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(Part II begins on page 16649)

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Agricultural Stabilization and
Conservation Service
Agriculture Department
Air Force Department
Army Department
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Housing Administration
Federal Maritime Commission
Federal Trade Commission
Interagency Textile Administrative
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Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Effective on publication in the FEDERAL REGISTER, paragraph (v) of § 213.3102 having expired by its own terms, is revoked. Paragraph (w) of § 213.3102 is amended by omitting the clauses which expired by their own terms. Paragraph (w) now reads as follows:

§ 213.3102 Entire Executive Civil Service.

(v) [Revoked]

(w) Part-time or intermittent positions the duties of which involve laboring or other work of a routine nature when filled by students appointed in furtherance of the President's Youth Opportunity Back-to-School Drive and when the following conditions are met: (1) Appointees are enrolled in or accepted for enrollment in a resident secondary school or institution of higher learning, accredited by a recognized accrediting body; (2) employment does not exceed 16 hours in any calendar week; (3) while employed, appointees continue to maintain an acceptable school standing; (4) appointees need the earnings from the employment to continue in school; and (5) salaries are fixed by the agency head at a level commensurate with the duties assigned and the expected level of performance. Appointments under this authority may not extend beyond 1 year: *Provided*, That such appointments may be extended for additional periods of not to exceed 1 year each if the conditions for initial appointment are still met. An agency head may not appoint under this authority the son or daughter of a civilian employee of that agency or the son or daughter of a member of its uniformed service. A person may not be appointed under this authority unless he has reached his 16th but not his 22d birthday.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[F.R. Doc. 66-13921; Filed, Dec. 28, 1966; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Fruits and Vegetables

COLD TREATMENTS OF IMPORTED VINIFERA GRAPES AND CERTAIN OTHER FRUITS

Pursuant to the authority conferred by § 319.56-2 of the regulations (7 CFR 319.56-2) supplemental to the Fruit and Vegetable Quarantine (Notice of quarantine No. 56, 7 CFR 319.56), under sections 5 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 162), and section 106 of the Federal Plant Pest Act (7 U.S.C. 150ee), administrative instructions appearing as 7 CFR 319.56-2d are hereby revised to read as follows:

§ 319.56-2d Administrative instructions for cold treatments of imported Vinifera grapes and certain other fruits.

(a) *Treatments authorized.* The following cold treatments are authorized for imported Vinifera grapes and any other fresh fruits enterable under § 319.56-2 under permit and upon compliance with applicable regulations in this subpart:

(1) *Phases of treatments.* Authorized cold treatments shall consist of (i) precooling, during which the fruit shall be cooled until its pulp temperature is at or below a level designated in or under this paragraph and (ii) refrigeration, during which the fruit shall be held at or below this level for a number of days designated in or under this paragraph.

(2) *Refrigeration temperatures and periods.* (i) Fruit cold treated because of the Mediterranean fruit fly shall be refrigerated for one of the following periods at or below the respective temperature designated:

10 days—32° F.
11 days—33° F.
12 days—34° F.
14 days—35° F.
16 days—36° F.

(ii) Fruit cold treated because of fruit flies of the genus *Anastrepha* (other than *A. ludens* (Loew)) shall be refrigerated for one of the following periods at or below the respective temperature designated:

11 days—32° F.
13 days—33° F.
15 days—34° F.
17 days—35° F.

(iii) Fruit cold treated because of the Mexican fruit fly (*A. ludens* (Loew)) shall be refrigerated for one of the fol-

lowing periods at or below the respective temperature designated:

18 days—33° F.
20 days—34° F.
22 days—35° F.

Refrigeration temperatures and periods for fruit to be cold treated because of other species of fruit flies may be designated by the Director of the Plant Quarantine Division, if experimental data are available concerning applicable treatments of known effectiveness.

(b) *Place and manner of treatments.* (1) *Places of precooling and refrigeration.* Refrigeration may be conducted while the fruit is on shipboard in transit to the United States. If not so refrigerated, the fruit shall be both precooled and refrigerated after arrival only in cold storage warehouses approved by the Director of the Plant Quarantine Division and located at the port of New York or such other northern ports as he may hereafter designate. Fruit which is to be refrigerated in transit shall be pre-cooled either at a dockside refrigeration plant prior to loading aboard the carrying vessel, or aboard the carrying vessel. Refrigeration shall be completed in the compartment or room in which it is begun.

(2) *Precooling of fruit before departure.* Fruit which is to be refrigerated in transit must be precooled to the temperature designated in or under paragraph (a) of this section. The precooling may be conducted in accordance with either subdivision (i) or (ii) of this subparagraph:

(i) Fruit may be precooled at a dockside refrigeration plant prior to loading aboard the carrying vessel. Such fruit shall be precooled to a temperature at which it can be transferred to the refrigerated compartments on such vessel without a rise above the maximum temperature prescribed in or under paragraph (a) of this section. A responsible official of the Department of Agriculture of the country of origin shall sample fruit temperatures in all sections of the lot of fruit until he is satisfied that complete precooling has been accomplished in accordance with this section and shall issue a certificate to that effect. As the loading proceeds the certifying official shall take frequent temperature readings of individual boxes of fruit. A record of such temperature readings shall accompany the certificate.

(ii) Fruit may be precooled aboard the carrying vessel. Such fruit shall be pre-cooled in the same refrigerated compartments in which it is to be refrigerated. The boxes of the fruit shall be spaced by horizontal wooden strips, so that each has at least 1 inch of clearance above and below to allow free circulation of the cooling air. At least 2 inches of clear-

ance shall be allowed between stacks of the fruit. Carriers desiring consideration of alternate spacing arrangements may apply to the Plant Quarantine Division.

(3) *Refrigeration in transit.* (i) Refrigeration in transit shall consist of holding the fruit temperature at or below the maximum temperature level for the number of days prescribed in or under paragraph (a) of this section. A continuous, automatic temperature record under lock shall be maintained from at least four locations to be designated in each refrigerated compartment by an inspector of the Plant Quarantine Division. In large refrigerated compartments additional temperature elements may be required. Charts from the temperature recording apparatus shall be made readily available to an inspector of such Division at the port of arrival.

(ii) Refrigeration shall begin when the loading of precooled fruit has been completed or when precooling aboard the vessel has been completed. Refrigeration shall continue until the vessel arrives at the port of destination and the fruit is released for unloading by an inspector of the Plant Quarantine Division, even though this may prolong the refrigeration beyond the required period. At least once during every 24-hour period, the responsible ship's officer shall sign the temperature chart, noting thereon the date and time.

(4) *Safeguarding untreated fruit.* Whenever fruit is offered for entry as cold treated in transit and it cannot be established to the satisfaction of such inspector that the fruit has received the required cold treatment, such safeguards against the spread of fruitfly infestation as the inspector may prescribe shall be immediately applied.

(5) *Cold treatment after arrival.* (i) Fruit to be both precooled and refrigerated after arrival in the United States shall be delivered under the supervision of an inspector of the Plant Quarantine Division to the approved cold storage warehouse where such treatment is to be conducted.

(ii) The fruit must arrive at a temperature sufficiently low to prevent insect activity and shall be promptly precooled and refrigerated. An automatic, continuous temperature record is required of each refrigeration, like that prescribed in subparagraph (3) of this paragraph for refrigeration in transit. The number of records required will be designated by the inspector for each refrigeration, depending upon the circumstances of each operation.

(iii) Shipments offered for entry before cold treatment may be allowed to leave customs custody under redelivery bond for cold treatment. Final release of the shipment by the United States Collector of Customs, or, in the case of Guam, by the Customs officer of the Government of Guam, will be effected after the inspector has notified the said Customs official that the required cold treatment has been given.

(6) *Containers and season of arrival.* Containers should be uniform and suit-

ably constructed to maintain firm stacking in the compartment throughout the voyage. Shipments may be made during any season of the year. Untreated fruit arriving in broken containers must be immediately repacked under the supervision of an inspector or the contents must be immediately destroyed in a manner satisfactory to the inspector.

(7) *Procedures in country of origin.* (i) By arrangement between the Director of the Plant Quarantine Division and the equivalent official in the country of origin, certifying officials will be designated by the country of origin. Their signatures shall be filed with the Plant Quarantine Division.

(ii) Each container of fruit intended for intratransit refrigeration shall be stamped or marked as it is loaded on the carrying vessel so that it can be readily identified as such. Fruit being shipped under permit to be completely cold treated at the Port of New York or other subsequently designated northern ports shall not be so marked.

(iii) Fruit precooled at a dockside refrigeration plant shall be transferred to the refrigerated compartments on the carrying vessel without a rise in temperature above the maximum for the desired refrigeration. When this transfer has been accomplished, the certifying official shall issue a certificate of precooling.

(iv) Fruit to be precooled on the carrying vessel in the refrigerated compartments shall be loaded under supervision of the certifying official to assure that all packages have the proper clearance on all sides.

(v) Fruit in transit for cold treatment after arrival shall be loaded in a separate compartment and segregated from any fruit that is being refrigerated in transit.

(vi) Fruit not intended for any phase of cold treatment shall not be loaded in the same refrigerated compartment with fruit to be given such cold treatment.

(vii) The certifying official shall calibrate the elements of the temperature recording instruments not more than 3 days prior to the loading of fruit, by immersing them in a 32° F. mixture of crushed ice and fresh water, and recording their deviation from 32° F. He shall also supervise the placement of the temperature elements in the proper places in the cargo of fruit.

(viii) The certifying official shall record the following data, noting the date and time, on the temperature chart: (a) Commencement of loading of each compartment, (b) insertion of the sensing elements into the fruit, and (c) completion of loading of each compartment.

(ix) The certificate of precooling, when required, shall be issued in quadruplicate, to cover the cargo of one vessel. The original certificate shall be airmailed to the inspector of the Plant Quarantine Division in charge at the port of destination. One copy shall accompany the carrying vessel. The third copy shall be mailed to the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md. 20782.

A record showing calibration of the elements of the temperature recording instruments, as required in subdivision (vii) of this subparagraph shall be attached to each certificate, along with any record of the fruit temperature readings required in subparagraph (2) (i) of this paragraph. The certificate shall also show the identifying stamp or mark placed on all containers of fruit undergoing intratransit refrigeration.

(c) *Approval of precooling plants, refrigerated compartments, warehouses.* All precooling plants in the country of origin, the refrigerated compartments on the carrying vessels, and cold storage warehouses at the Port of New York or subsequently designated northern ports must have prior approval of the Director of the Plant Quarantine Division before any phase of cold treatment is begun. Requests for such approval shall be made to the Plant Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md. 20782.¹

(d) *Caution and disclaimer.* In prescribing cold treatments of Vinifera grapes and certain other fruits, it should be emphasized that inexactness and carelessness in applying the treatments may result in injury to the fruit, or its rejection for entry. The cold treatments required for the entry of fruit are considered necessary for the elimination of pest risk, and no liability shall attach to the U.S. Department of Agriculture or to any officer or representative of that Department in the event injury results to fruit offered for entry in accordance with these instructions.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 5, 37 Stat. 316; 7 U.S.C. 159. 29 F.R. 16210, as amended; 7 CFR 319.56-2)

These administrative instructions shall become effective December 29, 1966.

Experience over many years has shown that reliance can be placed on approved ships' temperature recording instruments to determine when precooling of fruit in ships' compartments has been accomplished. Currently the regulations require that precooling of fruit must be accomplished before the carrier leaves the port of lading. Under this revision of the regulations, a ship may leave a port before precooling is accomplished. Such procedure will benefit shipping lines and others since modern improvements in methods of loading have made it impracticable in many instances for precooling to be completed and certified prior to the vessel's departure. The changes made by this revision also recognize improvements in ships' refrigeration systems and methods of cargo stowage. Included among the changes made by this revision is a provision allowing variations, from previously prescribed spacing arrangements of containers, upon submission of data showing that adequate circulation of the cool air can be obtained by such alternate means.

¹ Applications for permits to import fruit under this subpart may be made to the Plant Importations Branch, 209 River Street, Hoboken, N.J. 07030.

Insofar as this revision relieves certain restrictions, it should be made effective promptly to be of maximum benefit to steamship companies and other affected persons. The revision also imposes certain restrictions and prescribes certain procedures concerning the recording of data. In this respect, the revision should be made effective promptly to allow maximum implementation of the newly prescribed safeguards and procedures. Therefore, pursuant to the administrative procedure provisions of 5 U.S.C., § 553, it is found upon good cause that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making the revision effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 21st day of December 1966.

[SEAL] F. A. JOHNSTON,
Director, Plant Quarantine Division.

[F.R. Doc. 66-13915; Filed, Dec. 28, 1966;
8:46 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 730—RICE

Subpart—1967-68 Marketing Year

STATE AND COUNTY RESERVE ACREAGES AND COUNTY ACREAGE ALLOTMENTS FOR 1967 CROP

Sec.

- 730.1805 Basis and purpose.
730.1806 State reserve acreages.
730.1807 County acreage allotments and county reserve acreages.

AUTHORITY: §§ 730.1805 to 730.1807 issued under secs. 301, 353, 375, 52 Stat. 38, 61, as amended, 66; 7 U.S.C. 1301, 1353, 1375.

§ 730.1805 Basis and purpose.

(a) The State and county reserve acreages and county acreage allotments for 1967 crop rice contained in §§ 730.1806 and 730.1807 have been determined pursuant to and in conformity with the provisions of section 353 of the Agricultural Adjustment Act of 1938, as amended. Said sections are issued to announce: (1) State reserve acreages for new farms or new producers in each of the applicable rice-producing States; (2) State reserve acreages for appeals and corrections, missed farms, and adjustments in factored allotments in the producer States of Arizona, California, Florida, South Carolina, Tennessee, Texas, and the "producer administrative area" in Louisiana; (3) the allotment in the rice productivity pool for each rice producing State which shall not be allocated to farms; and (4) county acreage allotments and county reserve acreages for

appeals and corrections, missed farms, and adjustments in factored allotments in the farm States of Arkansas, Illinois, Mississippi, Missouri, North Carolina, Oklahoma, and the "farm administrative area" in Louisiana. Since farm acreage allotments for 1967 crop rice in the producer States, including the "producer administrative area" of Louisiana, will be established pursuant to the act primarily on the basis of past production of rice by the producer on the farm in lieu of past production of rice on the farm, the 1967 State acreage allotments of rice for those States will be apportioned directly to farms, and county acreage allotments and county reserve acreages for appeals and corrections, missed farms, and adjustments in factored allotments will not be determined for such States.

(b) The determinations made in §§ 730.1806 and 730.1807 indicate the amount of State reserve acreages for new farms or new producers in each of the applicable rice-producing States, the amount of State reserve acreages for appeals and corrections, missed farms, and adjustments in factored allotments in the "producer States"; the amount of allotment acreage in the productivity pool for each of the rice-producing States, and the amount of county acreage allotments and county reserve acreages for appeals and corrections, missed farms, and adjustments in factored allotments in the "farm States".

(c) The State and county reserve acreages in §§ 730.1806 and 730.1807 were established on the basis of the needs therefor as recommended by the State and county committees.

(d) The county acreage allotments in § 730.1807 were established by apportioning the State acreage allotment, less (1) the State acreage reserve for new farms, and (2) the allotment attributable to history pooled as a result of productivity adjustments under paragraph (d) of § 730.1528 of the regulations for determination of acreage allotments for 1964 and subsequent crops of rice, among the counties in the State in the same proportion that they shared in the total acreage allotted in 1956, as provided by section 353(c) (1) and section 353(c) (6) of the Agricultural Adjustment Act of 1938, as amended, except that in the "farm administrative area" of Louisiana, prior to the apportionment among counties, 21 acres were reserved from the allotment for such administrative area pursuant to section 353(c) (1) of the act and used to adjust upward the county allotment for Rapides Parish on account of an upward trend in acreage in said parish (i.e., county).

(e) Prior to the determination of State and county reserve acreages and county acreage allotments for 1967 crop rice, public notice (31 F.R. 12952) was given

in accordance with 5 U.S.C. 553. No data, views, or recommendations were received pursuant to such notice.

(f) The determinations made in §§ 730.1806 and 730.1807 have been made on the basis of the latest available statistics of the Federal Government as required by section 301(c) of the Agricultural Adjustment Act of 1938, as amended.

(g) Pursuant to the Agricultural Adjustment Act of 1938, as amended, marketing quotas on the 1967 crop of rice have been proclaimed (31 F.R. 15529) and the period for the referendum to be held to determine whether farmers are in favor of or opposed to such quotas has been set for January 3 to 5, 1967 (31 F.R. 15548). The act requires that, insofar as practicable, notices of farm acreage allotments, which are based on State and county allotments and reserves, be mailed to producers in time to be received prior to the referendum. Since the referendum will be held during the period January 3 to 5, 1967, it is necessary to waive the 30-day effective date provision of 5 U.S.C. 553 as applied to the determinations herein. Accordingly, this document shall become effective upon filing with the Director, Office of the Federal Register.

§ 730.1806 State reserve acreages.

The following table sets forth the State reserve acreages for appeals, corrections, missed farms, and adjustments in factored allotments in producer States. It also sets forth the allotment in the State productivity pool which shall not be allocated to producers, counties, and farms.

State	State reserve acreage for new farms or new producers	State reserve acreages for appeals, etc., in producer States ¹	State productivity pool
Arizona.....	0	0	0
Arkansas.....	30	0	155
California.....	0	50	0
Florida.....	32	53	0
Illinois.....	0	0	0
Louisiana:			
Farm administrative area.....	0	0	37
Producer administrative area.....	0	0	0
Mississippi.....	0	0	17
Missouri.....	0	0	0
North Carolina.....	0	0	0
Oklahoma.....	0	0	0
South Carolina.....	15	0	0
Tennessee.....	0	0	0
Texas.....	0	50	0

¹ For appeals and corrections, missed producers, and adjustments in factored allotments in producer States and the "producer administrative area" in Louisiana.

§ 730.1807 County acreage allotments and county reserve acreages.

The following table sets forth the county allotments and the county reserve acreages:

County	County acreage allotment	County reserve acreages
ARKANSAS		
Arkansas	76,507	10.0
Ashley	6,561	1.0
Chicot	9,887	0
Clark	558	0
Clay	7,852	2.0
Conway	11	0
Craighead	17,538	1.2
Crittenden	6,529	2.0
Cross	35,558	1.4
Dallas	72	0
Desha	14,009	0
Drew	4,555	0
Faulkner	462	0
Grant	34	0
Greene	5,492	.7
Hot Spring	476	0
Independence	869	0
Jackson	20,605	3.0
Jefferson	17,486	0
Lafayette	882	0
Lawrence	8,504	0
Lee	8,577	5.0
Lincoln	9,535	0
Little River	410	0
Lonoke	39,369	4.0
Miller	755	0
Mississippi	1,493	0
Monroe	14,625	0
Perry	1,000	0
Phillips	5,152	2.0
Poinsett	38,489	0
Prairie	40,287	4.0
Pulaski	1,756	0
Randolph	2,324	0
St. Francis	18,877	5.0
White	1,155	0
Woodruff	20,523	3.0
Productivity pool	155	-----
State total	438,989	44.3

ILLINOIS		
Adams	22	0
State total	22	0

LOUISIANA, FARM ADMINISTRATIVE AREA		
Acadia	93,132	84.0
Allen	24,349	10.0
Avoyelles	2,791	139.0
Beauregard	4,831	0
Bossier	66	0
Calcasieu	67,063	0
Cameron	12,580	0
Evangeline	44,976	51.0
Grant	0	0
Iberia	6,510	15.0
Jefferson Davis	97,023	30.0
Lafayette	9,908	5.0
Rapides	759	0
St. Landry	17,421	5.0
St. Martin	4,144	0
St. Mary	3,204	160.0
Vermilion	115,169	8.0
Productivity pool	37	-----
State total, farm administrative area	503,963	507.0

MISSISSIPPI		
Bolivar	21,872	0
Coahoma	1,502	0
De Soto	1,677	0
Hancock	184	0
Humphreys	2,115	0
Isequeena	106	0
Leflore	3,709	0
Lincoln	79	0
Quitman	1,409	0
Sharkey	1,064	0
Sunflower	4,389	0
Tallahatchie	510	0
Tate	246	0
Tunica	2,898	0
Washington	9,587	0
Productivity pool	17	-----
State total	51,354	0

County	County acreage allotment	County reserve acreages
MISSOURI		
Butler	1,581	0
Holt	2	0
Lewis	9	0
Lincoln	37	0
Marion	339	0
Mississippi	96	0
New Madrid	176	0
Pemiscot	653	0
Ripley	516	0
St. Charles	39	0
Scott	266	0
Stoddard	1,531	0
State total	5,245	0
NORTH CAROLINA		
Brunswick	10	0
Hyde	32	0
State total	42	0
OKLAHOMA		
McCurtain	164	0
State total	164	0

¹ County reserve acreage for appeals and corrections, missed farms, and adjustments.

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

Signed at Washington, D.C., on December 22, 1966.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-13901; Filed, Dec. 23, 1966; 11:39 a.m.]

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

[Navel Orange Reg. 117, Amdt. 1]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the

public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of navel oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 907.417 (Navel Orange Regulation 117, 31 F.R. 16184) are hereby amended to read as follows:

§ 907.417 Navel Orange Regulation 117.

- (b) * * *
(ii) District 2: 86,181 cartons.

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

Dated: December 23, 1966.

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

[F.R. Doc. 66-13936; Filed, Dec. 28, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT

[Docket No. 7134; Amdt. 39-333]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Models 188A, 188C Series Airplanes

Amendment 39-187 (31 F.R. 1175), AD 66-4-2, as amended by Amendments 39-192 (31 F.R. 2649), and 39-226 (31 F.R. 6296), requires inspection, and repair where necessary, of the upper and lower wing splice areas, and the access door-to-plank splices on Lockheed Models 188A and 188C Series airplanes. Since issuing the AD and its subsequent amendments, studies have shown that extensive repairs, sealing, and follow-up inspections in accordance with the AD have diminished the problem. Therefore, the Agency has now determined that AD 66-4-2, and its subsequent revisions be revised to increase the repetitive inspection intervals for sealed splices, and two check inspections required by the AD have been deleted, and one substituted in its place. There has been, however, an addition of a visual repetitive inspection to assure adequate sealing. Since this additional inspection requires no more than a visual check on the seal, and aids in the increase of the repetitive inspection intervals for sealed splices, it is in no way an

increased burden. Finally, the AD is changed to substitute a reference to the latest Lockheed Service Bulletin covering the subject in place of the older Service Bulletin. Inspections and repairs previously accomplished in accordance with AD 66-4-2 are not invalidated by this revision.

Since this amendment is relieving in nature, and imposes no additional burden on any person, compliance with the notice and public procedure provisions of the Administrative Procedure Act are unnecessary, and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and under the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-187 (31 F.R. 1175), as amended by Amendments 39-192 (31 F.R. 2649), and 39-226 (31 F.R. 6296), is further amended as follows:

(1) By striking out the words "88/SB-620D" in paragraphs (a) (1) and (a) (2)

and inserting the words "88/SB-620E or later FAA approved revision" in place thereof.

(2) By striking out the words "88/SB-620D, section 2.E" in paragraphs (b), and (c) (1) and inserting the words "88/SB-620E, sections 2.J. through 2.N., or later FAA-approved revision" in place thereof.

(3) By striking out the words "88/SB-620D, sections 2.B(3), 2.B(4), and 2.B (5) (a) (2)" in paragraph (b) (1), and inserting the words "88/SB-620E, section 2.B or later FAA-approved revision" in place thereof.

(4) By amending paragraph (b) (2) to read as follows:

(2) Inspect the areas described in Column 1 of the following table at the time specified in Column 2 unless already accomplished within the time specified in Column 3. These inspections must be repeated once at the time interval specified in Column 4 and thereafter at the time interval specified in Column 5 beginning at the time of the last inspection.

Area (Col. 1)	Initial time (Col. 2)	Last inspection (Col. 3)	1st repetitive (Col. 4)	Repetitive (Col. 5)
<i>Upper wing surface</i>				
2. Under fuselage fillets.....	1400	2600	4000	8000
3. Between fillet and wing station 83.....	1400	2600	4000	8000
4. Around inboard fuel tank access door.....	700	3300	4000	8000
5. Between nacelle skate angle and wing station 155.....	700	3300	4000	8000
6. Between nacelle skate angle and wing station 221.....	700	3300	4000	8000
7. Between wing station 221 and 257 at planks 2-3 splice and planks 3-4 splice.....	1400	2600	4000	8000
8. Around outboard fuel tank access door.....	700	3300	4000	8000
9. Around fuel probe access door.....	1400	2600	4000	8000
10. All remaining splices except center section wing between fuselage fillets.....	2000	2000	4000	8000
<i>Lower wing surface</i>				
2. Under fuselage fillets.....	1400	6600	8000	8000
3. Between fillet and wing station 83.....	1400	6600	8000	8000
4. Between nacelle skate angles and wing stations 155 and 221.....	700	7300	8000	8000
5. Around access doors.....	1400	6600	8000	8000
6. All remaining splices except center section wing between fuselage fillets.....	2000	6000	8000	8000

(5) By striking the words "880/SB-620D" from paragraph (c) and inserting the words "88/SB-620E, section 2.c(a)" in place thereof.

(6) By amending paragraph (c) (2) to read as follows:

(2) Inspect in accordance with the provisions of subparagraph (b) (1) at the times specified for initial inspection set forth in subparagraph (b) (2), accomplish the requirements of paragraph (d), and clean, seal, and paint the unwidened joints, unless already accomplished, in accordance with Lockheed Service Bulletin 88/SB-620E, sections 2.J., through 2.N., or later FAA approved revision. These requirements must be accomplished on those areas specified in the table set forth in paragraph (b), except areas covered by production or repair doublers. The inspections must be repeated once within a time interval of not less than 1,800 hours' time in service and not more than 2,200 hours' time in service from the last inspection, after which the repetitive inspection intervals specified in the table set forth in paragraph (b) may be used.

(7) By amending paragraph (c) (3) to read as follows:

(3) Widen the splice gap to a constant width of 0.070 ± 0.010 inch, if not previously accomplished, and visually inspect for corrosion around fastener heads and for bulging between fasteners and along the wing plank edge, and in the wing plank splices in accordance with the instructions of Lockheed Service Bulletin 88/SB-620E, section 2.B. or

later FAA approved revision. If corrosion is detected in the skin riser radius of the underlying tang, inspect the radius for cracks by the dye penetrant procedure described in Lockheed Service Bulletin 88/SB-620E, section 2.C. or later FAA approved revision. These requirements must be accomplished on those areas and at the time specified for initial inspection set forth in subparagraph (b) (2), except areas covered by production doublers or repair doublers. Accomplish the repairs as necessary in accordance with paragraph (d). These inspections must be repeated at intervals not to exceed 1,000 hours' time in service from the last inspection until the joints have been cleaned, sealed, and painted in accordance with Lockheed Service Bulletin 88/SB-620E, sections 2.J., through 2.N., or later FAA approved revision, after which the repetitive inspection intervals specified in the table set forth in paragraph (b) may be used.

(8) By amending paragraph (d) to read as follows:

(d) Remove all corrosion and cracks found during the inspections performed in accordance with paragraphs (a), (b), and (c) before further flight, in accordance with the instructions provided in Lockheed Service Bulletin 88/SB-620E, sections 2.E. and 2.F. or later FAA approved revision, except that removal of corrosion damage that does not exceed the limits of Lockheed Service Bulletin 88/SB-620E, section 2.G. or later FAA approved revision, may be deferred for an interval not to exceed 300 hours' time in service. Repair all areas where material re-

moved exceeds the limits of Lockheed Service Bulletin 88/SB-620E, section 2.G. or later FAA approved revision, before further flight in accordance with the instructions provided in Lockheed Service Bulletin 88/SB-620E, sections 2.O. and 2.P., or 2.O. and 2.Q. or later FAA approved revision. If a repair described in section 2.P. is used, the instructions in 2.P. pertaining to special inspections, inspection intervals, and additional repairs must be complied with. The airplane may be flown in accordance with FAR 21.197 to a base where the corrosion removal and repairs can be performed.

(9) By redesignating paragraph (e) as paragraph (f) and inserting the following new paragraph (e) after paragraph (d):

(e) For all aircraft with sealed splices, accomplish the following within 4,000 hours' time in service after the effective date of this revision, and thereafter at intervals not to exceed 2,000 hours' time in service from the last inspection:

(1) Visually inspect splices, except areas covered by production doublers or repair doublers, and enclosed by fillets and nacelle structure, for looseness of sealant.

(2) Re-seal any loose areas in accordance with Lockheed Service Bulletin 88/SB-620E, sections 2.J. through 2.N., or later FAA approved revision.

