasury Decision" column and the "Action" column are hereby deleted.

(Secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 1303, 1624)

[SEAL] LESTER D. JOHNSON,
Acting Commissioner of Customs.

Approved: November 19, 1964.

JAMES A. REED,
Assistant Secretary of the
Treasury.

[F.R. Doc. 64-12112; Filed, Nov. 25, 1964;
8:48 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 201—PLAN OF OPERATION DURING A NATIONAL EMERGENCY

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (50 Stat. 314, 45 U.S.C. 228j) and section 12 of the Act of June 25, 1938 (52 Stat. 1094, 1107; 45 U.S.C. 362) and Executive Order 11095, Part 201 to Subchapter A of the Regulations under such acts is adopted by Board Order 64-135, dated October 28, 1964, to read as follows:

- Sec.
- 201.1 Purpose.
- 201.2 National emergency and effective date.
- 201.3 Policy.
- 201.4 Mailing instructions.
- 201.5 Organization and functions of the Board, delegations of authority, and lines of succession.
- 201.6 Personnel, fiscal, and service functions.
- 201.7 Operating regulations.
- 201.8 Regulations for employers.

AUTHORITY: The provisions of this Part 201 issued under sec. 10, 50 Stat. 314, as amended; 45 U.S.C. 228j and sec. 12, 52 Stat. 1107, as amended; 45 U.S.C. 362.

§ 201.1 Purpose.

(a) The Railroad Retirement Board has adopted a plan to provide basic organization and methods of operation which may be needed to continue the uninterrupted payment of retirement, survivor, unemployment, and sickness benefits and the continuation of employment service under the Railroad Retirement Act (45 U.S.C. ch. 9) and the Railroad Unemployment Insurance Act (45 U.S.C. ch. 11) during a period of national emergency as defined in § 201.2.

(b) The plan is published to inform all interested persons of the circumstances and ways in which the Board will organize and operate in a national emergency.

§ 201.2 National emergency and effective date.

A period of national emergency shall be deemed to exist and the provisions of this part shall become effective only (a) after an attack upon the United States, or at a time specified by the authority of the President after such attack, and (b) by order of the chairman of the Board or his successor as set forth in § 201.5, or when it is no longer possible to communicate with such official at his designated station.

§ 201.3 Policy.

To the greatest extent possible, payment of benefits shall be made and employment service functions shall be carried on through the period of a national emergency in strict conformance with the pertinent provisions of the Railroad Retirement Act, the Railroad Unemployment Insurance Act, and the regulations promulgated by the Board to administer those acts. Where the character of the national emergency is such as to prevent

this, the stand-by regulations contained in this part shall obtain. It will be expected, however, that every effort shall be made to return to normal operating practices as quickly as possible thereafter.

§ 201.4 Mailing instructions.

In a national emergency as defined in § 201.2, all mail shall be directed to Board offices at their normal locations. Through pre-positioned registration information with the Registration and Information facilities of the United States Post Office Department, mail will be re-directed automatically to the Board's relocation sites if offices at normal locations become inoperative.

§ 201.5 Organization and functions of the Board, delegations of authority, and lines of succession.

(a) During a national emergency as defined in § 201.2, the respective functions and responsibilities of the Board, the bureaus and offices, and the regional and district offices shall be to the extent possible as set forth in the U.S. Government Organization Manual; where not possible such functions and responsibilities may be exercised without regard to any existing policy or procedure of the Board.

(b) The following delegation of authority is made to provide continuity of that organization in the event of a national emergency:

(1) The chairman of the Board shall act with full administrative authority for the Board.

(2) In the absence or incapacity of the chairman of the Board, the authority of the chairman to act for the Board shall pass to the available successor highest on the following list:

Management Member of the Board.
Labor Member of the Board.
Chief Executive Officer.
Director of Wage and Service Records.
Director of Budget and Fiscal Operations.
Director of Management Control.
Director of Research.
The Regional Director highest on the following list:
Kansas City.
Dallas.
Cleveland.
Atlanta.
San Francisco.
New York.
Chicago.

(3) Except as may be determined otherwise by the chairman of the Board or his successor and as provided in §§ 201.6 and 201.7, the duties of each bureau or office head, or regional director shall be discharged in his absence or incapacity during a national emergency by the available staff member next in line of succession. Each bureau and office head, and each regional director shall designate and pre-position the line of succession within his bureau, office or region. If no such designation has been made, such duties shall be assumed by the available subordinate who

is highest in grade or, if there is more than one, in length of Board service.

(4) Emergency responsibility and authority under this section, once assumed, shall be relinquished on direction of the duly constituted higher authority acting under the provisions of subparagraph (2) of this paragraph.

§ 201.6 Personnel, fiscal, and service functions.

(a) *Personnel.* In a national emergency as defined in § 201.2, when it is no longer possible for a regional director, or the manager of the Seattle district office, to communicate with the chairman of the Board or his successor as set forth in § 201.5, complete responsibility and authority for administration of the personnel function are delegated to such regional director, or the Seattle district manager, for his respective OCD-OEP geographic area.

(b) *Fiscal.* (1) In a national emergency as defined in § 201.2, the chairman of the Board or his successor as set forth in § 201.5 shall designate an individual to assume the responsibilities of the Director of Budget and Fiscal Operations in the event the Director or the Assistant Director is unable to assume those responsibilities.

(2) In a national emergency, incumbents of the following positions are hereby authorized to appoint emergency certifying officers:

Chief Executive Officer.
Director, Office of Budget and Fiscal Operations.
Director, Bureau of Retirement Claims.
Director, Bureau of Unemployment and Sickness Insurance.
Regional Directors, or
Regional Unemployment Insurance Officers, or
Chiefs of Field Activities.

(i) The emergency certifying officers shall be empowered to certify:

(a) Benefit payments under the Railroad Retirement Act.

(b) Benefit payments under the Railroad Unemployment Insurance Act.

(c) Administrative expenses of the Railroad Retirement Board.

(ii) Emergency certifying officers shall be appointed under the authority delegated by this section when (a) normal channels for certifying payments have been rendered inoperable, and (b) clearance has been obtained from the ranking official in line of succession as set forth in § 201.5(b) (1) and (2) and under such instructions and conditions as he may prescribe. Appointing officers shall observe the requirements of section IV (A3 and A6) of the Emergency Disbursing Plan of the Department of the Treasury with respect to required signature cards and bonds.

(3) In a national emergency, incumbents of the following positions are designated as emergency cashiers and are authorized to receive and disburse cash for emergency administrative needs of the Board:

CASHIER	ALTERNATES
Chairman of the Board.	Director, Bureau of Retirement Claims.
	Director, Bureau of Unemployment and Sickness Insurance.
Management Member of the Board.	Labor Member of the Board.
	Director, Office of Budget and Fiscal Operations.
Chief Executive Officer.	None.
Regional Director:	
Atlanta -----	Chief of Field Activities.
New York -----	Do.
Cleveland -----	Assistant Chief of Field Activities.
Chicago -----	Do.
Dallas -----	Chief of Field Activities.
Kansas City -----	Do.
San Francisco -----	Do.
District Manager—Seattle.	None.

(i) The incumbents of the positions listed in this subparagraph (3) are also designated as certifying officers for administrative expenses. They shall perform in the dual capacity of cashier and certifying officer only where circumstances make it impractical to use the services of another individual as certifying officer, and only when (a) all channels for making administrative payments through a regional disbursing office of the Department of the Treasury have been rendered inoperable, and (b) clearance has been obtained from the ranking official in line of succession as set forth in § 201.5(b) (1) and (2) if possible.

(ii) Cash disbursed under this authority shall be used in payment of payrolls, travel reimbursement vouchers, emergency travel advances and other necessary administrative expenses of the Board; cash shall not be used to pay benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act.

(c) *Supply and Service.* (1) In a national emergency as defined in § 201.2, complete responsibility and authority for the procurement of needed supplies, equipment, space, communications, transportation (automobiles only), and repair services are delegated to each regional director and to the manager of the Seattle district office for their respective OCD-OEP geographic areas.

(2) Federal sources of supply and service, if available, shall be used.

(3) Any supplies, equipment, space, or services provided under this emergency delegation shall be documented to show what was provided, the amount procured, the cost thereof, and the source from which procured.

(4) As soon after the period of national emergency as conditions permit, the records required by subparagraph (3) of this paragraph shall be transmitted to the Director, Office of Supply and Service or his surviving successor.

§ 201.7 Operating regulations.

(a) *Retirement claims.* (1) In a national emergency as defined in § 201.2, applications for and development and

certification of claims for retirement, disability, and survivor benefits shall be to the extent possible, as set forth in subchapter B of this chapter, except that:

(i) Standards of evidence may be relaxed although legal requirements for entitlement to payments shall remain unchanged; in determining relationships, employment, birth, death, etc., consideration shall be given to whatever information is in the possession of applicants and beneficiaries or the Board office adjudicating a claim.

(ii) If prescribed forms are not available, any writing that contains substantially the necessary information shall be acceptable.

(iii) In a national emergency, that is when the headquarters office is inoperable, the development and certification of claims shall be assumed by the regional offices.

(2) To provide the necessary authority for a decentralized program as outlined in this paragraph, those authorities which have been delegated to the Director, Bureau of Retirement Claims, are hereby delegated to the regional directors of their surviving successors.

(b) *Unemployment and sickness claims.* (1) In a national emergency as defined in § 201.2, receipt, adjudication, and certification of claims for unemployment and sickness benefits shall be to the extent possible as set forth in Subchapter C of this chapter, except that:

(i) Where the Board's wage records have been destroyed or are otherwise unavailable, the wage-record evidence in the possession of the claimant, or the employer's wage records will be acceptable in determining qualifications for benefits.

(ii) In the event normal record sources such as claim file folders or magnetic tape master records are destroyed or otherwise unavailable, other evidence of previous benefit payments shall be considered in determining the periods for which benefits are currently payable and the amounts.

(iii) In developing sickness benefit claims where medical evidence in the form of a doctor's statement is not available, an affidavit from the claimant or other person having knowledge of his sickness or injury shall be acceptable.

(iv) If prescribed forms are not available, any writing that contains substantially the necessary information shall be acceptable.

(v) Eligibility interviews, investigations, and checking procedures shall be curtailed.

(vi) If claims cannot be submitted to the processing offices in headquarters and in the regions because of the national emergency or if those offices become inoperative, the development and certification of claims shall be assumed by district offices.

(2) To provide the necessary authority for a decentralized program as outlined in this paragraph (b), the authorities which have been delegated to the Director, Bureau of Unemployment and Sickness Insurance and to the regional directors are hereby delegated to the district managers or to their surviving successors.

(c) *Manpower.* (1) In a national emergency as defined in § 201.2, complete responsibility and authority for administration of the manpower function are delegated to regional directors and district managers who shall be governed by existing Board procedures as set forth in Subchapter C of this chapter, except that maximum freedom in the implementation thereof may be exercised.

§ 201.8 Regulations for employers.

(a) In a national emergency as defined in § 201.2, employers shall continue to follow to the greatest extent possible the provisions set forth in Subchapters A and B of this chapter in registering new employees, in submitting employee and compensation data, in distributing certificates of service and compensation, in making contributions and contribution reports, in providing information relating to retirement claims, in providing information relating to unemployment and sickness claims, and in maintaining claims office facilities.

(b) Where the national emergency prevents employers from following these provisions in whole or in part, it shall be their responsibility to resume the payment of contributions and other normal practices as quickly as possible in the post-attack period, to bring contribution accounts up to date, and to supply the Board with wage and service and other required information within the limits of available data withheld during the emergency.

(c) In a national emergency as defined in § 201.2, contributions, communications, and other materials are to be mailed as set forth in § 201.4.

(Sec. 10, 50 Stat. 314, as amended; 45 U.S.C. 228j and sec. 12, 52 Stat. 1107, as amended; 45 U.S.C. 362)

Dated: November 20, 1964.

By authority of the Board.

LAWRENCE GARLAND,
Secretary of the Board.

[F.R. Doc. 64-12087; Filed, Nov. 25, 1964; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

St. Joseph Harbor, Mich.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.641 is hereby amended with respect to paragraph (f) to include a new subparagraph (2-a) to govern the operation of the Michigan State Highway Department Main Street Bridge across St. Joseph Harbor, Michigan, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.641 *Great Lakes tributaries; bridges where constant attendance of draw tenders is not required.*

(f) The bridges to which this section applies, and the special regulations applicable in each case, are as follows:

(2-a) St. Joseph Harbor, Mich.; The Michigan State Highway Department Main Street (Blossomland) Bridge, Mi. 0.90, at St. Joseph. From 15 December to 1 March, at least 12 hours' advance notice required.

[Regs., Nov. 12, 1964, 1507-32 (St. Joseph Harbor, Mich.)—ENG CW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 64-12088; Filed, Nov. 25, 1964; 8:47 a.m.]

Title 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

Interferences

The following amended rules are adopted. The text of these rules, except in certain particulars, was published in the FEDERAL REGISTER of July 9, 1964 (29 F.R. 9398), and all persons who desired to be invited to submit written data, views, arguments or suggestions, or to attend the hearing held on September 1, 1964, in connection therewith. The rules are being adopted after full and careful consideration of all the material submitted. The departures from the published text meet the views expressed in the material.

The time and manner of taking effect is as follows:

The amended rules shall take effect January 1, 1965, and shall apply only to interferences proposed for declaration after that date. In all other cases, the rules prior to amendment shall apply.

Section 1.204(b) of Title 37 CFR (Patent Rule 204) is amended and new paragraph (c) is added, as follows:

§ 1.204 *Interference with a patent; affidavit by junior party.*

(b) When the effective filing date of an applicant is three months or less subsequent to the effective filing date of a patentee, the applicant, before the interference will be declared, shall file an affidavit that he made the invention in controversy in this country before the effective filing date of the patentee, or that his acts in this country with respect to the invention were sufficient to establish priority of invention relative to the effective filing date of the patentee.

(c) When the effective filing date of an applicant is more than three months subsequent to the effective filing date of the patentee, the applicant, before the interference will be declared, shall file two copies of affidavits by himself and by

one or more corroborating witnesses, supported by documentary evidence if available, setting out a factual description of acts and circumstances which would prima facie entitle him to an award of priority relative to the effective filing date of the patentee, and accompanied by an explanation of the basis on which he believes that the facts set forth would overcome the effective filing date of the patentee. Upon a showing of sufficient cause, an affidavit on information and belief as to the expected testimony of a witness whose testimony is necessary to overcome the filing date of the patentee may be accepted in lieu of an affidavit by such witness. If the examiner finds the case to be otherwise in condition for the declaration of an interference he will consider this material only to the extent of determining whether a date prior to the effective filing date of the patentee is alleged, and if so, the interference will be declared.

Section 1.226 is amended to read as follows:

§ 1.226 Notice and access to applications.

(a) After the preliminary statements have been received and approved, or the time for filing them has expired, the parties will be notified, and given the serial numbers and filing dates of the applications of each adverse party, including any applications which the parties may be entitled to inspect, and the parties will be permitted to see or obtain copies of each other's applications, except copies of affidavits filed under §§ 1.131, 1.202 and 1.204 which shall be and remain sealed until preliminary statements are opened under § 1.227, except as provided in § 1.228 regarding affidavits under § 1.204(c). The preliminary statements will be resealed by an examiner of interferences and shall not be revealed to the opposing parties except as provided in § 1.227.

(b) The notices will also ordinarily specify the motion period (§ 1.231) and may also include an order to show cause (§§ 1.225 and 1.228).

Section 1.228, is added, reading as follows:

§ 1.228 Summary judgment.

When an interference has been declared on the basis of a showing under § 1.204(c), such showing will be examined by a Board of Patent Interferences. If the Board considers that the facts set out in the showing provide sufficient basis for overcoming the effective filing date of the patentee, the interference will proceed in the normal manner as provided by these rules; otherwise an order shall be entered after the preliminary statements have been received and approved or the time for filing them has expired (§ 1.226), pointing out wherein the showing is insufficient and notifying the applicant making such showing that summary judgment will be rendered against him because of such insufficiency at the expiration of a period specified in the notice, not less than thirty days, unless cause be shown why such action should not be taken. Any response

made during the specified period will be considered by the Board without an oral hearing unless such hearing is requested by the applicant, but additional affidavits or exhibits will not be considered unless accompanied by a showing justifying their omission from the original showing. If the applicant files a response to the order to show cause, the patentee will be furnished with one of the copies of the showing under § 1.204(c) and will be allowed thirty days from its mailing date within which to present his views with respect thereto. He shall also be entitled to be represented at any oral hearing on the matter.

Section 1.261 is amended to read as follows:

§ 1.261 Termination of interference.

An interference will be terminated by judgment of priority after final hearing (§§ 1.251 to 1.259), or by judgment on the record as provided by § 1.225 or § 1.252, or by summary judgment because of an insufficient showing under § 1.204(c) as provided by § 1.228, or by dissolution as provided by § 1.232 or § 1.237, or as otherwise provided.

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6)

EDWARD J. BRENNER,
Commissioner of Patents.

Approved: November 13, 1964.

WILLIAM W. EATON,
Acting Assistant Secretary for
Science and Technology.

[F.R. Doc. 64-12090; Filed, Nov. 25, 1964;
8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES [No. 32155]

PART 182—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS I COMMON AND CONTRACT MOTOR CARRIERS OF PROPERTY

Miscellaneous Amendments

Order. At a session of the Interstate Commerce Commission, division 2, held at its office in Washington, D.C., on the 12th day of November A.D. 1964.

The Commission having under consideration a notice of proposed rule making published in the FEDERAL REGISTER on August 21, 1964 (29 F.R. 11980), which proposed modifications of the accounting regulations for motor carriers of property relating to (1) extraordinary and delayed items of profits and losses; (2) procedures for recording properties acquired through purchase of another motor carrier or through merger other than in a pooling of equity interests of stockholders; and (3) rearrangements in the portion of the form of the balance sheet disclosing shareholders', or proprietors', equity, and due consideration having been given to the responses pursuant to said notice.

It is ordered, That the modifications of the regulations (49 CFR Part 182)

which are set forth and made a part hereof shall become effective January 1, 1965; and

It is further ordered, That notice of this order shall be given to Class I and Class II common and contract motor carriers of property subject to its provision, and to every trustee, receiver, executor, administrator, or assignee of such motor carriers, and notice shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing the order with the Director, Office of the Federal Register.

(Sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304. Interpret or apply sec. 220, 49 Stat. 563, as amended; 49 U.S.C. 320)

By the Commission, division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

I. Sections and Subsections of the General Instructions Canceled and Revised Sections and Subsections Added

Item No. 1. Section 182.01-8, *Delayed items.* Cancel this entire § 182.01-8, including title and text but retain the section number. Add the title and text shown hereunder in substitution for the section canceled.

§ 182.01-8 Extraordinary and delayed items of profits and losses.

(a) (As revised January 1, 1965.) All items of profit and loss recognized during the year are includible in net income except extraordinary and delayed items which in the aggregate for the same class are both material in relation to normal annual net income and are clearly not identified with and do not result from usual business operations of the year. Important extraordinary and delayed items which occur from time to time and which, when material in amount, are excludible from net income are those resulting from unusual sales of capital assets (not a unit of property sold or retired in the regular course of business operations) and such losses as those resulting from wars, earthquakes, and similar calamities and catastrophes, which are not a recurrent hazard of the business and which are not usually covered by insurance.

(b) "Material," as used in paragraph (a) of this section, means amounts which, unless excluded from income accounts, would distort the accounts and impair the significance of net income and financial results of business operations for the year so that misleading inferences might be drawn therefrom. When net income for the year is subnormal, whether or not an extraordinary and delayed item of profit or loss is material for the purpose of excluding the amount from net income under the rule herein shall be determined in relation to the business operations or gross revenues for the year. The carrier shall prepare and keep in its records a statement showing the full particulars concerning each such item, including the accounts and years that would have been affected had items not been delayed.

(c) Ordinary delayed items and adjustments arising during the current year which are applicable to or related to

transactions of prior years shall be included in the same accounts which would have been charged or credited if the item had been taken up or adjusted in the period to which it pertained. Ordinary delayed items excludes items of the character described in paragraph (a) of this section.

Item No. 2. Section 182.01-20, Acquisition of a distinct operating unit. In this § 182.01-20, cancel the entire subparagraph designated (1) *Purchase*, consisting of all subdivisions and material in the subparagraph preceding subparagraph (2). Add the following revised subparagraph (1) consisting of three subdivisions. Retain without change subparagraph (2) relating to merger or consolidation in a pooling of equity interests.

§ 182.01-20 Acquisition of a distinct operating unit.

(a) * * *

(1) *Purchase.* (i) When physical property and other assets are purchased from another motor carrier company the amounts includible in accounts 1200, 1300, 1400 and 1550 for (a) carrier operating property, (b) noncarrier property and (c) intangible property which includes certificates and permits issued by regulatory agencies to engage in transportation operations, shall be based on the cost to the buyer of each of such assets. Other assets acquired and the liabilities assumed shall be recorded in the appropriate prescribed accounts in the amounts shown in the books of the seller, adjusted as may be necessary to conform with this system of accounts. When separate costs for the physical property and the intangible property are not indicated in the purchase and sale agreement, or otherwise disclosed in the application or record in the proceeding, a reasonable amount carefully ascertained based on the best information obtainable representing a fair portion of the total purchase price shall be assigned to each such class of property. When a purchase is preceded by a preliminary acquisition of control through purchase of capital stock (other than in a pooling of equity interests as described in subparagraph (2) of this section) the carrying value of the capital stock, now to be canceled, plus the retained surplus or minus the deficit since date of acquisition of control applicable to such stock shall be treated as the total purchase price, or consideration paid.

(ii) In ascertaining the portion of the total purchase price assignable to the intangible property, pursuant to subdivision (i) of this subparagraph, due consideration shall be given to past earnings and informed judgment concerning future earnings attributable to the property acquired and to other pertinent factors appropriate in ascertaining the value of intangible property in accordance with sound accounting principles for which there is authoritative support. The portion of the total purchase price assignable to the physical property shall be substantiated by an appraisal made by a disinterested qualified appraiser and such other documentary evidence as the Commission may require. The amount

shown on the books of the seller for the physical property together with the accrued depreciation may be used in lieu of such an appraisal providing that the books of the seller have been kept in accordance with the rules of this Commission and the amount is fairly representative of the purchase price of such property.

(iii) The aggregate amount recorded in the accounts for the intangible property and the other assets acquired, pursuant to subdivisions (i) and (ii) of this subparagraph, shall in no case exceed the total purchase price thereof. Carriers shall maintain records and be prepared to support with evidence suitable to the Commission the apportionment of the total purchase price so recorded in the accounts for the intangible property and other assets purchased.

* * * * *

[Explanatory footnote: The original § 182.01-20, *Acquisition of a distinct operating unit*, was added by order dated February 2, 1960 (25 F.R. 1252, Feb. 12, 1960). In the same order the section then titled "Transfer of property" was canceled. Later, §§ 182.01-29a and 182.01-29b, *Amortization of intangibles*, were added by orders dated May 16, 1960 (25 F.R. 4866, June 2, 1960), and Jan. 5, 1961 (26 F.R. 369, Jan. 18, 1961).]

II. Texts and Portion of Text of Balance Sheet Accounts Modified

§ 182.2900 [Amended]

Item No. 3. Section 182.2900 Unearned surplus. Cancel this section number and account title only. Retain the present text consisting of paragraphs (a), (b) (1) and (2) and (c). Substitute the section number and title indicated hereunder and also add the Note indicated hereunder.

Substitute this new number and title: § 182.2910, *Other capital surplus*.

Add this Note following paragraph (c) at the end of the text:

NOTE: When a capital stock dividend is issued an amount transferred from earned surplus to permanent capital for the excess of fair value of the additional shares over their par value, is includible in this account 2910, "Other capital surplus."

[Explanatory Note: Old section 2720, "Premiums and assessments on capital stock," is changed herein to section 2900, "Premiums and assessments on capital stock." The old number is not reused.]

Item No. 4. Section 182.2920 Earned surplus—Appropriated. Add this new and additional section (account), consisting of number, title, and text:

§ 182.2920 Earned surplus—appropriated.

This account shall include the accumulated amount of earned surplus which has been appropriated and set aside pursuant to provisions of mortgages, deeds of trust, or other agreements. This account shall also include appropriations for general contingencies for possible future losses (not in the category of liabilities actually incurred) and other corporate purposes in accordance with sound accounting and financial procedures. The account is to be subdivided by classes of appropriations showing the purpose for which each appropriation is made.

§ 182.2930 [Amended]

Item No. 5. Section 182.2930 Earned surplus. Cancel the title only. Retain the present text consisting of paragraphs (a) and (b), except that, in paragraph (a) change 2900—Unearned surplus, to 2910, Other capital surplus. Substitute the title indicated hereunder: Earned surplus—unappropriated."

Item No. 6. Section 182.2938 Other credits to earned surplus. Cancel the complete text of this account 2938, consisting of paragraphs (a) and (b) but retain the number and title. Substitute the following text consisting of revised paragraphs (a), (b), (c), and (d) and footnote:

§ 182.2938 Other credits to earned surplus.

(a) This account shall include extraordinary and delayed items of profits recognized during the year and credit adjustments which in the aggregate for the same class are both material in relation to normal annual income and clearly do not result from usual business operations for the year. (See § 182.01-8 of the general instructions.)

(b) This account shall include profits from unusual and extraordinary sales of capital assets, but not profits from retirements of equipment and other units of property occurring normally during the year in the regular course of business; credit adjustments of items relating to prior years other than ordinary adjustments of a recurring nature, and other extraordinary credit items which do not relate to transactions of the current year.

(c) This account shall also include debits for the Federal income tax consequences resulting from items of taxable profits in cases where such items of profits are recorded in account 2938, Other Credits to Earned Surplus, in the corporate books.

(d) The records supporting entries in this account shall be so maintained that an analysis thereof may be readily made available.

NOTE. Items of profits and credit adjustments which do not come in the category of extraordinary or delayed items material in amount, as referred to in this account, and are not provided for in designated income accounts, shall be included in account 6500, Other Non-operating Income.

Item No. 7. Section 182.2948. Other debits to earned surplus. Cancel the complete text of this account 2948, consisting of paragraphs (a) and (b) but retain the number and title. Substitute the following text consisting of revised paragraphs (a), (b), (c), and (d) and footnote:

§ 182.2948 Other debits to earned surplus.

(a) This account shall include extraordinary and delayed items of losses and debit adjustments recognized during the year which in the aggregate for the same class are both material in relation to normal annual net income and clearly do not result from usual business operations for the year. (See § 182.01-8 of the general instructions.)

(b) This account shall include losses from unusual and extraordinary sales of

capital assets, but not losses from retirements of equipment and other units of property occurring normally during the year in the regular course of business; intangible property, material in amount, written off in accordance with provisions of § 182.01-29 of the general instructions; losses not covered by insurance resulting from wars, earthquakes, and similar calamities and catastrophes, which are not a recurrent hazard of the business; debit adjustments of items relating to prior years other than ordinary adjustments of recurring nature, and other extraordinary debit items which do not relate to transactions of the current year.

(c) This account shall also include credits for the Federal income tax consequences resulting from items of tax deductions in cases where such items of deductions are recorded in account 2948, Other Debits to Earned Surplus, in the corporate accounts.

(d) The records supporting entries in this account shall be so maintained that an analysis thereof may be readily made available.

NOTE. Items of losses and debit adjustments which do not come in the category of extraordinary or delayed items material in amount, as referred to in this account, and are not provided for in designated income accounts, shall be included in account 7500, Other Deductions.

III. Form of Balance Sheet Statement Modified in Part

§ 182.2990 [Amended]

Item No. 8. Section 182.2990 *Form of balance sheet statement*. In this section in the form of the balance sheet statement, cancel (1) the center caption "Capital stock" preceding account 2700; and (2) cancel entirely all the account (section) numbers and titles and other material beginning with 2700 to the end of the form, including the line referring to contingent liabilities. Substitute therefor the center captions, account (section) numbers, titles and other material shown hereunder. Retain the remaining preceding center captions, account (section) numbers, titles, and other material (1000 to and including 2690).

Change in form of balance sheet:

SHAREHOLDERS' (OR PROPRIETORS') EQUITY	
CAPITAL STOCK	
2700—Preferred capital stock	\$-----
Less: Recquired and nominally issued	-----
2710—Common capital stock	-----
Less: Recquired and nominally issued	-----
2730—Capital stock subscribed	-----
Total capital stock	-----
No. 231—3	

PROPRIETORS' CAPITAL

2800—Sole proprietorship capital	\$-----
2810—Partnership capital	-----

Total proprietors' capital-----

CAPITAL SURPLUS

2900—Premiums and assessments on capital stock	\$-----
2910—Other capital surplus	-----

Total capital surplus-----

EARNED SURPLUS

2920—Earned surplus-appropriated	\$-----
2930—Earned surplus-unappropriated	-----

Total earned surplus-----

Total shareholders' (or proprietors') equity (2700-2930)-----

Total liabilities and shareholders' (or proprietors') equity	-----
Contingent liabilities (not included above)	\$-----

IV. Texts of Extraordinary Income Accounts Cancelled

Item No. 9. Cancel completely the section numbers, titles and texts of the following accounts. Also cancel the center caption "Extraordinary Income" preceding § 182.8100. Retain the section number, title, text and note for account 8800, Income Taxes.

§§ 182.8100, 182.8200, 182.8400, 182.860 [Cancelled]

Cancel the following sections completely:

182.8100	Extraordinary income credits.
182.8200	Extraordinary income charges.
182.8400	Delayed income credits.
182.8600	Delayed income charges.

V. Form of Income Statement Modified in Part.

Item No. 10. Section 182.8900 *Form of income statement*. In this section of the form of income statement, beginning with the center caption "II, Other Ord-

nary Income," and ending with Net Income (or Loss), cancel all the material to the end of the form including the line Net Income (or Loss). Substitute therefor the following center captions, account (section) numbers, titles and other material shown hereunder. Retain the remaining preceding center captions, account (section) numbers, titles and other material (3000 to and including 5500).

Change in the form of income statement:

II. OTHER INCOME

6100	Income from non-carrier operations—net	-----
6300	Interest income	-----
6400	Dividend income	-----
6500	Other non-operating income	-----

Total other income-----

Total income-----

III. MISCELLANEOUS DEDUCTIONS FROM INCOME

7100	Interest	-----
7300	Amortization of debt discount and expense	-----
7400	Amortization of premium on debt-credit	-----
7500	Other deductions	-----

Total miscellaneous deductions-----

Net income before income taxes-----

8800 Income taxes-----

Net income (or Loss)-----

VI. Appendix

Item No. 11. Make the changes shown hereunder in the section (account) numbers, titles and texts. These miscellaneous changes implement and are consistent with the revisions in the sections of the regulations heretofore set forth in items 1 to 10. The detail hereunder shows the CFR (Code of Federal Regulations) section in which the change is to be made, the reference to the present regulation, and the change to be made in the present regulation.