(10) By inserting the following new paragraph (g) immediately following paragraph (f):

(g) The inspection provisions of paragraph (b) (2) table, columns 2, 3, and 4, of this revision, are considered to have been previously accomplished if, prior to the effective date of this revision, inspections were accomplished in accordance with the provisions listed in paragraph (b) (2) table, columns 2, 3, and 4, of Amendment 39-187, AD 66-4-2. In addition, the repairs accomplished in accordance with AD 66-4-2 are not affected by this amendment.

This amendment is effective December 29, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on December 23, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-13933; Filed, Dec. 28, 1966; 8:48 a.m.]

[Docket No. 1019; Amdt. 39-329]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Model F-27 Series, FH-227 Airplanes

A proposal to amend AD 62-1-1 (27 F.R. 204) to extend its applicability to Fairchild Model FH-227 airplanes equipped with certain Walter Kidde Chemical Drier Housings was published in 31 F.R. 13554.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489),

§ 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 383 (27 F.R. 204), AD 62-1-1, is amended by amending the applicability statement to read as follows:

Applies to Model F-27 Series and FH-227 airplanes equipped with Walter Kidde Co. Chemical Drier Housing, P/N 890395 and P/N 890800-0001.

This amendment becomes effective January 28, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on December 21, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13904; Filed, Dec. 28, 1966; 8:45 a.m.]

[Docket No. 7376; Amdt. 39-331]

PART 39—AIRWORTHINESS DIRECTIVES

General Dynamics Model 340 Airplanes

A proposal to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 519 (27 F.R. 12473), AD 62-27-6, as amended by Amendments 537 (28 F.R. 1584) and 564 (28 F.R. 4612), to require the installation of a forward hinge similar to the "CV-440 type" hinge within the next 4,000 hours' time in service on General Dynamics Model 340 airplanes was published in 31 F.R. 7354.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One comment opposed the amendment on the ground that it was not a practical solution to the problem. It maintained that the past occurrences of inadvertent in-flight openings of the rear service door were the result of a failure to follow established procedures rather than a result of any design deficiency. After careful consideration, the Agency finds that the door design, although not the sole cause of the problem, does constitute a contributing factor in past inadvertent in-flight door openings and that the installation of a forward hinge similar to the "CV-440 type" hinge would decrease the number of these openings in the future. Therefore, this argument opposing the AD is rejected.

The same comment also contended that an adjustment of the proposed compliance time of 4,000 hours would be necessary if this AD was adopted by the Agency. It maintained that 4,000 hours was inadequate in view of the anticipated delays in obtaining the required parts and the necessity of grounding the airplane for a substantial period of time in order to incorporate the required modification. Therefore, it was requested that the compliance time be extended to 6,000 hours to provide for an adequate leadtime for obtaining the required parts and to permit the incorporation of these modifications during the normal airplane overhaul. Upon inquiry to the manufacturer, the Agency has determined that

the new parts required by this amendment would be available in time to meet the compliance requirements of the NPRM. However, in view of the amount of ground time needed for these modifications, it is considered that 6,000 hours is a more reasonable compliance time and therefore it is incorporated into paragraph (e).

To avoid the confusion of several different effective dates in AD 62-27-6, resulting from its subsequent amendments, the Agency has decided that the entire AD should be reissued at this time, incorporating these actual dates into the AD itself. Other than the addition of paragraph (e), no substantive change is involved in this action.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GENERAL DYNAMICS. Applies to Model 340 airplanes that have not been modified to incorporate the provisions of Convair Service Bulletin 340-174A or equivalent approved by the Chief, Aircraft Engineering Division, FAA Western Region. Compliance required as indicated.

As a result of a number of inflight openings of the rear service door on Model 340 aircraft (one such occurrence resulting in a fatal accident to a crewmember), accomplish the following:

(a) Within the next 25 hours' time in service after December 18, 1962, unless already accomplished:

(1) Add a placard to the rear service door indicating the "Open," "Unsafe," and "Locked" position for the door handle in accordance with Convair Service Bulletin 340-213 dated October 15, 1956, or an FAA approved equivalent installation.

(2) Add a placard in the cockpit which requires that a flight crewmember inspect the rear service door to determine that it is properly latched prior to takeoff.

(b) Within the next 50 hours' time in service after May 8, 1963, unless already accomplished, incorporate an FAA approved revision to the FAA approved Airplane Flight Manual as follows:

(1) In the "Limitations Section," add a note which requires that a flight crewmember inspect the rear service door to determine that it is properly latched immediately prior to each takeoff unless it is known to that flight crewmember that the door has not been operated since last inspected by the flight crew.

(2) In the "Emergency Procedure Section," add a note which requires that the airplane be depressurized in accordance with the procedure prescribed in this Manual if there is evidence that a door latch has become disengaged or leakage around the door occurs.

(3) When the FAA approved Airplane Flight Manual is revised as prescribed in (b) (1), the placard prescribed in (a) (2) may be removed.

(c) Within the next 1,000 hours' time in service after December 18, 1962, unless already accomplished:

(1) Install inspection holes and lights in the rear service door threshold for inspection of the lower door latches in accordance with Item 6 of Convair Newsletter No. 294 dated May 8, 1955, and Convair Service Bulletin 340-232 dated November 11, 1957, or an FAA Western Region Aircraft Engineering Division approved equivalent installation.

(2) Install microswitches in the upper and lower forward latches of the rear service door

in accordance with the portion of Convair Service Bulletin 340-126A dated June 1, 1954, and revised December 1, 1954, pertaining to the rear service door, or an FAA Western Region Aircraft Engineering Division approved equivalent installation.

(3) Install proximity switches on the rear service door in accordance with the portion of Convair Service Bulletin 340-234 dated January 29, 1958, pertaining to the rear service door, or an FAA Western Aircraft Engineering Division approved equivalent installation.

(d) Within the next 1,000 hours' time in service after December 18, 1962, unless already accomplished, install an irreversible clutch mechanism on the rear service door in accordance with Convair Service Bulletin 340-233 dated September 10, 1957, or an FAA Western Region Aircraft Engineering Division approved equivalent.

(e) Within the next 6,000 hours' time in service after January 28, 1967, install a rear service door forward hinge in accordance with Convair Service Bulletin 340-174A dated February 1, 1957, or an FAA Western Region Aircraft Engineering Division approved equivalent installation.

NOTE. Many Model 340 aircraft incorporate the provisions of the Model 440 performance kit, Service Bulletin 340-144, and have incorrectly been redesignated as Model 440 aircraft. Such aircraft are still Model 340 and should be treated as such (see nameplate and manufacturing serial numbers).

(General Dynamics/Convair Service Bulletins 340-126A, 340-213, 340-232, 340-233, 340-234, and Service Newsletter No. 294 pertain to this subject.)

This amendment supersedes Amendment 519 (27 F.R. 12473), AD 62-27-6, as amended by Amendments 537 (28 F.R. 1584) and 564 (28 F.R. 4612).

This amendment becomes effective January 28, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington D.C., on December 21, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13905; Filed, Dec. 28, 1966; 8:45 a.m.]

[Docket No. 7828; Amdt. 39-332]

PART 39—AIRWORTHINESS DIRECTIVES

General Electric CT58-100, CT58-110, T58-GE-1 Engines

Cracks have been discovered in the dovetail slots of the first stage rotor disks of General Electric Model CT58-100, CT58-110, and T58-GE-1 engines in Vertol 107-II and Sikorsky S-61 helicopters. This condition is due to low cycle fatigue, and can result in a safety hazard. Since this condition is likely to exist or develop in other engines of this type design, an airworthiness directive is being issued to impose a life limitation for the first stage compressor rotor disks for the General Electric Model CT58-100, CT58-110, and T58-GE-1 engines, pending definition and approval of a rework procedure.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure

Act are not practicable, and this amendment may become effective in less than 30 days.

In consideration of the foregoing, and under the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GENERAL ELECTRIC. Applies to Model CT58-100-1, CT58-100-2, CT58-110-1, and T58-GE-1.

Compliance required as indicated.

To insure adequate life limit margin for first stage compressor rotor disks, remove from service pending definition and approval of a rework procedure G.E. P/N's 37D400218-P101, 37D400218P101 CEB No. 148, 37D400359-P101 and 37D400359P102 as follows:

(a) Disks with more than 13,200 cycles, prior to the accumulation of 200 additional cycles after the effective date of this AD.

(b) Disks with 13,200 cycles or less, prior to the accumulation of 13,400 cycles.

NOTE: For the purposes of this AD a cycle is considered as any engine operating sequence involving engine start, at least one acceleration to a power required for takeoff, and shutdown.

This amendment becomes effective December 29, 1966.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on December 21, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13906; Filed, Dec. 28, 1966; 8:45 a.m.]

[Docket No. 7512; Amdt. 39-330]

PART 39—AIRWORTHINESS DIRECTIVES

Vickers Viscount Model 744, 745D, 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive visual and radiographic or dye penetrant inspections of the nose landing gear bracing structure until modification on Vickers Viscount Model 744, 745D, and 810 Series airplanes was published in 31 F.R. 10078.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One comment recommended deletion of paragraph (c) of the proposed AD. It contended that the requirement for the radiographic or dye penetration inspection was unnecessary for safety purposes and was impractical since it would cause frequent and lengthy disruptions of airline operations. A review of the problem indicates that the failure of the nose undercarriage structure occurred as a result of an undetected fatigue crack which finally propagated rapidly in the upper of the two side members of the retraction jack structure. Although these cracks have a slow initial propagation rate, they constitute a serious problem since they normally cannot be detected by visual inspection. Based on these facts, it is considered that total elimination of the

requirement for radiographic or dye penetration inspection would result in a safety hazard and must be rejected. However, in view of the slow initial propagation rate of these cracks, immediate radiographic or dye penetration inspection is not considered necessary. Therefore, paragraph (c) is modified to require immediate visual inspection followed by radiographic or dye penetration inspection within 350 hours' time in service in place of the immediate inspection requirements contained in the Notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

VICKERS. Applies to Viscount Model 744, 745D, and 810 Series airplanes.

Compliance required as indicated.

To prevent further failures of the nose landing gear bracing structure, accomplish the following:

(a) Within the next 50 hours' time in service after the effective date of this AD, unless already accomplished within the last 300 hours' time in service, visually inspect the nose landing gear bracing structure for damage in accordance with British Aircraft Corp. (BAC), Ltd. Preliminary Technical Leaflet (PTL) No. 104, Issue 3 (800/810 Series), or No. 240, Issue 3 (700 Series), or later ARB-approved issue, and thereafter at intervals not to exceed 350 hours' time in service from the last inspection until modified in accordance with paragraph (e).

(b) Within the next 350 hours' time in service after the effective date of this AD, unless already accomplished within the last 1,050 hours' time in service, conduct a radiographic inspection or disassemble and inspect by dye penetrant the upper and lower actuator beam members and center diaphragms of the actuator beam for cracks in accordance with the applicable PTL specified in paragraph (a) of this AD or later ARB-approved issue and thereafter at intervals not to exceed 1,400 hours' time in service from the last inspection until modified in accordance with paragraph (e).

(c) Conduct the visual inspection specified in paragraph (a) before further flight and the radiographic or dye penetrant inspection specified in paragraph (b) within the next 350 hours' time in service following any flight in which the nose landing gear is subjected to any of the high loadings discussed in the paragraph headed "The Cause" of the applicable PTL specified in paragraph (a) of this AD or later ARB-approved issue.

(d) Repair or replace any parts found damaged or cracked during the inspections required by this AD before further flight in accordance with the applicable PTL specified in paragraph (a) of this AD or later ARB-approved issue or an equivalent approved by the Chief, Aircraft Certification Staff, FAA Europe, Africa, Middle East Region.

(e) The repetitive inspections required by this AD may be discontinued after installation of BAC Modification D.3147 (700 Series) or FG.2022 (800/810 Series) or an equivalent approved by the Chief, Aircraft Certification Staff, FAA Europe, Africa, Middle East Region.

(f) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA Europe, Africa, Middle East Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period

of the operator if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective January 28, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on December 21, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-13907; Filed, Dec. 28, 1966; 8:45 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66-WE-61]

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

Alteration of Control Zone

On November 10, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 14457) stating that the Federal Aviation Agency proposed to alter the description of the Lewiston, Idaho, control zone.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 2, 1967, as hereinafter set forth:

In § 71.171 (31 F.R. 2107) the Lewiston, Idaho, control zone is amended as follows:

LEWISTON, IDAHO

Within a 5-mile radius of Lewiston Nez-Perce Airport (latitude 46°22'34" N., longitude 117°00'53" W.), and within 2 miles each side of the Lewiston VOR 266° radial, extending from the 5-mile radius zone to the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on December 19, 1966.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 66-13908; Filed, Dec. 28, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-62]

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

Alteration of Control Zone

On November 10, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 14457) stating that the Federal Aviation Agency proposed to alter the description of the Twin Falls, Idaho, control zone.

Interested persons were afforded an opportunity to participate in the pro-

posed rule making through the submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 2, 1967, as hereinafter set forth:

In § 71.171 (31 F.R. 2143) the Twin Falls, Idaho, control zone is amended as follows:

TWIN FALLS, IDAHO

Within a 5-mile radius of the Twin Falls Municipal Airport (latitude 42°29'05" N., longitude 114°29'15" W.), and within 2 miles each side of the Twin Falls VOR 086° radial, extending from the 5-mile radius zone to 8 miles E of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on December 19, 1966.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 66-13909; Filed, Dec. 28, 1966; 8:46 a.m.]

[Airspace Docket No. 66-SO-86]

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

Revocation of Federal Airway Segment

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the east alternate segment of VOR Federal airway No. 5 between Jacksonville, Fla., and Dublin, Ga.

V-5 east alternate from Jacksonville to Dublin is a common airway segment with VOR Federal airway No. 267. This east alternate designation is no longer required for air traffic control purposes.

Since this amendment is editorial in nature and does not alter the extent of controlled airspace, notice and public procedure thereon is unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth.

In § 71.123 (31 F.R. 2009, 3231, 8046, 10516) V-5 is amended by deleting "including a 12 AGL E alternate from Jacksonville to Dublin via INT Jacksonville 334° and Dublin 137° radials".

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

Issued in Washington, D.C., on December 21, 1966.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 66-18910; Filed, Dec. 28, 1966; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7824; Amdt. 95-149]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interests of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective February 2, 1967, as follows:

1. By amending Subpart C as follows:

From, To, and MEA

Section 95.1001 *Direct routes—United States* is amended by adding:

Bethel, Alaska, LF/RBN; Fluke INT, Alaska; *2,000. *1,400—MOCA (control 1483).
Meeker, Colo., VORTAC; Dillon DME Fix, Colo.; *24,000. *15,500—MOCA. MAA—37,000.

Dillon, DME Fix, Colo.; Conifer INT, Colo.; *17,000. *16,300—MOCA. MAA—37,000.
Conifer INT, Colo.; Webster DME Fix, Colo.; *16,000. *14,500—MOCA. MAA—37,000.
Webster DME Fix, Colo.; Kiowa, Colo., VORTAC; *16,000. *14,500—MOCA. MAA—39,000.

Gill, Colo., VOR; Roggen INT, Colo.; 7,000. MAA—17,500.
Longmont INT, Colo.; Gill, Colo., VOR; 7,200. MAA—17,500.

Meeker, Colo., VORTAC; Kremmling, Colo., VORTAC; 14,500. MAA—37,000.
Kremmling, Colo., VORTAC; *Longmont INT, Colo.; *16,000. *15,600—MCA Longmont INT, westbound. *15,200—MOCA. MAA—37,000.

Harpoon INT, Hawaii; *Pele INT, Hawaii; *14,500. *10,000—MRA. *9,000—MOCA.

Section 95.1001 *Direct routes—United States* is amended to delete:

Tyndall, Fla., VOR; Marianna, Fla., VOR; *2,000. *1,200—MOCA.
Tyndall, Fla., VOR; Teresa INT, Fla., *3,500. *1,400—MOCA.

Section 95.118 *Green Federal airway 8* is amended to read in part:

Delta Island INT, Alaska; Anchorage, Alaska, LFR; 6,000.

Section 95.102 *Amber Federal airway 2* is amended to read in part:

Burwash Landing, Y.T., LFR; Northway, Alaska, LFR; #9,600. #For that airspace over U.S. territory.

Section 95.115 *Amber Federal airway 15* is amended to read in part:

Burwash Landing, Y.T., LFR; Northway, Alaska, LFR; #9,600. #For that airspace over U.S. territory.

Section 95.239 *Red Federal airway 39* is amended to read in part:

*Aniak, Alaska, LF/RBN; McGrath, Alaska, LFR; *6,000. *3,500—MCA Aniak LF/RBN, northeastbound. *5,800—MOCA.

Section 95.103 *Red Federal airway 103* is amended to read in part:

Anchorage, Alaska, LFR; Delta Island INT, Alaska; 6,000.

Section 95.679 *Blue Federal airway 79* is amended to read in part:

Burwash Landing, Y.T., LFR; Northway, Alaska, LFR; #9,600. #For that airspace over U.S. territory.

Section 95.6002 *VOR Federal airway 2* is amended to read in part:

Jamestown, N. Dak., VOR via N alter.; Fargo N. Dak., VOR via N alter.; *3,200. *2,700—MOCA.

Section 95.6003 *VOR Federal airway 3* is amended to read in part:

*Fort Pierce INT, Fla.; Vero Beach, Fla., VOR; *2,000. *4,000—MRA. *1,500—MOCA.

Section 95.6004 *VOR Federal airway 4* is amended by adding:

*Boise, Idaho, VOR via N alter.; Arrow Rock INT, Idaho, via N alter., eastbound; 9,000. Westbound; 8,000. *7,000—MCA Boise VOR, eastbound.

Arrow Rock INT, Idaho, via N alter.; Hill City INT, Idaho, via N alter.; *11,500. *9,800—MOCA.

Hill City INT, Idaho, via N alter.; Richfield INT, Idaho, via N alter.; *12,500. *11,000—MOCA.

Richfield INT, Idaho, via N alter.; Burley, Idaho, VOR via N alter., southbound; 7,000. Northbound; 9,500.

Section 95.6004 *VOR Federal airway 4* is amended to read in part:

Port Angeles, Wash., VOR; *Jamestown INT, Wash., westbound; 3,600. Eastbound; 4,100. *7,000—MCA Jamestown INT, southeastbound.

Jamestown INT, Wash.; Lofall INT, Wash.; 4,100.

Lofall INT, Wash.; Seattle, Wash., VOR; 3,000.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Green Hill INT, Ala.; Graham, Tenn., VOR; *3,000. *2,400—MOCA.

Section 95.6009 *VOR Federal airway 9* is amended to read in part:

McComb, Miss., VOR; Florence INT, Miss.; *2,000. *1,800—MOCA.

*Berryville INT, Miss.; Greenwood, Miss., VOR; *2,000. *4,000—MRA. *1,600—MOCA.

Greenwood, Miss., VOR via W alter.; Savage INT, Miss., via W alter.; *2,000. *1,500—MOCA.

*Vaughan INT, Miss., via E alter.; Greenwood, Miss., VOR via E alter.; *2,000. *3,500—MRA. *1,700—MOCA.

Greenwood, Miss., VOR via E alter.; Sardis INT, Miss., via E alter.; *2,000. *1,600—MOCA.

Section 95.6011 *VOR Federal airway 11* is amended to read in part:

Dyersburg, Tenn., VOR; Paducah, Ky., VOR; *2,000. *1,700—MOCA.
Memphis, Tenn., VOR via E alter.; Fishersville INT, Tenn., via E alter.; *1,900. *1,700—MOCA.
Fishersville INT, Tenn., via E alter.; Anderson INT, Tenn., via E alter.; *2,000. *1,900—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended to read in part:

Lufkin, Tex., VOR; Carthage INT, Tex.; *3,800. *1,700—MOCA.

Section 95.6014 *VOR Federal airway 14* is amended to read in part:

Fillmore INT, Ind.; Indianapolis, Ind., VOR; *2,500. *2,300—MOCA.
Cloverdale INT, Ind., via S alter.; Indianapolis, Ind., VOR via S alter.; *2,500. *2,300—MOCA.

Section 95.6016 *VOR Federal airway 16* is amended to read in part:

Banning INT, Calif.; *Palm Springs, Calif., VOR; 13,000. *5,300—MCA Palm Springs VOR, eastbound. *11,800—MCA Palm Springs VOR, westbound.
Int. 075° M rad, Pine Bluff VOR and 227° M rad, Memphis VOR via S alter.; Prichard INT, Miss., via S alter.; *2,000. *1,700—MOCA.

Memphis, Tenn., VOR; Fishersville INT, Tenn.; *1,900. *1,700—MOCA.

Fishersville INT, Tenn.; Anderson INT, Tenn.; *2,000. *1,900—MOCA.

Mount Pleasant INT, Tenn., via S alter.; Moscow INT, Tenn., via S alter.; *2,000. *1,500—MOCA.

Moscow INT, Tenn., via S alter.; *Selmer INT, Tenn., via S alter.; *3,500. *4,000—MRA. **1,900—MOCA.

Section 95.6018 *VOR Federal airway 18* is amended to read in part:

Dallas, Tex., VOR; Sabine INT, Tex.; *2,200. *1,900—MOCA.

Section 95.6020 *VOR Federal airway 20* is amended by adding:

Tappahannock INT, Va.; Coles Point INT, Va.; 2,000.
Coles Point INT, Va.; Nottingham, Md., VOR; 1,700.

Section 95.6023 *VOR Federal airway 23* is amended to read in part:

*Grapevine INT, Calif.; **River INT, Calif., northwestbound; 5,000. Southeastbound; 9,500. *9,500—MCA Grapevine INT, southeastbound. **7,000—MRA. **7,800—MCA River INT, southeastbound.
River INT, Calif.; Bakersfield, Calif., VOR, northwestbound; 3,000. Southeastbound; *7,000. *3,000—MOCA.

Section 95.6036 *VOR Federal airway 36* is amended to read in part:

Dale INT, N.Y.; Burns INT, N.Y.; *4,000. *3,300—MOCA.
Burns INT, N.Y.; Thurston INT, N.Y.; *4,000. *3,200—MOCA.

Section 95.6038 *VOR Federal airway 38* is amended to read in part:

Peotone, Ill., VOR; Demotte INT, Ill.; *2,500. *2,100—MOCA.

Section 95.6050 *VOR Federal airway 50* is amended to read in part:

Fillmore INT, Ind.; Indianapolis, Ind., VOR; *2,500. *2,300—MOCA.

Section 95.6054 *VOR Federal airway 54* is amended to read in part:

Mount Pleasant INT, Tenn., via N alter.; Moscow INT, Tenn., via N alter.; *2,000. 1,500—MOCA.
Moscow INT, Tenn., via N alter.; *Selmer INT, Tenn., via N alter.; *3,500. *4,000—MRA. **1,900—MOCA.

Section 95.6077 *VOR Federal airway 77* is amended to read in part:

Topeka, Kans., VOR; Troy INT, Mo.; *2,600. *2,300—MOCA.
Troy INT, Mo.; St. Joseph, Mo., VOR; *2,600. *2,100—MOCA.

Section 95.6086 *VOR Federal airway 86* is amended to read in part:

Gillette INT, Wyo.; Mystic DME Fix, S. Dak.; *13,000. *9,100—MOCA.
Mystic DME Fix, S. Dak.; Pactola INT, S. Dak., eastbound; 8,000. westbound; 13,000.
Pactola INT, S. Dak.; *Rapid City, S. Dak., VOR, eastbound; 7,000. Westbound; 13,000. *5,000—MCA Rapid City VOR, westbound.

Section 95.6095 *VOR Federal airway 95* is amended to read in part:

Winslow, Ariz., VOR; *Butte INT, Ariz., northeastbound; 11,000. Southwestbound; 8,700. *13,000—MRA.
Butte INT, Ariz.; Castle INT, Ariz., northeastbound; 11,000. Southwestbound; 8,700.

Section 95.6114 *VOR Federal airway 114* is amended to read in part:

Dallas, Tex., VOR via N alter.; Sabine INT, Tex., via N alter.; *2,200. *1,900—MOCA.

Section 95.6165 *VOR Federal airway 165* is amended to delete:

Lindbergh Field, Calif., VOR; Sargo INT, Calif.; 2,500.

Section 95.6165 *VOR Federal airway 165* is amended by adding:

San Diego, Calif., VOR; Sargo INT, Calif.; 2,500.

Section 95.6138 *VOR Federal airway 138* is amended by adding:

*Boise, Idaho, VOR; Arrow Rock INT, Idaho, eastbound; 9,000. Westbound; 8,000. *7,000—MCA Boise VOR, eastbound.
Arrow Rock INT, Idaho; Hill City INT, Idaho; *11,500. *9,800—MOCA.
Hill City INT, Idaho; Richfield INT, Idaho; *12,500. *11,000—MOCA.
Richfield INT, Idaho; Bear Trap INT, Idaho; 9,500.
Bear Trap INT, Idaho; Pocatello, Idaho, VOR; 7,500.

Section 95.6140 *VOR Federal airway 140* is amended to read in part:

Dyersburg, Tenn., VOR; *Bradford INT, Tenn.; **2,000. *3,000—MRA. **1,700—MOCA.
Hartsville INT, Tenn.; Highway, Tenn., VOR; *3,000. *2,500—MOCA.

Section 95.6144 *VOR Federal airway 144* is amended to read in part:

Peotone, Ill., VOR; Demotte INT, Ill.; *2,500. *2,100—MOCA.

Section 95.6152 *VOR Federal airway 152* is amended to read in part:

Orlando, Fla., VOR via S alter.; Oak Hill INT, Fla., via S alter.; *2,000. *1,400—MOCA.

Section 95.6159 *VOR Federal airway 159* is amended to read in part:

Vero Beach, Fla., VOR; *Preston INT, Fla.; **2,000. *2,500—MRA. **1,400—MOCA.
Preston INT, Fla.; Orlando, Fla., VOR; *2,000. *1,400—MOCA.

Section 95.6172 *VOR Federal airway 172* is amended to read in part:

Avoca INT, Iowa; *Menlo INT, Iowa; **4,000. *5,000—MRA. **2,700—MOCA.

Section 95.6176 *VOR Federal airway 176* is amended to read in part:

Holly Springs, Miss., VOR; *Guntown INT, Miss.; **2,000. *3,000—MRA. **1,900—MOCA.

Section 95.6194 *VOR Federal airway 194* is amended to read in part:

McComb, Miss., VOR; Olive INT, Miss.; *2,000. *1,800—MOCA.

Section 95.6210 *VOR Federal airway 210* is amended to read in part:

Fillmore INT, Ind.; Indianapolis, Ind., VOR; *2,500. *2,300—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended to read in part:

Lake Charles, La., VOR; Crow INT, La.; *1,500. *1,300—MOCA.

Section 95.6264 *VOR Federal airway 264* is amended to read in part:

Banning INT, Calif., via S alter.; *Palm Springs, Calif., VOR via S alter.; 13,000. *11,800—MCA Palm Springs VOR, westbound.
*Palm Springs, Calif., VOR via S alter.; Twentynine Palms, Calif., VOR via S alter.; 7,500. *6,500—MCA Palm Springs VOR, northeastbound.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

Pahokee, Fla., VOR; Orlando, Fla., VOR; *2,000. *1,400—MOCA.

Section 95.6278 *VOR Federal airway 278* is amended to read in part:

Greenwood, Miss., VOR; College INT, Miss.; *2,000. *1,700—MOCA.
Millport INT, Ala.; Flat Creek INT, Ala.; 2,000.

Section 95.6283 *VOR Federal airway 283* is amended to read in part:

*Coarsegold INT, Calif.; Minden INT, Nev.; *16,000. *8,500—MCA Coarsegold INT, northbound. **13,600—MOCA.
Minden INT, Nev.; *Reno, Nev., VOR; *13,000. *10,000—MCA Reno VOR, southbound. **11,000—MOCA.

Section 95.6293 *VOR Federal airway 293* is amended by adding:

Twin Falls, Idaho, VOR; Hill City INT, Idaho, northbound; 11,500. Southbound; 9,200.
Hill City INT, Idaho; McCall, Idaho, VOR; 11,800.

Section 95.6321 *VOR Federal airway 321* is amended to read in part:

Gadsden, Ala., VOR; *Gunter INT, Ala.; 3,000. *6,000—MRA.
Gunter INT, Ala.; Huntsville, Ala., VOR; 3,000.

Section 95.6438 *VOR Federal airway 438* is amended to delete:

Anchorage, Alaska, VOR; Talkeetna, Alaska, VOR; 3,000.
Anchorage, Alaska, VOR via W alter.; Susitna INT, Alaska, via W alter.; 2,000.