CFR Part 182	Present reference	Change to read
Preface Index and Instructions.	.01-8 Delayed items-----	.01-8 Extraordinary and delayed items of profits and losses. Cancel.
	2720 Premiums and assessments on capital stock.	2900 Premiums and assessments on capital stock.
	2900 Unearned surplus-----	2910 Other capital surplus.
	(New number and title)-----	2920 Earned surplus—Appropriated.
	2930 Earned surplus-----	2930 Earned surplus—Unappropriated.
	8100 Extraordinary income credits-----	Cancel.
	8200 Extraordinary income charges-----	Cancel.
	8400 Delayed income credits-----	Cancel.
	8600 Delayed income charges-----	Cancel.
01-13 par. (b)-----	Account 8200—Extraordinary income charges.	Delete the account number and title.
01-14-----	and credited to account 8100 Extraordinary income—Credits.	and credited to the operating expense or other income account originally charged. (Retain last sentence.)
01-16 par. (a)-----	2720 Premiums and Assessments on Capital stock.	Reumbered 2900 as shown below; the number 2720 is not reused.
	2730 Capital stock subscribed-----	2730 Capital stock subscribed. (No change.)
	2900 Unearned surplus-----	2900 Premiums and assessments on capital stock.
	(New number and title)-----	2910 Other capital surplus.
	(New number and title)-----	2920 Earned surplus—Appropriated.
	(Not listed in Sec. 182.01-16)-----	2930 Earned surplus—Unappropriated.

CFR Part 182	Present reference	Change to read
01-16 par. (c) (2)-----	2900 Unearned surplus.-----	2910 Other capital surplus.
01-16 par. (d)-----	2900 Unearned surplus.-----	2910 Other capital surplus.
01-16 par. (e)-----	2900 Unearned surplus.-----	2910 Other capital surplus.
01-17 par. (e)-----	8100 Extraordinary income credits, or account 8200 Extraordinary income charges as may be appropriate.	6500 Other non-operating income, or account 7500 Other deductions, as may be appropriate.
01-17 par. (g)-----	8100 Extraordinary income credits, or account 8200 Extraordinary income charges.	6500 Other non-operating income, or account 7500 Other deductions. (See Sec. 182.01-8.)
01-17 par. (g)-----	8100 or account 8200, as appropriate.	6500 or account 7500, as appropriate.
01-17 par. (h)-----	8100 or account 8200, as appropriate.	6500 or account 7500, as appropriate.
01-18 par. (b)-----	8200 Extraordinary income charges.	7500 Other deductions. (See Sec. 182.01-8.)
01-20 par. (2) (ii)-----	2900 Unearned surplus, or to account 2930 Earned surplus.	2910 Other capital surplus, or to account 2930 Earned surplus—Unappropriated.
01-20 par. (2) (ii)-----	Credited to account 2900 unearned surplus.	Credited to account 2910 Other capital surplus.
01-21 par. (1) (ii)-----	8200 Extraordinary income charges.	7500 Other deductions.
01-21 par. (4)-----	8100 Extraordinary income credits or account 8200 Extraordinary income charges, as appropriate.	6500 Other non-operating income or account 7500 Other deductions, as appropriate. (See Sec. 182.01-8.)
01-21 par. (5)-----	8100 Extraordinary income credits or account 8200 Extraordinary income charges, as appropriate.	6500 Other non-operating income, or account 7500 Other deductions, as appropriate. (See Sec. 182.01-8.)
01-21 par. (6) (b) (2)-----	8100 Extraordinary income credits or account 8200 Extraordinary income charges, as appropriate.	6500 Other non-operating income, or account 7500 Other deductions, as appropriate. (See Sec. 182.01-8.)
1511 Note B.-----	8200 Extraordinary income charges.	7500 Other deductions.
1650 Note B.-----	8100 Extraordinary income credits, and 8200 Extraordinary income charges, as appropriate.	6500 Other non-operating income and 7500 Other deductions, as appropriate.
1890 par. (a)-----	8200 Extraordinary income charges.	7500 Other deductions, or account 2948 Other debits to earned surplus, as appropriate.
2500 par. (a) (2)-----	8600 Delayed income charges.	2948 Other debits to earned surplus.
2600 par. (c)-----	8600 Delayed income charges.	2948 Other debits to earned surplus.
2630 par. (a)-----	8200 Extraordinary income charges.	7500 Other deductions.
2690 par. (a)-----	There shall be reported hereunder such accounts as sinking fund reserves, contingency reserves and other reserves created by charges to income or surplus.	Delete the entire second sentence. Retain the first sentence of sec. 182.2690(a) and the entire sec. 182.2690(b).
2710 par. (a)-----	Account 2720 Premiums and assessments on capital stock.	2900 Premiums and assessments on capital stock.
2710 Note (b)-----	2720 Premiums and assessments on capital stock.	2900 Premiums and assessments on capital stock.
2720 Title-----	2720 Premiums and assessments on capital stock.	2900 Premiums and assessments on capital stock. (This account and text to be placed in proper numerical order. The number 2720 is not reused.)
2800 Text-----	2930 Earned surplus.	2930 Earned surplus—Unappropriated.
2810 Text-----	2930 Earned surplus.	2930 Earned surplus—Unappropriated.
2900 Number and title.	2900 Unearned surplus.	2910 Other capital surplus.
2920-----	(New number, title and text)	2920 Earned surplus—Appropriated. (Text to be inserted as set forth heretofore in the narrative under Item No. 4.)
2930 Title-----	Earned surplus.	Earned surplus—Unappropriated.
2930 par. (a)-----	2900 Unearned surplus.	2910 Other capital surplus.

[F.R. Doc. 64-12107; Filed, Nov. 25, 1964; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Havasu Lake National Wildlife Refuge, Arizona and California, et al.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

ARIZONA AND CALIFORNIA

HAVASU LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Havasu Lake National Wildlife Refuge, Arizona and California, is permitted from January 1 through December 31, 1965, inclusive, but only on the areas designated by signs as open to fishing. These open areas, comprising 22,880 acres, are delineated on maps available at refuge headquarters, Parker, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306,

Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1965.

KANSAS

KIRWIN NATIONAL WILDLIFE REFUGE

Sport fishing on the Kirwin National Wildlife Refuge, Kansas, is permitted from January 1 through December 31, 1965, inclusive, on all areas not designated by signs as closed to fishing. These open areas, comprising 5,000 acres, are delineated on maps available at refuge headquarters, 5 miles southwest of Kirwin, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1965.

NEW MEXICO

BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

Sport fishing on the Bosque del Apache National Wildlife Refuge, New Mexico, is permitted only on areas designated by signs as open to fishing. These open areas, comprising 1,800 acres, are delineated on maps available at refuge headquarters, San Antonio, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from May 30 to October 15, 1965, inclusive.

(2) The use of boats or floating devices is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 15, 1965.

OKLAHOMA

WASHITA NATIONAL WILDLIFE REFUGE

Sport fishing on the Washita National Wildlife Refuge, Oklahoma, is permitted only on areas designated by signs as open to fishing. These open areas, comprising 3,367 acres, are delineated on maps available at refuge headquarters, Butler, Oklahoma, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from April 1 through October 15, 1965, inclusive.

(2) Seining is prohibited in all refuge waters.

(3) The use of boats and motors is permitted only south of State Highway 33, provided, that boats may not exceed speeds of 10 miles per hour.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 15, 1965.

TEXAS

BUFFALO LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Buffalo Lake National Wildlife Refuge, Texas, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 2,358 acres, are delineated on maps available at refuge headquarters, Umbarger, Tex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The open seasons for sport fishing on the refuge extend from March 1 through October 31, 1965, inclusive, on all waters of the Buffalo Lake National

Wildlife Refuge; and from January 1 through February 28, 1965, inclusive, and November 1 through December 31, 1965, inclusive, on all waters lying north of a diagonal line extending across the lake from the northwest corner to the southeast corner of Survey 116. Also the east shore line, for bank fishing only, from the above-mentioned diagonal line on the east shore to the Tierra Blanca Creek at the west refuge boundary except that said shore line will be closed to fishing during the waterfowl hunting season in that part of Texas.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1965.

UTAH

BEAR RIVER MIGRATORY BIRD REFUGE

Sport fishing on the Bear River Migratory Bird Refuge, Utah, is permitted from January 1 through December 31, 1965, inclusive, but only on the areas designated by signs as open to fishing. These open areas, comprising 10 acres, are delineated on maps available at refuge headquarters, Brigham City, Utah, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) Fishing shall be with pole and line only, including rod and reel.

(2) The use of boats is prohibited below river control gates at refuge headquarters.

(3) Permission is required to enter the public fishing area by registering at the refuge office.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1965.

WYOMING

NATIONAL ELK REFUGE

Sport fishing on the National Elk Refuge, Wyoming, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 327 acres, are delineated on maps available at refuge headquarters, Jackson, Wyo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open seasons for sport fishing on the refuge extend from June 1 through October 31, 1965, inclusive, on the Gros Ventre River and its tributaries and Pierre's Pond; and from August 1 through October 31, 1965, inclusive, on Flat Creek above the Old Crawford Bridge site to the east refuge boundary.

(2) Use of boats or other floating devices are not permitted. The provisions of this special regulation supplement the

regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 31, 1965.

JOHN C. GATLIN,
Regional Director,
Albuquerque, N. Mex.

NOVEMBER 18, 1964.

[F.R. Doc. 64-12099; Filed, Nov. 25, 1964; 8:47 a.m.]

PART 33—SPORT FISHING

Monte Vista National Wildlife Refuge, Colorado

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

COLORADO

MONTE VISTA NATIONAL WILDLIFE REFUGE

Sport fishing on the Monte Vista National Wildlife Refuge, Monte Vista, Colo., is suspended for the 1965 season. A prolonged drought has resulted in a shortage of water on the public fishing area.

JOHN C. GATLIN,
Regional Director,
Albuquerque, N. Mex.

NOVEMBER 18, 1964.

[F.R. Doc. 64-12100; Filed, Nov. 25, 1964; 8:47 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-EA-60]

CONTROL ZONE, TRANSITION AREAS, AND CONTROL AREA EXTENSION

Proposed Designation and Revocation

The Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations which would designate a control zone and a transition area at Charlottesville, Va., and a transition area at Staunton, Va., and which would revoke the Charlottesville control area extension.

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

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

The following controlled airspace is presently designated in the Charlottesville and Staunton terminal areas:

1. The Charlottesville control area extension is designated as that airspace bounded on the northwest by V-140, on the east by V-39, and on the south by V-16 north alternate.

2. The Staunton control area extension is designated as that airspace bounded on the west, northwest and northeast by a line extending from the north boundary of V-290 along longitude 79°25'00" W., to latitude 38°06'30" N., thence to latitude 38°06'30" N., longitude 79°13'45" W., to latitude 38°25'00" N., longitude 79°00'45" W., to latitude 38°15'15" N., longitude 78°39'45" W., bounded on the southeast by V-140, and on the south by V-290.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Charlottesville and Staunton terminal areas, including studies attendant to the implementation of CAR Amendments 60-21/60-29, has under consideration the following airspace actions:

1. The Charlottesville control zone would be designated as that airspace within a 4-mile radius of the Charlottesville-Albermarle Airport (latitude 38°08'25" N., longitude 78°27'10" W.) and within 2 miles each side of the Charlottesville ILS localizer southwest course, extending from the 4-mile radius area to the Charlottesville radio beacon.

2. The Charlottesville and Staunton control area extensions would be revoked.

3. The Charlottesville transition area would be designated as that airspace extending upward from 700 feet above the surface within a 6-mile radius of the Charlottesville-Albermarle Airport; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 38°43'00" N., longitude 78°58'00" W.; to latitude 38°43'00" N., longitude 78°12'00" W.; to latitude 38°51'15" N., longitude 78°12'21" W.; to latitude 38°30'00" N., longitude 77°44'00" W.; to latitude 37°40'00" N., longitude 78°14'30" W.; to latitude 37°40'00" N., longitude 79°30'30" W.; to latitude 38°00'00" N., longitude 79°30'00" W.; to point of beginning.

4. The Staunton transition area would be designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Shenandoah Valley Airport (latitude 38°15'45" N., longitude 78°53'50" W.) and within 2 miles each side of the 216° True bearing from the Laurel Hill radio beacon extending from the 7-mile radius area to 8 miles southwest of the radio beacon.

The floors of the airways and the floor of the portion of the Washington, D.C., control area extension within the proposed transition areas would automatically coincide with the floors of the transition areas. Revocation of the Washington control area extension will be processed at a later date upon completion of the CAR Amendments 60-21/60-29 implementation studies in adjacent areas.

Designation of the Charlottesville control zone would provide protection for aircraft executing prescribed instrument arrival and departure procedures, including a proposed instrument approach procedure based on an ILS localizer scheduled to be installed at the Charlottesville-Albermarle Airport during October 1964. Communications and weather reporting service are provided by the Charlottesville Flight Service Station.

The proposed designation of the Charlottesville transition area would raise the floor of controlled airspace beyond the immediate vicinity of the Charlottesville-Albermarle Airport from 700 to 1,200 feet above the surface. The controlled airspace beyond the immediate vicinity of the Staunton Airport would also be raised to 1,200 feet above the surface. The portions of controlled airspace released by this action would become available for other aeronautical purposes.

The portions retained would provide protection for aircraft executing prescribed holding, arrival and departure procedures at Staunton and beyond the limits of the proposed control zone at Charlottesville.

Certain minor revisions to prescribed instrument flight procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected. Specific details of the changes in procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Eastern Region, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on November 18, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-12077; Filed, Nov. 25, 1964; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 64-SW-49]

TRANSITION AREA

Proposed Designation

Correction

In F.R. Doc. 64-11226, appearing at page 14937 of the issue for Wednesday, November 4, 1964, the following correction is made: In the fifth paragraph, the fourteenth line should read "103°48'00" W., to latitude 31°09'00" N.," instead of "103°29'30" W., to latitude 31°40'00" N.,".

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-SW-52]

CONTROL ZONES, TRANSITION AREAS, AND CONTROL AREA EXTENSION

Proposed Alteration, Designation, and Revocation

Correction

In Federal Register Document 64-11223, published at 29 F.R., 14934, Wednesday, November 4, 1964, the following changes should be made:

(a) Item 6, middle column, page 14935: In the fifth line, "V-76" should read "V-76 N".

(b) Item 2, middle column, page 14935: Item 2 should read as follows:

2. Designate the Reese AFB, Tex., control zone as that airspace within a 5-mile radius of Reese AFB, Tex. (latitude 33°35'56" N., longitude 102°02'36"

W.); within 2 miles each side of the Lubbock VORTAC 227° radial extending from the Reese AFB 5-mile radius zone to the VORTAC, within 2 miles each side of the Reese AFB TACAN 013° radial extending from the Reese AFB 5-mile radius zone to 6.5 miles N of the TACAN, within 2 miles each side of the Reese AFB ILS localizer N course extending from the Reese AFB 5-mile radius zone to 6.5 miles N of the TACAN, and within 2 miles each side of the Reese AFB TACAN 168° radial extending from the 5-mile radius zone to 5.5 miles S of Reese AFB, excluding that portion which lies within the Lubbock Municipal Airport control zone. This control zone would be effective during the dates and times established in advance by the publication of Special Notices in the Airman's Guide.

(c) Item 5, third column, page 14935: In the twelfth line, "101°07'00'" should read "100°07'00'".

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Parts 17, 18]

LABELING, REINSPECTION AND PREPARATION OF PRODUCTS

Notice of Proposed Rule Making

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that the Department of Agriculture, pursuant to the authority conferred by the Meat Inspection Act, as amended and extended (21 U.S.C. 71-96), and section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306), proposes to amend Parts 17 and 18 of the Meat Inspection Regulations (9 CFR Parts 17 and 18), as follows:

1. Section 17.9 would be amended by changing the heading and adding a new paragraph (f) to read, respectively, as follows:

§ 17.9 Labeling products prepared with artificial coloring, artificial flavoring, antioxidants, or preservatives or treated with ionizing radiation.

(f) When product is treated with ionizing radiation, a term approved by the Director such as "Processed by Ionizing Radiation" shall appear on the main display panel in conjunction with the product designation.

2. Section 18.4 would be amended by changing the heading and adding a new paragraph (c) to read, respectively, as follows:

§ 18.4 Products and chemical preparations entering official establishments; identification; disposition; shipping in commerce.

(c) Containers of preparations which enter any official establishment for use in cooling or retort water, in hog scalding water, or in denuding of tripe shall at all times while they are in such establishment bear labels showing the chemical names of the chemicals in such preparations. In the case of preparations containing chemicals which are specifically limited by § 18.7(b)(4) as to

amount used, the labels on the containers shall also show the percentage of each such chemical in the preparation.

3. In § 18.7(b)(4) the chart would be amended by inserting the following as indicated in (1), (2), and (3).

Class of substance	Substance	Purpose	Products	Amount
Cooling and retort water treatment agents.	Disodium phosphate.....	To prevent staining on exterior of canned goods.	Various.....	Sufficient for purpose.
	Diocetyl sodium sulfosuccinate.....	do.....	do.....	0.05 percent.
	Sodium bicarbonate.....	do.....	do.....	Sufficient for purpose.
	Sodium carbonate.....	do.....	do.....	Do.
	Calcium chloride.....	do.....	do.....	Do.
	Sodium dodecylbenzene sulfonate.....	do.....	do.....	0.05 percent.
	Sodium hexametaphosphate.....	do.....	do.....	Sufficient for purpose.
	Sodium lauryl sulfate.....	do.....	do.....	0.05 percent.
	Sodium metasilicate.....	do.....	do.....	Sufficient for purpose.
	Sodium tripolyphosphate.....	do.....	do.....	Do.
	Zinc oxide.....	do.....	do.....	0.01 percent.
	Zinc sulfate.....	do.....	do.....	Do.
	Propylene glycol.....	do.....	do.....	Sufficient for purpose.

(2) The information shown for denuding agents in the chart would be revised to read:

Class of substance	Substance	Purpose	Products	Amount
Denuding agents; may be used in combination.	Lime.....	To denude mucous membrane.	Tripe.....	Sufficient for purpose.
Must be removed from tripe by rinsing with potable water.	Sodium carbonate.....	do.....	do.....	Do.
	Sodium hydroxide.....	do.....	do.....	Do.
	Sodium metasilicate.....	do.....	do.....	Do.
	Sodium persulfate.....	do.....	do.....	Do.
	Trisodium phosphate.....	do.....	do.....	Do.

(3) The following information for hog scald agents would be inserted following "Gases" and the information relating thereto.

Class of substance	Substance	Purpose	Products	Amount
Hog scald agents; must be removed by subsequent cleaning operations.	Caustic soda.....	To remove hair.....	Hog carcasses.....	Sufficient for purpose.
	Diocetyl sodium sulfosuccinate.....	do.....	do.....	Do.
	Lime.....	do.....	do.....	Do.
	Methyl polysilicone.....	do.....	do.....	Do.
	Sodium carbonate.....	do.....	do.....	Do.
	Sodium dodecylbenzene sulfonate.....	do.....	do.....	Do.
	Sodium hexametaphosphate.....	do.....	do.....	Do.
	Sodium lauryl sulfate.....	do.....	do.....	Do.
	Sodium metasilicate.....	do.....	do.....	Do.
	Sodium tripolyphosphate.....	do.....	do.....	Do.
	Trisodium phosphate.....	do.....	do.....	Do.

4. Part 18 would be amended by adding thereto a new § 18.18 to read:

§ 18.18 Gamma radiation for treatment of product.

With appropriate declaration as required in Part 17 of this subchapter, canned bacon may be treated with gamma radiation for purposes of preservation under the following conditions:

(a) The radiation source shall consist of sealed units containing cesium 137 or cobalt 60.

(b) The bacon shall be in cans coated with acceptable polymeric and/or resinous coatings and shall be under vacuum or in an inert atmosphere and the absorbed dose shall be 4.5 to 5.6 megarads.

(c) A record of total dose shall be obtained by phantoms having the same geometry as the containers of bacon and containing dosimeters suitable for the maintenance of permanent records of exposure. Measurement of total dose shall be made by use of one phantom for each 24 hour period of operation or for each period that expires in processing 1,000 cans, whichever is the shorter

(1) The following information for cooling and retort water treatment agents would be inserted following "coloring agents (synthetic)" and the information relating thereto.

period, with exposure records being made available for Division checking.

The purpose of these amendments would be to prescribe the conditions for safe use of certain chemicals and gamma radiation permitted in processing of products under the Meat Inspection Act.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them with the Director, Meat Inspection Division, Agricultural Research Service, U.S. Department of Agriculture, Washington, D.C., 20250, within 60 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 19th day of November 1964.

B. T. SHAW,
Administrator,
Agricultural Research Service.

[F.R. Doc. 64-12040; Filed, Nov. 25, 1964; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Dept. Order 167-63]

COMMANDANT, U.S. COAST GUARD

Delegation of Functions

By virtue of the authority vested in the Secretary of the Treasury by Reorganization Plan No. 26 of 1950 and 14 U.S.C. 631 and pursuant to the powers delegated to me by Treasury Department Order No. 190 (Revision No. 2), and Treasury Department Order No. 191 (Revision 3), there are transferred to the Commandant, U.S. Coast Guard, the functions of the Secretary under 14 U.S.C. 787a, pertaining to the convening of boards to select and recommend Reserve officers for retention in an active status.

The Commandant may provide for performance by subordinates in the Coast Guard of the functions delegated herein.

Dated: November 19, 1964.

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 64-12113; Filed, Nov. 25, 1964;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Notice 37]

ALASKA

Notice of Filing of Protraction Diagram, Anchorage Land District

NOVEMBER 19, 1964.

Notice is hereby given that effective with this publication, the following revised protraction diagrams are officially filed of record in the Anchorage Land Office, 555 Cordova Street, Anchorage, Alaska. In accordance with 43 CFR 3123.1, these protractions will become the basic record for the description of oil and gas lease offers, State Selection applications under 43 CFR 2222.9-3(c), and other authorized uses filed at and subsequent to 10:00 a.m., on the thirty-first day after the publication of this notice.

These revised protraction sheets supersede the original approved protraction sheets of the same number.

ALASKA PROTRACTION DIAGRAM (UNSURVEYED)

APPROVED NOVEMBER 4, 1964

SEWARD MERIDIAN

S21-11	Ts. 30-32 S	Rs. 53-54 W.
S26-2	Ts. 33-36 S	Rs. 53-56 W.
S26-3	Ts. 34-36 S	Rs. 57-59 W.
S26-4	Ts. 38-40 S	Rs. 61-64 W.
S26-5	Ts. 37-40 S	Rs. 57-60 W.
S26-11	Ts. 41-44 S	Rs. 61-64 W.
S27-1	Ts. 41-44 S	Rs. 65-68 W.
S27-2	Ts. 43-44 S	Rs. 69-70 W.
S27-3	T. 48 S	R. 77 W.
S27-4	T. 48 S	Rs. 73-76 W.
S27-5	Ts. 45-48 S	Rs. 69-72 W.
S30-3	Ts. 49-52 S	Rs. 69-72 W.
S30-4	Ts. 49-52 S	Rs. 73-76 W.
S30-5	Ts. 49-52 S	Rs. 77-80 W.

Copies of these diagrams are for sale at one dollar (\$1.00) per sheet by the Cadastral Engineering Office, Bureau of Land Management, mailing address: 555 Cordova Street, Anchorage, Alaska.

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

[F.R. Doc. 64-12091; Filed, Nov. 25, 1964;
8:47 a.m.]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 20, 1964.

The Geological Survey has filed an application, Serial Number Idaho 015806 for the withdrawal for powersite classification purposes of the lands described below, from all forms of appropriation under the public land laws, subject to existing valid rights, excepting locations of mining claims as provided for in the Act of August 11, 1955 (69 Stat. 681), mineral leasing under the mineral leasing laws, and disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604), as amended.

The classification is to protect the potential value of reservoir sites which may be developed along this stretch of the Snake River for conservation of water and for development of hydroelectric power.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2237, Boise, Idaho, 83701.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior or who will determine whether or not the lands will be withdrawn as requested by the Geological Survey.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

POWERSITE CLASSIFICATION No. 457

BOISE MERIDIAN, IDAHO

T. 5 S., R. 8 E.,
Sec. 32, lots 8 and 9;
Sec. 33, lot 2.
T. 6 S., R. 8 E.,
Sec. 3, lot 12.
T. 5 S., R. 9 E.,
Sec. 26, lots 6 and 7;
Sec. 27, lot 3;
Sec. 31, lots 9, 10, 11, 12 and 13;
Sec. 32, lots 8, 9, 10 and 11;
Sec. 33, lots 9 and 10;
Sec. 34, lots 7, 8, 9, 10, 11, 12 and 13;
Sec. 35, lot 9.
T. 5 S., R. 10 E.,
Sec. 12, lot 8;
Sec. 13, lot 4;
Sec. 14, lots 9 and 10;
Sec. 21, lot 8;
Sec. 22, lots 12, 13 and 14;
Sec. 23, lots 5 and 6;
Sec. 28, lots 9 and 10;
Sec. 31, lots 8, 9, 10, 11 and 12;
Sec. 32, lots 10, 11.

The areas described aggregate 127.53 acres in Elmore and Owyhee Counties, Idaho.

ORVAL G. HADLEY,
Manager.

[F.R. Doc. 64-12092; Filed, Nov. 25, 1964;
8:47 a.m.]

WASHINGTON

Notice of Termination of Proposed Withdrawal and Reservation of Lands

Notice of an application Serial No. Washington 05319 for withdrawal and reservation of lands was published as Federal Register Document No. 64-6044 on page 7783 of the issue for June 18, 1964. The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR 2311, such lands will be at 10:00 a.m. on December 1, 1964, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

WILLAMETTE MERIDIAN

T. 16 N., R. 11 E.,
Sec. 25: S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 36: N $\frac{1}{2}$, SW $\frac{1}{4}$.
T. 15 N., R. 12 E.,
Sec. 2: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
Sec. 3: E $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 16 N., R. 12 E.,
Sec. 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 13: N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 14: S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
Sec. 22: NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 23: All;
Sec. 24: NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 25: W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 26: All;
Sec. 27: All;

Sec. 28: All;
 Sec. 29: All;
 Sec. 32: N $\frac{1}{2}$;
 Sec. 33: N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 34: N $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 35: W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$.

T. 16 N., R. 13 E.,
 Sec. 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

The areas described aggregate approximately 7,840.00.

JOHN E. BURT, Jr.,
Officer in Charge.

[F.R. Doc. 64-12093; Filed, Nov. 25, 1964;
 8:47 a.m.]

[Utah 0142168]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 12, 1964.

The Department of the Interior, Bureau of Reclamation, has filed the above application for the withdrawal of the lands described below, from all forms of appropriation except operation of the mineral leasing laws.

The applicant desires the withdrawal to control the watershed lands adjacent to Deer Creek Reservoir. Since 71 percent of the water stored in the reservoir is for municipal purposes, control of the watershed is necessary to protect the area from overgrazing and contamination. Use of the land compatible with Reclamation purposes will be permitted.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Utah State Director, Post Office Box 11505, Salt Lake City, Utah, 84111.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide the maximum concurrent utilization of the lands for purposes other than the applicant's to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will

be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SALT LAKE MERIDIAN, UTAH

T. 4 S., R. 4 E.,
 Sec. 27: S $\frac{1}{2}$ SW $\frac{1}{4}$.
 Containing 80 acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 64-12110; Filed, Nov. 25, 1964;
 8:48 a.m.]

Fish and Wildlife Service

[Depredation Order]

DEPREDATING GOLDEN EAGLES

Order Permitting Taking to Seasonally Protect Domestic Livestock in Certain New Mexico Counties

Pursuant to authority in section 2 of the Act of June 8, 1940 (54 Stat. 250), as amended, and in accordance with regulations under Part 11, Title 50, Code of Federal Regulations, the Secretary of the Interior has authorized the taking of golden eagles without a permit to seasonally protect domesticated livestock during the period from January 1, 1965 through June 15, 1965, in New Mexico, subject to the following conditions:

1. Golden eagles may be taken without a permit only for the protection of domesticated livestock and only by livestock owners and their agents.

2. Golden eagles may be taken by any suitable means or methods except by the use of poison or from aircraft.

3. Golden eagles or any parts thereof taken pursuant to this authorization may not be possessed, purchased, sold, traded, bartered, or offered for sale, trade, or barter.

4. Taking without a permit is authorized only in the following named counties:

Eddy.	Sierra.
Guadalupe.	Valencia.
Torrance.	De Baca.
Grant.	Bernalillo.
Catron.	Otero.
Chaves.	Socorro.
San Miguel.	McKinley.
Lincoln.	

5. Any person taking golden eagles pursuant to this authorization must at all reasonable times, including during actual operations, permit any Federal or State game law enforcement officer free and unrestricted access over the premises on which such operations have been or are being conducted; and shall furnish promptly to such officer whatever information he may require concerning such operations.

ABRAM V. TUNISON,
*Acting Director, Bureau of
 Sport Fisheries and Wildlife.*

NOVEMBER 20, 1964.

[F.R. Doc. 64-12101; Filed, Nov. 25, 1964;
 8:48 a.m.]

National Park Service

[Order 2]

PADRE ISLAND NATIONAL SEASHORE, CORPUS CHRISTI, TEXAS

Supervisory Park Ranger; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

SECTION 1. The Supervisory Park Ranger, Padre Island National Seashore (Port Isabel), may execute and approve contracts not in excess of \$300 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

(National Park Service Order No. 14 (19 F.R. 8824), as amended; 39 Stat. 535; 16 U.S.C., sec. 2; Southwest Region Order No. 3 (21 F.R. 1494))

Dated: November 2, 1964.

WILLIAM L. BOWEN,
*Superintendent,
 Padre Island National Seashore.*

[F.R. Doc. 64-12089; Filed, Nov. 25, 1964;
 8:47 a.m.]

Office of the Secretary FRANKLIN STUART FEHR

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of November 12, 1964.

Dated: November 12, 1964.

F. STUART FEHR.

[F.R. Doc. 64-12094; Filed, Nov. 25, 1964;
 8:47 a.m.]

MARVIN FRANCIS PERSONS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of November 9, 1964.

Dated: November 9, 1964.

M. F. PERSONS.

[F.R. Doc. 64-12095; Filed, Nov. 25, 1964; 8:47 a.m.]

ALVIN C. HOPE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) Statement previously filed listed "President—Mutual Oil & Royalty Corporation, a Texas corporation" By mutual consent of Stockholders Mutual Oil & Royalty Corporation Dissolved.

(2) No longer own stock in Mutual Oil & Royalty Corporation. See (1) above.

(3) None.

(4) None.

This statement is made as of November 1, 1964.

Dated: November 10, 1964.

ALVIN C. HOPE.

[F.R. Doc. 64-12096; Filed, Nov. 25, 1964; 8:47 a.m.]

HOWARD LESTER LIVINGOOD

Appointment and Statement of Financial Interests

NOVEMBER 17, 1964.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Howard Lester Livingood.

Name of employing agency: Department of the Interior, Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Alternate Deputy Director, Defense Electric Power Area 2.

The name of the appointee's private employer or employers: New York State Electric & Gas Corporation, Ithaca, New York.

The statement of "financial interests" for the above appointee is set forth below.

FRANK P. BRIGGS,
Acting Secretary of the Interior.

OCTOBER 23, 1964.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on October 23, 1964, as Alternate Deputy Director,

Defense Electric Power Administration, Area 2, Defense Electric Power Administration, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

None.

(3) Names of any partnerships in which I am associated or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

H. LESTER LIVINGOOD.

NOVEMBER 5, 1964.

[F.R. Doc. 64-12097; Filed, Nov. 25, 1964; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary COLORADO

Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Colorado natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

COLORADO

Morgan.

Washington.

It has also been determined that in the hereinafter-named counties in the State of Colorado which are presently designated (29 F.R. 2433), the above-mentioned natural disasters have caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

COLORADO

Alamosa.
Conejos.
Costilla.

Rio Grande.
Saguache.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1965, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 20th day of November 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-12103; Filed, Nov. 25, 1964; 8:48 a.m.]