Susitna INT, Alaska, via W alter.; Talkeetna, Alaska, VOR via W alter.; 5,000.
 *Talkeetna, Alaska, VOR; Cantwell INT, Alaska; **10,000. *6,000—MCA Talkeetna VOR, northbound. **8,500—MOCA.
 Cantwell INT, Alaska; Liberty INT, Alaska; *10,000. *8,700—MOCA.
 Liberty INT, Alaska; Gold INT, Alaska; *7,500. *5,500—MOCA.
 Gold INT, Alaska; Fairbanks, Alaska, VOR; 2,500.

Section 95.6438 VOR Federal airway 438 is amended by adding:

Anchorage, Alaska, VOR; Big Lake, Alaska, VOR; #2,000.
 Big Lake, Alaska, VOR; Liberty INT, Alaska; *10,000. *8,700—MOCA.
 Liberty INT, Alaska; *Gold INT, Alaska; **7,500. *4,800—MCA Gold INT, southbound. **6,800—MOCA.
 Gold INT, Alaska; Fairbanks, Alaska, VOR; #2,500. #MEA is established with a gap in navigation signal coverage.

Section 95.6438 VOR Federal airway 438 is amended to read in part:

Kodiak, Alaska, VOR via W alter.; Shuyak, Alaska, LF/RBN via W alter.; 4,000.
 Shuyak, Alaska, LF/RBN via W alter.; Homer, Alaska, VOR via W alter.; 6,000.

Section 95.6440 VOR Federal airway 440 is amended by adding:

United States-Canadian border; *Lofall INT, Wash.; 4,100. *6,000—MCA Lofall INT, northwestbound. Lofall INT, Wash.; Seattle, Wash., VOR; 3,000.

Section 95.6440 VOR Federal airway 440 is amended to read in part:

Middleton Island, Alaska, VOR; *Anchorage, Alaska, VOR; **9,000. *5,400—MCA Anchorage VOR, southeastbound. **8,500—MOCA.

Section 95.6455 VOR Federal airway 455 is amended to read in part:

Hattiesburg, Miss., VOR via W alter.; Lounin INT, Miss., via W alter.; *2,000. *1,800—MOCA.

Section 95.6484 VOR Federal airway 484 is amended by adding:

*Twin Falls, Idaho, VOR; Wooden Shoe INT, Idaho; 8,800. *8,000—MCA Twin Falls VOR, southeastbound.
 Wooden Shoe INT, Idaho; Spring Bay INT, Utah; *13,000. *11,900—MOCA. #MEA is established with a gap in navigation signal coverage.
 Spring Bay INT, Utah; Causeway INT, Utah; *10,500. *8,600—MOCA.
 Causeway INT, Utah; Salt Lake City, Utah VOR; 8,600.

Section 95.6506 VOR Federal airway 506 is amended to read in part:

King Salmon, Alaska, VOR; Kokwok INT, Alaska, westbound; 8,000. Eastbound; 2,000.
 Kokwok INT, Alaska; Canyon DME Fix, Alaska; *8,000. *7,500—MOCA.

Section 95.7034 Jet Route No. 34 is amended to read in part:

Dickinson, N. Dak., VORTAC; Aberdeen, S. Dak., VORTAC; 24,000; 45,000.

Section 95.7041 Jet Route No. 41 is amended to delete:

Miami, Fla., VORTAC; St. Petersburg, Fla., VORTAC; 18,000; 45,000.

Section 95.7041 Jet Route No. 41 is amended by adding:

Key West, Fla., VORTAC; St. Petersburg, Fla., VORTAC; 18,000; 45,000.

Section 95.7043 Jet Route No. 43 is amended to delete:

Key West, Fla., VOR; St. Petersburg, Fla., VORTAC; 18,000; 45,000.

Section 95.7043 Jet Route No. 43 is amended by adding:

Miami, Fla., VORTAC; St. Petersburg, Fla., VORTAC; 18,000; 45,000.

Section 95.7070 Jet Route No. 70 is amended to read in part:

Dickinson, N. Dak., VORTAC; Aberdeen, S. Dak., VORTAC; 24,000; 45,000.

Section 95.7110 Jet Route No. 110 is amended to read in part:

Garden City, Kans., VORTAC; Butler, Mo., VOR; 22,000; 45,000.

Section 95.7115 Jet Route No. 115 is amended to read:

King Salmon, Alaska, VORTAC; Anchorage, Alaska, VORTAC; 18,000; 45,000.
 Anchorage, Alaska, VORTAC; Fairbanks, Alaska, VORTAC; 18,000; 45,000.

Section 95.7515 Jet Route No. 515 is amended by adding:

Fargo, N. Dak., VORTAC; Pembina, N. Dak., VORTAC; 18,000; 45,000.

2. By amending subpart D as follows:

Section 95.8003 VOR Federal Airway changeover points: Airway segment:

From; to—Changeover point: Distance; from

V-138 is amended by adding:

Boise, Idaho, VOR; Pocatello, Idaho, VOR; 97; Pocatello.

V-440 is amended by adding:

Victoria, British Columbia, Canada, VOR; Seattle, Wash., VOR; 39; Victoria.

V-484 is amended by adding:

Twin Falls, Idaho, VOR; Salt Lake City, Utah, VOR; 40; Twin Falls.

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

Issued in Washington, D.C., on December 20, 1966.

W. E. ROGERS,
 Acting Director,
 Flight Standards Service.

[F.R. Doc. 66-13911; Filed, Dec. 28, 1966; 8:45 a.m.]

[Docket No. 6762; Amdt. 105-2]

PART 105—PARACHUTE JUMPING

Requirements

The purpose of these amendments to Part 105 of the Federal Aviation Regulations is to (1) require a functioning two-way communications system in any aircraft from which a parachute jump is to be made in or into controlled airspace, the establishment of radio communications with ATC and the receipt of information about known air traffic in the vicinity before the jumping occurs, the maintenance of a continuous watch, and advice to ATC when the jumping has ended; (2) modify the required notification time elements (where presently required) for jumps in or into controlled airspace, and

require notification of jumps in or into uncontrolled airspace; and (3) add to the required information (in a request for authorization or notice of jumping activity) notice of cancellation or postponement, and certain information relative to the jump zone.

On September 7, 1965, advance notice of proposed rule making and notice of public hearing (Notice 65-23) was issued inviting the views of all interested persons on certain requests for rule making presented by two associations, one representing air carriers and the other representing airline pilots. Those proposals principally would have prohibited non-emergency parachute jumps within federally controlled airspace and in or into approved off-airways routes outside of controlled airspace, and would have required notification of jumps in or into uncontrolled airspace (other than approved off-airways routes) and two-way radio and contact with the ATC facilities used. At the public hearing held on November 4, 1965, views were expressed both for and against those proposals.

The positions of all persons who filed comments in response to Notice 65-23 or appeared at the public hearing and all other available data were evaluated, and rule making was proposed in Notice 66-18 issued on May 6, 1966, and published in the FEDERAL REGISTER on May 12, 1966 (31 F.R. 6988). Disposition is now made of those proposals by these amendments.

(1) It was proposed in Notice 66-18 to require, for jumps within controlled airspace, a functioning two-way radio communications system in the jump aircraft appropriate to the ATC facilities to be used, unless otherwise authorized by ATC. As stated in the notice, under Part 105 there has been a gap in knowledge relating to the probability of a jump or series of jumps taking place when a pilot passes through a jumping location identified by notification procedures, and dissemination of information thus obtained. Ability to supply useful, timely information depends on ability to communicate. The Agency has concluded that for jumps in or into controlled airspace two-way radio communications between the jump aircraft and ATC facilities are necessary to provide this information, unless ATC determines that in a particular situation other communications are appropriate.

Comments on Notice 66-18 generally approved the proposals that would require a two-way radio communications system, that the pilot in command of the jump aircraft have a continuous watch maintained on the appropriate radio frequency, and that the jumping activity be abandoned if the radio communications system becomes inoperative. Some comments would limit these requirements to "exhibition" or "demonstration" jumps only, and would refrain from imposing them in the case of regular jumping activities conducted in identified jumping areas or centers. However, no reasons were presented for a distinction of this character. A few comments objected to the two-way radio requirement because of the cost. The cost element of course is present, but the communications requirement is an essential element

adopted for the achievement of the safety objectives sought by this rule making and a feasible and reasonable method of doing so.

These amendments adopt the radio equipment requirements proposed by Notice 66-18, as refined to set forth standard conditions that ordinarily could be expected to appear as communications requirements in authorizations that would have been issued under the original proposal. Thus, new § 105.14 requires the establishment of radio communications between the jump aircraft and ATC at least 5 minutes before the jumping activity is to begin, for the purpose of receiving information in the aircraft from ATC about known air traffic in the vicinity, and requires further the receipt of that information. Also, new § 105.14 requires the pilot in command of the jump aircraft to maintain or have maintained a continuous watch on the appropriate frequency from the time radio communications are first established until he advises ATC (as also required) that the jumping activity is ended for that flight.

(2) It was proposed in Notice 66-18 to require authorization for all non-emergency parachute jumps in or into controlled airspace, instead of notification where previously required under Part 105. Although some comment concurred with the notice in its entirety, this proposal elicited strong objections from parachutists and their organizations, that basically translated "authorization" into a discriminatory prohibition to occupy a portion of the airspace not denied to other users. The notice clearly distinguished the proposed "authorizations" from formal written applications submitted for certificates of authorization required for jumps over or into congested areas. Yet a number of comments assumed that written authorizations would be required.

The arguments used against the authorization requirement included the assertions that this was something not now required, but presaging similar future requirement, of other airspace users; that standards for authorization were not spelled out; that the Agency would be assuming a tort claim liability over which it has no real practical control if a collision occurs between a parachutist and an aircraft flying VFR (whose presence could be unknown to the Agency); and that authorization would add nothing to safety already present under notification procedures. The argument even was presented that ATC personnel, under pressure to make decisions, could arbitrarily refuse authorizations and thus effectively prohibit all parachuting activities. This invalidly assumed that Agency personnel would fail to perform their responsibility properly.

Upon reconsideration of the matter in light of the comments received, the Agency has concluded that the safety objectives of Notice 66-18 may be served by retaining the present notification provisions of § 105.23, as refined by these amendments, in conjunction with the new requirements on radio communications. The requirement for establish-

ment of radio communications and receipt of information (instead of authorization) provides the safety measure sought by the notice, that stated the need for satisfactory information and arrangements for communications with respect to the time and place of contemplated jumps. Flexibility in this respect is preserved by the provision that ATC may authorize communications arrangements other than those spelled out in § 105.14. Also, a provision is added to § 105.23, to accommodate regular jumping activities of organizations in identified jump zones, as sought in one form or another by some comments. Under this provision, long-term scheduled jumping in a specified jump zone may be conducted after acceptance by ATC of written notification submitted by a parachute jumping organization at least 15 days, but not more than 30 days, before the jumping is to begin. The preamble of the notice stated that if a series of jumps is contemplated rather than a single jump, a single request and authorization would suffice. Section 105.25 as now amended clarifies this by providing the information required for an authorization or a notification may apply to either an individual or group activity.

A change introduced in § 105.23 is the reduction to 1 hour, instead of 6, as the minimum notification period. The need for so long a minimum period as 6 hours was questioned by a number of comments. Also, it was asserted that it was often not possible to know, 6 hours ahead of time, elements of required notice such as altitudes, and specific time of jumping. The Agency has concluded that a 1-hour notice is sufficient.

In this connection, the Agency also has concluded that the 24-hour minimum period for requesting authorization for jumps in or into positive control areas is not needed. This requirement therefore is eliminated by these amendments, along with the reference to "positive control route segments," that no longer exist.

(3) It was proposed in Notice 66-18 to require notification of parachute jumps in or into uncontrolled airspace. These amendments incorporate that proposal, on which the comment was favorable.

(4) It was proposed in Notice 66-18 to require notification of the cancellation of any contemplated jumping activity for which authorization has been requested or notification given. These amendments accomplish this in new paragraph (b) of § 105.25, including also the requirement (as suggested by comment) that notification be required in case of postponement of proposed jumping activity. The latter provision accommodates situations where, for instance, weather conditions delay jumping for an hour or two and a new notice would be impractical, or when notified schedules are altered. Section 105.25(a) also is clarified by requiring more precise description of the jump zone in terms of size and in relation to the nearest VOR facility 30 nautical miles or less from the

jump zone, otherwise in relation to the nearest airport, town, or city.

(5) It was proposed in Notice 66-18 to prohibit parachute jumps by any person within 8 hours after the consumption of any alcoholic beverage. The proposal would have incorporated in Part 105 the 8-hour rule proposed by Notice 65-34 for Part 91 of the Federal Aviation Regulations (General Operating and Flight Rules), in order to retain conformity between the two Parts in the area of prohibitions concerning liquor and drugs. However, final action on Notice 65-34 has not been taken, and accordingly the proposed provision has been omitted from these amendments to Part 105, subject to later addition if the regulatory action proposed by Notice 65-34 is adopted.

A number of comments contained recommendations that went beyond the scope of the notice. Thus, it was recommended that in airspace, controlled or uncontrolled (other than control zones with functioning towers and positive control areas), the pilot in command of the aircraft should be required to have a continuous listening watch maintained on MULTICOM (122.9) frequency to provide immediate advisories upon request by an aircraft, ATC facility, or flight service station; and that use of MULTICOM also should be required for in-flight coordination when more than one aircraft are involved in parachuting operations. The agency considers it preferable to retain what has been proposed, that is, "the appropriate frequency" (to the ATC facility to be used). However, it must be noted that in cases where local ATC agrees that these different communications are more practical or serve a better purpose for a particular location, it may authorize them under the new § 105.14. Other recommendations beyond the scope of the notice, and not considered at this time were that a jumper at night should be required to have a flashing red light visible for 5 miles (the present rule does not specify color, and requires visibility for 3 miles); and that flight visibility specified in § 105.31(b) be increased to 5 miles from 3 miles, as now required, outside of the continental control area. It also was recommended that there be published a standard definition of a parachuting drop zone in terms of area and altitude. However, the Agency believes the notifier should advise the dimensions required for his activity. Again, it was recommended that a VFR flight plan be used instead of the proposed authorization. However, a flight plan would not be appropriate, since the concern is with the jumping, not the flight of the aircraft. Several others of these recommendations were concerned with nonregulatory matters, such as charting jump sites, or requesting airfields not controlled by FAA towers but possessing UNICOM or MULTICOM capability to add the phrase "Parachuting operations in progress" to transmissions to aircraft entering their area when those operations are in progress.

For the reasons stated herein, it is believed that the issuance of these amend-

ments, whose objective is to provide additional safeguards for both the jumper and other air traffic, is in the public interest.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all matter presented.

In consideration of the foregoing, Part 105 of the Federal Aviation Regulations is amended, effective March 24, 1967, as follows:

1. By inserting the following new section after § 105.13:

§ 105.14 Radio equipment and use requirements.

(a) Except when otherwise authorized by ATC—

(1) No person may make a parachute jump, and no pilot in command of an aircraft may allow a parachute jump to be made from that aircraft, in or into controlled airspace unless, during that flight—

(i) The aircraft is equipped with a functioning two-way radio communications system appropriate to the ATC facilities to be used;

(ii) Radio communications have been established between the aircraft and the nearest FAA air traffic control facility or FAA flight service station at least 5 minutes before the jumping activity is to begin, for the purpose of receiving information in the aircraft about known air traffic in the vicinity of the jumping activity; and

(iii) The information described in subdivision (ii) of this subparagraph has been received by the pilot in command and the jumpers in that flight; and

(2) The pilot in command of an aircraft used for any jumping activity in or into controlled airspace shall, during each flight—

(i) Maintain or have maintained a continuous watch on the appropriate frequency of the aircraft's radio communications system from the time radio communications are first established between the aircraft and ATC, until he advises ATC that the jumping activity is ended from that flight; and

(ii) Advise ATC that the jumping activity is ended for that flight when the last parachute jumper from the aircraft reaches the ground.

(b) If, during any flight, the required radio communications system is or becomes inoperative, any jumping activity from the aircraft in or into controlled airspace shall be abandoned. However, if the communications system becomes inoperative in flight after receipt of a required ATC authorization, the jumping activity from that flight may be continued.

2. By amending § 105.21 to read as follows:

§ 105.21 Jumps in or into positive control areas.

(a) No person may make a parachute jump, and no pilot in command of an aircraft may allow a parachute jump to be made from that aircraft, in or into a positive control area without, or in viola-

tion of, an authorization issued under this section.

(b) Each request for an authorization issued under this section must be submitted to the nearest FAA air traffic control facility or FAA flight service station and must include the information prescribed by § 105.25(a).

3. By amending § 105.23 to read as follows:

§ 105.23 Jumps in or into other airspace.

(a) No person may make a parachute jump, and no pilot in command of an aircraft may allow a parachute jump to be made from that aircraft, in or into airspace unless the nearest FAA air traffic control facility or FAA flight service station was notified of that jump at least 1 hour before the jump is to be made, but not more than 24 hours before the jumping is to be completed, and the notice contained the information prescribed in § 105.25(a).

(b) Notwithstanding paragraph (a) of this section, ATC may accept from a parachute jumping organization a written notification of a scheduled series of jumps to be made over a stated period of time not longer than 12 calendar months. The notification must contain the information prescribed by § 105.25(a), identify the responsible persons associated with that jumping activity, and be submitted at least 15 days, but not more than 30 days, before the jumping is to begin. ATC may revoke the acceptance of the notification for any failure of the jumping organization to comply with its terms.

(c) This section does not apply to parachute jumps in or into any airspace or place described in §§ 105.15, 105.19, or § 105.21.

4. By amending § 105.25 to read as follows:

§ 105.25 Information required, and notice of cancellation or postponement of jump.

(a) Each person requesting an authorization under § 105.19 or § 105.21, and each person submitting a notice under § 105.23, must include the following information (on an individual or group basis) in that request or notice:

(1) The date and time jumping will begin.

(2) The size of the jump zone expressed in nautical mile radius around the target.

(3) The location of the center of the jump zone in relation to—

(i) The nearest VOR facility in terms of the VOR radial on which it is located, and its distance in nautical miles from the VOR facility when that facility is 30 nautical miles or less from the drop zone target; or

(ii) The nearest airport, town, or city depicted on the appropriate Coast and Geodetic Survey WAC or Sectional Aeronautical chart, when the nearest VOR facility is more than 30 nautical miles from the drop zone target.

(4) The altitudes above the surface at which jumping will take place.

(5) The time and duration of the intended jumping.

(6) The name, address, and telephone number of the person requesting the authorization or giving notice.

(7) The identification of the aircraft to be used.

(8) The radio frequencies, if any, available in the aircraft.

(b) Each person requesting an authorization under § 105.19 or § 105.21, and each person submitting a notice under § 105.23, must promptly notify the FAA air traffic control facility or FAA flight service station from which it requested authorization or which it notified, if the proposed or scheduled jumping activity is canceled or postponed.

(Secs. 307, 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354, 1421)

NOTE: The recordkeeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued in Washington, D.C., on December 20, 1966.

WILLIAM F. McKEE,
Administrator.

[F.R. Doc. 66-13934; Filed, Dec. 28, 1966; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1143]

PART 13—PROHIBITED TRADE PRACTICES

Abraham Feder and Al Feder Furs

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*: 13.30-30 *Fur Products Labeling Act*; § 13.70 *Fictitious or misleading guarantees*; § 13.73 *Formal regulatory and statutory requirements*: 13.73-10 *Fur Products Labeling Act*; § 13.140 *Old, reclaimed or reused product being new*; § 13.185 *Refunds, repairs, and replacements*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 *Fur Products Labeling Act*; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 *Fur Products Labeling Act*; § 13.1265 *Old, second-hand, reclaimed, or reconstructed product as new*. Subpart—Neglecting, Unfairly or Deceptively, to make material disclosure: § 13.1845 *Composition*: 13.1845-30 *Fur Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 *Fur Products Labeling Act*; § 13.1880 *Old, used, or reclaimed as unused or new*: 13.1880-40 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease

and desist order, Abraham Feder trading as Al Feder Furs, New York, N.Y., Docket C-1143, Dec. 6, 1966]

In the Matter of Abraham Feder, an Individual Trading as Al Feder Furs

Consent order requiring a New York City manufacturing furrier to cease misbranding and falsely invoicing and advertising its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Abraham Feder, an individual trading as Al Feder Furs, or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Failing to set forth the term "natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. Failing to disclose that fur products contain or are composed of second-hand used fur.

4. Failing to set forth on labels the item number or mark assigned to each such fur product.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

2. Setting forth on invoices pertaining to any such fur products any false or deceptive information with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

3. Setting forth on the invoices pertaining to fur products the name or names of any animal or animals other than the name of the animal producing the fur contained in the fur product as specified in the Fur Products Name Guide, and as prescribed by the rules and regulations.

4. Failing to set forth the term "Persian Lamb" in the manner required where

an election is made to use that term instead of the word "Lamb."

5. Failing to set forth the term "Dyed Mouton Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb."

6. Failing to set forth the term "natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

7. Failing to disclose that fur products contain or are composed of second-hand used fur.

8. Failing to set forth on invoices the item number or mark assigned to fur products.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively identifies any such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Sets forth the name or names of any animal or animals other than the name of the animal producing the furs contained in the Fur product as specified in the Fur Products Name Guide, and as prescribed by the rules and regulations.

4. Fails to set forth the term "Persian Lamb" in the manner required where an election is made to use that term instead of the word "Lamb."

5. Sets forth any trade name, coined name or other name or words descriptive of a fur as being the fur of an animal which is in fact fictitious or nonexistent.

6. Sets forth the term "blended" or any term of like import as part of the information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe the pointing, bleaching, dyeing, tip-dyeing, or otherwise artificial coloring of furs contained in fur products.

7. Fails to set forth the term "Natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

8. Fails to disclose that fur products are composed in whole or in substantial part of paws, tails, bellies, sides, flanks, gills, ears, throats, heads, scrap pieces or waste fur.

9. Sets forth the term "assembled" or any term of like import as part of the information required under section 5(a) of the Fur Products Labeling Act and

the rules and regulations promulgated thereunder to describe fur products composed in whole or in substantial part of paws, tails, bellies, sides, flanks, gills, ears, throats, heads, scrap pieces or waste fur.

10. Fails to disclose that fur products contain or are composed of second-hand used fur.

11. Represents, directly or by implication, that fur products are guaranteed without disclosing the nature and extent of the guarantee and the manner and form in which the guarantor would perform thereunder.

12. Represents, directly or by implication, that a refund of the purchase price of any fur product will be given under stated conditions unless a refund of the purchase price of such fur product is given under the stated conditions.

13. Represents, directly or by implication, that an exchange of any fur product will be given under stated conditions unless an exchange of such fur product is given under the stated conditions.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: December 6, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-13942; Filed, Dec. 28, 1966; 8:49 a.m.]

[Docket No. 8709]

PART 13—PROHIBITED TRADE PRACTICES

Custom Sleep Shoppes, Ltd. and Harold Naiditch

Subpart—Advertising falsely or misleadingly: § 13.71 *Financing*; § 13.155 *Prices*: 13.155-10 *Bait*; 13.155-40 *Exaggerated as regular and customary*; § 13.170 *Qualities or properties of product or service*: 13.170-52 *Medicinal, therapeutic, healthful, etc.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1750 *Style or type*; Misrepresenting oneself and goods—Prices: § 13.1779 *Bait*; § 13.1805 *Exaggerated as regular and customary*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Custom Sleep Shoppes, Ltd., et al., Silver Spring Md., Docket 8709, Nov. 18, 1966]

In the Matter of Custom Sleep Shoppes, Ltd., a Corporation, and Harold Naiditch, an Individual and as an Officer of Said Corporation

Consent order requiring a Silver Spring, Md., retailer of mattresses and other bedding products to cease using bait tactics and otherwise misrepresenting the design, construction, certification or approval of its merchandise.

The order to cease and desist, includ-

ing further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Custom Sleep Shoppes, Ltd., a corporation, and its officers, and Harold Naiditch, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale, or distribution of mattresses, box springs or any other product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using, in any manner, a sales plan, scheme, or device wherein false, misleading or deceptive statements or representations are made in order to obtain leads or prospects for the sale of merchandise.

2. Making representations purporting to offer merchandise for sale when the purpose of the representation is not to sell the offered merchandise but is to obtain leads or prospects for the sale of other merchandise at higher prices.

3. Discouraging the purchase of, or disparaging, any merchandise which is advertised.

4. Representing, directly or by implication, that any merchandise is offered for sale when such offer is not a bona fide offer to sell said merchandise.

5. Using the word "sale," "save," "saving," or any word of similar import to refer to any amount which is not a significant reduction from the price at which the merchandise has been sold or offered for sale in good faith by respondents in the recent regular course of business, or otherwise misrepresenting the price at which merchandise has been sold or offered for sale by respondents, or otherwise misrepresenting in any manner the savings realized by purchasers of such products.

6. Using the word or term "orthopedic" or "Ortho Chiro Health" or "Ortho Chiro Health Certified" or any other words or phrases of similar import or meaning as descriptive of mattresses or any other bedding product not specifically designed and constructed so as to prevent, correct, or afford substantial relief to a body deformity or deformities, and not in accord with recommendations of orthopedic authorities respecting the design or construction of such product for the prevention, correction or relief of a body deformity or deformities; nor shall such words or phrases be used unless accompanied by specification of the kind or kinds of body deformities for which the product has been so designed and constructed.

7. Using the word "custom" or the phrase "custom built" or any other word or phrase of similar import or meaning as descriptive of stock merchandise; or representing, directly or by implication that their products have been specially designed and constructed in accordance with specifications furnished by purchasers or users prior to manufacture: *Provided, however*, That this shall not

prohibit respondents from using the name Custom Sleep Shoppes, Ltd., or representing items as custom made, that are, in fact not carried as inventory items and are built to specifications furnished by purchasers or users prior to manufacture.

8. Representing, directly or by implication, that the design and construction of their products have been approved by a practitioner or practitioners of medicine, orthopedics or chiropractic: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for the respondents to establish the fact of such representation.

9. Misrepresenting the design, construction, certification, or approval of any such products.

10. Failing to disclose orally at the time of sale and in writing on any conditional sales contract promissory note or other instrument executed by the purchaser, with such conspicuousness and clarity as is likely to be read and observed by the purchaser that:

(1) Such conditional sales contract promissory note or other instrument may, at the option of the seller and without notice to the purchaser, be negotiated or assigned to a finance company or other third party;

(2) If such negotiation or assignment is effected, the purchaser will then owe the amount due under the contract to the finance company or third party and may have to pay this amount in full whether or not he has claims against the seller under the contract for defects in the merchandise, nondelivery or the like.

11. Obtaining the signature of any purchaser to any installment contract or promissory note without prior disclosure, in a clear and understandable manner that such contract or note may be discounted or negotiated to a finance company or other third party.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: November 18, 1966.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-13943; Filed, Dec. 28, 1966;
8:49 a.m.]

[Docket No. 8688]

PART 13—PROHIBITED TRADE PRACTICES

Lincoln Rug & Carpet Mart, Inc., et al.

Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1550 *Retailer as wholesaler, jobber, or factory distributor*. Misrepresenting oneself and goods—Goods: § 13.1715 *Quality*; § 13.1745 *Source or origin*; § 13.1747 *Special or limited offers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Lincoln Rug & Carpet Mart, Inc., et al., Morton Grove, Ill., Docket 8688, Dec. 1, 1966]

In the Matter of Lincoln Rug & Carpet Mart, Inc., a corporation, and Dorothy Gordon and Joseph Gordon, individually and as officers of said corporation

Order requiring a Morton Grove, Ill., retailer of domestic grade carpeting to cease misrepresenting its business status and the grade, quality, availability and source of its products.

The order to cease and desist is as follows:

It is ordered, That the respondents Lincoln Rug & Carpet Mart, Inc., a corporation, and its officers, and respondents, Dorothy Gordon and Joseph Gordon, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of carpeting, rugs or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication that:

a. They are commercial carpeting specialists or wholesalers.

b. The carpeting they are selling to individual consumers is heavy duty, high quality commercial carpeting.

c. Their principal business is selling heavy duty, high quality carpeting to commercial establishments.

d. The carpetings they are selling are remnants left over from commercial installations.

e. The carpeting they sell is not available in retail stores.

f. They sell to individual consumers, only for limited periods of time each year.

g. Remnants of heavy duty, high quality commercial carpeting used in commercial installations are offered to consumers at less than the price initially charged for the prime portion thereof: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish the truthfulness of such representations.