MINNESOTA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Minnesota natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MINNESOTA

Cass.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after December 31, 1965, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 20th day of November 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-12104; Filed, Nov. 25, 1964; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

ANNUAL SURVEYS IN MANUFACTURING AREA

Notice of Determination

In conformity with the Act of Congress approved August 31, 1954, Title 13, United States Code, sections 181, 224 and 225 and due notice having been published (29 F.R. 14673, October 28, 1964) pursuant to said act, I have determined that annual data to be derived from the surveys listed below are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry and are not publicly available from nongovernmental or other government sources.

Report forms in most instances furnishing data on shipments and/or production and in some instances on stocks, unfilled orders, orders booked, consumption, etc., will be required of all or a sample of establishments engaged in the production of the items covered by the following list of surveys. The surveys have been arranged under major group headings shown in the revised Standard Industrial Classification Manual (1957 edition) promulgated by the Bureau of the Budget for the use of Federal statistical agencies.

MAJOR GROUP 20—FOOD AND KINDRED PRODUCTS

Salad dressings.
Prepared animal feeds.
Confectionery.

MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Stocks of wool (as of Jan. 1, 1965). Inadvertently published in Notice of Consideration "(as of Jan. 1, 1964)."

Cotton and synthetic woven goods finished.
Narrow fabrics.
Knit cloth for sale.
Woolen and worsted machinery activity.
Yarn production.
Rugs, carpets, and carpeting.

**MAJOR GROUP 23—APPAREL AND OTHER
FINISHED PRODUCTS MADE FROM FABRICS AND
SIMILAR MATERIALS**

Gloves and mittens.
Apparel.
Brassieres, corsets, and allied garments.
Sheets, pillowcases, and towels.

**MAJOR GROUP 24—LUMBER AND WOOD PROD-
UCTS, EXCEPT FURNITURE**

Hardwood plywood.
Softwood plywood.
Lumber.

MAJOR GROUP 25—FURNITURE

Office furniture.

MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Pulp, and detailed grades of paper and board.

**MAJOR GROUP 28—CHEMICALS AND ALLIED
PRODUCTS**

Sulfuric acid.
Industrial gases.
Inorganic chemicals.
Pharmaceutical preparations, except biologicals.

**MAJOR GROUP 30—RUBBER AND MISCELLANEOUS
PLASTICS PRODUCTS**

Plastics products.

**MAJOR GROUP 31—LEATHER AND LEATHER
PRODUCTS**

Shoes and slippers (by method of construction).

MAJOR GROUP 32—STONE, CLAY, AND GLASS

Pressed and blown glassware.
Fibrous glass.

MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Steel mill products.
Insulated wire and cable.

**MAJOR GROUP 34—FABRICATED METAL PRODUCTS,
EXCEPT ORDNANCE, MACHINERY, AND TRAN-
SPORTATION EQUIPMENT**

Aluminum foil, converted.
Steel power boilers.
Heating and cooking equipment.

**MAJOR GROUP 35—MACHINERY, EXCEPT
ELECTRICAL**

Internal combustion engines.
Tractors.
Farm machines and equipment.
Mining machinery and equipment.
Vending machines.
Air-conditioning and refrigeration equipment.
Office, computing, and accounting machines.
Pumps and compressors.

**MAJOR GROUP 36—ELECTRICAL MACHINERY,
EQUIPMENT, AND SUPPLIES**

Radios, television, and phonographs.
Motors and generators.
Wiring devices and supplies.
Switchgear, switchboard apparatus, relays and industrial controls.
Selected electronic and associated products.
Electric housewares and fans.
Electric lighting fixtures.

**MAJOR GROUP 38—PROFESSIONAL, SCIENTIFIC,
AND CONTROLLING INSTRUMENTS; PHOTO-
GRAPHIC AND OPTICAL GOODS; WATCHES AND
CLOCKS**

Selected instruments and related products.
Atomic energy products and services.

The following list of surveys represents
annual counterparts of monthly, quar-

No. 231—4

terly, and semiannual surveys and will cover only those establishments which are not canvassed or do not report in the more frequent survey. Accordingly, there will be no duplication in reporting. The content of these annual reports will be identical with that of the monthly, quarterly, and semiannual reports except for Construction Machinery which will additionally call for data on shipments of power cranes and shovels, concrete mixers, and attachments for contractors' off-highway type tractors. Also, reports on man-made fiber, silk, woolen and worsted fabrics, on finishing plants, and on piece goods inventories listed below will call for information relating to the monthly fluctuations of stocks and unfilled orders for woven fabrics in addition to the annual production data.

**MAJOR GROUP 20—FOOD AND KINDRED
PRODUCTS**

Flour milling products.
Confectionery products.

MAJOR GROUP 22—TEXTILE MILL PRODUCTS

Man-made fiber, silk, woolen and worsted fabrics.
Finishing plant report-broad woven fabrics.
Piece goods inventories and orders.
Broad woven goods (cotton, wool, silk, and synthetic).
Consumption of wool and other fibers, and production of tops and noils.

MAJOR GROUP 25—FURNITURE AND FIXTURES

Mattresses and bedsprings.

MAJOR GROUP 26—PAPER AND ALLIED PRODUCTS

Consumers of wood pulp.
Converted flexible packaging products.

**MAJOR GROUP 28—CHEMICALS AND ALLIED
PRODUCTS**

Superphosphates.
Paint, varnish, and lacquer.

**MAJOR GROUP 29—PETROLEUM REFINING AND
RELATED INDUSTRIES**

Asphalt and tar roofing and siding products.

**MAJOR GROUP 30—RUBBER AND MISCELLANEOUS
PLASTICS PRODUCTS**

Rubber.

**MAJOR GROUP 31—LEATHER AND LEATHER
PRODUCTS**

Shoes and slippers.

MAJOR GROUP 32—STONE, CLAY AND GLASS

Glass containers.
Refractories.
Clay construction products.

MAJOR GROUP 33—PRIMARY METAL INDUSTRIES

Nonferrous castings.
Steel forgings.
Iron and steel foundries, blast furnaces, and steel ingot producers.
Magnesium mill products.

**MAJOR GROUP 34—FABRICATED METAL PROD-
UCTS, EXCEPT ORDNANCE, MACHINERY, AND
TRANSPORTATION EQUIPMENT**

Plumbing fixtures.
Steel shipping barrels, drums, and pails.
Closures for containers.
Metal cans.

**MAJOR GROUP 35—MACHINERY, EXCEPT
ELECTRICAL**

Construction machinery.
Metalworking machinery.
Farm pumps.
Fans, blowers, and unit heaters.
Typewriters.

**MAJOR GROUP 36—ELECTRICAL MACHINERY,
EQUIPMENT, AND SUPPLIES**

Electric lamps.
Fluorescent lamp ballasts.

MAJOR GROUP 37—TRANSPORTATION EQUIPMENT

Aircraft engines.
Complete aircraft.
Backlog of orders for aircraft, space vehicles, missiles, engines, and selected parts.
Aircraft propellers.
Truck trailers.

Also, the Annual Survey of Manufactures will be conducted and will call for general statistical data such as employment, payroll, man-hours, capital expenditures, cost of materials consumed, etc., in addition to information on value of products shipped and quantity data for selected classes of products. This survey, while conducted on a sample basis, will cover all manufacturing industries. Data on employment and payrolls for auxiliary establishments of manufacturing companies such as central administrative offices, warehouses, etc. will be included.

A survey of Research and Development costs will also be conducted. The data to be obtained will be limited to total research and development costs of work performed by the company, total cost of research and development work performed for the Federal Government, and, for comparative purposes, total net sales and receipts, and total employment of the company.

The report forms will be furnished to firms included in these surveys and additional copies are available on request to the Director, Bureau of the Census, Washington 25, D.C.

I have, therefore, directed that annual surveys be conducted for the purpose of collecting the data hereinabove described.

Dated: November 16, 1964.

[SEAL] RICHARD M. SCAMMON,
Director,
Bureau of the Census.

[F.R. Doc. 64-12114; Filed, Nov. 25, 1964;
8:49 a.m.]

**RETAILERS' INVENTORIES, SALES, AND
NUMBER OF ESTABLISHMENTS**

**Notice of Consideration To Continue
Survey**

Notice is hereby given that the Bureau of the Census is considering a proposal to conduct a 1964 Annual Retail Trade Survey under the Act of Congress approved August 31, 1954; 13 U.S.C. 181, 224, and 225. This is a continuation of similar surveys conducted in previous years for collecting data covering year-end inventories, annual sales, and number of retail stores operated as of the end of the year. This survey is the only continuing source of important information on retail inventories and sales-inventory ratios. It also establishes a benchmark for the geographic area distribution of sales.

On the basis of information and recommendations received by the Bureau

of the Census, the data will have significant application to the needs of the public, the distributive trades, and governmental agencies, and are not publicly available from non-governmental or other governmental sources.

Such a survey, if conducted, shall begin not earlier than 30 days after the publication of this notice in the *FEDERAL REGISTER*.

Reports will be required only from a selected sample of retail establishments in the United States. The sample will provide, with measurable reliability, statistics on the subjects specified above. Reports will be requested from sampled stores on the basis of their sales size and/or location in Census Sample Areas. A group of the largest firms, in terms of number of retail stores, will be requested to report their sales and number of stores, by county; but those firms which are participating monthly in the Bureau's geographic area survey will be asked to report at the national level only.

Copies of the proposed forms and a description of the collection methods are available on request to the Director,

Bureau of the Census, Washington, D.C., 20233.

Any suggestions or recommendations concerning the subject matter of the proposed survey should be submitted in writing to the Director of the Bureau of the Census within 30 days after the date of this publication and will receive consideration.

RICHARD M. SCAMMON,
Director, Bureau of the Census.

[F.R. Doc. 64-12115; Filed, Nov. 25, 1964;
8:49 a.m.]

Maritime Administration

AMERICAN EXPORT ISBRANDTSEN LINES, INC.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that American Export Isbrandtsen Lines, Inc., acting pursuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following listed cruises:

Ship	Voyage number	Departs New York	Ports of call	Arrives New York
Atlantic.....	73	1964 Dec. 23.....	St. Thomas.....	1964 Dec. 31
Constitution.....	203	---do-----	Curacao, Trinidad, Barbados, Martinique, San Juan, and St. Thomas.	1965 Jan. 4
Atlantic.....	74	Dec. 31.....	Nassau.....	Jan. 7
Atlantic.....	75	1965 Jan. 7.....	Wilmington, N.C., St. Maarten, St. Croix, San Juan, St. Thomas, and Wilmington, N.C.	Jan. 20
Atlantic.....	76	Jan. 20.....	St. Thomas and San Juan	Jan. 29
Constitution.....	204	Jan. 25.....	San Juan, St. Thomas, St. Maarten, Martinique, Barbados, Trinidad, La Guaira, and Curacao.	Feb. 8
Atlantic.....	77	Jan. 30.....	St. Thomas, Martinique, St. Maarten, and San Juan.....	Feb. 10
Atlantic.....	78	Feb. 10.....	St. Thomas, and San Juan	Feb. 19
Independence.....	210	Feb. 11.....	Curacao, Barbados, Martinique, San Juan, and St. Thomas.	Feb. 23
Atlantic.....	79	Feb. 19.....	Montego Bay, Aruba, Curacao, St. Thomas, and San Juan.	Mar. 5
Independence.....	211	Feb. 24.....	San Juan, St. Thomas, Martinique, Barbados, Trinidad, La Guaira, and Aruba.	Mar. 9
Atlantic.....	80	Mar. 5.....	San Juan, Barbados, Martinique, and St. Thomas.....	Mar. 17
Independence.....	213	Apr. 2.....	Curacao, Barbados, Martinique, San Juan, and St. Thomas.	Apr. 14
Atlantic.....	82	Apr. 14.....	Bermuda.....	Apr. 21
Independence.....	220	Sept. 1.....	Bermuda.....	Sept. 7
Atlantic.....	88	Sept. 3.....	San Juan, St. Thomas, and Bermuda.....	Sept. 13
Constitution.....	217	Dec. 23.....	Curacao, Trinidad, Barbados, Martinique, San Juan, and St. Thomas.	1966 Jan. 4

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 and arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C., 20235, by the close of business on December 7, 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: November 19, 1964.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 64-12098; Filed, Nov. 25, 1964;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15710; Order E-21523]

ALASKA AIRLINES, INC.

Proposed Reduced Anchorage-Seattle Freight Rates; Order of Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 20th day of November 1964.

By tariff revision marked to become effective November 23, 1964, Alaska Airlines, Inc. (Alaska) proposes the establishment of new specific commodity rates from Anchorage, Alaska, to Seattle, Wash., applicable to several commodity groups. One of these commodity groups, Group 1, contains numerous articles; however, the use of the proposed tariff for this group requires that not less than ten articles be contained in a shipment.

A rate of 6 cents per pound is named for shipments of 500 pounds minimum weight and the proposal bears an expiration date of August 10, 1965.

Alaska declares that the acceptance of the same rates from Fairbanks effective September 13, 1964, has materialized beyond its expectations and, as a result, shippers in the Anchorage area have made requests for similar rates; that its current filing is intended to attract new traffic into scheduled airfreight service and the potential amounts to 500,000 pounds annually; and that this freight is essential to correct the traffic imbalance in the markets (northbound substantially greater than southbound).

Northwest Airlines, Inc., (Northwest) and Pacific Northern Airlines, Inc., (Pacific Northern) have filed complaints requesting investigation and suspension of the current proposal. In summary, the complaints variously allege that the proposed rates (1) will not attract traffic and will not prove to be promotional in effect; (2) are uneconomical and will not generate sufficient new business to offset the revenue loss from the reduction; (3) are below Alaska's reported operating costs; and (4) will necessitate defensive filings resulting in a reduction in the complainants' annual air freight revenues. It is also declared that the instant proposal is nothing more than the culmination of a campaign to obtain the drastically reduced rate structure previously sought (and which the Board suspended¹) through widespread reductions in specific commodity rates; that the list of specific commodities is too broad, amounting in effect to a reduced general commodity rate; that the traffic would move as well at an 8-cent-per-pound rate as at the proposed 6-cent rate; and that the proposal should not, in any case, become effective until after the seasonal peak, terminating just before Christmas.

Upon consideration of the complaints and all relevant matters, the Board finds that the proposed rates may be unjust or unreasonable, or unduly discriminatory, or unduly preferential or unduly prejudicial, and should be investigated. The rates would effect a reduction of 65 percent below the general commodity rate in effect for Alaska, as well as for competitive carriers, and 25 percent below the lowest specific commodity rate in this market. The yield would be only 6.7 cents per ton-mile over Alaska's circuitous route, for which there is little cost justification. Although the limitation as to number of commodities for Group 1 limits the application of the rates, Alaska's proposal covers several hundred articles. We are concerned also with the possible impact upon subsidy payments to carriers in this market that are now receiving significant amounts of subsidy. We will include in this investigation the recent filing of these same rates from Fairbanks to Seattle in order to avoid any potential question of

¹ Reduced freight rates between Alaska and Seattle proposed by Alaska Airlines, Inc. Docket 14666, Order E-19844, dated July 23, 1963; subsequently dismissed by the Board (Order E-20043, dated Sept. 25, 1963) following withdrawal of suspended matter by the carrier.

preference and prejudice in the establishment of rates for these markets.

However, we have decided not to suspend the proposal, but to let the filing become effective, chiefly because, while the rates proposed are low, they do not appear so low as to cause a significant dilution of carrier revenues. The extent of traffic diversion and revenue decrease for competing carriers is limited by the restriction as to number of commodities proposed, by the relatively small volume of traffic currently moving by air to be affected by the rate, and by the expiry date, assuming that the investigation is not completed before that date. Furthermore, it should be noted that the same rate is already in effect from Fairbanks, which, although closer to Seattle over Alaska's route, is farther away by a direct route. The Board distinguishes the current proposal from the one it suspended in July 1963 (*supra*) because of the commodity restrictions to Group 1 and the expiry date currently proposed.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof: It is ordered, That:

1. An investigation be instituted to determine whether the rates described below and rules, regulations or practices affecting such rates are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful to determine and prescribe the lawful rates and rules, regulations or practices affecting such rates:

In Agent J. Aniello's C.A.B. No. 23, on 10th Revised Page 8-A, the rates subject to minimum weight of 500 pounds applying on Commodity Groups Nos. 1, 130, 160, and 180 from Anchorage to Seattle, Wash., and, on 22d Revised Page 10, the rates subject to minimum weight of 500 pounds applying on Commodity Groups Nos. 1, 140, 160, 180, and 280 from Fairbanks to Seattle, Wash., including subsequent revisions and reissues thereof;

2. The complaints of Northwest Airlines, Inc., in Docket 15625 and of Pacific Northern Airlines, Inc., in Docket 15623 are dismissed, except to the extent granted herein;

3. The proceeding herein be assigned before an examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be served upon Alaska Airlines, Inc., Northwest Airlines, Inc., and Pacific Northern Airlines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-12132; Filed, Nov. 25, 1964; 8:49 a.m.]

[Docket No. 13908; Order E-21528]

UNITED STATES OVERSEAS AIRLINES, INC.

Order Extending Suspension Period of Interim Certificate

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of November 1964.

By Order E-21431, October 23, 1964, the Board extended to and through November 23, 1964, the period of suspension of USOA's interim certificate for supplemental air service ordered in Order E-21325, September 24, 1964. On October 26, 1964, the parties filed briefs to the Board, and oral argument having been waived, the case stands submitted for decision.

The Board finds that a full consideration of the record and the matters raised on appeal foreclose the possibility of disposing of the appeal on or before November 23, 1964. The Board further finds that the circumstances requiring the suspension of USOA's interim certificate continue to exist and that pursuant to section 401(n) of the Act, Part IV of its interim certificate, and Rule 1015 of the Board's rules of practice, the period of suspension ordered in Order E-21431, *supra*, should be extended to and through December 7, 1964.

Accordingly, it is ordered:

1. That the period of suspension of USOA's interim certificate to engage in supplemental air transportation previously ordered be and it hereby is extended to and through December 7, 1964.

2. That a copy of this order shall be served upon the carrier by certified mail at its last known address and published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-12133; Filed, Nov. 25, 1964; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 64-SW-4]

TEXAS ELECTRIC SERVICE CO.

Determination of Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study (SW-OE-6537) to determine its effect upon the safe and efficient utilization of navigable airspace.

The Texas Electric Service Company, Fort Worth, Tex., has constructed a 345 kv electric transmission line with steel towers near Cedar Hill, Texas, at latitude 32°39'06" north, longitude 97°00'15" west. The overall height of the towers are 641 feet above mean sea level (114 feet above ground).

The structure would exceed the standards for determining hazards to air navigation as defined in § 77.27(b) (2) of the Federal Aviation Regulations by 39.5 feet as applied to the Texas Soaring Association (TSA) Airfield, Grand Prairie, Tex.

The aeronautical study disclosed that the powerline would cross the runway centerline approximately 3,360 feet north of the north end of the runway at the TSA Airfield.

No instrument flight rule (IFR) procedures or operations would be affected by this construction since the airfield is not used for IFR operations.

The powerlines are difficult to see and are barely discernible until approached very closely. The airfield is used for glider and sailplane student flight training and practice. Taking off north under normal conditions, using airplane tow for launch, the powerline could be safely cleared. However, in hot weather with little or no wind, the towplane and glider combination could pass very low over the powerline. In this situation, a broken or inadvertently released towline, or a loss of power on the towplane, could place one or both craft in extreme jeopardy. In addition, because the prevailing wind is from the south, most of the approaches are made from the north. The pilot of a glider or sailplane, once committed on an approach, cannot add power, or climb, or change his mind about landing. In attempting to avoid an obstruction during an emergency situation the control and maneuverability of a glider is more critical than a powered aircraft. Therefore, the transmission lines would have a more adverse effect upon the operations being conducted than would be experienced with a conventional plane.

Based upon the aeronautical study, it is the finding of the Agency that the powerline will have a substantial adverse effect upon aeronautical operations at the TSA Airfield.

Therefore, pursuant to the authority delegated to me by the Administrator (§ 77.37 [New]), it is found that the powerline has a substantial adverse effect upon the safe and efficient utilization of navigable airspace; and it is hereby determined that this construction is a hazard to air navigation.

This determination is effective and will become final 30 days after the date of issuance unless an appeal is filed under § 77.39 [New] (27 F.R. 10352). If the appeal is denied, the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later.

Issued in Washington, D.C., on November 18, 1964.

GEORGE R. BORSARI,
Chief,
Obstruction Evaluation Branch.

[F.R. Doc. 64-12078; Filed, Nov. 25, 1964; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15700, 15710; FCC 64-1062]

JOHN CLARENCE COOK

Order Designating Applications for Consolidated Hearing on Stated Issues

In the matter of application for a license for a ship radio station on board the vessel "Marianne," filed by John Clarence Cook, Miami, Florida, Docket No. 15700; application for a restricted radiotelephone operator's permit filed by John Clarence Cook, Miami, Florida, Docket No. 15710.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 18th day of November 1964:

The Commission having under consideration the captioned applications; and

It appearing, that, in his application for a ship radio station license, filed on May 16, 1963, John Clarence Cook stated, in reply to a question on the application form, that he had not been convicted of any crime for which the penalty imposed was a fine of \$500.00 or more, or an imprisonment of six months or more; and

It further appearing, that, in reply to a subsequent specific inquiry of the Commission with respect to the above response, John Clarence Cook stated that he had been convicted of certain criminal offenses involving the imposition of such penalties; and

It further appearing, that, in his application for a restricted radiotelephone operator's permit, filed on June 26, 1963, John Clarence Cook, in reply to a question in the form, stated that he had been convicted of two criminal offenses; and

It further appearing, that the applicant has not satisfactorily explained discrepancies in his various statements regarding his criminal record; and

It further appearing, that these discrepancies and his criminal record raise serious questions as to whether John Clarence Cook possesses the character qualifications to be a licensee of the Commission; and

It further appearing, that, in view of the foregoing, the Commission is unable to find that the public interest, convenience, and necessity would be served by the grant of the captioned applications; and

It further appearing, that, except for the issues specified herein, the applicant is otherwise qualified.

It is ordered, That the application of John Clarence Cook for ship radio station license and his application for a restricted radiotelephone operator's permit are designated for hearing, in a consolidated proceeding, at a time and place to be specified in a subsequent order, on the following issues:

1. To determine the nature and extent of applicant's criminal record.

2. To determine whether the applicant misrepresented to the Commission any

information with respect to his criminal record.

3. To determine, in the light of the evidence adduced pursuant to issues 1 and 2, whether the applicant possesses the requisite character qualifications to be a licensee of the Commission.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the above-mentioned applications would serve the public interest, convenience, and necessity.

It is further ordered, That, pursuant to § 1.254 of the Commission's rules, the burden of proof on all issues shall be on the applicant; and

It is further ordered, That, in order to avail himself of an opportunity to be heard, the applicant in person or by attorney, pursuant to § 1.221 of the Commission's rules, shall within twenty days of the mailing of the Order, file with the Commission, in triplicate, a written appearance of intention to appear on the date fixed for the hearing and present evidence on the issues specified in the Order.

Released: November 23, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-12116; Filed, Nov. 25, 1964;
8:49 a.m.]

[Docket Nos. 15701, 15702; FCC 64M-1166]

SOUTHERN NEWSPAPERS, INC., AND RADIO HOT SPRINGS CO.

Order Scheduling Hearing

In re applications of Southern Newspapers, Inc., Hot Springs, Arkansas, Docket No. 15701, File No. BPH-3984; C. J. Dickson, Guy R. Beckham and James M. Alexander d/b as Radio Hot Springs Company, Hot Springs, Arkansas, Docket No. 15702, File No. BPH-4124; for construction permits.

It is ordered, This 23d day of November 1964, that Elizabeth C. Smith shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10:00 a.m. on January 25, 1965; and that a prehearing conference shall be convened at 9:00 a.m. on December 23, 1964: *And it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: November 23, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-12117; Filed, Nov. 25, 1964;
8:49 a.m.]

[Docket Nos. 15703, 15704; FCC 64M-1167]

WTWV RADIO AND PROGRESSIVE BROADCASTING CO.

Order Scheduling Hearing

In re applications of Frank K. Spain tr/as WTWV Radio, Tupelo, Mississippi,

Docket No. 15703, File No. BP-15527; James D. Anderson and Frank F. Hinton d/b as The Progressive Broadcasting Company, Corinth, Mississippi, Docket No. 15704, File No. BP-15528; for construction permits.

It is ordered, This 23d day of November 1964, that David I. Kraushaar shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10:00 a.m. on January 18, 1965; and that a prehearing conference shall be convened at 9:00 a.m. on December 21, 1964: *And it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: November 23, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-12118; Filed, Nov. 25, 1964;
8:49 a.m.]

[Docket Nos. 15705-15707; FCC 64M-1168]

CHARLES VANDA ET AL.

Order Scheduling Hearing

In re applications of Charles Vanda, Henderson, Nevada, Docket No. 15705, File No. BPCT-3315; Sovereign Television Corporation, Henderson, Nevada, Docket No. 15706, File No. BPCT-3323; Boulder City Television, Inc., Boulder City, Nevada, Docket No. 15707, File No. BPCT-3327; for construction permit for new television broadcast station (Channel 4).

It is ordered, This 23d day of November 1964, that H. Gifford Irion shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10:00 a.m. on February 1, 1965; and that a prehearing conference shall be convened at 10:00 a.m. on December 28, 1964: *And it is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: November 23, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-12119; Filed, Nov. 25, 1964;
8:49 a.m.]

FEDERAL MARITIME COMMISSION

INDEPENDENT OCEAN FREIGHT FORWARDER APPLICATIONS

Notice of Revision

Notice is hereby given of changes in the following applications for independent ocean freight forwarder licenses issued pursuant to section 44, Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

GRANDFATHER APPLICANTS

Joan Berns, No. 557, 2 West 31st Street, Room 601, New York, N.Y., 10001; withdrawn November 10, 1964.

Eugenio Vial, No. 924, Avenida Nueva, Nos Leonos 0281, Santiago, Chile; revoked November 5, 1964.

Eduardo Salazar, No. 843, 276 Fifth Avenue, New York, N.Y.; revoked November 4, 1964.

Notice is hereby given that the following applicant has filed with the Federal Maritime Commission, an application for a license as an independent ocean freight forwarder, pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why this applicant should not receive a license are requested to communicate with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., 20573. Protests received within 60 days from the date of publication of this notice in the FEDERAL REGISTER will be considered.

NEW APPLICANTS

Adelino J. Vazquez (Late), 77 Ferry Street, Newark, N.J.; Adelino J. Vazquez, owner.

CHANGE OF ADDRESS

D. V. Arguimbau & Co., Inc., 16 Bridge Street, Room 702, New York, N.Y., 10004.

Fairview Forwarders, Inc., 513 Napoleon Avenue, New Orleans, La., Telephone No. 897-0924.

Freedman & Slater, Inc., 11 Broadway, New York, N.Y., 10004.

Notice is hereby given that the following licensed independent ocean freight forwarders are affiliated.

American Union Transport, Inc., 17 Battery Place, No. 560, New York, N.Y., 10004.

American Union Transport (Illinois), Inc., 17 Battery Place, No. 301, New York, N.Y., 10004.

Roepeke & Otto, Inc., 17 Battery Place, No. 203, New York, N.Y., 10004.

A. S. Wilson Corporation, 17 Battery Place, No. 475, New York, N.Y., 10004.

Adolf Blum & Popper, Inc., 17 Battery Place, No. 448, New York, N.Y.

Merchant's Forwarders, Inc., 17 Battery Place, No. 246, New York, N.Y.

Dated: November 23, 1964.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-12106; Filed, Nov. 25, 1964;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-7978 etc.]

BURNT HOUSE OIL & GAS CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates ¹

NOVEMBER 17, 1964.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective

applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 14, 1964.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or

petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
G-7978 E 11-9-64	Burnt House Oil & Gas Co. (successor to McCall Drilling Co., Inc.)	Hope Natural Gas Co., Clay District, Ritchie County, W. Va.	20.0	15.325
G-18235 C 11-9-64	Cities Service Oil Co.	Transwestern Pipeline Co., West Fieldman Field, Hemphill County, Tex.	17.0	14.65
G-18402 C 11-10-64	Shell Oil Co.	Transcontinental Gas Pipe Line Corp., Eugene Island Area Block 100 Field, Offshore of St. Mary Parish, La.	18.5	15.025
CI60-175 C 11-6-64	Pubco Petroleum Corp. (Operator), et al.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.234281	15.025
CI61-192 C 11-9-64	Phillips Petroleum Co.	Texas Eastern Transmission Corp., Hico-Knowles Field, Lincoln Parish, La.	15.8007	15.025
CI62-1534 A 6-22-62 10-28-64 ²	Shell Oil Co.	El Paso Natural Gas Co., Mocane Field, Beaver County, Okla.	17.0	14.65
CI64-175 C 11-6-64	Pan American Petroleum Corp.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI64-1250 C 11-10-64	Paul F. Starr, agent for L & N Oil Co.	Hope Natural Gas Co., Washington District, Calhoun County, W. Va.	25.0	15.325
CI64-1498 C 11-6-64 D 11-6-64 ³	California Oil Co., Western Division.	Kansas-Nebraska Natural Gas Co., Inc., Cooper Reservoir, Lost Cabin and Waltman Fields, Fremont and Natrona Counties, Wyo.	15.0	14.65
CI65-429 B 10-30-64	Nabob Production Co. (Operator), et al.	Transwestern Pipeline Co., Hugoton Gas Field, Sherman County, Tex.	Depleted	-----
CI65-430 F 11-2-64	Rincon Oil & Gas Corp. (successor to Mike Abraham)	El Paso Natural Gas Co., Pictured Cliffs Field, Rio Arriba County, N. Mex.	12.0495	15.025
CI65-431 B 11-2-64	General American Oil Co. of Texas.	Ashland Oil & Refining Co., acreage in Union Parish, La.	(⁴)	-----
CI65-432 A 11-6-64	Sunray DX Oil Co.	Texas Eastern Transmission Corp., Dial Field, Goliad County, Tex.	12.0	14.65
CI65-433 A 11-9-64	J. M. Huber Corp.	Panhandle Eastern Pipe Line Co., South Tegarden Field, Woods County, Okla.	⁵ 17.37 ⁶ 17.25	14.65 14.65
CI65-434 A 11-9-64	Thomas E. Berry	Panhandle Eastern Pipe Line Co., Acreage in Beaver County, Okla.	17.0	14.65
CI65-435 A 11-9-64	Charles Bury	Hope Natural Gas Co., Warren District, Upshur County, W. Va.	25.0	15.325
CI65-436 A 11-9-64	Texaco Inc.	El Paso Natural Gas Co., Various Fields, Lea County, N. Mex.	15.5	14.65
CI65-437 A 11-9-64	E. L. Fundingsland	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	13.0	15.025
CI65-438 A 11-9-64	Socony Mobile Oil Co., Inc.	Natural Gas Pipeline Co. of America, Northwest Quinlin Field, Woodward County, Okla.	17.0	14.65
CI65-439 A 11-5-64	W. W. F. Oil Corp. (Operator), et al.	United Fuel Gas Co., St. Paul Bayou Field, Terrebonne Parish, La.	17.5	15.025
CI65-440 A 11-5-64	Phillips Petroleum Co.	Hope Natural Gas Co., Burns Chapel Unit Area, Monongalia and Preston Counties, W. Va.	28.0	15.325
CI65-441 A 11-6-64	Ashland Oil & Refining Co.	Natural Gas Pipeline Co. of America, acreage in Dewey County, Okla.	17.0	14.65
CI65-442 F 11-9-64	Rincon Oil & Gas Corp. (successor to Mike Abraham).	El Paso Natural Gas Co., Pictured Cliffs and Mesa Verde Fields, Rio Arriba County, N. Mex.	⁷ 11.0 ⁸ 12.0	15.025 15.025
CI65-443 A 11-9-64	White Sands Oil and Gas Corp.	El Paso Natural Gas Co., Kulcher Kutz Field, San Juan County, N. Mex.	13.0	15.025
CI65-444 A 11-10-64	Rutter and Company, Ltd., et al.	El Paso Natural Gas Co., Spraberry Trend Area Field, Glasscock County, Tex.	16.96	14.65
CI65-445 A 11-10-64	W. B. Fleming Well No. 1.	Hope Natural Gas Co., McClellan District, Doddridge County, W. Va.	25.0	15.325
CI65-446 F 11-9-64	Rutter and Wilbanks Corp. (successor to Clovis G. Chappell).	El Paso Natural Gas Co., Spraberry Trend Area Field, Upton County, Tex.	11.0	14.65
CI65-447 B 11-10-64	Carroll T. Payne, et al.	Hope Natural Gas Co., Grant District, Harrison County, W. Va.	Uneconomical	-----
CI65-448 A 11-10-64	E. C. Meredith, et al.	Hope Natural Gas Co., Murphy District, Ritchie County, W. Va.	25.0	15.325
CI65-449 A 11-10-64	H. E. Acker, et al.	Hope Natural Gas Co., Freemans Creek District, Lewis County, W. Va.	25.0	15.325
CI65-450 A 11-10-64	P. P. Gunn, et al.	Hope Natural Gas Co., Lee District, Calhoun County, W. Va.	25.0	15.325