2. Misrepresenting, in any manner, the savings available to purchasers of respondents' merchandise; respondents' trade or business status; or the grade, quality, availability, or source of their products.

By "Final Order" further order requiring report of compliance is as follows:

It is further ordered, That respondents, Lincoln Rug & Carpet Mart, Inc., a corporation, and Dorothy Gordon and Joseph Gordon, individually and as officers of said corporation shall, within sixty (60) days after service of this order upon them, file with the Commission a report in writing, signed by such respondents, setting forth in detail the manner and

form of their compliance with the order to cease and desist.

Issued: December 1, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-13944; Filed, Dec. 28, 1966;
8:49 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER B—PROPERTY IMPROVEMENT LOANS

PART 201—CLASS 1 AND CLASS 2 PROPERTY IMPROVEMENT LOANS

Section 201.2 is amended by adding a new paragraph (f) to read as follows:

§ 201.2 Eligible notes.

(f) *Secured notes.* A Class 1(b) loan in excess of \$5,000, exclusive of financing charges, shall be secured by a recorded lien upon the improved property.

In § 201.5 paragraph (e) is amended to read as follows:

§ 201.5 Credits and collections.

(e) *Prior approval by Commissioner.* In connection with all Class 1 and Class 2 loans, the approval of the Commissioner is required prior to disbursing any loan which will increase the total obligation of a borrower, or of a comaker or cosigner of the note, to more than \$5,000 exclusive of financing charges.

In § 201.9(e) subparagraphs (2) and (4) are amended to read as follows:

§ 201.9 Refinancing.

(e) *Deferred payments.*
(2) Payment shall not be deferred for more than 5 months from the due date of the last fully paid installment, except that any period during which the borrower is a "person in the military service" as such term is defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, shall not be included in computing the 5-month period.

(4) The insured may assess the borrower for the cost of deferring payments if such assessment is not in excess of the contract rate in the jurisdiction in which the note is drawn, or the amount of late charges permitted by the note as authorized in § 201.2(e), whichever amount is the greater.

(Sec. 2, 48 Stat. 1246, as amended; 12 U.S.C. 1703)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING INSURANCE

Subpart A—Eligibility Requirements—Projects

In § 213.3 paragraph (g) is amended to read as follows:

§ 213.3 Fees required by Commissioner.

(g) *Transfer fee.* An application for approval of the transfer of physical assets or for the substitution of mortgagor shall be accompanied by the payment of a transfer fee in the amount of 50 cents per thousand dollars of the original face amount of the mortgage, except that in connection with the management type project, the Commissioner may determine such transfer fee is not required and need not be paid.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

In § 221.524 paragraph (a) is amended to read as follows:

§ 221.524 Prepayment privileges.

(a) *Prepayment in full—(1) Without prior Commissioner consent.* A mortgage indebtedness may be prepaid in full and the Commissioner's controls terminated without the prior consent of the Commissioner in the following cases:

(i) Where the mortgage is insured under section 221(d) (4) of the Act.

(ii) Where the mortgagor is a limited distribution type, which is not receiving payments from the Commissioner under a rent supplement contract executed pursuant to the provisions of §§ 5.1 et seq. of this title, and where the prepayment occurs after the expiration of 20 years from the date of final endorsement of the mortgage.

(2) *With prior Commissioner consent.* In all other cases, except those outlined in subparagraph (1), a mortgage indebtedness shall not be prepaid in full and the Commissioner's controls will not be terminated unless the Commissioner gives his prior consent to such prepayment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

Issued at Washington, D.C., December 21, 1966.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 66-13916; Filed, Dec. 28, 1966;
8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6906]

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

Combat Pay Exclusion

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 112 of the Internal Revenue Code of 1954 to the Act of November 2, 1966 (Public Law 89-739, 80 Stat. 1165), such regulations are amended as follows:

PARAGRAPH 1. Section 1.112 is amended by revising so much of section 112(b) as precedes paragraph (1) to read as follows:

§ 1.112 Statutory provisions; certain combat pay of members of the Armed Forces.

Sec. 112. *Certain combat pay of members of the Armed Forces.*

(b) *Commissioned Officers.* Gross income does not include so much of the compensation as does not exceed \$500 received for active service as a commissioned officer in the Armed Forces of the United States for any month during any part of which such officer—

[Sec. 112 as amended by sec. 1, Act of Nov. 2, 1966 (Public Law 89-739, 80 Stat. 1165)]

PAR. 2. Section 1.112-1 is amended by revising paragraphs (a)(2) and (h) to read as follows:

§ 1.112-1 Compensation of members of the Armed Forces of the United States for service in a combat zone during an induction period, or for service while hospitalized as a result of such combat-zone service.

(a) In addition to the exemptions and credits otherwise applicable, section 112 provides that there shall be excluded from gross income:

(2) In the case of compensation received for active service as a commissioned officer in the Armed Forces of the United States for any month during any part of which such officer (i) served in a combat zone during an induction period, or (ii) was hospitalized at any place as a result of wounds, disease, or injury incurred while so serving: *Provided*, That during all of such month there are combatant activities in some combat zone, so much of such compensation as does not exceed—

(i) \$500, received in taxable years ending after December 31, 1965, for periods of active service after that date, and

(ii) \$200, whenever received, for periods of active service before January 1, 1966, or, received in taxable years ending before that date, for periods of active service on or after that date.

(h) These exclusions are applicable without regard to the marital status of the recipient of the compensation, and if

a husband and wife both meet the requirements of the statute, then each is entitled to the benefit of an exclusion. In the case of a husband and wife domiciled in a State recognized for Federal income tax purposes as a community property State, any exclusion from gross income under section 112 operates before apportionment of the gross income of the spouses in accordance with community property law. For example, a man and his wife are domiciled in a community property State and he is entitled, as a commissioned officer, to the benefit of the exclusion under section 112(b) of \$500 for each month, with respect to compensation received in taxable years ending after December 31, 1965, for periods of active service after that date. He receives \$2,100 as compensation for such active service for 3 months in a combat zone. Of such amount, \$1,500 is excluded from gross income under section 112(b) and only \$600 is taken into account in determining the gross income of both husband and wife.

Because the amendments made by this Treasury decision make only those changes in the Income Tax Regulations which are necessary to reflect the statutory change in the amount of the exclusion from \$200 per month to \$500 per month, it is hereby found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

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

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: December 22, 1966.

STANLEY S. SURREY,
Assistant Secretary
of the Treasury.

[F.R. Doc. 66-13928; Filed, Dec. 28, 1966;
8:47 a.m.]

SUBCHAPTER E—ALCOHOL, TOBACCO, AND OTHER EXCISE TAXES

[T.D. 6905]

PART 179—MACHINE GUNS AND CERTAIN OTHER FIREARMS

Notice of Exemption and Transfer of Firearms

On November 8, 1966, a notice of proposed rule making to amend 26 CFR Part 179 was published in the FEDERAL REGISTER (31 F.R. 14359). In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions pertaining thereto. No comments or suggestions were received within the 30-day period prescribed in the notice, and the amendments as published in the FEDERAL REGISTER are hereby adopted.

This Treasury decision shall become effective on the first day of the first month which begins not less than 30

days after the date of its publication in the FEDERAL REGISTER.

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

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

Approved: December 22, 1966.

STANLEY S. SURREY,
Assistant Secretary
of the Treasury.

In order to establish that a reported tax-exempted transfer of a firearm coming within the purview of the National Firearms Act (Chapter 53 of the Internal Revenue Code of 1954) has been accomplished, § 179.105 of 26 CFR Part 179 is amended to read as follows:

§ 179.105 Notice of exemption and transfer.

Where a transfer is claimed to be exempt from tax under section 5812 I.R.C., as implemented by §§ 179.104, 179.104a, and 179.104b, a notice of exemption and transfer must be immediately executed by the transferor in triplicate on Form 5 (Firearms), and the original forwarded to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington, D.C. 20224, the duplicate retained by the transferor, and the triplicate furnished to the transferee. The notice must show the name and address of the transferor and transferee, a description of the firearm, the date of the transfer, the basis of the exemption claimed, and any other evidence which the Director, Alcohol and Tobacco Tax Division, may require. In addition, the transferor must establish that the transferee has received the firearm. Acceptable proof of receipt of a firearm may be in the form of a document such as a bill of lading showing shipment of the firearm to the transferee, or a signed statement by the transferee, or by a responsible officer or official on behalf of the transferee, acknowledging receipt of the firearm. Any document evidencing receipt of the firearm by the transferee must be securely affixed to the original Form 5 (Firearms) furnished to the Director, Alcohol and Tobacco Tax Division.

[F.R. Doc. 66-13929; Filed, Dec. 28, 1966;
8:49 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 371-66]

PART 14—ADMINISTRATIVE CLAIMS UNDER FEDERAL TORT CLAIMS ACT

By virtue of the authority vested in me by the first paragraph of section 2672 of Title 28, United States Code, as amended by section 1(a) of the Act of July 18, 1966 (Public Law 89-506; 80 Stat. 306), Chapter I of Title 28 of the Code of Federal Regulations is hereby amended by adding a new Part 14, as follows:

Sec.

- 14.1 Scope of regulations.
- 14.2 Administrative claim; when presented.
- 14.3 Administrative claim; who may file.
- 14.4 Administrative claim; evidence and information to be submitted.
- 14.5 Review by legal officers.
- 14.6 Limitation on agency authority.
- 14.7 Referral to Department of Justice.
- 14.8 Investigation and examination.
- 14.9 Final denial of claim.
- 14.10 Action on approved claims.
- 14.11 Supplementing regulations.

AUTHORITY: The provisions of this Part 14 issued under sec. 1(a), 80 Stat. 306, 28 U.S.C. 2672.

§ 14.1 Scope of regulations.

These regulations shall apply only to claims asserted under the Federal Tort Claims Act, as amended, accruing on or after January 18, 1967. The terms "Federal agency" and "agency" as used in this part include the executive departments, the military departments, independent establishments of the United States, and corporations primarily acting as instrumentalities or agencies of the United States, but do not include any contractor with the United States.

§ 14.2 Administrative claim; when presented.

For purposes of the provisions of section 2672 of Title 28, United States Code, a claim shall be deemed to have been presented when a Federal agency receives from a claimant, his duly authorized agent or legal representative, an executed Standard Form 95 or other written notification of an incident, accompanied by a claim for money damages in a sum certain for injury to or loss of property, personal injury, or death alleged to have occurred by reason of the incident. If a claim is presented to the wrong Federal agency, that agency shall transfer it forthwith to the appropriate agency.

§ 14.3 Administrative claim; who may file.

(a) A claim for injury to or loss of property may be presented by the owner of the property, his duly authorized agent or legal representative.

(b) A claim for personal injury may be presented by the injured person, his duly authorized agent, or legal representative.

(c) A claim based on death may be presented by the executor or administrator of the decedent's estate, or by any other person legally entitled to assert such a claim in accordance with applicable State law.

(d) A claim for loss wholly compensated by an insurer with the rights of a subrogee may be presented by the insurer. A claim for loss partially compensated by an insurer with the rights of a subrogee may be presented by the parties individually as their respective interests appear, or jointly.

(e) A claim presented by an agent or legal representative shall be presented in the name of the claimant, be signed by the agent or legal representative, show the title or legal capacity of the person signing, and be accompanied by

evidence of his authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian, or other representative.

§ 14.4 Administrative claims; evidence and information to be submitted.

(a) *Death.* In support of a claim based on death, the claimant may be required to submit the following evidence or information:

(1) An authenticated death certificate or other competent evidence showing cause of death, date of death, and age of the decedent.

(2) Decedent's employment or occupation at time of death, including his monthly or yearly salary or earnings (if any), and the duration of his last employment or occupation.

(3) Full names, addresses, birth dates, kinship, and marital status of the decedent's survivors, including identification of those survivors who were dependent for support upon the decedent at the time of his death.

(4) Degree of support afforded by the decedent to each survivor dependent upon him for support at the time of his death.

(5) Decedent's general physical and mental condition before death.

(6) Itemized bills for medical and funeral expenses incurred by reason of the incident causing death, or itemized receipts of payment for such expenses.

(7) If damages for pain and suffering prior to death are claimed, a physician's detailed statement specifying the injuries suffered, duration of pain and suffering, any drugs administered for pain, and the decedent's physical condition in the interval between injury and death.

(8) Any other evidence or information which may have a bearing on either the responsibility of the United States for the death or the damages claimed.

(b) *Personal injury.* In support of a claim for personal injury, including pain and suffering, the claimant may be required to submit the following evidence or information:

(1) A written report by his attending physician or dentist setting forth the nature and extent of the injury, nature and extent of treatment, any degree of temporary or permanent disability, the prognosis, period of hospitalization, and any diminished earning capacity. In addition, the claimant may be required to submit to a physical or mental examination by a physician employed by the agency or another federal agency. A copy of the report of the examining physician shall be made available to the claimant upon the claimant's written request provided that he has, upon request, furnished the report referred to in the first sentence of this subparagraph and has made or agrees to make available to the agency any other physician's reports previously or thereafter made of the physical or mental condition which is the subject matter of his claim.

(2) Itemized bills for medical, dental, and hospital expenses incurred, or itemized receipts of payment for such expenses.

(3) If the prognosis reveals the necessity for future treatment, a statement of expected expenses for such treatment.

(4) If a claim is made for loss of time from employment, a written statement from his employer showing actual time lost from employment, whether he is a full or part-time employee, and wages or salary actually lost.

(5) If a claim is made for loss of income and the claimant is self-employed, documentary evidence showing the amount of earnings actually lost.

(6) Any other evidence or information which may have a bearing on either the responsibility of the United States for the personal injury or the damages claimed.

(c) *Property damage.* In support of a claim for injury to or loss of property, real or personal, the claimant may be required to submit the following evidence or information:

(1) Proof of ownership.

(2) A detailed statement of the amount claimed with respect to each item of property.

(3) An itemized receipt of payment for necessary repairs or itemized written estimates of the cost of such repairs.

(4) A statement listing date of purchase, purchase price and salvage value, where repair is not economical.

(5) Any other evidence or information which may have a bearing on either the responsibility of the United States for the injury to or loss of property or the damages claimed.

§ 14.5 Review by legal officers.

The authority to adjust, determine, compromise, and settle a claim under the provisions of section 2672 of Title 28, United States Code, shall, if the amount of a proposed compromise, settlement, or award exceeds \$1,000, be exercised by the head of an agency or his designee only after review by a legal officer of the agency.

§ 14.6 Limitation on agency authority.

(a) An award, compromise, or settlement of a claim by an agency under the provisions of section 2672 of Title 28, United States Code, in excess of \$25,000 shall be effected only with the prior written approval of the Attorney General or his designee. For the purposes of this paragraph, a principal claim and any derivative or subrogated claim shall be treated as a single claim.

(b) An administrative claim may be adjusted, determined, compromised, or settled by an agency under the provisions of section 2672 of Title 28, United States Code, only after consultation with the Department of Justice when, in the opinion of the agency:

(1) A new precedent or a new point of law is involved; or

(2) A question of policy is or may be involved; or

(3) The United States is or may be entitled to indemnity or contribution from a third party and the agency is unable to adjust the third party claim; or

(4) The compromise of a particular claim, as a practical matter, will or may

control the disposition of a related claim in which the amount to be paid may exceed \$25,000.

(c) An administrative claim may be adjusted, determined, compromised, or settled by an agency under the provisions of section 2672 of Title 28, United States Code, only after consultation with the Department of Justice when the agency is informed or is otherwise aware that the United States or an employee, agent, or cost-plus contractor of the United States is involved in litigation based on a claim arising out of the same incident or transaction.

§ 14.7 Referral to Department of Justice.

When Department of Justice approval or consultation is required under § 14.6, or the advice of the Department of Justice is otherwise to be requested, the referral or request of the Federal agency shall be directed to the Assistant Attorney General, Civil Division, Department of Justice, in writing and shall contain (a) a short and concise statement of the facts and of the reasons for the referral or request, (b) copies of relevant portions of the agency's claim file, and (c) a statement of the recommendations or views of the agency. Such referrals or requests to the Department of Justice may be made at any time after presentment of a claim to the Federal agency.

§ 14.8 Investigation and examination.

A Federal agency may request any other Federal agency to investigate a claim filed under section 2672, Title 28, United States Code, or to conduct a physical examination of a claimant and provide a report of the physical examination. Compliance with such requests may be conditioned by a Federal agency upon reimbursement by the requesting agency of the expense of investigation or examination where reimbursement is authorized, as well as where it is required, by statute or regulation.

§ 14.9 Final denial of claim.

Final denial of an administrative claim shall be in writing and sent to the claimant, his attorney, or legal representative by certified or registered mail. The notification of final denial may include a statement of the reasons for the denial and shall include a statement that, if the claimant is dissatisfied with the agency action, he may file suit in an appropriate U.S. District Court not later than 6 months after the date of mailing of the notification.

§ 14.10 Action on approved claims.

(a) Any award, compromise, or settlement in an amount of \$2,500 or less made pursuant to the provisions of section 2672 of Title 28, United States Code, shall be paid by the head of the Federal agency concerned out of the appropriations available to that agency. Payment of an award, compromise, or settlement in excess of \$2,500 and not more than \$100,000 shall be obtained by the agency by forwarding Standard Form 1145 to the Claims Division, General Accounting Office. Payment of an award, compromise, or settlement in excess of \$100,000 shall

be obtained by the agency by forwarding Standard Form 1145 to the Bureau of Accounts, Department of the Treasury, which will be responsible for transmitting the award, compromise, or settlement to the Bureau of the Budget for inclusion in a deficiency appropriation bill. When an award is in excess of \$25,000, Standard Form 1145 must be accompanied by evidence that the award, compromise, or settlement has been approved by the Attorney General or his designee. When the use of Standard Form 1145 is required, it shall be executed by the claimant or it shall be accompanied by either a claims settlement agreement or a Standard Form 95 executed by the claimant. When a claimant is represented by an attorney, the voucher for payment shall designate both the claimant and his attorney as payees; the check shall be delivered to the attorney, whose address shall appear on the voucher.

(b) Acceptance by the claimant, his agent, or legal representative, of any award, compromise or settlement made pursuant to the provisions of section 2672 or 2677 of Title 28, United States Code, shall be final and conclusive on the claimant, his agent or legal representative and any other person on whose behalf or for whose benefit the claim has been presented, and shall constitute a complete release of any claim against the United States and against any employee of the Government whose act or omission gave rise to the claim, by reason of the same subject matter.

§ 14.11 Supplementing regulations.

Each agency is authorized to issue regulations and establish procedures consistent with the regulations in this part.

Dated: December 22, 1966.

RAMSEY CLARK,
Acting Attorney General.

[F.R. Doc. 66-13920; Filed, Dec. 28, 1966;
8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER B—CLAIMS AND ACCOUNTS

PART 536—CLAIMS AGAINST THE UNITED STATES

Claims Resulting From Explosion at U.S. Army Ordnance Plant in Bowie County, Tex., July 8, 1963

New §§ 536.181-536.184 are added to this part. They contain the rules of procedure for handling claims resulting from the explosion at the U.S. Army ordnance plant in Bowie County, Tex., July 8, 1963, and are effective upon publication in the FEDERAL REGISTER as provided in Public Law 89-757, November 5, 1966 (80 Stat. 1306).

Sec.
536.181 General.
536.182 Action by claimant.
536.183 Action by the U.S. Army Claims Service.
536.184 Approval and payment of claims.

AUTHORITY: The provisions of §§ 536.181-536.184 issued under sec. 3, Public Law 89-757, November 5, 1966 (80 Stat. 1306).

SOURCE: AR 27-30, December 14, 1966.

§ 536.181 General.

(a) *Purpose.* Sections 536.181-536.184 set forth the rules of procedure for handling claims against the United States for death and personal injury proximately resulting from the explosion at the U.S. Army Ordnance Plant in Bowie County, Tex., on 8 July 1963, hereinafter referred to as the "explosion."

(b) *Statutory authority.* Act of November 5, 1966 (80 Stat. 1306), hereinafter referred to as the "act."

(c) *Scope—(1) Limitations.* Only claims for death or personal injury sustained by reason of the explosion shall be accepted or considered under the provisions of §§ 536.181-536.184.

(2) *Limitation as to time for filing.* Claimants are required to submit their claims in writing on or before May 4, 1967.

(3) *Limitation as to amount of award.* No claim based upon the death of or personal injury to any one individual may be approved in an amount in excess of \$25,000. A claim based upon the death of or injury to two or more persons may be approved in a total amount in excess of \$25,000 if warranted by the evidence: *Provided*, That not more than \$25,000 shall be allowed on the basis of each death or personal injury involved. However, if an individual suffered personal injuries and subsequently died as a result of such injuries, a claim for personal injuries and a separate claim for death may be presented and each may be approved in an amount not in excess of \$25,000, if warranted by the evidence.

(d) *Law applicable.* Except as otherwise provided in the act, the law of the State of Texas shall apply.

(e) *Applicability of §§ 536.1-536.11c of this part.* The procedural rules of §§ 536.1-536.11c are applicable unless inconsistent with §§ 536.181-536.184 and the policies and procedures adopted by the Chief, U.S. Army Claims Service, Office of The Judge Advocate General, for the settlement of claims cognizable under §§ 536.181-536.184.

§ 536.182 Action by claimant.

(a) *Who may present a claim.* (1) Claims for awards based upon death shall be submitted only on behalf of the following persons:

(i) A surviving husband, wife, parent, or child of the deceased.

(ii) A duly appointed executor or administrator of the estate of the deceased on behalf of a person or persons listed in subdivision (i) of this subparagraph.

(2) Claims for personal injuries may be submitted only on behalf of the following persons:

(i) The injured person.

(ii) The heirs or executor or administrator of a person since deceased who suffered personal injuries in the explosion.

(3) Demands for compensation by two or more individuals based upon the death of or injury to any one individual are

merely separable interests in a single claim which may not be approved in an amount in excess of \$25,000.

(b) *Form of claim—(1) Submission of claim.* Claims may be submitted by presenting, in triplicate, properly completed Standard Form 95 (Claim for Damage or Injury¹). Forms may be procured from the Chief, U.S. Army Claims Service, Office of The Judge Advocate General, Fort Holabird, Md. 21219. If official forms are not available, any writing which contains substantially the information indicated on Standard Form 95 will be accepted: *Provided, however*, That before settling any claim, an executed Standard Form 95 shall be obtained. The limitations on awards set forth in § 536.181(c)(3), are applicable to the settlement authority. Claimants should state on the claim forms the amount of damages considered by them to be appropriate without regard to the limitations on awards.

(2) *Signature.* The claim form and all other papers requiring signature of the claimant should be signed by the claimant personally or by a duly authorized agent, legal representative, or attorney. The signature should include the given name, middle initial, if any, and surname of the signer. In claims for death, the persons indicated in paragraph (a) of this section may sign if applicable. All signatures must be in ink and should be identical on all papers. When a claim is signed by a married woman, it should be signed in her given name, e.g., "Mary A. Roe" instead of "Mrs. John Roe." Women who have married since the date of the explosion or others who have changed their names since that date, will sign their present name but will indicate in parentheses their surname at the time of the explosion. A claim signed by a legal representative, agent, or attorney will show his title or capacity and will be accompanied by evidence of the authority of such person to act.

(c) *Presentation of claim—(1) Time of filing claims.* The claim must be submitted on or before May 4, 1967 to the Chief, U.S. Army Claims Service, Office of The Judge Advocate General, Fort Holabird, Md. 21219. All claims transmitted through the U.S. mails which are postmarked prior to midnight May 4, 1967 shall be considered as timely filed.

(2) *Evidence to be submitted by claimant—(i) Proof generally.* A claim should be accompanied by all competent evidence available to the claimant, including medical records, concerning the cause and circumstances of personal injury or death, for which the claim is made.

(ii) *Medical evidence.* In claims for personal injury a recent complete physical examination by the doctor or doctors of the claimant's own choosing should be submitted. The report of medical examination will cover specifically the following points:

¹ Standard Form 95 has been filed with the Office of the Federal Register as part of the original document.

(a) Descriptive analysis of the case including a summary of the injured person's history and complaints.

(b) Diagnosis.

(c) Indication of the disability as temporary or permanent, and the per centum of such disability.

(d) Evaluation of the past and future physical and mental pain and suffering involved, as slight, moderate, severe, or extreme, with an explanation of the evaluation.

(e) Estimate of future medical expense.

(f) Opinion as to the causal relationship between the explosion and the injuries alleged.

(iii) *Unavailability of claimant for medical examination.* In instances where the injured person has since died or is for other reasons unavailable for physical examination, the claimant will submit all available medical records and reports relative to the nature and extent of the injuries.

§ 536.183 Action by the U.S. Army Claims Service.

(a) *Investigation of claims.* In accordance with paragraph 9c(1), AR 27-20, the Commanding General, 4th U.S. Army, will cause to be conducted any necessary additional investigations. The investigation will be as complete as practicable, consideration being given to all facts and circumstances of significance to the merits of the claim and the quantum of damages, if any, in the light of the act and §§ 536.181-536.184. The provisions of AR 27-20 may be followed as a guide in the investigation of claims under §§ 536.181-536.184.

(b) *Medical examinations and evaluations.* When determined necessary by the Chief, U.S. Army Claims Service, an officer designated by The Surgeon General will examine the reports of medical examinations accomplished by claimant's doctor and determine where possible the per centum of disability. In instances where the medical officer or the Chief, U.S. Army Claims Service deems reexamination required, the injured person will be referred in accordance with paragraph 30a, AR 40-3, to the nearest U.S. Army medical facility capable of conducting the physical and determining the per centum of disability.

§ 536.184 Approval and payment of claims.

(a) *Designation of settlement authority.* Claims presented under §§ 536.181-536.184 may be settled by the Chief, U.S. Army Claims Service, Office of The Judge Advocate General, Fort Holabird, Md. 21219, or any officer of The Judge Advocate General's Corps assigned to the U.S. Army Claim Service, subject to such limitations as the Chief, U.S. Army Claims Service may prescribe. No awards pursuant to this authority will be made after November 4, 1969.

(b) *Amount payable.* (1) The settlement authority will reduce any amount determined to be meritorious on a claim by an amount equal to the total insurance benefits (except life insurance bene-

fits), or other payments, or settlement of any nature, previously paid or to be paid with respect to the claim. The amount as so reduced will be awarded, subject to the \$25,000 limitation on the amount to be awarded in each claim.

(2) The settlement authority will not include in any award any amount for reimbursement to any insurance company, compensation insurance fund, or other insurer for loss payments made by such company, fund, or insurer. However, voluntary donations by employers, private or public charities and similar agencies will not be deducted.

(c) *Notice to claimants of right to submit claim.* When a file pertaining to a claim submitted under this act shows that a person probably would be entitled to recover under the act if he submitted a claim, claim forms will be sent to the potential claimant through his attorney, if any.

(d) *Settlement agreement and assignment.* When a claim settlement has been approved, the claimant or his duly authorized agent or representative will be requested to sign and return to the settlement authority, in triplicate, a settlement agreement and assignment substantially as follows:

I hereby agree to accept \$----- in full satisfaction and final settlement of all claims which I have or may have against the United States, its officers, agents, employees, or instrumentalities for (death) (personal injuries) resulting from the explosion at the U.S. Army Ordnance Plant in Bowie County, Tex., on July 8, 1963; and I hereby transfer, set over, and assign to the United States any and all rights of action against a third party arising from the (death) (personal injuries) claim with respect to which settlement is made.

(e) *Acceptance of award.* The acceptance by a claimant or his duly authorized agent or legal representative of any award or settlement made pursuant to the act and §§ 536.181-536.184 shall constitute a complete release by the claimant of any and all claims against the United States, its officers, agents, employees, or instrumentalities arising out of the explosion.

(f) *Payments.* Awards made by a settlement authority under the act and §§ 536.181-536.184, as well as the administrative costs incident to the investigation and settlement of such claims, shall be paid, pursuant to the act, by the Secretary of the Treasury.

(g) *Subrogation.* Payments pursuant to the act and §§ 536.181-536.184 shall not be subject to insurance subrogation claims in any respect.

(h) *Transfers and assignments.* No claim cognizable under the act and §§ 536.181-536.184 will be assigned or transferred except to the United States as provided in paragraph (d) of this section.

(i) *Attorney and agent fees.* No attorney or agent, on account of services rendered in connection with a claim, shall receive in excess of 20 per centum of the award made, any contract to the contrary notwithstanding.

(j) *Penalty for violations.* The act provides for punishment for violation of

its provisions by a fine in a sum not to exceed \$1,000.

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 66-13902; Filed, Dec. 28, 1966;
8:45 a.m.]