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
CI65-451- A 11-10-64	M. & R. Producing Co.	Hope Natural Gas Co., Spencer District, Roane County, W. Va.	25.0	15.325
CI65-452- A 11-12-64	Fred Attaya	Texas Eastern Transmission Corp., Altair Field, Colorado County, Tex.	12.0	14.65
CI65-453- A 11-12-64	The Atlantic Refining Co.	Northern Natural Gas Co., Ozona Field, Crockett County, Tex.	16.0	14.65
CI65-454- A 11-12-64	Skelly Oil Co.	Panhandle Eastern Pipe Line Co., acreage in Seward County, Kans.	16.0	14.65
CI65-455- B 11-12-64	Champlin Petroleum Co. (formerly Champlin Oil & Refining Co.).	Arkansas Louisiana Gas Co., Gladys Woy Unit, Garfield County, Okla.	Depleted	-----
CI65-456- A 11-12-64	McCall Drilling Co., Inc.	Hope Natural Gas Co., Sherman District, Calhoun County, W. Va.	25.0	15.325
CI65-457- A 11-12-64	Robert Gill Oil and Gas Partnership.	Hope Natural Gas Co., Murphy District, Ritchie County, W. Va.	25.0	15.325
CI65-458- A 11-12-64	Cunningham Oil & Gas Co.	-----do-----	25.0	15.325
CI65-459- A 11-12-64	Dewey Harris, et al.	Hope Natural Gas Co., Warren District, Upshur County, W. Va.	25.0	15.325

¹ Includes .234281 cent per Mcf tax reimbursement.

² By letter filed Oct. 28, 1964 Applicant agreed to accept permanent certificate under the same terms and conditions contained in Opinion Nos. 390 and 390-A.

³ Deletes nonproductive acreage.

⁴ Assignment of gas purchase contract to purchaser.

⁵ For gas produced from Piper Unit.

⁶ For gas produced from Loshbough Unit.

⁷ Production from formations down to and including the Pictured Cliffs formation.

⁸ Production from formations below the Pictured Cliffs formation.

[F.R. Doc. 64-11955; Filed, Nov. 25, 1964; 8:45 a.m.]

[Docket No. CP63-351]

MONTANA-DAKOTA UTILITIES CO.

Notice of Application and Date of Hearing

NOVEMBER 18, 1964.

Take notice that on June 24, 1963, Montana-Dakota Utilities Co. (Montana-Dakota), a Delaware corporation with its principal place of business in Minneapolis, Minn., filed an application in Docket No. CP63-351, pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing it to construct and operate the facilities hereinafter described, all as more fully described in the application on file with the Commission and open to public inspection.

Montana-Dakota proposes to construct and operate the following facilities:

1. A natural gas lateral transmission line consisting of approximately 1.4 miles of 4½-inch O.D. pipe extending from the existing Marmarth to Bowman, North Dakota 6½-inch O.D. transmission main to the Kermac Nuclear Fuels Corporation mill located in the NW¼ of Section 34, T 132 N, R 103 W, Bowman County, North Dakota.

2. A measuring and regulating station at the terminus of the proposed lateral gas transmission main.

Montana-Dakota shows by its application that the proposed facilities are for the purpose of providing natural gas service to the Kermac Nuclear Fuels Corp. Plant near Bowman, North Dakota. Service is to begin August 1, 1963. Montana-Dakota has requested temporary authority to proceed with construction pending final determination of this application and on July 31, 1963, the request was granted by the Commission.

The estimated cost of the facilities is \$19,900, which will be financed through internally generated funds.

This matter is one that should be disposed of as promptly as possible under

the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 11, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-12080; Filed, Nov. 25, 1964; 8:46 a.m.]

[Docket No. CP65-98]

SOUTHERN NATURAL GAS CO.

Notice of Application

NOVEMBER 19, 1964.

Take notice that on October 12, 1964, Southern Natural Gas Co. (Applicant), Watts Building, Birmingham, Ala., filed in Docket No. CP65-98 an application pursuant to section 7(c) of the Natural

Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities near Ragland, St. Clair County, Ala., all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to construct and operate a line tap, measuring station, and 0.284 mile of 4½-inch tap line, all for the purpose of making deliveries of natural gas to a new plant of Cement Asbestos Products Co., being constructed near Ragland, Alabama. Estimated annual and peak day requirements are 162,000 Mcf and 862 Mcf respectively. All deliveries are to be on an interruptible basis.

Total estimated cost to Applicant is \$22,560, and will be defrayed with internal funds.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 13, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-12081; Filed, Nov. 25, 1964; 8:46 a.m.]

[Docket No. CP64-4]

TENNESSEE GAS TRANSMISSION CO.

Notice of Application

NOVEMBER 18, 1964.

Take notice that on July 5, 1963, Tennessee Gas Transmission Co. (Applicant), Tennessee Building, Houston, Tex., filed in Docket No. CP64-4, an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity, authorizing the exchange of natural gas with McWood Corporation (McWood) at points on Applicant's lateral transmission lines in Southwestern Louisiana, and the operation and maintenance of me-

tering facilities (to be constructed by McWood) for the delivery and return of said natural gas to McWood, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to take 1,500 Mcf of natural gas daily produced by McWood from the Creole Field in Cameron Parish, La., and deliver an equivalent volume to McWood at a point on its lateral transmission line (16-inch South Louisiana Bayou Sale Line) in Jefferson Davis Parish, La. Applicant will receive \$490 per month for rendering the proposed service.

The Commission on August 2, 1963, issued Applicant a temporary certificate authorizing the proposed facilities and service.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 11, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-12082; Filed, Nov. 25, 1964;
8:46 a.m.]

[Docket No. CP65-103]

TRANSWESTERN PIPELINE CO.

Notice of Application

NOVEMBER 18, 1964.

Take notice that on October 15, 1964, Transwestern Pipeline Co. (Applicant), First City National Bank Building, Houston, Tex., filed in Docket No. CP65-103 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the acquisition and operation of certain minor gas facilities which were installed by producers in Texas, Kansas, and Oklahoma, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it has agreed to acquire these facilities through which gas is already being received by Applicant. No additional sales or purchases of gas are contemplated or proposed herein. The facilities to be acquired include small diameter gathering lines, dehydrators, metering and related facilities connecting wells of the producers to Applicant's system. The application indicates that none of the facilities involved will increase its mainline capacity.

The original cost of the facilities to be acquired was \$138,740.51. Applicant will pay the original cost less depreciation. Said costs will be financed from funds available from company operations.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 15, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-12083; Filed, Nov. 25, 1964;
8:46 a.m.]

[Docket No. CP65-112]

TRANSWESTERN PIPELINE CO.

Notice of Application

NOVEMBER 19, 1964.

Take notice that on October 26, 1964, Transwestern Pipeline Co. (Applicant), Post Office Box 1502, Houston, Tex., 77001, filed in Docket No. CP65-112 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to continue the operation of facilities and the sale of natural gas until September 30, 1966, to Pioneer Natural Gas Co., in Parmer County, Tex., which said operations and sale were first authorized by a temporary order of the Commission in Docket No. CP63-19 on June 24, 1962, all as more fully set forth

in the application in this proceeding on file with the Commission and open to public inspection.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 11, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-12084; Filed, Nov. 25, 1964;
8:46 a.m.]

[Docket Nos. RI65-300, etc.]

HARPER OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

NOVEMBER 17, 1964.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are

¹ Does not consolidate for hearing or dispose of the several matters herein.

suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended sup-

plements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington,

D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 2, 1965.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplemental No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI65-300...	Harper Oil Co., et al., 904 Hightower Building, Oklahoma City, Okla., 73102.	7	1	Northern Natural Gas Co. (Six Mile Pool, Beaver County, Okla.) (Panhandle Area).	\$2,295	10-19-64	2 11-19-64	4-19-65	6 16.656	3 4 8 17.767	
RI65-301...	Frederick C. Hamilton and Ferris F. Hamilton d.b.a. Hamilton Brothers, Ltd., 1517 Denver Club Building, Denver 2, Colo.	13	4	Kansas-Nebraska Natural Gas Co., Inc. (Camrick Field, Texas County, Okla.) (Panhandle Area.)	600	10-21-64	2 11-21-64	4-21-65	7 8 17.4	3 4 7 8 17.6	RI64-284.
RI65-302...	C. T. Palmer, et al., Post Office Box 245, Shamrock, Tex.	3	1	Panhandle Eastern Pipe Line Co. (Hugoton Field, Seward, Morton, and Stevens Counties, Kans.)	1,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-303...	Mildred McCutchen, 219 East "J" Street, Ontario, Calif.	9	1	do	1,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-304...	Mahaska Gas Co., Inc., Iowa Trust and Savings Building, Oskaloosa, Iowa.	4	1	do	3,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-305...	J. J. Weigel, et al., 1502 First Avenue, Dodge City, Kans.	7	1	do	1,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-306...	J. F. Hamilton Trust Estate, c/o Adams, Jones, Robinson, and Manka, 202 West First Street, Wichita, Kans., 67202.	1	1	do	1,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-307...	Howard H. Sidwell, 722 Midland Savings Building, Denver, Colo.	20	1	do	6,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-308...	Donald W. Sidwell, et al., 514 Johnson Building, Denver 2, Colo.	20	1	do	6,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-309...	Walter L. Sidwell, Jr., et al., 301 Park, Winfield, Kans.	20	1	do	6,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-310...	Walter F. Kuhn, et al., 726 Union Center Building, Wichita 2, Kans.	42	2	do	2,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-311...	Mark H. Adams, 503 Colorado-Derby Building, Wichita, Kans.	14	1	do	4,500	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-312...	Warren W. Spikes, et al., Hugoton, Kans.	1	1	do	800	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-313...	The Stevens County Oil & Gas Co., Suite B, Lower Level, Colorado-Derby Building, Wichita, Kans.	26	1	do	7,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-314...	Gas, Inc., Suite B, Lower Level, Colorado-Derby Building, Wichita, Kans.	1	2	do	6,000	10-21-64	10 1-21-65	6-21-65	11.0	3 4 12.0	
RI65-315...	Glen A. Martin, et al., National Bank of Commerce Building, San Antonio, Tex.	2	3	South Texas Natural Gas Gathering Co. (Glen Martin Field, Webb County, Tex.) (R.R. District No. 4).	11,761	10-19-64	10 12- 1-64	5- 1-65	12 15.0	4 11 16.0	
RI65-316...	Livingston Oil Co., 9 East Fourth Street, Post Office Box 1797, Tulsa, Okla.	12	5	Tennessee Gas Transmission Co. (Northeast Loreno Field, Zapata County, Tex.) (R.R. District No. 4).	4,069	10-20-64	10 11-20-64	4-20-65	7 13 16.5	3 4 7 18.0	
RI65-317...	Shell Oil Co., 50 West 50th Street, New York 20, N.Y. Attn: Mr. F. C. Sweat.	262	1	Tennessee Gas Transmission Co. (LeBlanc Field, Allen Parish, La.) (South Louisiana).	1,095	10-23-64	10 11-23-64	4-23-65	7 13 15 20.8	3 7 14 15 21.8	
RI65-318...	R. M. Ross, Ross Building, Hattiesburg, Miss.	1	2	United Gas Pipe Line Co. (Maxie-Pistol Ridge Area, Forrest, Lamar, and Pearl River Counties, Miss.).	(16)	10-22-64	2 11-22-64	4-22-65	19 20.0	14 17 18 24.0	
RI65-319...	Texas American Oil Corp. (Operator), et al., c/o Lynch & Chappell, 201 Wall Building, Midland, Tex.	1	1	El Paso Natural Gas Co. (Sonora Gas Field, Sutton County, Tex.) (R.R. District 7-C) (Permian Basin Area).	1,938	10-21-64	2 11-21-64	4-21-65	13 15.6488	3 4 16.6584	

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplemental No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI65-320...	Alexander G. Kaspar and Frank Kell Cahoon (Operator), et al., c/o Lynch & Chappell, 201 Wall Building, Midland, Tex.	1	4	Transwestern Pipeline Co. (Worsham Field, Reeves County, Tex.) (R.R. District No. 8) (Permian Basin Area).	960	10-21-64	11-21-64	4-21-65	13 16.0	3 17.0	

² The stated effective date is the first day after expiration of the required statutory notice.

³ Periodic rate increase.

⁴ Pressure base is 14.65 p.s.i.a.

⁵ Includes base rate of 16.0 cents per Mcf plus upward B.t.u. adjustment (base rate subject to upward and downward B.t.u. adjustment).

⁶ Includes base rate of 15.0 cents per Mcf plus upward B.t.u. adjustment (base rate subject to upward and downward B.t.u. adjustment).

⁷ Subject to a downward B.t.u. adjustment.

⁸ Rate is subject to 1.75 cents per Mcf deduction by buyer for compression of gas produced from the Curtis Ross No. 1 Well.

⁹ Applicable to production from surface to base of Chase Group of Permian Series.

¹⁰ The stated effective date is the effective date requested by Respondent.

¹¹ Producer filing from certificated rate to initial contract rate.

¹² Initial rate permanently certificated in Opinion No. 362.

¹³ Initial rate.

¹⁴ Pressure base is 15.025 p.s.i.a.

¹⁵ Includes applicable tax reimbursement.

¹⁶ Producer's submittals and records do not show volume of gas produced. Producer states his annual production is less than 250,000 Mcf which would amount to about \$10,000 annual increase.

¹⁷ Redetermined rate increase.

¹⁸ Includes 1.0 cent per Mcf tax reimbursement.

¹⁹ Exclusive of taxes.

Harper Oil Co., et al., request that their proposed rate increase be permitted to become effective "immediately." Frederick C. Hamilton and Ferris F. Hamilton, d.b.a. Hamilton Brothers, Ltd., request an effective date of November 1, 1964, for their rate filing. R. M. Ross requests a retroactive effective date of November 24, 1959, for his proposed rate increase; Texas American Oil Corp. (Operator), et al., and Alexander G. Kasper and Frank Kell Cahoon (Operator), et al., request waiver of notice to make their proposed rate increases effective as of October 21, 1964. Good cause has not been shown for waiving the 30-day notice requirement provided in Section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Glen A. Martin, et al., (Martin) proposes a change in rate from an initial rate permanently certificated by the Commission's orders in Opinion No. 362, issued August 30, 1962, Skelly Oil Co., et al., Docket Nos. G-18639, et al., to the higher initial rate provided for in the contract involved. A 1.0 cent per Mcf periodic escalation increase to 17.0 cents per Mcf is also due under Martin's rate schedule, to be effective as of December 1, 1964, but Martin has not applied for such increase. The proposed rate exceeds the area initial and increased ceiling level and should be suspended. The proposed rate does not establish a new plateau for increased rates nor does it in itself trigger rates in the area affected.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, Sec. 2.56.)