Chapter VI—Department of the Navy

SUBCHAPTER E—CLAIMS

PART 754—NAVY AFFIRMATIVE SALVAGE CLAIMS

SUBCHAPTER G—MISCELLANEOUS RULES

PART 765—RULES APPLICABLE TO THE PUBLIC

Miscellaneous Amendments

1. Part 754 is revised to read as follows:

Sec.

754.1 Settlement of Navy affirmative salvage claims.

754.2 Per diem rates for salvage services.

AUTHORITY: The provisions of this Part 754 issued under secs. 5031, 7361-7367, 70A Stat. 278, 455-456, as amended, sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 5031, 7361-7367.

§ 754.1 Settlement of Navy affirmative salvage claims.

(a) *Authority.* Under 10 U.S.C. 7365, the Secretary of the Navy, or his designee, may consider, ascertain, adjust, determine, compromise, or settle and receive payment of any claim by the United States for salvage services rendered by the Department of the Navy to any vessel.

(b) *Delegation of authority.* Each of the following has been designated by the Secretary of the Navy to exercise the authority contained in section 7365:

(1) The Commander, Naval Ship Systems Command, Department of the Navy.

(2) The Supervisor of Salvage, Naval Ship Systems Command, Department of the Navy.

(3) The Assistant Supervisor of Salvage, Office of the Supervisor of Shipbuilding, Conversion and Repair, USN, Third Naval District, 99 Park Avenue, New York, N.Y. 10016.

§ 754.2 Per diem rates for salvage services.

(a) Effective April 15, 1967, and subject to the rules set forth in paragraphs (b) through (f) of this section, the following vessel rates per day of 24 hours or part thereof have been established for salvage services rendered by the Department of the Navy to any vessel:

(1) *Fleet-type ships.*

Large salvage tugs (6,000-10,000 hp.)	\$5,000
Salvage ships of fleet tugs (3,000 hp.)	3,800
Ocean tugs (ATA, AN, YTB) (1,000-2,200 hp.)	2,300
Medium harbor tugs (YTM) (600-900 hp.)	1,100
Small harbor tugs (YTL) (under 600 hp.)	800

Rates for other types of ships used for search, communications, control, and

the like will be established on a case-by-case basis, with consideration being given to their special features as required for the particular operation.

(2) *Harbor clearance craft.*

Heavy lift craft (AHLG) (2,000-ton capacity) -----	\$2,000
Medium lift craft (ALC) (600-1,000-ton capacity) -----	1,000
Light lift craft (LLC) -----	750

Rates for pulling barges, diving boats and barges, launches, and support equipment in general will be specified on a case-by-case basis.

(3) *Supernumerary personnel.* The rates in subparagraph (1) of this paragraph for fleet-type ships include charges for their normal crews. The rates in subparagraph (2) of this paragraph for harbor-clearance craft include only maintenance-engineering personnel. Additional personnel such as Salvage Masters, Lift Masters, Harbor Clearance Team members, and extra diving crews will be charged for at rates established in the Navy Comptroller Manual and based on normal military pay scales. Per diem and travel expenses will be charged at cost.

(b) The per diem rates set forth in paragraph (a) of this section apply worldwide and are charged to pay the United States for the use of its Navy ship, operating crew, and towing hawser. If, as in the case of a stranding, special salvage equipment such as beach gear, pumps, compressors, and the like is required, then a per diem charge is also made for the use of that equipment. In addition, repair materials consumed and equipment lost or destroyed are billed at replacement cost.

(c) When used as the basis for billing, the per diem charges set forth in paragraphs (a) and (b) of this section are normally made for the total elapsed time spent by the Navy ship performing the service from the moment she leaves her berth, or is diverted from her previous course, to the time she returns to her berth or resumes her prior voyage at the approximate point of diversion. The charges are independent of the values involved; and the user will be billed in the full amount, regardless of whether the vessel is salvaged or lost; that is, irrespective of the ultimate success or failure of the salvage operation.

(d) An exception to the method of calculating per diem charges set forth in paragraphs (a) through (c) of this section is made if the distressed commercial vessel carries a substantial amount of Government-owned uninsured cargo and if her distress occurs in areas (such as the mid-Pacific) where the Navy alone maintains facilities capable of conducting major salvage operations. Under these conditions, if Navy assistance is promptly requested, then no charge is made unless the Navy ship actually reaches and helps the stricken vessel either before she is saved or before she and her cargo are lost.

(e) Submission of Navy salvage claims on a per diem basis is solely a matter of administrative convenience and policy. That policy is not a waiver or surrender

of the United States' legal right to claim on a salvage-bonus basis in any individual case. If per diem billing is rendered, then it is submitted on the express condition that it be promptly paid in full; and until receipt by the Department of the Navy of such payment, all salvage rights are reserved, including the right to withdraw the per diem billing without notice and present claim on a salvage-bonus basis.

(f) The statutory authority of the Secretary of the Navy to provide salvage facilities for private vessels and to administratively settle claims arising from such activity appears in Title 10, United States Code, sections 7361-7367. This authority does not obligate the United States or the Department of the Navy either to maintain salvage facilities in excess of its own needs or to render salvage assistance on all occasions. The policy of the Department of the Navy, however, is to assist in the salvage of private commercial ships when such assistance is required and where adequate privately owned salvage facilities do not exist or are not readily available.

2. Section 765.5 is revised to read as follows:

§ 765.5 Access to vessels or sites at which naval vessels are under construction, conversion, repair, or overhaul.

(a) No person shall be allowed to go on board vessels of the Navy under construction, conversion, repair, or overhaul except on the authority of the Commander, Naval Ship Systems Command, or his field representative assigned supervision of the construction, conversion, repair, or overhaul of the vessel.

(b) No person shall be allowed at the construction, conversion, repair, or overhaul sites and areas adjacent thereto as specifically designated, including shops within naval or commercial shipyards, repair facilities, docks, or piers, except on authority of the Commander, Naval Ship Systems Command, or his field representative assigned supervision of the construction, conversion, repair, or overhaul.

(c) No person not known to be an American citizen of good standing and repute shall be eligible for access as provided by paragraphs (a) and (b) of this section, except upon a finding by the Commander, Naval Ship Systems Command, that such access should be permitted in the best interest of the United States. Upon reaching such a finding, the conditions and controls imposed by the Commander, Naval Ship Systems Command, shall be complied with, and noncompliance serves to cancel an authorization previously granted.

(d) Violation of the regulations set forth in paragraphs (a), (b), and (c) of this section, promulgated pursuant to law, is punishable by a fine of not to exceed \$5,000 or imprisonment for not more than 1 year, or both.

(Sec. 21, 64 Stat. 1005, sec. 5031, 70A Stat. 278, as amended, sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 5031, 50 U.S.C. 797; 19 F.R. 5446)

3. Section 765.6 is revised to read as follows:

§ 765.6 Regulations for Pearl Harbor, Hawaii.

The Commander, U.S. Naval Base, Pearl Harbor, Hawaii, is responsible for prescribing and enforcing such rules and regulations as may be necessary for insuring security and for governing the navigation, movements, and anchorage of vessels in the waters of Pearl Harbor and in the entrance channel thereto.

(Sec. 1, 37 Stat. 341, 62 Stat. 799; 18 U.S.C. 2152, 33 U.S.C. 475; E.O. 8143, 4 F.R. 2179, 3 CFR 1943 Cum. Supp. 504)

4. Section 765.19 is amended by adding paragraph (f) to read as follows:

§ 765.19 Photographs and sketches of military or naval subjects.

(f) Paragraphs (a) through (e) of this section are based on the act of June 25, 1942 (56 Stat. 390), as amended (50 U.S.C. App. 781-785), and do not affect prosecution for violation of the Internal Security Act of 1950, as amended (50 U.S.C. 781-835), the espionage law (18 U.S.C. 793-799), or other criminal law, whenever applicable. See also Executive Order 10104 of February 1, 1950 (15 F.R. 597).

(Sec. 5031, 70A Stat. 278, as amended, sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 5031)

By direction of the Secretary of the Navy.

Dated: December 21, 1966.

[SEAL] WILFRED HEARN,
Rear Admiral, U.S. Navy, Judge
Advocate General of the Navy.

[F.R. Doc. 66-13903; Filed, Dec. 28, 1966; 8:45 a.m.]

PART 765—RULES APPLICABLE TO THE PUBLIC

Naval and Marine Corps Personnel; Financial Responsibility

Scope and purpose. The amendments relate to indebtedness and responsibility of members of the naval service for personal financial transactions and implement the controlling regulations of the Department of Defense (Part 43 of this title; 31 F.R. 7228, 9459, 9861). See also Part 715 of this chapter, entitled "Support of dependents and paternity complaints."

1. Section 765.9 is revised to read as follows:

§ 765.9 Policy and procedure concerning indebtedness and responsibility of naval personnel for personal financial transactions.

(a) *General.* Members of the naval service are expected to pay their just financial obligations in a proper and timely manner. A "just financial obligation" means one acknowledged by the military member in which there is no reasonable dispute as to the facts or the law, or one reduced to judgment which conforms to the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 U.S.C. App. 501-

590), if applicable. "In a proper and timely manner" means in a manner which does not, under the circumstances, reflect discredit upon the naval service. However, the Navy is without legal authority to require a member to pay a private debt, or to divert any part of his pay for the satisfaction thereof even though the indebtedness has been reduced to judgment by a civil court. The enforcement of the private obligations of a serviceman is a matter for the civil authorities. A commanding officer is without authority to adjudicate claims or to arbitrate controversies concerning asserted default in fulfillment of private obligations of naval personnel, or to act as an agent or collector for the creditor, claimant, or complainant involved. The Soldiers' and Sailors' Civil Relief Act provides for certain privileges and benefits for persons in the naval service. However, a member of the naval service is not, by virtue of his status, relieved from his continuing obligation to obey pertinent civil laws or to comply with the terms of applicable civil court orders, decrees, or judgments.

(b) *Policy.* The policy of the Department of the Navy is to promote habits of thrift and to encourage all members of the naval service to conduct their financial affairs in such a manner as to reflect credit upon the naval service. From inception to final settlement, however, the responsibility for an obligation rests solely with the creditor and the debtor. Therefore, the extent to which commanding officers may cooperate with creditors is limited to administrative referral of correspondence to the individual concerned when paragraph (e) of this section has been complied with. When the provisions of paragraph (e) of this section have been complied with, the commanding officer will insure that the individual concerned communicates his intentions in the matter to the creditor.

(c) *Disclosure of credit terms and standards of fairness.* Those making loans or extending credit to military personnel are encouraged to make full disclosure of credit terms and to comply with the Standards of Fairness, signing the Certificate of Compliance (see Attachment A to Part 43 of this title) before executing the loan agreement or contract. Through such measures, both parties are placed squarely on notice of their respective obligations, improvident loans are discouraged, and defaulting cases reduced. Because banks and credit unions operating on board naval installations owe a special responsibility to deal fairly with those assigned to or employed on the station, they must conform to the Standards of Fairness and make a full disclosure of the terms of the obligation, signing the Certificate of Compliance (see Attachment A to Part 43 of this title) before executing the loan.

(d) *Indoctrination.* The Commanding Officer will insure that all members of his command have been instructed in the provisions of this section. Disinterested third-party counseling should be made available by each command to assist personnel with financial problems.

The following points should be emphasized when discussing credit practices:

(1) Thrift is not only a virtue but a necessity of today's living.

(2) The way in which one handles his private financial affairs provides a reliable indication of his general character and trustworthiness.

(3) Prior to acceptance of any credit plan, personnel should realistically evaluate their financial capabilities and establish a practical budget which will preclude hopeless entrapment in overburdening and ever-increasing debts.

(4) Consultation with a legal assistance officer when contemplating large purchases on credit will assist personnel to avoid commitments which may be difficult or impossible to carry out.

(5) Be wary of the "high pressure" salesman. Think carefully and seek advice before signing an agreement or contract. Never sign a blank contract and always multiply the number of payments by the amount to determine the total payment. Note particularly the penalty clauses.

(6) Failure to pay just debts jeopardizes an individual's naval career because the individual is subject to disciplinary action or administrative discharge and may become ineligible to reenlist or to extend an enlistment.

(7) A substantial saving may be realized by setting funds aside to provide for cash purchases through either civilian or military stores.

(8) Take advantage of the saving, counseling, and lending services provided by credit unions organized by and for Department of the Navy civilian and military personnel as encouraged by Secretary of the Navy Instruction 5381.2 series.

(9) The use of the Full Disclosure and related forms (Attachment A to Part 43 of this title) will be included in this indoctrination and each serviceman desiring to obtain credit or execute a loan will be encouraged and advised to require the creditor or lender to complete the Full Disclosure form with the Certificate of Compliance which is to be signed by both parties to the transaction.

(10) Members who did not seek or heed advice beforehand or who otherwise encounter difficulties in paying their debts should be encouraged to consult with a legal assistance officer in accordance with the provisions of Secretary of the Navy Instruction 5801.1 series, which governs the legal assistance program.

(e) *Course of action.* Upon receipt of an indebtedness complaint, the commanding officer will:

(1) Determine if the creditor is in one of the following categories:

(i) A nonjudgment creditor who either has:

(a) Complied with the Standards of Fairness, made a full disclosure of the terms of the obligation and executed the Certificate of Compliance before consummating the loan or credit contract, and has submitted a copy of the Full Disclosure statement and the Certificate with the signatures of both parties and the date of its execution, or

(b) Certified that the Standards of Fairness are complied with and that the unpaid balance is adjusted accordingly or needs no adjustment, including a Full Disclosure statement reflecting compliance. This provision applies only to those cases in which the creditor has not executed a certificate prior to the consummation of the contract or is unable to produce it.

(ii) A creditor who has procured a judgment in a civil court of competent jurisdiction.

If the creditor is not one of these types, the commanding officer will notify the creditor in accordance with § 43.10(b) (2) of this title. If the creditor is one of these types, subparagraph (3) of this paragraph applies. Upon receipt of the additional information from the creditor, the commanding officer will review the correspondence to determine whether or not the creditor has complied with the provisions of the Standards of Fairness and the Full Disclosure test. If the creditor has done so, subparagraph (3) of this paragraph applies. If not, the creditor will be so advised, and the correspondence will be returned to him, with copy to the Chief of Naval Personnel, and no further action will be taken by the commanding officer or other officials of the Navy Department until such time as the Standards of Fairness are met and the creditor forwards the adjusted statement of Full Disclosure with a Certificate of Compliance to the commanding officer. Claims in which compliance with these requirements is questionable, or in which the total cost of the loan or credit, including all finance charges, although stated, appears excessive or exorbitant, will be referred to the officer designated by the command as responsible for such consideration and disposition as may be appropriate. Before deciding on the proper course of action, he will give the creditor an opportunity to demonstrate that the finance charges conform to the law of the State governing the contract and the extent to which the finance charges and rates conform to the prevailing rates and charges for similar consumer credit transactions.

(2) The requirements of subparagraph (1) of this paragraph for certification of compliance with standards of fairness and full disclosure do not extend to

(i) Claims of companies furnishing utility services, milk, laundry and related delivery services in which credit is extended solely to facilitate the service, as distinguished from inducing the purchase of the product or service;

(ii) Claims by accommodation endorsers, comakers or lenders against the party primarily liable on obligations not intended to benefit the accommodating party through payment of interest or otherwise; contracts for the purchase, sale or rental of real estate; claims in which the total unpaid amount does not exceed \$50; claims for support of dependents; claims based on a revolving or open-end credit account if the account shows the periodic rate and its annual rate equivalent and the balance to which it is applied to compute the charge; or

purchase money liens on real property (this does not include other liens on real property and related obligations such as those which represent obligations for improvement or repair).

In these cases, the correspondence will be referred to the serviceman concerned for further reply to the writer in accordance with the provisions of subparagraph (3) of this paragraph. Such referral and the nonapplication of certification and full disclosure requirements, however, do not foreclose any right of the debtor to question service charges and other finance charges and to negotiate a fair and reasonable settlement; when referring such correspondence to the serviceman concerned and urging payments on acknowledged debts, the commanding officer may indicate in appropriate cases (such as some falling under subdivision (ii) of this subparagraph) that the referral does not foreclose any right the serviceman might have as indicated in this section.

(3) Upon determining that the creditor (1) (i), (1) (ii), or (2) of this paragraph, (1) (i), (1) (ii), or (2) of this paragraph, the commanding officer will refer the creditor's correspondence to the alleged debtor. The commanding officer will:

(i) Have the individual concerned correspond in a courteous manner with the complainant regarding his intentions in the matter.

(ii) Urge individuals to make payments on acknowledged debts by U.S. Postal money order, check, or by any positive method whereby they will have an actual record or receipt of payment.

(iii) Notify the creditor that the serviceman has been advised to communicate directly with the creditor concerning the alleged indebtedness.

(f) *Requests for information.* Requests to furnish information concerning the personal credit rating of an individual in the naval service should be courteously refused. Current policy of the Department of the Navy requires that replies to such inquiries be limited to a verification that the individual is in the naval service and to a statement of his mailing address and basic pay. The requester should be further informed that information concerning personal credit rating may be requested from civilian agencies which have been established for this purpose. The commanding officer, however, may furnish the serviceman concerned with a statement of service including a statement of pay and allowances. This information should be complete enough to meet the needs of the individual such as those in connection with home mortgage or purchase applications.

(g) *Foreign cases.* The Chief of Naval Personnel receives letters from various sources in foreign territories and countries regarding alleged indebtedness or related matters concerning naval personnel. In the interest of maintaining harmonious relationships with other nations, these letters are forwarded to the commanding officer who should expeditiously dispose of these cases and insure satisfactory and positive conclusion of

the matter. If the situation cannot be satisfactorily or permanently disposed of before the individual's departure from the foreign port or station in question, a report setting forth all pertinent facts should be made to the senior officer present afloat or other authority as appropriate.

(h) *Action to be taken in aggravated situations.*—(1) *Officers.* A commanding officer's action in the case of an officer should be governed by the provisions of Article C-7801 (7) of the Bureau of Naval Personnel Manual.

(2) *Enlisted personnel.* Enlisted personnel should be counseled in accordance with § 730.12(c) of this chapter. When considered appropriate in the interest of systematizing the management of the individual's financial affairs, the commanding officer may suggest that the individual submit a statement of monthly finances and outstanding obligations to the commanding officer. If, after counseling, the individual fails to make a constructive effort toward resolution of his indebtedness, he should be processed in accordance with the provisions of § 730.12 of this chapter.

(i) When commands receive letters from creditors desiring to contact a serviceman about his indebtedness and the serviceman is not or no longer attached to the command, the creditor should, unless a different course of action is clearly indicated, be advised that the member is not with the command and that the creditor might obtain the serviceman's address by writing to the locator service of the Bureau of Naval Personnel, Washington, D.C. 20370, and enclosing \$1.50 as a fee for the service.

2. Part 765 is amended by adding § 765.10 to read as follows:

§ 756.10 Financial responsibility of Marine Corps personnel in commercial affairs and action on complaints of indebtedness.

(a) *Course of action when complaint is received.* When a complaint alleging indebtedness is received, the following action will be taken:

(1) Commanders will examine the complaint to ascertain if the complainant has complied with the requirements of Part 43 of this title. If the complaint fails to meet the requirements specified therein, the commander will return the complaint to the sender with an explanation of why the complaint was not processed.

(2) When a complaint is received that complies with the requirements of Part 43 of this title, the person against whom the complaint is directed will be interviewed in private. Before the interview, he shall be read and have explained to him Article 31, Uniform Code of Military Justice (10 U.S.C. 831). He will then be afforded the opportunity to examine the complaint and will be advised that dishonorable disregard of private indebtedness is an offense under the Uniform Code of Military Justice (see Manual for Courts-Martial, United States, 1951, par. 213b).

(3) If the indebtedness is acknowledged, the individual will be advised to

communicate with the complainant setting forth his intentions in the matter. The commander will reply to the complainant, if the provisions of Part 43 of this title have been complied with, and will state that the matter has been brought to the attention of the person concerned and that he has been advised to notify the complainant as to intended disposition of the matter.

(4) If the debt is denied or disputed, or if the individual does not desire to make a statement after considering the provisions of the Uniform Code of Military Justice, Article 31, the commander will so advise the complainant. The reply to the complainant will include a statement to the effect that:

(i) The Marine Corps exercises no jurisdiction or control over Federal pay or savings of its personnel and cannot, therefore, adjudicate the matter.

(ii) A dishonorable failure to pay a just debt is a military offense and, in such cases, disciplinary action may be taken. However, a mere negligent omission or financial inability to pay is not criminally punishable under the Uniform Code of Military Justice. Where disciplinary action is appropriate and taken, this action cannot provide for settlement of the indebtedness.

(iii) Marine Corps personnel do not, by their service connection, escape the jurisdiction of the civil courts, and that any further action on the claim must be pursued through a civil court of competent jurisdiction.

(b) *Investigation.* When an individual declines to make a statement, or when his statement is vague, uncertain, indefinite, or the indebtedness is denied or disputed, the commander will cause an investigation to be conducted into the matter in order to determine the facts and validity of the complaint.

(c) *Valid complaint.* A valid complaint of indebtedness is one where a debt has been incurred:

(1) By a Marine, or
(2) On his behalf by his legal dependents, with or without his consent, for necessities (including but not limited to food, shelter, clothing and medical expenses) and

(3) The debt is past due, or
(4) There is a court order in existence ordering the Marine to pay alimony, as distinguished from support of dependents, and payment thereon is past due.

(d) *Forwarding to Headquarters Marine Corps of valid complaints about officers, warrant officers, and sergeants and above; filing in official personnel files.* In the case of officers, warrant officers, and sergeants and above, all valid letters of indebtedness with a copy of the commanding officer's reply and the signed statement of the individual concerned will be forwarded to the Commandant of the Marine Corps (Code DK). Provided it is not contrary to local command administrative procedures, these documents may be forwarded direct to the Commandant of the Marine Corps (Code DK), without letters of transmittal (only one complete set stapled securely together) by the individual's immediate commanding of-

ficer. The Commandant of the Marine Corps (Code DK) will review all correspondence received to determine whether it is to be filed in the individual's official personnel file or in the central files of Headquarters Marine Corps. In the case of enlisted personnel, the provisions of subparagraph 15115.3z of the Marine Corps Personnel Manual apply. In the case of officers and warrant officers, the provisions of subparagraph 15157.2g of that manual apply.

(e) *Correspondence concerning enlisted members in the grade of corporal and below.* In the case of enlisted personnel in the grade of corporal and below, indebtedness correspondence will be retained in the files of the individual's unit or organization, as appropriate. Even though this correspondence is not forwarded to the Commandant of the Marine Corps, an entry will be made on page 11 of the individual's service record, as required by paragraph 15115.3z of the Marine Corps Personnel Manual.

(f) *Right of alleged debtor to submit a statement.* Prior to forwarding valid complaints to the Commandant of the Marine Corps (Code DK), the individual shall be advised thereof and of his right to submit a statement in connection therewith along with any relevant evidence. In the event he does not desire to submit a written statement, he shall so certify in writing.

(g) *Insufficient or invalid complaints.* Complaints of indebtedness not complying with Part 43 of this title, and those determined to be invalid by the commander, and other correspondence concerning financial affairs of Marines, are not to be forwarded to the Commandant of the Marine Corps.

(h) *Locator service, but no credit rating.* No person will, in his official capacity, furnish information regarding the personal credit rating or financial responsibility of any individual of the naval service. The mailing addresses of personnel may be furnished by the Commandant of the Marine Corps (Code DGH), if requested. A service fee of \$1.50 shall be charged for each address furnished.

(i) *Indoctrination.* All commanders are directed to continually indoctrinate and counsel members of their commands concerning the pitfalls of installment buying, incurring debts beyond capacity to pay and the necessity for liquidating debts in a timely manner. The counseling and indoctrination should include information regarding the need for a full disclosure of the terms of the agreement, how finance and interest rates are quoted and computed, the standards of fairness which should be observed, and the forms available for this purpose.

(j) *Counseling and corrective action.* The responsibility to indoctrinate and counsel Marine Corps personnel in this matter is a basic precept of military leadership. The receipt of too numerous complaints of indebtedness, the failure of personnel to liquidate indebtedness in a timely manner, and the failure to take prompt corrective action relative thereto are indicative of a lack of genuine interest and performance of duties on

the part of responsible commanders. It is the nondelegable responsibility of command, at every echelon, to insure that Marines are indoctrinated and counseled concerning this matter and that prompt, effective corrective action is taken to eliminate, insofar as is possible, the number of complaints of indebtedness concerning Marines.

(Sec. 133(d), 76 Stat. 517, sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 133 (d))

By direction of the Secretary of the Navy.

Dated December 23, 1966.

[SEAL] WILFRED HEARN,
Rear Admiral, U.S. Navy, Judge
Advocate General of the Navy.

[F.R. Doc. 66-13940; Filed, Dec. 28, 1966;
8:48 a.m.]

Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Subchapter W of Chapter VII is amended as follows:

PART 1001—GENERAL PROVISIONS

Subpart C—General Policies

Subpart G—Small Business Concerns

Subpart J—Publicizing Procurement Actions

1. Sections 1001.305-50 and 1001.313-51 are deleted; in § 1001.706-1, the reference to § 1002.205-4(c) is deleted; and § 1001.1002(a)(1) is revised. As amended, these sections now read as follows:

§ 1001.305-50 Maximum delivery schedules. [Deleted]

§ 1001.313-51 Replenishment procurement. [Deleted]

§ 1001.706-1 General.

(a) If circumstances permit the use of Preinvitation Notices (see § 2.205-4 of this title) and the Commerce Business Daily prior to issuing IFBs or RFPs, the small business definition for that particular procurement will be included in the Preinvitation Notice and in the transmittal to the Department of Commerce. Prospective suppliers will be required to state in their replies to the Preinvitation Notices whether they qualify as small business according to that definition. In such cases no determination as to the applicability of a set-aside will be made until the replies to the Preinvitation Notices have been reviewed to determine the extent of available competition.

§ 1001.1002 Dissemination of information relating to invitations for bids and requests for proposals.

(a) * * *
(1) ASD (ASKS-10), Wright-Patterson AFB, Ohio 45433.

PART 1002—PROCUREMENT BY FORMAL ADVERTISING

Subpart B—Solicitation of Bids

2. In § 1002.201, paragraph (a) (17) (iii) is deleted. As amended, § 1002.201 reads as follows:

§ 1002.201 Preparation of invitation for bids.

(a) (1) through (16) [no implementation]

(17) *Special provisions*—(i) *DO ratings.* See § 1001.460.

(ii) *Classified information.* Classified information in invitations for bids will be handled according to AFR 205-4, Armed Forces Industrial Security Regulation, and regulation issued by each major command.

(18) *General provisions or conditions*—(i) *Special maintenance tools and test equipment.* Where a requirement for special maintenance tools and test equipment exists, a separate item in the schedule will be established similar to the following sample:

The contractor agrees to furnish special maintenance tools and test equipment for items _____ above, to be selected in accordance with _____ dated _____ incorporated herein by reference.

(ii) The following provision will be included in all Invitation for Bids calling for the purchase of milk or milk products:

STATE MINIMUM DISTRIBUTOR PRICE REGULATION NOT APPLICABLE (MARCH 1963)

This Procurement is financed by Appropriated Funds and is made under the authority of Chapter 137, Title 10, U.S.C., and the Armed Services Procurement Regulation. Pursuant to Paul vs. United States, decided by the Supreme Court of the United States on January 14, 1963, State minimum distributor price regulations with respect to milk or milk products are not applicable to this procurement.

PART 1003—PROCUREMENT BY NEGOTIATION

Subpart B—Circumstances Permitting Negotiation

3. In § 1003.210-2, the reference in paragraph (m) to § 1001.1202(a) is deleted. Section 1003.210-2(m) now reads as follows:

§ 1003.210-2 Application.

(m) This authority will not be used for procurement of any item covered by an approved specification. When full and free competition can be obtained with the specifications, exhibits, or purchase description and award is contemplated to be made to the lowest responsible bidder, the procurement will be formally advertised. Cases of doubt will be resolved in favor of formal advertising.

PART 1006—FOREIGN PURCHASES**Subpart H—Balance of Payments Program—Offshore Procurement****Subpart T—Offshore Procurement**

4. A new Subpart H is added to Part 1006; and Subpart T is deleted, as follows:

Subpart H—Balance of Payments Program—Offshore Procurement

Sec.	
1006.850	"Buy U.S. Here" (BUSH) program.
1006.850-1	Purpose.
1006.850-2	Definitions.
1006.850-3	Policy.

AUTHORITY: The provisions of this Subpart H issued under sec. 8012, 70A Stat. 488, secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 8012, 2301-2314.

§ 1006.850 "Buy U.S. Here" (BUSH) program.

This subpart sets forth the procedures for the execution, award, and use of contracts by overseas activities in support of the "Buy U.S. Here" (BUSH) Program.

§ 1006.850-1 Purpose.

The purpose of the Buy U.S. Here (BUSH) Program is to:

- (a) Assist in carrying out the full intent and purpose of the DOD Balance-of-Payments Program through the purchase of U.S. end products;
- (b) Reduce administrative costs by centralization of contract placement where practicable;
- (c) Effect cost savings through favorable prices and less cost for delivery to an overseas destination; and
- (d) Provide a readily available source of supply in overseas areas for U.S. end products.

§ 1006.850-2 Definitions.

As used in this subpart, the following terms apply:

(a) **BUSH.** A term contracted from "Buy U.S. Here," a program for award of contracts by an overseas procurement activity for delivery of U.S. products and services to overseas activities.

(b) **BUSH contractor.** A business concern, domestic or foreign, having a BUSH contract.

(c) **BUSH contract.** A contract, usually an indefinite delivery type, awarded under the BUSH program.

(d) **BUSH delivery point.** An overseas delivery point that is either the final destination, a central point used for acceptance and redistribution, or a Port of Entry (POE) for U.S. Government acceptance and transshipment to final destination.

(e) **Overseas delivered cost.** The total cost, including purchase price, packing, crating, handling, shipping and delivery costs of an item delivered to an overseas destination.

(f) **Authorized price list (APL).** A contract document which can be separated from the contract containing (a) A price list of the products and/or services covered in the BUSH contract, and (b) minimum essential information needed by procuring activities for placing orders.

Thus only the APL is given wide distribution. The full contract is retained by the contracting office.

§ 1006.850-3 Policy.

(a) BUSH programs will be managed and controlled by major commands responsible for the respective overseas areas.

(b) BUSH contracting will be:

(1) Conducted so as to place contracts from central locations to the maximum practicable extent. This is intended to minimize the points of contact necessary to industry.

(2) Coordinated with other services in the overseas areas so as to achieve single service and cross servicing arrangements wherever practicable.

(c) BUSH contracts will:

(1) Involve only U.S. end products.

(2) Be delivered by the contractor to a BUSH (overseas) delivery point. (See § 1006.850-2(d).)

(3) Be demonstrably advantageous, at the BUSH (overseas) delivery point, when compared to other known sources for or methods of buying the same or similar U.S. products. Comparisons will, in the minimum, involve overseas delivered costs (§ 1006.850-2(e)).

(4) Be governed by the provisions of § 5.106 of this title in the case of multiple awards of like items.

(5) Unless otherwise specifically authorized by the responsible major command headquarters, be indefinite delivery contracts which are:

- (i) Authorized for use by any U.S. Government overseas ordering activity.
- (ii) Written to contain and authorize distribution of an Authorized Price List (APL) to all U.S. ordering activities.
- (d) BUSH contract use will be maximized. Use is especially encouraged:

- (1) For small dollar items.
- (2) For equipment where periodic maintenance and servicing is available in the overseas area and/or where the purchase price includes such things as: (i) A warranty; (ii) maintenance for a stated period; (iii) installation and checkout; and (iv) operator orientation, instruction, or training.

Subpart T—Offshore Procurement, is deleted.

PART 1007—CONTRACT CLAUSES**Subpart GG—Clauses for Laundry or Dry Cleaning Contracts****Subpart NN—Special Clauses**

5. Section 1007.3304-3 is revised; and in § 1007.4040, the introductory clause is revised to read as follows:

§ 1007.3304-3 Alterations in contract.

Insert the clause in § 7.105-1 of this title.

§ 1007.4040 Call procurement arrangement.

Any call procurement arrangement issued according to § 1003.410-3 of this subchapter will contain the following clause in addition to the clauses required or authorized for a contract of the type desired for the procurement arrangement.

PART 1053—CONTRACTS; GENERAL**Subpart B—Numbering of Contracts**

6. Subpart B—Numbering of Contracts, is deleted.

PART 1054—CONTRACT ADMINISTRATION**Subpart C—Contract Change Notification**

7. In § 1054.302, the title and subject matter are deleted and the section is marked "Reserved"; and in § 1054.304, paragraphs (a), (b), and (d) are revised to read as follows:

§ 1054.302 [Reserved]**§ 1054.304 Procedure for issuance of CCNs.**

(a) Before issuing a CCN, the PCO will obtain a modification number from the contract distribution office or equivalent, of the appropriate director of procurement and production or comparable local level. He will furnish the contract distribution office his name, organizational code, the contract number, and name and address of the contractor for record purposes.

(b) Personnel designated to issue CCNs will not authorize contractors orally or in writing to make contract changes or proceed with work without contractual coverage except in the following instance. When an urgent change must be made immediately, the contracting officer will instruct the contractor and the ACO, in writing, to proceed with the change furnishing them the CCN number. This procedure will not be used unless all requirements for issuing a CCN according to this subpart have been fulfilled. The covering CCN will not deviate from the instruction previously furnished the contractor. Any additional amendment will require issuance of another CCN.

(d) CCN's will be issued by the PCO, unless authority to issue same has been delegated to the ACO and the contract so provides. Before issuing a CCN, the contracting officer will obtain the contractor's estimate of the change in contract price resulting from the change or, if the change is urgent, will make his own estimate and take action to cause commitment and obligation of funds.

(Sec. 8012, 70A Stat. 488, secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 8012, 2301-2314) [AFPI Revision No. 71, Oct. 28, 1966; AF Procurement Circular No. 25, Oct. 25, 1966]

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, U.S. Air Force, Chief,
Special Activities Group, Office
of the Judge Advocate
General.

[F.R. Doc. 66-13833; Filed, Dec. 28, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1064]

[Docket No. AO 23-A31]

MILK IN GREATER KANSAS CITY MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900 as amended by 31 F.R. 11345 and 31 F.R. 15061), notice is hereby given of a public hearing to be held at the Bellerive Hotel, 214 East Armour Street, Kansas City, Mo., beginning at 10 a.m., local time, on January 5, 1967, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Greater Kansas City marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Pure Milk Producers Association of Greater Kansas City, Nemaha Cooperative Creamery, Sunflower Dairy, Inc., Milk Producers Marketing Co., Shawnee Milk Producers Association, Producer Creamery Co.—Springfield, Southwest Milk Producers, and St. Joseph Milk Producers Association;

Proposal No. 1. In § 1064.15(a) the last sentence is revised as follows: "The total quantity of milk so diverted may not exceed 25 percent in each of the months of August through December and 50 percent in each of the months of January through July of the average daily quantity of its member producer milk pooled under this part during the previous month multiplied by the number of days in the current month;"

Proposal No. 2. In § 1064.15(b) the last sentence is revised as follows: "However, the total quantity of milk so diverted may not exceed 25 percent in each of the months of August through December and 50 percent in each of the months of January through July of the average daily receipts of milk received at such plant during the preceding month from producers who are not members of a co-

operative association which has diverted milk pursuant to paragraph (a) of this section multiplied by the number of days in the current month;"

Proposal No. 3. In § 1064.12(b) the proviso is revised as follows: "Provided, That any supply plant which meets the 50 percent requirement in September and October and 30 percent in November, December, and January shall be pooled for each of such months and for the following months of February through August, if the required 50 percent is not met, unless such operator requests the market administrator in writing that such plant not be a pool plant, such nonpool status to be effective the first month following such notice and thereafter until the plant qualifies as a pool plant on the basis of shipments."

Proposal No. 4. In § 1064.12(b) a new proviso is added as follows: "And provided further, That any supply plant operated by a cooperative association shall be pooled in any month when 65 percent or more of the milk delivered during the month by producers who are members of such association is received at pool plants pursuant to paragraph (a) of this section."

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 5. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 7839 Floyd Street, Post Office Box 4336, Overland Park, Kans. 66204, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on December 22, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-13937; Filed, Dec. 28, 1966;
8:48 a.m.]

POST OFFICE DEPARTMENT

[39 CFR Part 143]

METERED STAMPS

Notice of Proposed Rule Making

Notice is hereby given of proposed rule making consisting of amendments to § 143.3 of Title 39, Code of Federal Regulations. One amendment will change the titles of paragraphs (a) and (b) under § 143.3 to "Sealing meter" and "Setting meter" respectively. Another proposed amendment is the renumbering of § 143.3(b) (2) to § 143.3(c) and the modi-

fication of the material therein by the addition of a new condition under which the postmaster who serves the place where a mailer is located may, when it will be convenient to the mailer, set a meter for use in paying postage on mail presented at another post office.

Although the procedures in 39 CFR Part 143 relate to a proprietary function of the Government, it is the desire of the Postmaster General voluntarily to observe the rule-making requirements of the Administrative Procedure Act (5 U.S.C. 1003) in order that patrons of the Postal Service may have an opportunity to comment on the proposed amendments. Written data, views, and arguments may be filed with the Director, Classification and Special Services Division, Bureau of Operations, Post Office Department, Washington, D.C. 20260, at any time prior to the 30th day following the date of publication of this notice in the FEDERAL REGISTER.

Accordingly, the proposed changes as set out above are incorporated in § 143.3 which is revised to read as follows:

§ 143.3 Use of meter.

(a) **Sealing meter.** A patron may not have any postage meter in his possession until it has been set and sealed at the post office that issued the license or, if more convenient, at one of its stations or branches where meters are set. A Meter Record Book, Form 3602-A, is issued at the time of initial setting. When the Meter Record Book is filled, a new one will be issued without charge.

(b) **Setting meter.** A meter licensee must bring the meter and Meter Record Book to the post office or station or branch where it was first set, for resetting and payments of postage. Postage must be paid at time of setting. Advance deposits for meter settings may not be accepted. The postmaster will issue a Meter Setting Receipt, Form 3603, for the amount of postage paid. If a meter is not reset within a 6-month period, it must be presented with Meter Record Book, showing daily register readings, at the post office, station or branch where last set, for examination.

(c) **Setting meter for use at another post office.** The postmaster who serves the place where a mailer is located may, when it will be a convenience to the mailer, set a meter under the following conditions for use in paying postage on mail to be presented at another post office:

(1) The post office where the mailings are to be made must be adequate to accept these mailings, preferably a sectional center, and served by transportation facilities which will enable the mailings to be effectively and economically handled in the postal transportation patterns.

(2) A meter license must be obtained from the post office where the mailing is to be presented. (See § 143.2(a)). When the license is received, it must be presented to the local post office with the meter for setting. The license will be returned to the licensee.

(3) A separate meter must be used for each post office. The postmark die must show the name of the post office of mailing.

(4) Payment for each meter setting must be made by certified or bank cashier's check payable to the postmaster at the post office where mailings will be made. The check must be presented to the local post office when the meter is set.

(5) The postmaster setting the postage meter will complete Form 3618 in duplicate. The original of this form with the check and a stamped, self-addressed envelope furnished by the mailer for return of Form 3603 will be sent in a post office penalty envelope to the postmaster where mailings are to be made. A record of each setting shall be entered on Form 3610 at the office where the mailings are made.

(6) Mail may not be consigned to the post office in bulk by freight, express, or other carrier. It must be presented at a designated receiving point in the post office by the mailer's representative. The postmaster may not act as the mailer's representative and the Department has no responsibility for the articles until they are actually accepted in the mail. See part 152 concerning carriage of letters outside the mail.

(7) Matter sent to other post offices for mailing must be shipped in private containers. The total weight of pieces placed in containers such as cartons, crates, etc., which are to be handled by postal employees must not exceed 80 pounds. Post offices will not furnish mail sacks for this purpose.

(8) When the use of a meter is discontinued, it must be presented to the post office where it was set, for checking out of service. Any postage adjustment will be made by the postmaster where the mailings have been made.

(d) *Faulty mechanism.* If the printing and recording mechanism is faulty in any way, do not use the meter but take it promptly to the post office, branch, or station where it is regularly set, for checking out of service.

(e) *Discontinuance.* When a licensee discontinues the use of a postage meter, it must be taken with the Meter Record Book to the post office. If the licensee has not notified the manufacturer of his intention to check out the meter, the postmaster must promptly request the manufacturer to call for the meter. The postmaster should also furnish the meter readings at time of check out to the manufacturer's representative to complete his record, since the descending register will have been cleared to zero or the lowest possible setting at that time. Unused postage in the meter may be transferred to another meter used by the licensee and registered at the same post office, or the postmaster may refund the amount in accordance with provisions on the License form. The Meter Record Book is returned to the licensee and should be kept on file for at least 1 year from date of final entry. Application for refund should be made on Form 3533, Application and Voucher for Refund of Postage and Fees, or on a special form furnished by the meter manufacturer.

(f) *Refunds for unused meter stamps.* When complete and legible meter stamps cannot be used because of misprints, spoiled envelopes or cards, and the like the licensee may apply to the postmaster for refund of postage up to 90 percent of postage value. (See § 147.2.)

NOTE: The corresponding Postal Manual section is 143.3.
(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

DECEMBER 23, 1966.

[F.R. Doc. 66-13918; Filed, Dec. 23, 1966;
8:46 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Docket No. 18064]

SUPPLEMENTAL AIR CARRIERS

Proposed Establishment of Group II Accounting and Reporting Classification

DECEMBER 23, 1966.

Notice is hereby given that the Civil Aeronautics Board has under consideration a proposed amendment to Part 241 of the Economic Regulations (14 CFR Part 241) which would reclassify certain supplemental air carriers from a Group I category to a modified Group II category for accounting and reporting purposes and would update the present provisions of the regulation.

The principal features of the proposed amendment are described in the attached explanatory statement and the proposed amendment is set forth in the attached proposed rule. The amendment is proposed under the authority of sections 204(a) and 407(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 766; 49 U.S.C. 1324, 1377).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter received on or before January 18, 1967, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. Under the existing accounting and reporting requirements of Part 241 of the Board's economic regulations (14 CFR Part 241), air route carriers are classified into three groups: Group I consisting of the smallest carriers, Group II consisting of the intermediate carriers, and Group III consisting of the largest carriers. When the supplemental air carriers were brought under the Uniform System of Accounts and Reports by ER-369, effective January 1, 1963, their overall volume of operations was comparable to that experienced by the smallest route carriers. At that time all supplementals were therefore classified into Group I, with essentially the same accounting and reporting requirements as the Group I route carriers.

A recent staff study demonstrates that since then some of the supplementals have experienced revenues far in excess of those of the smallest route carriers and have achieved operating revenues which compare favorably with those of the Group II air route carriers (the intermediate carriers). Accordingly, the proposed rule reclassifies such supplemental air carriers into Group II, while retaining the Group I classification for the smaller supplemental air carriers. This will require the Group II supplementals to file additional schedules.

The additional data are comparable to that required of Group II air route carriers. It will serve to put the Board in a better position to analyze the operations of larger supplementals for its regulatory purposes. In particular, since the majority of the larger supplementals conduct voluminous MAC (Military Airlift Command) charters paralleling those of the larger air route carriers, the information provided is essential to the Board's rate-fixing functions.

The proposed rule would place the following supplemental air carriers into Group II:

American Flyers Airline Corp.
Capitol Airways, Inc.
Modern Air Transport, Inc.
Overseas National Airways, Inc.
Saturn Airways, Inc.
Southern Air Transport, Inc.
Trans International Airlines, Inc.
World Airways, Inc.
Zantop Air Transport, Inc.

By doing so these carriers would be required to file Form 41 schedules B-10, P-4, and P-7 for the first time, as well as to complete the objective breakdown under functional account 5500 Passenger Service on schedule P-6. They would also be required to file schedules P-1.2 and P-5.2 in lieu, respectively, of schedules P-1.1 and P-5.1. The nature of supplemental operations obviates the necessity of filing various other Form 41 schedules required of Group II route air carriers. However, schedules B-2.1, B-11, P-3.1, and T-3.1 presently required by and especially designed for supplemental air carriers would be retained.

Changes of a minor or editorial nature have also been made in the present rule. Modifications have also been made so as to bring the list of carriers up to date.

Proposed rule. Accordingly, it is proposed to amend Part 241 of the Economic Regulations (14 CFR Part 241), effective January 1, 1967, as follows:

1. By amending section 04, by creating a new category, Group II supplemental carriers, and by updating names of certain carriers, to read as follows:

SECTION 04—AIR CARRIER GROUPINGS AND STANDARD NAME ABBREVIATIONS

GROUP I ROUTE AIR CARRIERS

Name	Abbreviation
Aerovias Sud Americana, Inc.	Aerovias.
Alaska Coastal Airlines, Inc.	Alaska Coastal.
Caribbean-Atlantic Airlines, Inc.	Caribair.
Chicago Helicopter Airways, Inc.	Chicago Helicopter.
Cordova Airlines, Inc.	Cordova.
Kodiak Airways, Inc.	Kodiak.
Los Angeles Airways, Inc.	LA Airways.
Mackey Airlines, Inc.	Mackey.
New York Airways, Inc.	NY Airways.
Northern Consolidated Airlines, Inc.	Northern Consol.
Reeve Aleutian Airways, Inc.	Reeve.
San Francisco & Oakland Helicopter Airlines, Inc.	SFO Helicopter.
Western Alaska Airlines, Inc.	Western Alaska.
Wien Alaska Airlines, Inc.	Wien.

GROUP II ROUTE AIR CARRIERS

Airlift International, Inc.	Airlift.
Allegheny Airlines, Inc.	Allegheny.
Aloha Air Lines, Inc.	Aloha.
Bonanza Air Lines, Inc.	Bonanza.
Central Airlines, Inc.	Central.
Frontier Airlines, Inc.	Frontier.
Lake Central Airlines, Inc.	Lake Central.
North Central Airlines, Inc.	North Central.
Ozark Air Lines, Inc.	Ozark.
Pacific Air Lines, Inc.	Pacific.
Southern Airlines, Inc.	Southern.
Trans Caribbean Airways, Inc.	Trans Car.
Trans-Texas Airways, Inc.	Trans-Texas.
West Coast Airlines, Inc.	West Coast.

GROUP III ROUTE AIR CARRIERS

Alaska Airlines, Inc.	Alaska.
American Airlines, Inc.	American.
Braniff Airways, Inc.	Braniff.
Continental Air Lines, Inc.	Continental.
Delta Air Lines, Inc.	Delta.
Eastern Air Lines, Inc.	Eastern.
The Flying Tiger Line, Inc.	Flying Tiger.
Hawaiian Airlines, Inc.	Hawaiian.
Mohawk Airlines, Inc.	Mohawk.
National Airlines, Inc.	National.
Northeast Airlines, Inc.	Northeast.
Northwest Airlines, Inc.	Northwest.
Pacific Northern Airlines, Inc.	Pacific Northern.
Pan American - Grace Airways, Inc.	Panagra.
Pan American World Airways, Inc.	Pan American.
Piedmont Aviation, Inc.	Piedmont.
Seaboard World Airlines, Inc.	Seaboard.
Slick Corp.	Slick.
Trans World Airlines, Inc.	Trans World.
United Air Lines, Inc.	United.
Western Air Lines, Inc.	Western.

GROUP I SUPPLEMENTAL AIR CARRIERS

Johnson Flying Service, Inc.	Johnson.
Purdue Aeronautics Corp.	Purdue.
Standard Airways, Inc.	Standard.
Vance International Airways, Inc.	Vance.

GROUP II SUPPLEMENTAL AIR CARRIERS

American Flyers Airline Corp.	American Flyers.
Capitol Airways, Inc.	Capitol.
Modern Air Transport, Inc.	Modern.
Overseas National Airways, Inc.	Overseas National.
Saturn Airways, Inc.	Saturn.

GROUP II SUPPLEMENTAL AIR CARRIERS—Continued

Southern Air Transport, Inc.	Southern Air Transp.
Trans International Airlines, Inc.	Trans International.
World Airways, Inc.	World.
Zantop Air Transport, Inc.	Zantop.

2. By amending section 32, by revising the schedules listed in paragraph (a) and by amending paragraph (b) as follows:

A. By revising paragraph (a) by inserting into the list of schedules a line each for new schedules B-10, P-1.2, P-4, P-5.2, and P-7 to read:

Section 32—General Reporting Instructions
(a) * * *

Schedule No.		Filing	
		Frequency	Postmark interval (days)
***	***	***	***
B-8	Property and Equipment Retired	do	40
B-10	Developmental and Preoperating Costs	do	40
B-11	Current and Long-Term Receivables; Current and Long-Term Payables	Monthly	30
***	***	***	***
P-1.1	Income Statement—Group I Air Carriers	Quarterly	40
P-1.2	Income Statement—Group II and Group III Air Carriers	do	40
P-2	Notes to Income Statement	do	40
P-3.1	Transport Revenues	do	40
P-4	Incidental Revenues—Net; Explanation of Special Items; Explanation of Deferred Federal Income Tax Adjustments, Dividends Declared and Retained Earnings Adjustments	do	40
P-5.1	Aircraft Operating Expenses—Group I Air Carriers	do	40
P-5.2	Aircraft Operating Expenses—Group II and Group III Air Carriers	do	40
P-6	Maintenance, Passenger Service, and General Services and Administration Expense Functions	do	40
P-7	Aircraft and Traffic Servicing, Promotion and Sales, and General and Administrative Expense Functions—Group II and Group III Air Carriers	do	40
***	Interim Income Statement	Monthly	30
***	***	***	***

B. By amending paragraph (b) to read:

(b) Each supplemental air carrier shall file the schedules of the CAB Form 41 reports with the Civil Aeronautics Board in accordance with the above instructions, except that the time for filing B and P report schedules for the final quarter of each calendar year may be extended to 90 days following the year's end provided that preliminary schedules B-1, P-1.1, or P-1.2, and P-3.1 are submitted within the standard prescribed 40-day filing period. At the request of a supplemental air carrier, and upon a showing by such air carrier that public disclosure of its preliminary year-end report would adversely affect its interests and would not be in the public interest, the Board will withhold such preliminary year-end report from public disclosure until such time as (1) the final report is filed, (2) the final report is due, or (3) information covered by the preliminary report is publicly released by the carrier concerned, whichever first occurs.

3. By amending section 34 "Profit and Loss Elements," by revising schedules P-1.1, P-3.1, P-5.1, and P-6 and by adding a new schedule P-7, as follows:

A. By revising "Schedule P-1.1—Income Statement—Group I Air Carriers,"

by changing the title and amending paragraph (a) thereof to read:

Schedules P-1.1 and P-1.2—Income Statement

(a) Schedule P-1.1 shall be filed by each Group I supplemental air carrier and schedule P-1.2 shall be filed by each Group II supplemental air carrier.

B. By revising "Schedule P-3.1—Transport Revenues," by amending paragraphs (c) and (d) thereof to read:

(c) Revenues reported shall reflect the aggregate revenue from each indicated class of traffic. In the case of military contracts, type of service shall be reported under the appropriate objective account. Abbreviations may be used in reflecting type of service, such as CAMs (Commercial Air Movements), CAFs (Commercial Air Freight Movements), MAC-FC (Military Airlift Command Fixed Contracts), MAC-CC (Military Airlift Command Call Contracts). The type of aircraft shall also be reported for each type of service, e.g., CAMs—DC-4. Type of service would also include Maintenance, Equipment Modification, Personnel Training, Etc.

(d) The sum of the subdivisions of each objective account reported in this schedule shall agree with the corresponding amounts reported in schedule P-1—Income Statement.

C. By revising "Schedule P-5.1—Aircraft Operating Expenses—Group I Air Carriers," by changing the title and amending paragraphs (a) and (i) to read:

Schedules P-5.1 and P-5.2—Aircraft Operating Expenses

(a) Schedule P-5.1 shall be filed by each Group I supplemental air carrier and schedule P-5.2 shall be filed by each Group II supplemental air carrier.

(i) The total of function 5100 Flying Operations reported on this schedule shall agree with corresponding amounts reported on schedule P-1, and the total of item 5278 Total Direct Maintenance—Flight Equipment shall agree with the corresponding amount reported in schedule P-6.

D. By revising "Schedule P-6—Maintenance, Passenger Service, and General Services and Administration Expense Functions," by redesignating paragraphs (d) and (e) as paragraphs (f) and (g) respectively; by inserting new paragraphs (d) and (e) between present paragraphs (c) and (d); and by amending redesignated paragraph (g) to read:

(d) Group I supplemental air carriers shall report the indicated data for all except function 5500 Passenger Service.

(e) Group II supplemental air carriers shall report the indicated data for all except function 6900 General Services and Administration.

(g) The sum of the totals of subfunctions 5200 Direct Maintenance and 5300 Maintenance Burden shall agree with the corresponding amount reported in function 5400 on schedule P-1. The total of function 6900 General Services and Administration reported in this schedule by Group I supplemental air carriers shall agree with the corresponding amount reported on schedule P-1.

E. By adding a new schedule P-7 immediately following schedule P-6, to read:

Schedule P-7—Aircraft and Traffic Servicing, Promotion, and Sales, and General and Administrative Expense Functions

(a) This schedule shall be filed by each Group II supplemental air carrier.

(b) The schedule shall be filed for quarterly data only. The caption "Operation" at the head of each column is not applicable to supplemental air carriers.

(c) Supplemental air carriers shall report the indicated data for all except subfunction 6100 Aircraft Servicing.

(d) The total of each functional expense classification reported in this schedule shall agree with the corresponding amount reported on schedule P-1.

[F.R. Doc. 66-13935; Filed, Dec. 28, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 540]

[Docket Nos. 66-67, 66-70]

SECURITY FOR THE PROTECTION OF THE PUBLIC

Consolidation of Proceedings and Rescheduling of Filing Dates

Notices of proposed rulemaking in Dockets 66-67 and 66-70 appeared in the FEDERAL REGISTER on December 13, 1966, and December 24, 1966, respectively. Those notices specified certain dates for filing comments, replies, and answers.

It would appear that, for the convenience of all parties desiring to participate therein, these proceedings should be consolidated for the above purposes and for oral argument. In the case of Docket No. 66-70, this will necessitate a reduction of one working day in the schedule for filing, but this is more than offset by the extension of time for filing in Docket No. 66-67 and the necessity for submission of only one pleading for both proceedings. Accordingly, the following schedule is established:

(1) Interested persons may submit views or arguments on or before January 13, 1967.

(2) The Federal Maritime Commission, Bureau of Compliance, Office of Hearing Counsel, shall file reply to comments on or before January 25, 1967.

(3) Answers to Hearing Counsel's reply may be submitted on or before February 1, 1967.

Oral argument in these consolidated proceedings will be heard on February 8, 1967, at 9:30 a.m. in Room 114, 1321 H Street NW., Washington, D.C. Interested persons are requested to notify the Secretary on or before January 25, 1967 as to the amount of time desired for argument.

By the Commission.

[SEAL]

THOMAS LIST,
Secretary.

[F.R. Doc. 66-13932; Filed, Dec. 28, 1966; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 76]

AIR POLLUTION FROM FEDERAL GOVERNMENT ACTIVITIES

Notice of Proposed Sulfur Oxides Emission Limits and Control Measures; Extensions of Time for Comments and Date of Adoption

Prevention, control, and abatement of air pollution from Federal Government activities; performance standards and techniques of measurement:

On November 22, 1966 (31 F.R. 14785) notice was published affording 20 days for the submission of written comments on emission limitations and control measures proposed to be adopted 30 days after such publication by a revision of § 76.5(c). The period for the submission of written comments is hereby extended to and including February 10, 1967, and the date of the proposed adoption of the revision is hereby extended to February 20, 1967.

Dated: December 22, 1966.

[SEAL]

JOHN W. GARDNER,
Secretary.

[F.R. Doc. 66-13939; Filed, Dec. 28, 1966; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 67-13]

RIMROCK, INC.

Notice of Qualification as Citizen of the United States

DECEMBER 22, 1966.

This is to give notice that pursuant to § 3.21, Customs Regulations (19 CFR 3.21), issued under the provisions of section 27A of the Merchant Marine Act, 1920, as amended by the Act of September 2, 1958 (46 U.S.C. 883-1), Rimrock, Inc., of Post Office Box 7074, Shreveport, La., incorporated under the laws of the State of Delaware, did on November 16, 1966, file with the Commissioner of Customs, in duplicate, an oath for qualification of a corporation as a citizen of the United States following the form of oath prescribed in customs Form 1260.

The oath shows that:

(a) A majority of the officers and directors of the corporation are citizens of the United States (list of names, home addresses, and citizenship attached to the oath);

(b) Not less than 90 percent of the employees of the corporation are residents of the United States;

(c) The corporation is engaged primarily in a manufacturing or mineral industry in the United States, or in a Territory, District, or possession thereof;

(d) The aggregate book value of the vessels owned by the corporation does not exceed 10 percent of the aggregate book value of the assets of the corporation; and

(e) The corporation purchases or produces in the United States, its Territories or possessions not less than 75 percent of the raw materials used or sold in its operations.