Part 2, Section 2.56].

[F.R. Doc. 64-11956; Filed, Nov. 25, 1964; 8:45 a.m.]

[Docket No. CP65-119]

UNITED GAS PIPE LINE CO.

Notice of Application

NOVEMBER 19, 1964.

Take notice that on November 3, 1964, United Gas Pipe Line Co. (Applicant), 1525 Fairfield Avenue, Shreveport, La., filed in Docket No. CP65-119 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant during the three years commencing January 1, 1965, to construct and operate natural gas pipeline facilities and compression facilities for the testing and development of underground

reservoirs for the storage of natural gas located near the route of Applicant's pipeline system in the States of Alabama, Florida, Louisiana, Mississippi, and Texas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant agrees in this "budget-type" application (1) that the volume of natural gas to be injected into the prospective storage fields will not exceed a total of 10,000,000 Mcf with not more than 2,000,000 Mcf being injected into any single reservoir; (2) that the gas will be injected for testing purposes only during off-peak periods; (3) that with the exception of occasionally withdrawing gas for testing purposes any storage field developed pursuant to authorization received in this docket will not be utilized to render service without further authorization of the Commission; (4) the total expenditure for the three-year period will not exceed \$3,000,000 with not more than \$1,000,000 being spent for any one-year period, and (5) the cost of the project will be charged to Account No. 822 of Part 201, Underground Storage Exploration and Development Expenses, if such project is ultimately determined to be infeasible for storage purposes.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 16, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-12085; Filed, Nov. 25, 1964; 8:46 a.m.]

[Docket No. G-16602 etc.]

UNION OIL COMPANY OF CALIFORNIA

Order Conditionally Approving Offer of Settlement, Severing and Terminating Proceedings, and Prescribing Refunds

NOVEMBER 18, 1964.

Union Oil Company of California, Docket Nos. G-16602, G-17673, G-17682, G-17705, G-19609, G-20287, RI61-80, RI62-43, RI63-117 and RI64-238.

On September 23, 1964, Union Oil Company of California (Union) submitted an offer of settlement¹ in the above-captioned proceedings seeking to resolve the dispute with its pipeline purchaser² as to the amount of Louisiana gas severance tax reimbursement contractually authorized for the jurisdictional sale involved. Each of the suspension proceedings involve the question of the amount of tax reimbursement to which Union is entitled under its contracts. In the offer of settlement, Union proposes to refund the amount of money collected in excess of the amount considered contractually authorized by the purchaser, together with interest at the rate of 6 percent per annum.

¹ The offer of settlement is contained in separate motions in Docket Nos. G-17673, G-17682, G-17705 and G-20287 seeking approval of refunds, termination of the proceeding and other relief, together with an agreement with the purchaser setting the proper amount of tax reimbursement.

² The purchasers are as follows: Tennessee Gas Transmission Company in Docket No. G-17673; United Fuel Gas Company in Docket No. G-17682; Texas Gas Transmission Corporation in Docket No. G-17705; and Trunkline Gas Company in Docket No. G-20287.

The pertinent aspects of Union's offers of settlement are as follows:

Docket No.	Rate schedule	Supplement No.	Questionable tax reimbursement	Settlement tax reimbursement	Settlement refund period	Approximate refund exclusive of interest
			Cents	Cents		
G-17673	7	5	1.75	1.5	Jan. 30, 1959 to Apr. 1, 1963	\$6,850
G-17682 et al.	12	4	1.75	1.5	Dec. 1, 1958 to date ¹	30,600
G-17705 ²	13	4	1.875	1.75	Dec. 1, 1958 to date ¹	166,550
G-20287	40	1	2.05	1.8	Dec. 29, 1959 to date ¹	72,400

¹ Date of issuance of this order.

² Docket No. G-17705 has been consolidated in the South Louisiana Area Rate Proceeding, Docket Nos. AR61-2, et al.

Under its FPC Gas Rate Schedule No. 12, Union has also filed for increased rates which reflect increases in the base rate and include the questionable 1.75 cents per Mcf tax reimbursement. These rates have been placed in effect subject to refund in Docket Nos. G-16602, G-19609, RI61-80, RI62-43, RI63-117 and RI64-238. Union is now proposing to reduce only the tax reimbursement component of these increased rates. Accordingly, we desire to make it clear that our approval of the instant settlement and the refunds relating thereto is without prejudice to the Commission's determination of the justness and reasonableness of the increased rates involved in these proceedings, together with any refund obligations relating thereto.

By order of the Commission issued December 23, 1959 in Docket No. G-20287, Union's FPC Gas Rate Schedule No. 40 and Supplement No. 1 thereto were conditionally accepted for filing subject to rejection thereof if it were determined after hearing that the tax reimbursement component was inconsistent with the contract tax reimbursement provisions. In view of our approval of the settlement proposal, we shall terminate the condition of the acceptance of Supplement No. 1 to Union's FPC Gas Rate Schedule No. 40 imposed in Docket No. G-20287.

In accordance with our action in the recent Humble Oil & Refining Company settlement³ proceedings we shall require Union to retain the amounts of refund ordered herein until further order directing the nature of their disposition 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 Union (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 Union (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.

Union may elect at its option to either use these funds in its business and pay 6 percent interest thereon or to deposit such funds in a special escrow account.

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

The Commission finds: The proposed settlement of the above-captioned proceedings on the basis described herein, as more fully set forth in the offer of settlement filed with the Commission by Union on September 23, 1964, is in the public interest and appropriate to carry out the provisions of the Natural Gas Act and should be approved and made effective as hereinafter ordered.

The Commission orders:

(A) The settlement of these proceedings on the basis of the settlement proposal as herein conditioned, filed by Union on September 23, 1964, is approved and made effective subject to the terms and conditions herein.

(B) Union shall file within 30 days of the issuance of this order a notice of change in rate to its Rate Schedule No. 7 reflecting a tax reimbursement rate of 1.5 cents per Mcf for the period from January 30, 1959 to April 1, 1963.

(C) Union shall file within 30 days of the issuance of this order a notice of change in rate to its Rate Schedule No. 12 reflecting a tax reimbursement rate of 1.5 cents per Mcf. Such notice of change shall be effective as of the date of this order, subject to further refund in Docket No. RI64-238.

(D) Union shall file notices of change in rates to its Rate Schedule Nos. 13 and 40 reflecting tax reimbursement rates of 1.75 cents per Mcf and 1.8 cents per Mcf, respectively, to be effective as of the date of this order.

(E) Union shall compute the difference between the rates collected subject

to refund in the above entitled proceedings and the related settlement rates in the above-entitled proceedings, together with interest at 6 percent per annum. Union 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), and the bases used for such determination and the periods covered.

(F) Union shall retain the amounts shown in the report required under paragraph (E) above, subject to further order of the Commission directing the disposition of those amounts.

(G) If Union 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 the date of this order, 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.

(H) If Union elects to deposit the retained refunds in a special escrow account, Union shall tender for filing within 45 days from the date of issuance of this order, an executed Escrow Agreement, conditioned as set out below accompanied by certificate showing service of a copy thereof upon each of its jurisdictional customers involved. 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 Union and any bank or trust company used as a depositor for funds of the United States Government and the agreement shall be conditioned as follows:

(1) Union, 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

³ Order issued July 8, 1964, in Docket Nos. G-9287, et al.

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.

(I) Upon full compliance by Union with all the terms and provisions of this order, the proceeding in Docket No. G-17705 shall be severed from the consolidated proceedings in Docket Nos. AR61-2, et al., and the proceedings in Docket Nos. G-17673, G-17682, G-17705 and G-20287 shall terminate.

(J) The acceptance by the Commission of Union's offer of settlement is without prejudice to any findings or determinations that may be made in any proceeding now pending, or hereafter instituted by or against Union, including area rate or other similar proceedings. The Commission's action herein is also without prejudice to the determination of the justness and reasonableness of the increased rates involved in Docket Nos. G-16602, G-19609, RI61-80, RI62-43, RI63-117, and RI64-238 and any further refund obligations relating thereto.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-12086; Filed, Nov. 25, 1964;
8:47 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regulation
(Temporary) No. F-1]

SECRETARY OF DEFENSE

Delegation of Authority, Communications Regulatory Proceeding, State of Washington

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, authority is hereby delegated to the Secretary of Defense, in accordance with sections 201(c) (4) and 205 (d) and (e) thereof, to represent the interests of the executive agencies of the Federal Government in the Matter of Petition for Declaratory Ruling by Cascade Telephone Company of North Bend, before the Washington Utilities and Transportation Commission.

2. The Secretary of Defense is hereby authorized to redelegate any of the authority contained herein to any officer, official, or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration,

and shall further be exercised in cooperation with the responsible officers, officials, and employees of the General Services Administration.

4. This delegation of authority shall be effective October 23, 1964.

Dated: November 19, 1964.

LAWSON B. KNOTT, JR.,
Acting Administrator
of General Services.

[F.R. Doc. 64-12154; Filed, Nov. 25, 1964;
8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1082]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 23, 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 67186. By order of November 19, 1964, The Transfer Board approved the transfer to Bonanza Trucking Company, a corporation, Craig, Colo., of Certificate in No. MC 112059, issued April 26, 1957, to Arlo Miller, doing business as M. & N. Truck Line, Afton, Wyo., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk or those requiring special equipment, and other specified commodities, between Salt Lake City, Utah, and Etna, Wyo., between Montpelier, Idaho, and Etna, Wyo., between Alpine, Wyo., and Geneva, Idaho, between Afton, Wyo., and Pocatello, Idaho, between Alpine, Wyo., and Salt Lake City, Utah, between Afton, Wyo., and Montpelier, Idaho, and between Afton, Wyo., and points within 15 miles of Afton; cement, from Devils Slide, Utah, to Afton, Wyo.; brick and tile, from Ammon, Idaho, to Geneva, Idaho; cheese, from Afton, Wyo., to Pocatello, Idaho; and such merchandise as is dealt in by retail grocery business houses, from Pocatello, Idaho, to Fairview, Wyo. Marion F. Jones, 526 Denham Building, Denver, Colo., 80222, attorney for applicants.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-12108; Filed, Nov. 25, 1964;
8:48 a.m.]

[S.O. 947; Rev. Taylor's Car Distribution Order 19]

READING CO. ET AL.

Shortage of Freight Cars

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by paragraph (5) (b) of Interstate Commerce Commission Service Order No. 947 (28 F.R. 12127, 29 F.R. 6014, and 9670).

I find that there exists a shortage of freight cars in certain areas because of inequitable distribution and, because of such emergency, notice and public procedure on this order would be impracticable and contrary to the public interest and this order shall be made effective upon less than 30 days' notice.

Therefore, it is ordered, That,

(a) The Reading Company shall deliver to the Western Maryland Railway Company a daily average of 25 plain serviceable box cars inside length less than 44'8".

(b) Cars received by the Western Maryland Railway Company under this order will be delivered to the Baltimore and Ohio Rail Road Company.

(c) Cars received by the Baltimore and Ohio Rail Road Company under this order shall be delivered to the Chicago and North Western Railway Company.

It is further ordered, That the Reading Company shall prepare empty car cards, tickets or movement slips for all cars delivered to the Western Maryland Railway Company. Such cards, tickets or slips to accompany cars and be delivered with cars to The Baltimore and Ohio Rail Road Company.

It is further ordered, That cars moving under the provisions of this order and so identified on cards, tickets or slips shall not be intercepted, appropriated or diverted by any carrier named in this order and must be moved promptly to the Chicago and North Western Railway Company.

(d) Effective date: This order shall become effective at 12:01 a.m. November 21, 1964.

(e) Expiration date: This order shall expire at 11:59 p.m. November 25, 1964 unless otherwise ordered.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as Agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 20, 1964.

INTERSTATE COMMERCE
COMMISSION,
CHARLES W. TAYLOR,
Agent.

[SEAL]

[F.R. Doc. 64-12109; Filed, Nov. 25, 1964;
8:48 a.m.]

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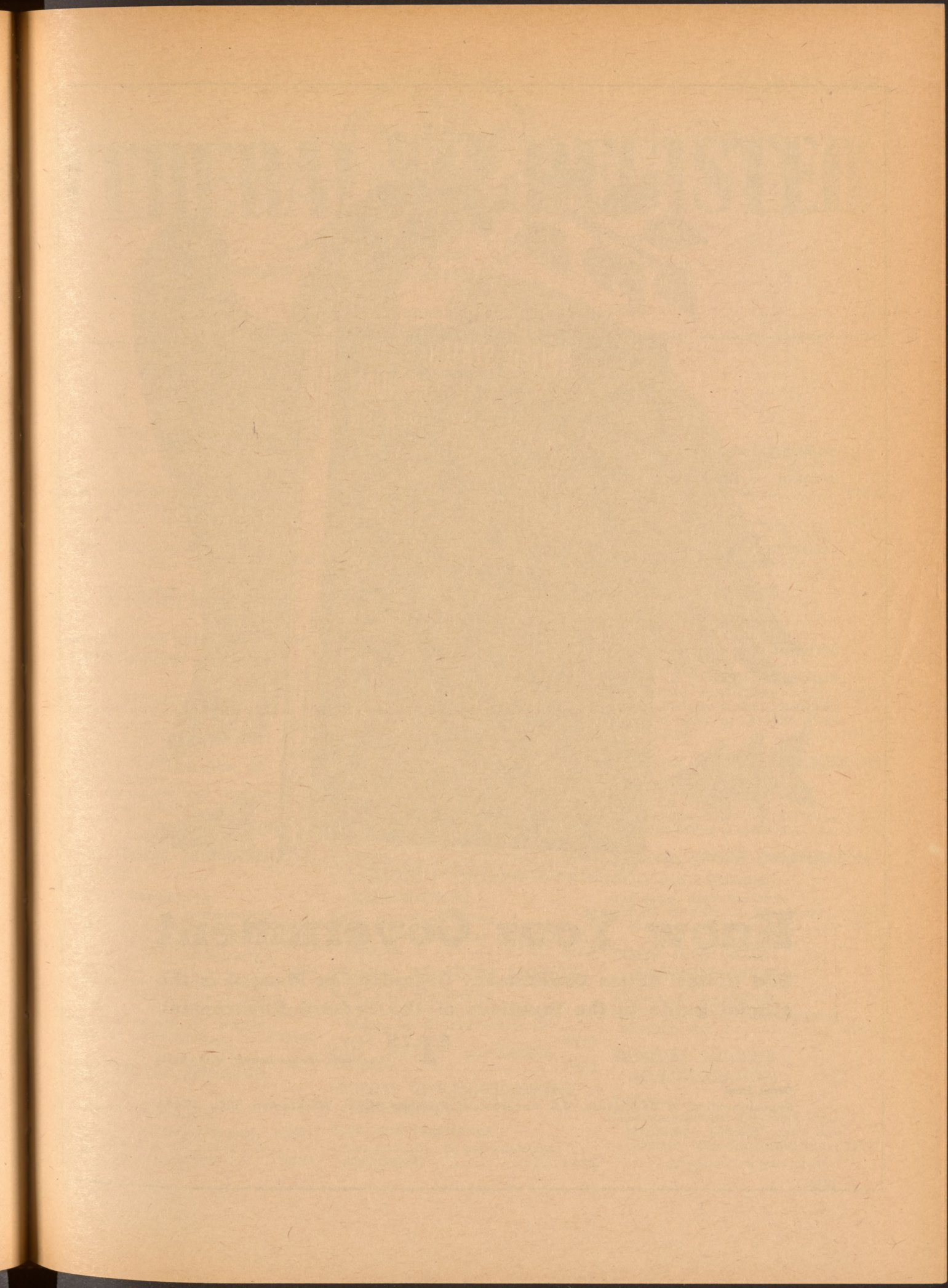
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