The Commissioner of Customs, having found this oath to be in compliance with the law and regulations, on December 22, 1966, issued to Rimrock, Inc., a certificate of compliance on customs Form 1262 as provided in § 3.21(i) of the regulations. The certificate and any authorization granted thereunder will expire 3 years from the date thereof unless there first occurs a change in the corporate status requiring a report under § 3.21(h) of the regulations.

[SEAL]

EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 66-13927; Filed, Dec. 28, 1966; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFF CALIFORNIA

Call for Nominations of Areas for Oil and Gas Leasing

Pursuant to the authority prescribed in 43 CFR Part 3380, notice is hereby given that nominations of areas for prospective oil and gas leasing in the Outer Continental Shelf off California may be submitted to the Director, Bureau of Land Management, Washington, D.C. 20240, not later than March 1, 1967. Copies of any nominations must be sent to the Regional Oil and Gas Supervisor, Geological Survey, Room 7744, 300 North Los Angeles Street, Los Angeles, Calif. 90012. Envelopes should be marked "Nominations for leasing in the Outer Continental Shelf—California."

All nominations must be described in accordance with the Outer Continental Shelf leasing maps prepared by the Bureau of Land Management, Department of the Interior, for the area commonly known as the "Santa Barbara Channel" and specifically described as portions of Official Leasing Maps 6A and 6B, Channel Islands Area, lying north of and including blocks in tier 45 N. and west of and including blocks in R. 58 W. to and including blocks in R. 81 W. Whole blocks or properly described subdivisions thereof not less than one-quarter of a block, and partial blocks adjacent to the 3-mile line may be nominated.

Official leasing maps showing leasing blocks within the Channel Islands Area off California, consisting of Maps 6A, 6B, 6C, 6D, and 6E, may be purchased from the Manager, Pacific Coast Outer Continental Shelf Office, Bureau of Land Management, Room 7749, 300 North Los Angeles Street, Los Angeles, Calif. 90012, and the Director, Bureau of Land Management, Washington, D.C. 20240, for \$1 per map.

All areas selected for competitive bidding will be published in the FEDERAL REGISTER and the published notice of lease offers will state the conditions and terms for leasing and the place, date, and hour at which bids will be received and opened.

JOHN O. CROW,
Associate Director,
Bureau of Land Management.

Approved: December 22, 1966.

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 66-13912; Filed, Dec. 28, 1966; 8:46 a.m.]

[New Mexico 0559419]

NEW MEXICO

Notice of Classification

DECEMBER 20, 1966.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended, for lands within the Cibola National Forest.

The lands affected by this classification are located in Santa Fe, Sandoval, San Miguel, Guadalupe, Lincoln, Quay, and Eddy Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

- T. 12 N., R. 6 E.,
Sec. 1, SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 3, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 4, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, lots 1, 2, 4, 6, 7 and E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 12 N., R. 7 E.,
Sec. 6, lots 1, 2, 3 and 4.
T. 16 N., R. 8 E.,
Sec. 35, NE $\frac{1}{4}$.
T. 15 N., R. 9 E.,
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 19, E $\frac{1}{2}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, lot 3;
Sec. 27, SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29;
Sec. 30, lots 2, 3, 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 35, lots 1, 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 15 N., R. 13 E.,
Sec. 8, lot 14;
Sec. 17, lots 1, 3 and 4;
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 7 N., R. 26 E.,
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 4, lot 3.
T. 8 N., R. 26 E.,
Sec. 3, lots 1 and 2;
Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 8 N., R. 27 E.,
Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.
T. 9 N., R. 27 E.,
Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 2 S., R. 12 E.,
Sec. 11, W $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.

- T. 10 S., R. 18 E.,
 Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 11, S $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$;
 Sec. 12, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 25, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 10 S., R. 19 E.,
 Sec. 6, lot 7;
 Sec. 7, lots 1, 2, 3, 4, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 18, E $\frac{1}{2}$ E $\frac{1}{2}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 19, lot 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20;
 Sec. 26, W $\frac{1}{2}$;
 Secs. 27 and 28;
 Sec. 29, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 30, lots 1, 2, 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, lots 1, 2, 3, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 33, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 34, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$.
 T. 11 S., R. 19 E.,
 Sec. 1, lots 5, 6 and 7;
 Sec. 3, lots 5, 6, 7 and 8;
 Sec. 5, lot 5;
 Sec. 6, lots 8 to 15, inclusive;
 Sec. 7, lots 5 to 12, inclusive;
 Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 11, lots 1 to 8, inclusive;
 Sec. 12, lots 1 to 10, inclusive;
 Sec. 13, lots 1 to 8, inclusive;
 Sec. 14, lots 1, 2, 7 and 8;
 Sec. 15, W $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 10 S., R. 20 E.,
 Sec. 31, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 11 S., R. 20 E.,
 Sec. 6, lots 15 to 30, inclusive;
 Sec. 7, lots 13 to 30, inclusive;
 Sec. 18, lots 13 to 25, inclusive;
 Sec. 19, lots 13, 14, 21, 22 and 23;
 Sec. 20, lots 1, 2 and 7 to 12, inclusive;
 Sec. 21, lot 1.
 T. 18 S., R. 23 E.,
 Sec. 3, S $\frac{1}{2}$;
 Sec. 9, NW $\frac{1}{4}$.

The areas described aggregate 18,187.10 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240.

MORRIS A. TROGSTAD,
Acting State Director.

[F.R. Doc. 66-13913; Filed, Dec. 28, 1966;
 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MEAT IMPORT LIMITATIONS

Quarterly Estimates

Public Law 88-482, approved August 22, 1964 (hereinafter referred to as the Act), provides for limiting the quantity of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep, except lamb (TSUS 106.20), which may be im-

ported into the United States in any calendar year. Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles prescribed by section 2(a) of the Act.

In accordance with the requirements of the Act the following first quarterly estimates are published:

1. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act, be imported during calendar year 1967 is 960.6 million pounds.

2. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1967 is 904.6 million pounds.

Since the estimated quantity of imports does not equal or exceed 110 percent of the estimated quantity prescribed by section 2(a) of the Act, no limitations for the calendar year 1967 on the importation of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep (TSUS 106.20), are authorized to be imposed pursuant to P.L. 88-482 at this time.

Done at Washington, D.C., this 23d day of December 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-13938; Filed, Dec. 28, 1966;
 8:48 a.m.]

FEDERAL MARITIME COMMISSION

UNITED STATES LINES CO. AND MATSON NAVIGATION CO.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. David F. Anderson, Staff Attorney, Matson Navigation Co., 215 Market Street, San Francisco, Calif. 94105.

Agreement 9604 is a General Passenger Agency Agreement between United States Lines Co. (USL) and Matson Navigation Co. (Matson) whereby USL appoints Matson as its General Passenger Agent in Hawaii under terms and conditions as set forth in the Agreement.

Dated: December 23, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-13931; Filed, Dec. 28, 1966;
 8:47 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

WITHDRAWAL OF CERTAIN VOLUNTARY STANDARDS

Notice of Action

In accordance with the "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10; 30 F.R. 238, Dec. 10, 1965), public notice is hereby given of the extension of the proposed withdrawal of three voluntary standards: Simplified Practice Recommendation R16-53, "American Lumber Standards for Softwood Lumber," Commercial Standard CS32-31, "Cotton cloth for rubber and proxylin coating," and Commercial Standard CS57-40, "Book cloths, buckrams, and impregnated fabrics for bookbinding purposes, except library bindings," from January 15, 1967 (FEDERAL REGISTER, Volume 31, Number 178, dated Sept. 14, 1966) to March 15, 1967, or until 30 days after the decision to publish the revision of any of the three standards, whichever is later with respect to the particular standard.

This extension of time is deemed necessary and appropriate because of the complexities involved in the process of determining the acceptability of the revisions of these standards to the industries concerned and to the National Bureau of Standards.

A. V. ASTIN,
Director.

[F.R. Doc. 66-13945; Filed, Dec. 28, 1966;
 8:49 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN REPUBLIC OF KOREA

Restraint Level

DECEMBER 23, 1966.

On December 12, 1966, in furtherance of the bilateral agreement with the Republic of Korea of January 26, 1965, as

amended by an exchange of notes and letters on November 22, 1966, the United States agreed, to account for particular circumstances in the administration of the agreement for the current year, to increase the level applicable to Category 45 goods for the 12-month period beginning January 1, 1966, by 7,360 dozen, bringing the level to 35,185 dozen, and to decrease the level applicable to Category 46 goods by the same amount bringing that level to 14,209 dozen for the same 12-month period.

There is published below a directive of December 21, 1966, from the Chairman, President's Cabinet Textile Advisory Committee to the Commissioner of Customs amending a previous directive of December 30, 1965, concerning cotton textiles and cotton textile products produced or manufactured in the Republic of Korea, to implement the increase in Category 45 and the decrease in Category 46. Interested parties should contact the appropriate Customs Officers as soon as possible concerning the admissibility of their goods.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Sec-
retary for Resources.

THE SECRETARY OF COMMERCE
PRESIDENT'S CABINET TEXTILE
ADVISORY COMMITTEE

WASHINGTON, D.C. 20230,
December 21, 1966.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DEAR MR. COMMISSIONER: This directive amends the directive of December 30, 1965, from the Chairman of the President's Cabinet Textile Advisory Committee concerning cotton textiles and cotton textile products produced or manufactured in the Republic of Korea.

Under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, and effective as soon as possible, the directive of December 30, 1965 is amended by increasing the corrected level of restraint for Category 45 to 35,185 dozen and by decreasing the corrected level of restraint for Category 46 to 14,209 dozen.

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

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce, and Chair-
man, President's Cabinet Textile
Advisory Committee.

[F.R., Doc. 66-13930; Filed, Dec. 28, 1966;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1007]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

DECEMBER 23, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

No. MC 116077 (Sub-No. 207) (Amendment), filed September 20, 1966, published FEDERAL REGISTER issue of October 13, 1966, and republished as amended this issue. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 9527, Houston, Tex. 77011. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals in bulk, from Baton Rouge, La., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states tacking would take place at Baton Rouge, La., in connection with its presently authorized authority to points in Louisiana, Arkansas, Mississippi, Delaware, Kansas, Texas, Missouri, New Mexico, Oklahoma, Florida, California, Connecticut, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, Wisconsin, North Carolina, and South Carolina. The purpose of this republication is to show that the origin point East Baton Rouge, La., has been amended to read Baton Rouge, La.

HEARING REMAINS ASSIGNED: January 11, 1967, in Room T-13004, Federal Office Building, 701 Loyola Avenue, New Orleans, La., before Examiner Kenneth A. Jennings.

No. MC 20729 (Sub-No. 8) (Republication), filed July 15, 1966, published FEDERAL REGISTER issue of August 4, 1966, and republished, this issue. Applicant: FREDDIE AHRENSTORFF, doing business as AHRENSTORFF TRANSFER, Lake Park, Iowa 51347. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. By application filed July 15, 1966, applicant seeks a certificate of public

convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of agricultural limestone and limestone fines, from the site of Midwest Limestone Co., in Pocahontas County, Iowa, to points in Minnesota, Nebraska, and South Dakota. An order of the Commission, Operating Rights Board No. 1, dated November 21, 1966, and served December 19, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of limestone, from the site of Midwest Limestone Co., located in Pocahontas County, Iowa, to points in Minnesota, Nebraska, and South Dakota; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 111812 (Sub-No. 314) (Republication), filed September 27, 1965, published FEDERAL REGISTER issue of October 14, 1965, and republished, this issue. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak. 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. In the above-specified proceeding, the examiner recommended the granting to applicant a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of frozen foods from Walla Walla, Wash., Milton-Freewater, Weston, and Albany, Oreg., and American Falls and Borah, Idaho, to points in Connecticut, Delaware, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, subject to the condition that such authority, to the extent that it duplicates applicant's existing authority, shall not be construed as conferring more than a single operating right. A decision and order of the Commission, Operating Rights Review Board No. 3, dated December 9, 1966, and served December 19, 1966, as amended, finds that operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of frozen foods from Walla Walla, Wash., Milton-Freewater, Weston, and Albany, Oreg., and American Falls and Borah, Idaho,

points in Connecticut, Delaware, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, subject to the condition that such authority, to the extent that it duplicates applicant's existing authority, shall not be construed as conferring more than a single operating right; that this proceeding be, and it is hereby, held open and the certificate withheld pending further consideration of applicant's fitness after final determination of the proceeding in No. MC-111812 (Sub-No. 279). A notice of the actual authority for which a need has been shown herein be republished in the FEDERAL REGISTER and that any proper party in interest may file an appropriate pleading within 30 days from the date of such publication.

No. MC 112391 (Sub-No. 31) (Republication), filed July 18, 1966, published FEDERAL REGISTER issue of August 4, 1966, and republished, this issue. Applicant: HADLEY AUTO TRANSPORT, a corporation, 7428 Paramount Boulevard, Post Office Box 96, Pico Rivera, Calif. Applicant's representative: Phil Jacobson, 510 West Sixth Street, Los Angeles, Calif. 90014. By application filed July 18, 1966, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) *automobiles and trucks*, in secondary movements, in truckaway and driveaway service, and *farm-type tractors*, (a) from Denver, Colo., to points in Arizona, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Wyoming, and points in that part of Texas on and north of U.S. Highway 66, with no transportation for compensation on return except as otherwise authorized, (b) between points in Colorado, Arizona, New Mexico, and Utah; (2) *automobiles, trucks, buses, chassis, and farm-type tractors*, in secondary movements, in driveaway service, from Salt Lake City, Utah, to points in Colorado, Idaho, and Wyoming, with no transportation for compensation on return except as otherwise authorized; (3) *automobiles, trucks, buses, chassis, and farm-type tractors*, in secondary movements, in truckaway and driveaway service, (a) from Salt Lake City, Utah, to points in Malheur, Baker, Union, and Wallowa Counties, Oreg., Montana, and those parts of North Dakota, South Dakota, Nebraska, and Kansas on and west of U.S. Highway 83, with no transportation for compensation on return except as otherwise authorized, (b) from Belen, N. Mex., to points in those parts of Kansas, Oklahoma, and Texas on and west of U.S. Highway 81, with no transportation for compensation on return except as otherwise authorized; under a continuing contract, or contracts, with the Ford Motor Co., in connection with (1) through (3) above, and restricted to movements of the vehicles described herein having a prior movement by rail or truckaway.

NOTE: Applicant states the purpose of this application is to request an extension

of its present authority in MC 112391, Subs 28 and 30, by adding the words "or truckaway", so that the authority granted in said permits shall read "having a prior movement by rail or truckaway". An order of the Commission, Operating Rights Board No. 1, dated November 21, 1966, and served December 19, 1966, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) *automobiles and trucks*, in secondary movements, in truckaway and driveaway service, and *farm-type tractors*, (a) from Denver, Colo., to points in Arizona, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Wyoming, and points in that part of Texas on and north of U.S. Highway 66, and (b) between points in Colorado, Arizona, New Mexico, and Utah; (2) *Automobiles, trucks, buses, and chassis*, in secondary movements, in driveaway service, and *farm-type tractors*, from Salt Lake City, Utah, to points in Colorado, Idaho, and Wyoming, and (3) *automobiles, trucks, buses, and chassis*, in secondary movements, in truckaway and driveaway service, and *farm-type tractors*, (a) from Salt Lake City, Utah, to points in Malheur, Baker, Union, and Wallowa Counties, Oreg., Montana and those parts of North Dakota, South Dakota, Nebraska, and Kansas on and west of U.S. Highway 83, and

(b) From Belen, N. Mex., to points in those parts of Kansas, Oklahoma, and Texas on and west of U.S. Highway 81; under a continuing contract or contracts with Ford Motor Co.; will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 125708 (Sub-No. 43) (Republication), filed February 25, 1966, published FEDERAL REGISTER issue of March 18, 1966, and republished, this issue. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. In the above-specified proceeding, the examiner recommended the granting to applicant a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of water well casing, pipe, tubing, pipe fittings and protectors, and sheet steel, except commodities which because of size or weight require special handling

or the use of special equipment, from Centralia, Ill., to points in Virginia and West Virginia, and articles of iron and steel manufacture, from Chester and Alton, Ill., to Centralia and Carlinville, Ill., restricted against tacking or joining to any other authority for the purpose of performing a through transportation. A decision and order of the Commission, Operating Rights Review Board No. 2, dated December 9, 1966, and served December 16, 1966, as amended, finds that operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of (1) *water well casing, pipe, tubing, pipe fittings and protectors, and sheet steel* (except commodities which because of size or weight require special handling or the use of special equipment), from Centralia, Ill., to points in Virginia and West Virginia, and (2) *iron and steel, and iron and steel articles*, from Chester and Alton, Ill., to Centralia and Carlinville, Ill., restricted against tacking or joining to any other authority for the purpose of performing a through transportation; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9615. Authority sought for purchase by LIGON SPECIALIZED HAULER, INC., Post Office Box 31, Madisonville, Ky., of a portion of the operating rights of LOWTHER TRUCKING COMPANY, Post Office Box 2115, Charlotte, N.C. 28201, and for acquisition by RALPH LIGON, also of Madisonville, Ky., of control of such rights through the purchase. Applicants' attorney: Fred F. Bradley, 213 St. Clair Street, 202 Court Square Building, Frankfort, Ky. Operating rights sought to be transferred: *Building or roofing slabs*, as a common carrier, over irregular routes, from Arkadelphia, Ark., to points in North Carolina and South Carolina. Vendee is authorized to operate as a common carrier in all points in the

United States (except points in Alaska, Arizona, Hawaii, Montana, Nevada, Oregon, Washington, Wyoming, and Utah). Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9616. Authority sought for purchase by ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309, of the operating rights of FLORIO'S EXPRESS, INC., 61 Adeline Street, New Haven, Conn., and for acquisition by GALEN J. ROUSH, also of Akron, Ohio, of control of such rights through the purchase. Applicants' attorneys: Russell R. Sage, 2001 Massachusetts Avenue NW., Washington, D.C. 20036, and Sidney L. Goldstein, 109 Church Street, New Haven, Conn. 06510. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over a regular route, between New Haven, Conn., and Danbury, Conn., serving the intermediate points of Sandy Hook, Newton, and Bethel, Conn.; and under a certificate of registration, in Docket No. MC-32559 Sub-4, covering the transportation of general commodities (other than household goods and office furniture and equipment and other than commodities which necessitate the use of dump trucks, tank trucks, or special equipment) for hire, as a common carrier, in intrastate commerce, within the State of Connecticut. Vendee is authorized to operate as a *common carrier* in Ohio, Texas, Oklahoma, Michigan, Missouri, Indiana, Pennsylvania, Illinois, Kansas, Tennessee, Alabama, Georgia, North Carolina, South Carolina, New Jersey, New York, Delaware, Kentucky, Maryland, West Virginia, Virginia, Connecticut, Wisconsin, Mississippi, Massachusetts, Rhode Island, and the District of Columbia. Application has been filed for temporary authority under section 210a(b). NOTE: MC-2202 Sub-No. 303 is a matter directly related.

No. MC-F-9618. Authority sought for purchase by SVENSSON FREIGHT LINES, Post Office Box 530, 800 Pacific Avenue, Yuma, Ariz. 85364, of the operating rights and property of HAYWOOD WASHUM, doing business as LOS ANGELES-YUMA FREIGHT LINES, Post Office Box 1428, 800 Pacific Avenue, Yuma, Ariz. 85364. Applicants' representative: Pete H. Dawson, 4453 East Piccadilly Road, Phoenix, Ariz. 85018. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods, but not excepting commodities in bulk, as a *common carrier*, over regular routes, between Los Angeles, Calif., and Yuma, Ariz., serving all intermediate and certain off-route points; and *general commodities*, excepting, among others, household goods, but not excepting commodities in bulk, over irregular routes, between Yuma, Ariz., on the one hand, and, on the other points in Arizona within 30 miles of Yuma. Vendee is authorized to operate under a certificate of registration, in intrastate commerce, as a common carrier within the State of Arizona. Application has not been filed for temporary authority under section

210a(b). NOTE: MC-96784 Sub-No. 2, is a matter directly related.

No. MC-F-9619. Authority sought for purchase by VALLERIE'S TRANSPORTATION SERVICE, INC., Connecticut Avenue, Norwalk, Conn., of a portion of the operating rights of LASKAS MOTOR LINES, INC., Post Office Box 1072, 337 Huntingdon Avenue, Waterbury, Conn. 06720, and for acquisition by JOHN E. VALLERIE, SR., Indian Spring Road, Rowayton, Conn., ALBERT E. VALLERIE, SR., Wolfpit Road, Norwalk, Conn., and STANLEY E. DABROWSKI, 41 Carpenter Lane, Wilton, Conn., of control of such rights through the purchase. Applicants' attorney Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. 06103. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Springfield, Mass., and Meriden, Conn., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Connecticut, New York, New Jersey, and Massachusetts. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9620. Authority sought for purchase by JEFF A. ROBERTSON, doing business as TOPEKA MOTOR FREIGHT, 4490 Lower Silver Lake Road, Topeka, Kans., of the operating rights of JOHNSON TRUCK LINE, INC., Washington, Kans. Applicants' attorney: D. S. Hults, Box 225, Lawrence, Kans. Operating rights sought to be transferred: *General commodities*, except those of unusual value, classes A and B explosives, bulk liquids, and commodities requiring special equipment, as a *common carrier*, over regular routes, from Morrowville, Kans., to Fairbury, Nebr., serving no intermediate points; *such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, between Fairbury, Nebr., and Belleville, Kans., serving all intermediate points and the off-route point of Cuba, Kans., between Fairbury, Nebr., and Hanover, Kans., serving all intermediate points and the off-route point of Emmons, Kans.; *livestock*, *household goods*, *emigrant movables*, and *farm machinery and parts*, between Axtell, Kans., and St. Joseph, Mo., serving the intermediate and off-route points within 12 miles of Axtell, restricted to pickup and delivery of traffic moving to or from St. Joseph, between Axtell, Kans., and Kansas City, Mo., serving the intermediate and off-route points within 12 miles of Axtell; *agricultural commodities*, from Axtell, Kans., to St. Joseph, Mo., serving the intermediate and off-route points within 12 miles of Axtell, restricted to pickup only; *feed and building materials*, from St. Joseph, Mo., to Axtell, Kans., serving the intermediate and off-route points within 12 miles of Axtell, restricted to delivery only; *livestock*, over regular and irregular routes, between Winifred, Kans., and points within 12 miles thereof, and Kansas City and St. Joseph, Mo., serving no intermediate points.

General commodities, except those of unusual value, classes A and B explosives,

bulk liquids, and commodities requiring special equipment, from Fairbury, Nebr., to certain specified points in Nebraska and Kansas; *livestock* and *agricultural commodities*, from the immediately above Kansas destination points to the Kansas-Nebraska State line, thence to Fairbury, Nebr., as immediately above; *general commodities*, except those of unusual value, classes A and B explosives, bulk liquids, and commodities requiring special equipment, over irregular routes, between Kansas City, Mo., and points within 15 miles of Greenleaf, Kans.; *livestock*, between Washington, Kans., and points within 15 miles of Washington, on the one hand, and, on the other, Kansas City, Kans., and certain specified points in Missouri, and Nebraska, between Greenleaf, Kans., and points within 15 miles of Greenleaf, with exceptions, on the one hand, and, on the other, St. Joseph, Mo., from certain specified points in Kansas, with exceptions, to Kansas City, Mo., and Kansas City, Kans., from Kansas City, Kans., and Kansas City, Mo., to points in the territory immediately above, between points in Kansas within 30 miles of Washington, Kans., on the one hand, and, on the other, points in Nebraska, between points in Nebraska within 30 miles of Washington, Kans., on the one hand, and, on the other, points in Kansas, between points within 30 miles of Washington, Kans., and St. Joseph and Kansas City, Mo., between Axtell, Kans., and points within 12 miles thereof, on the one hand, and, on the other, certain specified points in Nebraska, between Beattie, Kans., and points within 10 miles thereof, on the one hand, and, on the other, St. Joseph and Kansas City, Mo., and Kansas City, Kans., between Kansas City, Kans., on the one hand, and, on the other, Morrowville, Kans., and points within 15 miles of Morrowville.

Feed, between Washington, Kans., and points within 15 miles of Washington, on the one hand, and, on the other, St. Joseph and South St. Joseph, Mo., and certain specified points in Nebraska, from Kansas City, Mo., to certain specified points in Kansas, with exception, from Kansas City, Kans., to certain specified points in Kansas; *grain*, between Washington, Kans., and points within 15 miles of Washington, on the one hand, and, on the other, St. Joseph and South St. Joseph, Mo., and certain specified points in Nebraska; *livestock* and *agricultural commodities*, from certain specified points in Kansas, to Kansas City, Kans., and Kansas City and North Kansas City, Mo.; *general commodities*, excepting, among others, household goods and commodities in bulk, from Kansas City, Kans., and Kansas City and North Kansas City, Mo., to points in the immediately above Kansas territory; *emigrant movables*, between Axtell, Kans., and points within 12 miles of Axtell, on the one hand, and, on the other, certain specified points in Nebraska; *household goods* and *emigrant movables*, between Marysville, Kans., and points within 10 miles of Marysville, on the one hand, and, on the other, Kansas City, Kans., and certain specified points in Missouri;

farm machinery and parts, household goods, and agricultural commodities, between Beattie, Kans., and points within 10 miles thereof, on the one hand, and, on the other, St. Joseph and Kansas City, Mo., and Kansas City, Kans., between Axtell, Kans., and points within 12 miles thereof, on the one hand, and, on the other, certain specified points in Nebraska; general commodities, excepting, among others, household goods and commodities in bulk, between Axtell and Summit, Kans., on the one hand, and, on the other, Summerfield, Kans., between Burchard, Nebr., and Summerfield, Kans.

Binder twine, feed, paint, building materials, petroleum products in containers, empty petroleum products containers, and gasoline station supplies, between Beattie, Kans., and points within 10 miles thereof, on the one hand, and, on the other, St. Joseph and Kansas City, Mo., and Kansas City, Kans.; eggs, poultry shipping boxes, paper and paper articles, egg cases, egg case materials, and egg case flats, between Beattie, Kans., St. Joseph and Kansas City, Mo., and Kansas City, Kans.; sand and gravel, from Barneston, Nebr., to Summerfield, Kans.; coal, plumbing supplies, automobile accessories, cooling equipment, wire, hardware, candy, and tankage, between Marysville, Kans., and St. Joseph, Mo.; farm machinery and farm machinery parts, between Marysville, Kans., on the one hand, and, on the other, certain specified points in Missouri, and Kansas City, Kans.; livestock, agricultural commodities, feed, petroleum products in containers, empty petroleum product containers, building materials, and agricultural implements and parts, between Blue Rapids, Kans., and points within 25 miles thereof, on the one hand, and, on the other, certain specified points in Missouri, and Kansas City, Kans.; and livestock and unprocessed agricultural commodities, between Morrowville, Kans., and points within 15 miles thereof, on the one hand, and, on the other, Kansas City and St. Joseph, Mo., and certain specified points in Nebraska. Vendee is authorized to operate as a common carrier in Kansas, Missouri, and Nebraska. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F-9617. Authority sought for control by LOUIS A. MAGNANO, 502-504 North Barry Street, Olean, N.Y. 14760, of BLUE BIRD COACH LINES, INC., 502-504 North Barry Street, Olean, N.Y. 14760. Applicants' attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y. 14701. Operating rights sought to be controlled: Passengers and their baggage, and express and newspapers, in the same vehicle with passengers, as a common carrier, over regular routes, between Port Allegany, Pa., and Buffalo, N.Y., between Salamanca, N.Y., and Bradford, Pa., between Olean, N.Y., and junction U.S. Highway 219 and New York Highway 17 at a point approximately 1 mile east of Carrollton, N.Y., between Buffalo, N.Y., and Salamanca, N.Y., between Gowanda, N.Y.,

and the J. N. Adams Hospital in the town of Perrysburg, N.Y., serving all intermediate points; passengers and their baggage in round trip charter operations, over irregular routes, beginning and ending at Olean, N.Y., and points within 35 miles thereof, except Bradford, Pa., and points in Pennsylvania within 15 miles of Bradford, and extending to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, West Virginia, Ohio, Indiana, Illinois, Kentucky, and the District of Columbia; and passengers and their baggage, in special operations, in round trip sightseeing and pleasure tours, beginning and ending at points in Cattaraugus, Allegany, Steuben, and Wyoming Counties, N.Y., and McKean and Potter Counties, Pa., and extending to points in the United States (except Alaska and Hawaii), with restriction. LOUIS A. MAGNANO holds no authority from this Commission. However, he is affiliated with JOE MAGNANO, who individually is a carrier, doing business as BLUE CAB COMPANY, 502-504 North Barry Street, Olean, N.Y., which is authorized to operate as a contract carrier in New York and Pennsylvania; and who individually controls ALLEN'S TAXI CO., INC., 502-504 North Barry Street, Olean, N.Y., which is authorized to operate as a common carrier in New York, Ohio, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13922; Filed, Dec. 28, 1966;
8:47 a.m.]

[Notice 1008]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

DECEMBER 23, 1966.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant

¹ Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d) (4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 906 (Sub-No. 84) (Amendment) filed August 2, 1966 published FEDERAL REGISTER issue of August 25, 1966, amended December 20, 1966, republished as amended, this issue. Applicant: CONSOLIDATED FORWARDING CO., INC., 1300 North 10th Street, St. Louis, Mo. 63106. Applicant's representative: Thomas F. Kilroy, Suite 913, Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel and iron and steel articles, and equipment, materials, and supplies used in the manufacture or processing of iron and steel articles (except commodities in bulk, and those which because of size or weight require the use of special equipment), between points in the Chicago, Ill., commercial zone, as defined by the Commission, and Portage, Ind., on the one hand, and, on the other, points in Alabama,

Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, and Wisconsin. **NOTE:** The purpose of this republication is to broaden the origin area. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 1124 (Sub-No. 215), filed December 7, 1966. Applicant: HERRIN TRANSPORTATION COMPANY, a corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of the National Cash Register Co., near Jacksonville, Fla., as an off-route point in connection with applicant's presently authorized operation, between New Orleans, La., and Jacksonville, Fla., and also between Jacksonville, Fla., and the site of the Thiokol Chemical Corp. plant located approximately 6 miles east of Woodbine, Ga. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or Jacksonville, Fla.

No. MC 1494 (Sub-No. 22), filed November 30, 1966. Applicant: GROSS COMMON CARRIER, INC., 660 West Grand Avenue, Wisconsin Rapids, Wis. 54494. Applicant's representative: Claude J. Jasper, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission), (1) between Shawano, Wis., and Gladstone, Mich., serving the intermediate and off-route points of Gresham, Neopit, White Lake, Lily, Crandon, Argonne, Laona Junction, Armstrong Creek, Goodman, and Pembine, Wis., and Hermansville and North Escanaba, Mich.; from Shawano over Shawano County Trunk Highway A to Gresham, Wis., thence over Shawano County Trunk Highway G to junction Wisconsin Highway 47, thence over Wisconsin Highway 47 to Neopit, Wis., thence southeasterly over Wisconsin Highway 47 to junction Wisconsin Highway 55 near Keshena, Wis. (also from Shawano over Wisconsin Highway 55 to junction Wisconsin Highway 47 near Keshena), thence north over Wisconsin Highway 55 via Crandon, Wis., to Argonne, Wis., thence over Forest County Trunk Highway G to Cavour, Wis. (also from Crandon over U.S. Highway 8 to Cavour), thence over U.S. Highway 8 via Pembine and Powers, Wis., to Norway, Mich. (also from Pembine over U.S. Highway 141 to junction Marinette County Trunk Highway Z, thence over Marinette County Trunk Highway Z to the Wisconsin-

Michigan State line, thence over Menominee County (Mich.) Highway 577 to junction U.S. Highway 41, and thence over U.S. Highway 41 to Powers), thence over U.S. Highway 2 to Gladstone, and return over the same route, (2) between Crandon, Wis., and Rhinelander, Wis., serving the intermediate point of Starks, Wis., with service at Rhinelander restricted against interchange with present Gross Common Carrier, Inc. operations in MC 1494 Sub-No. 2; from Crandon over U.S. Highway 8 to Monico, Wis., thence over U.S. Highway 45 to junction Oneida County Trunk Highway C near Gagen, Wis., thence over Oneida County Trunk Highway C to junction U.S. Highway 8, thence over U.S. Highway 8 to Rhinelander (also from Crandon over U.S. Highway 8 to Rhinelander), and return over the same route.

(3) Between Neopit, and Lily, Wis., as an alternate route for operating convenience only, serving no intermediate points; from Neopit over Wisconsin Highway 47 to Antigo, thence over Wisconsin Highway 52 to Lily, and return over the same route, (4) between Lily, and Laona, Wis., as an alternate route for operating convenience only, serving no intermediate points, and serving Laona for the purpose of joinder only; from Lily over Wisconsin Highway 52 to junction Wisconsin Highway 32, thence over Wisconsin Highway 32 to Laona, and return over the same route, and (5) between Antigo, and Langlade, Wis., as an alternate route for operating convenience only, serving no intermediate points and serving Antigo and Langlade, Wis., for purposes of joinder only; from Antigo over Wisconsin Highway 52 to junction Wisconsin Highway 64, thence over Wisconsin Highway 64 to Langlade, and return over the same route. **Restriction:** The service sought herein is subject to the following conditions: The service performed by motor vehicle shall be limited to that which is auxiliary to, or supplemental, of rail service to the Soo Line Railroad Co. Said carrier shall not serve any point not a station on the Soo Line Railroad Co. No shipment shall be transported by carrier as a common carrier by motor vehicle between any of the following points, or through or to or from more than one of said points; Rhinelander and Shawano, Wis., and North Escanaba, Mich. Such further specific conditions as the Commission in the future may find it necessary to impose in order to restrict carrier's operations by motor vehicle to the performance of a service which is auxiliary to or supplemental of, rail service. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 1824 (Sub-No. 38), filed December 8, 1966. Applicant: PRESTON TRUCKING COMPANY, INC., 151 Easton Boulevard, Preston, Md. 21655. Applicant's representative: Frank V. Klein (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen food-stuffs*, from points in Maryland to points

in New York, Ohio, Virginia, West Virginia, and points in Pennsylvania on and west of U.S. Highway 220 and Huntington, State College, East Stroudsburg and Stroudsburg, Pa. **NOTE:** Applicant states it would tack the proposed authority with its present authority at Hagerstown, Baltimore, and Annapolis, Md. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 302), filed December 5, 1966. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Scranton, Pa., and Syracuse, N.Y., over U.S. Highway 11 (also over Interstate Highway 81), (2) between Scranton, Pa., and Utica, N.Y., from Scranton over Interstate Highway 81 to junction New York Highway 7 at Binghamton, N.Y., thence over New York Highway 7 to junction New York Highway 12A, thence over New York Highway 12A to junction New York Highway 12, thence over New York Highway 12 to Utica, and return over the same route, (3) between junction Pennsylvania Highways 61 and 895 and Albany, N.Y.; from junction Pennsylvania Highways 61 and 895 near Molino, Pa., over Pennsylvania Highway 895 to junction Pennsylvania Highway 443, thence over Pennsylvania Highway 443 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction U.S. Highway 9W near Kingston, N.Y., thence over U.S. Highway 9W to Albany, and return over the same route, and as alternate routes for operating convenience only in (1), (2), and (3) above. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 78228 (Sub-No. 13) (Amendment), filed September 1, 1966, published FEDERAL REGISTER issue of September 22, 1966, amended December 16, 1966, and republished as amended, this issue. Applicant: THE J. MILLER COMPANY, a corporation, 147 Nichol Avenue, McKees Rocks, Pa. 15136. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, iron and steel articles, and equipment, materials and supplies* used in the manufacture or processing of iron and steel articles, between Joliet, Waukegan, and Chicago Heights, Ill., and points in the Chicago, Ill., commercial zone, as defined by the Commission, and the plantsite of Bethlehem Steel Corp., Burns Harbor plant, located in Porter County, Ind., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minne-

sota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming. **NOTE:** Applicant states it intends to tack at points in Ohio and Pennsylvania with presently held authority, so as to provide through service to and from points in New York and West Virginia. The purpose of this republication is to add the Burns Harbor plantsite of Bethlehem Steel and the States of Colorado and Wyoming to the scope of authority sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 8600 (Sub-No. 21), filed November 30, 1966. Applicant: WERNER TRANSPORTATION COMPANY, a corporation, 2601 32d Avenue South, Minneapolis, Minn. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, livestock, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Mentor, Ohio, as an off-route point in connection with carrier's presently authorized regular route operations to and from Cleveland, Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 17051 (Sub-No. 5), filed December 7, 1966. Applicant: BARNETT'S EXPRESS, INC., 639 Franklin Street, Elizabeth, N.J. 07206. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clothing and wearing apparel, and component parts* used in the manufacture thereof, between New York, N.Y., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J. **NOTE:** Applicant states it intends to tack the authority held in MC 17051 Subs 1, 2, and 4, wherein it is authorized to conduct operations in New Jersey, New York, and Maine. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 17803 (Sub-No. 7), filed December 6, 1966. Applicant: PREMIER TRUCKING SERVICE CO., a corporation, Post Office Box 156, Downtown Station, Omaha, Nebr. 68101. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except dangerous explosives), serving the terminal site of Cooper-Jarrett, Inc. on Frontage Road (formerly old U.S. Highway 66) and now parallel to new U.S. Highway 66 and Interstate Highway 55, approximately one-half mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point, in connection

with applicant's present operations, for the purpose of interchanging traffic at said terminal site. **NOTE:** Applicant states that the purpose of the application is to enable applicant to continue its interchange of traffic with Cooper-Jarrett, Inc. which is in the process of constructing a terminal on the property hereinabove described. Applicant's present authority does not allow it to serve the site of Cooper-Jarrett's new terminal. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 17226 (Sub-No. 28), filed December 1, 1966. Applicant: FRUIT BELT MOTOR SERVICE, INC., 6038 West 29th Street, Cicero, Ill. 60650. Applicant's representatives: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602, and Beverly S. Simms, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bathtub and shower enclosures*, (1) from the plantsite of The Whirlpool Corporation at La Porte, Ind., to the plantsites of The Whirlpool Corp. at Benton Harbor and St. Joseph, Mich., Clyde and Marion, Ohio, and Evansville, Ind., (2) from the plantsites of The Whirlpool Corp. at La Porte, Ind., Benton Harbor and St. Joseph, Mich., Clyde and Marion, Ohio, and Evansville, Ind., to Detroit, Grand Rapids, and Lansing, Mich., Indianapolis, Fort Wayne, and South Bend, Ind., Louisville, Ky., Milwaukee, Wis., Toledo, Cleveland, Columbus, Cincinnati, and Dayton, Ohio, Chicago, Moline, and Rockford, Ill., and Pittsburgh, Pa., and (3) from the plantsites of The Whirlpool Corp. at Benton Harbor and St. Joseph, Mich., Evansville and La Porte, Ind., and Clyde and Marion, Ohio, to points in Indiana, Illinois, Michigan, Ohio, and Wisconsin, and points in Meade, Hardin, and Jefferson Counties, Ky., St. Louis, Jefferson, and St. Charles Counties, Mo., Scott and Clinton Counties, Iowa, and Erie, Crawford, Mercer, Lawrence, Beaver, Washington, Greene, Alleghany, Westmoreland, and Fayette Counties, Pa., under a continuing contract with The Whirlpool Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 19105 (Sub-No. 22), filed December 7, 1966. Applicant: FORBES TRANSFER COMPANY, INC., Post Office Box 346, 301A Highway, South Goldsboro Street, Ext., Wilson, N.C. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in the New York, N.Y., commercial zone, to points in North Carolina. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 42537 (Sub-No. 36), filed December 5, 1966. Applicant: CASSENS TRANSPORT COMPANY, a corporation, Post Office Box 468, Edwardsville, Ill. 62025. Applicant's representative: James W. Wrape, 2111 Sterick Building, Mem-

phis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except trailers) in secondary movements, in truckway and driveaway service, from Venice, Ill., to points in Arkansas, when such vehicles have originated at Chrysler Corp. plants and have had a prior movement by rail or motor service. **NOTE:** The applicant states the effect of this application is to remove a gateway. In MC 42537 Sub 5, applicant holds authority to handle "automobiles" in secondary movements by truckway between points in Illinois and Missouri. In MC 42537 Sub 27, applicant holds authority from the plantsite of Chrysler in St. Louis County, Mo., to Arkansas. Thus by tacking, applicant can now perform service from Venice, Ill., to points in Arkansas via the Missouri plantsite gateway. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or St. Louis, Mo.

No. MC 52460 (Sub-No. 85), filed December 2, 1966. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. 74107. Applicant's representative: James W. Wrape or Louis I. Dalley, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage facilities of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. **Restriction:** The authority sought herein shall not be tacked or joined to any authority presently held for the purpose of performing a through service. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 55236 (Sub-No. 146), filed December 2, 1966. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. 54306. Applicant's representative: G. R. Richmond (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin restricted against tacking or interlining for the purpose of performing a through service. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 65525 (Sub-No. 18), filed December 6, 1966. Applicant: WHITE BROTHERS TRUCKING CO., a corpora-

tion, Box 96, Wasco, Ill. 60183. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight, require the use of special equipment and/or handling; and related parts, materials, and supplies when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment and/or handling (except iron and steel, and iron and steel articles); between points in Illinois, Indiana, and Wisconsin, on and south of a line extending from Algoma, Wis., and along Wisconsin Highway 54 to Green Bay, Wis., thence along Wisconsin Highway 29 to Menominee, Wis., and thence along U.S. Highway 12 to the St. Croix River. NOTE: Applicant presently holds authority to transport heavy machinery between points in Illinois, on the one hand, and, on the other, points in Indiana; and machinery, tanks, boilers, and contractors' equipment, which because of unusual size or weight require special handling or the use of special equipment, between all points in the territory involved in the above application. No duplicating authority or territorial expansion is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 67646 (Sub-No. 58), filed December 2, 1966. Applicant: HALL'S MOTOR TRANSIT COMPANY, a corporation, Fifth and Vine Streets, Sunbury, Pa. 17801. Applicant's representative: John E. Fullerton, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Mentor, Ohio, as an intermediate point in connection with applicant's authorized regular route operations to and from Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cleveland, Ohio.

No. MC 75320 (Sub-No. 134), filed December 1, 1966. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., 2333 East Mill Street Road, Post Office Box 807, Springfield, Mo. 65801. Applicant's representative: Harold D. Miller, Jr., 700 Petroleum Building, Jackson, Miss. 39201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Baton Rouge, La., and Kentwood, La., as an alternate route for operating convenience only, in connection with carrier's regular route operations, serving no intermediate points,

from Baton Rouge over Louisiana Highway 37 to its intersection with Louisiana Highway 10 at or near Greensburg, La., thence over Louisiana Highway 10 to its intersection with Louisiana Highway 43 at or near Greensburg, La., thence over Louisiana Highway 43 to its intersection with Louisiana Highway 38 at or near Easleyville, La., thence over Louisiana Highway 38 to Kentwood, La., and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 86913 (Sub-No. 20), filed December 2, 1966. Applicant: EASTERN MOTOR LINES, INC., Post Office Box 649, Warrenton, N.C. 27589. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer) (1) from points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and points in that part of New York lying north and east of line beginning at the New York-Massachusetts State line and extending along U.S. Highway 20 to junction New York Highway 26, thence along New York Highway 26 to the United States-Canadian boundary line at or near Alexandria Bay, N.Y., to points in Illinois, Indiana, Ohio (except Cleveland, Ohio), points in Michigan south of line beginning at Saginaw Bay at or near Bay City, Mich., and extending along U.S. Highway 10 to Ludington, Mich., and points in Pennsylvania on and west of U.S. Highway 15 (except Erie, Pa.), and (2) from points in Pennsylvania, Ohio, Illinois, Indiana, and points in Michigan south of line beginning at Saginaw Bay at or near Bay City, Mich., and extending along U.S. Highway 10 to Ludington, Mich., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and points in that part of New York lying west and north of a line beginning at United States-Canadian boundary at or near Alexandria Bay, N.Y., extending along New York Highway 26 to junction U.S. Highway 20, thence along U.S. Highway 20 to the New York-Massachusetts State line. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 94350 (Sub-No. 173), filed December 1, 1966. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, by towaway method, in initial movements, from points in Lincoln County, Ky., to points in Louisiana, Mississippi, Arkansas, New Jersey, Missouri, Iowa, Indiana, Ohio, West Virginia, Pennsylvania, Maryland, Virginia, North Carolina, Tennessee, South Carolina, Georgia, Alabama, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Frankfort, Ky., or Columbia, S.C.

No. MC 106760 (Sub-No. 71), filed December 2, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, complete, knocked down, or in sections, including all component parts, materials, supplies, and fixtures*, and, when shipped with such buildings, *accessories*, used in the erection, construction, and completion thereof, between Galesburg, Ill., and Parkersburg, W. Va., and points in Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Washington, and Oregon. NOTE: Applicant states it could tack this application with authority presently held in MC 106760 (Sub-No. 45), wherein it is authorized to conduct operations in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106943 (Sub-No. 91), filed December 8, 1966. Applicant: EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Mentor, Ohio, as an off-route point in connection with applicant's regular route operations to and from Cleveland, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 516), filed December 1, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Oklahoma, and Tennessee, and (2) *liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining for the purpose of performing a through service. NOTE: If a hearing is deemed

necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 107496 (Sub-No. 517), filed December 8, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral filler, lime, and aggregate*, in bulk and bag, from Savage, Minn., and points in Dakota, Hennepin, Ramsey, and Scott Counties, Minn., to points in Wisconsin, Iowa, South Dakota, and North Dakota. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis or St. Paul, Minn., or Chicago, Ill.

No. MC 109497 (Sub-No. 18), filed December 9, 1966. Applicant: A. F. COMER TRANSPORT SERVICE, INC., Post Office Box 2933, West Durham Station, Durham, N.C. 27705. Applicant's representative: Louis Reznick, 5009 Keokuk Street, Washington, D.C. 20016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions*, in bulk, in tank motor vehicles, from Chesapeake, Va., to points in Maryland, Delaware, and New Jersey. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Norfolk, Va.

No. MC 110988 (Sub-No. 229), filed December 7, 1966. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank or hopper type vehicles, from Zeeland, Mich., to points in Indiana, Illinois, Michigan, Ohio, and Wisconsin. NOTE: Applicant states it could tack over Zeeland to serve from Fulton, Ind., Sullivan, East Dubuque and Morris, Ill., the destination States mentioned above, but it can already serve these States by using other gateways, and it could also tack over gateways at Morris, Ill., or the plant site at East Dubuque, Ill., to serve Missouri, Iowa, or Minnesota. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 111307 (Sub-No. 5), filed November 30, 1966. Applicant: OVERLAND EXPRESS LIMITED, a corporation, Box 207, Woodstock, Ontario, Canada. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Ford Motor Co. on Sheldon Road, Plymouth Township, Wayne County, Mich., as an off-route point in

connection with authorized service at Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 113106 (Sub-No. 22), filed December 13, 1966. Applicant: THE BLUE DIAMOND COMPANY, a corporation, 4401 East Fairmount Avenue, Baltimore, Md. 21224. Applicant's representative: Chester A. Zyblut, 1622 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass or plastic containers, bottles, jars, packing glasses, and jelly tumblers*, with or without caps, covers, stoppers, or tops, and *corrugated paper boxes or paper containers*, knocked down, when moving in mixed shipments with the above-described commodities, from Freehold, N.J., to points in Maryland, Delaware, Virginia, and the District of Columbia, and (2) *returned shipments* of the above-specified commodities, *cullet, wooden shells, or bottle carrying boxes*, with or without partitions, and *fiberboard and pulpboard packing materials and containers* used in the manufacture, sale and distribution of glass or plastic containers, from the above-described destination territory, to Freehold, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113325 (Sub-No. 116), filed December 8, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plantsite and storage facilities of Mobil Chemical Co., located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin. NOTE: Applicant states that the above proposed operation is restricted to traffic originating at the plant of Mobil Chemical Co., and destined to points in the States involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 114457 (Sub-No. 65), filed December 12, 1966. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat byproducts*, and articles distributed by meat packinghouses, as described in sections A, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 208 and 766, (a) From Tampa, Fla., to points in Wisconsin, Minnesota, Iowa, Illinois, Missouri, Kansas City, Kans., and points in Indiana, falling within the Chicago, Ill., commercial zone; (b) From Whitehall and Eau Claire, Wis., and St.

Paul and Minneapolis, Minn., to points in Kansas, Missouri, Illinois, Wisconsin, Indiana, Ohio, West Virginia, Virginia, Kentucky, Iowa, Minnesota, Nebraska, Maine, New Hampshire, Vermont, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, Delaware, Michigan, Florida, Alabama, North Carolina, South Carolina, Georgia, and Tennessee. (2) *Material, equipment, and supplies* used by meat packinghouses, from points in (1) (b) above to Whitehall, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 114890 (Sub-No. 32), filed December 8, 1966. Applicant: KENNETH CHILDRESS, doing business as C. E. REYNOLDS GASOLINE & CHEMICAL TRANSPORT CO., Post Office Box A, 2209 Range Line, Joplin, Mo. 64802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining for the purpose of performing through service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., St. Louis, Mo., or Chicago, Ill.

No. MC 115257 (Sub-No. 31), filed November 28, 1966. Applicant: SHAMROCK VAN LINES, INC., 432 North Beltline Road, Dallas, Tex. 75222. Applicant's representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in North Carolina, to points in Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. NOTE: Applicant presently holds authority to transport the involved commodities from High Point, N.C., and points in North Carolina within 150 miles of High Point to all destination States via the gateway of Sumter, S.C. To this extent, the instant application represents an elimination of the Sumter, S.C., gateway. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Dallas, Tex., or Charlotte, N.C.

No. MC 115826 (Sub-No. 162), filed December 8, 1966. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo. 80217. Applicant's representative: John F. DeCock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, rugs, floor covering, textiles, and textile products*, (1) from points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia, to points in Arizona, California, Kansas, Montana, Nebraska, and Nevada, and (2) from points in Virginia, to points in Colorado, Idaho, Utah,

and Wyoming. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, Denver, Colo., and Atlanta, Ga.

No. MC 116279 (Sub-No. 2), filed December 5, 1966. Applicant: JOHN H. BLACK, doing business as BLACK'S TRANSFER, 412 West Main Street, Appalachia, Va. Applicant's representative: Carl E. McAfee, 1022 Park Avenue, Norton, Va. 24273. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products* from Winston-Salem, N.C., to Knoxville, Greenville, Morristown, Jefferson City, Tenn., Marion, Tazewell, Richlands, Honaker, Lebanon, Roanoke, Petersburg, Richmond, Norton, Bluefield, Va., and Bluefield, W. Va., under contract with Royal Cake Co., Winston-Salem, N.C. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Bristol, Va.-Tenn., or Roanoke, Va.

No. MC 117119 (Sub-No. 392), filed December 8, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry drugs, tonics, medicines, insecticides, and disinfectants, and supplies* used in the preparation and packaging of the commodities specified herein, *feed supplements and poultry equipment*, (1) from Millsboro, Del., to Dardanelle and Springdale, Ark., and Fresno, Calif., and (2) from Vineland, N.J., to Fresno, Calif. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 118196 (Sub-No. 86), filed December 1, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., Highway 71 North, Post Office Box 613, Carthage, Mo. 64836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Washington to points in New Mexico, and El Paso, Tex., and points within its commercial zone. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 119627 (Sub-No. 1), filed December 5, 1966. Applicant: CENTRAL STATES EXPRESS, INC., 2323 Delaware Avenue, Des Moines, Iowa 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts*, from Des Moines, Iowa, and points within 6 miles thereof, to points in Kentucky, Pennsylvania, West Virginia, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 119808 (Sub-No. 5), filed December 8, 1966. Applicant: ROBERT F. DuBOIS, doing business as DuBOIS TRUCKING, Stonybrook Road, Northfield, Vt. 05663. Applicant's representa-

tive: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass. 01601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone and marble*, ground, crushed, pulverized, and broken, in bulk, in dump vehicles, from Shelburn and Swanton, Vt., to points in that part of Maine, on and south of Maine Highway 25 (extending through Portland), points in New Hampshire, Virginia, Massachusetts, Connecticut, Rhode Island, New York (except points in Kings, Queens, Nassau, and Suffolk Counties), New Jersey, Pennsylvania, Delaware, Maryland, Ohio, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Burlington or Montpelier, Vt.

No. MC 123067 (Sub-No. 48) (Amendment), filed June 30, 1966, published FEDERAL REGISTER issue of July 21, 1966, amended December 14, 1966, and republished as amended this issue. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Phillips, Post Office Box 612, Winston-Salem, N.C. 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid anhydrous ammonia*, in bulk, in tank vehicles, from Meredosia, Ill., to points in Indiana, Iowa, Missouri, Arkansas, Kansas, Kentucky, Michigan, Minnesota, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining to perform a through service. **NOTE:** The purpose of this republication is to broaden the destination territory and add the restriction. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 123067 (Sub-No. 49) (Amendment), filed June 30, 1966, published FEDERAL REGISTER issue of July 21, 1966, amended December 16, 1966, and republished as amended, this issue. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Phillips, Post Office Box 612, Winston-Salem, N.C. 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Meredosia, Ill., to points in Indiana, Iowa, Missouri, Arkansas, Kansas, Kentucky, Michigan, Minnesota, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining to perform a through service. **NOTE:** The purpose of this republication is to broaden the destination point and add the restriction. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 124813 (Sub-No. 34), filed December 7, 1966. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed ingredients*, dry, in bags, and in bulk, from Lake Crystal, Minn., and points within 5 miles thereof, to points in Iowa. **NOTE:** Applicant holds contract carrier authority in MC 118468, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Minneapolis, Minn.

No. MC 125985 (Sub-No. 4), filed December 2, 1966. Applicant: AUTO DRIVEAWAY COMPANY, a corporation, 343 South Dearborn Street, Chicago, Ill. 60604. Applicant's representatives: Robert R. Hendon, 4000 Massachusetts Avenue NW., Washington, D.C. 20016, and Harry Ross, 848 Warner Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passenger automobiles and trucks* (three-quarter ton or less), with or without the baggage, sporting equipment, and personal effects of the owners thereof, in secondary movements in driveway service, between points in the United States, including Alaska (but excluding Hawaii, New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Indiana, Illinois, Michigan, Wisconsin, Florida, Texas, Colorado, Arizona, California, and Oregon). **NOTE:** Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 126074 (Sub-No. 2), filed December 7, 1966. Applicant: RONALD E. ACHESON, doing business as ACHESON TRUCKING, Box 325, Fort Recovery, Ohio. Applicant's representative: Donald W. Smith, 511 Fidelity Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feeds and animal health aids and sanitation products*, (a) from Fort Wayne, Ind., to Berrien, Kalamazoo, Van Buren, Allegan, Barry, St. Joseph, Eaton, Hillsdale, Calhoun, and Branch Counties, Mich.; and to Fulton, Henry, Putnam, Van Wert, Darke, Mercer, Findlay, Seneca, Marion, Delaware, Preble, and Miami Counties, Ohio, restricted to service to be performed under a contract or continuing contracts with Allied Mills, Inc., (b) from Richmond, Ind., to points in Hamilton, Williams, Fulton, Lucas, Defiance, Henry, Paulding, Putnam, Hancock, Seneca, Van Wert, Allen, Hardin, Mercer, Auglaize, Darke, Shelby, Logan, Champaign, Miami, Clark, Preble, Montgomery, Greene, Butler, Warren, Clinton, Clermont, and Brown Counties, Ohio, restricted to service to be performed under a contract or continuing contracts with Ralston Purina Co., (2) *animal and poultry feed and feed ingredients*, between Castleton, Ind., on the one hand, and, on the other, points in Ohio, restricted to service to be performed under a contract or continuing contracts with the Quaker Oats Co., (3) *grains and feed ingredients*, (a) from points in Berrien, Kalamazoo, Van Buren, Allegan, Barry, St. Joseph,

Eaton, Hillsdale, Calhoun, and Branch Counties, Mich., and Fulton, Henry, Putnam, Van Wert, Mercer, Darke, Findlay, Seneca, Marion, Delaware, Preble, and Miami Counties, Ohio, to Fort Wayne, Ind., restricted to service to be performed under a contract or continuing contracts with Allied Mills, Inc., (b) from points in Hamilton, Williams, Fulton, Lucas, Defiance, Henry, Paulding, Putnam, Hancock, Seneca, Van Wert, Allen, Hardin, Mercer, Auglaize, Darke, Shelby, Logan, Champaign, Miami, Clark, Preble, Montgomery, Greene, Butler, Warren, Clinton, Clermont, and Brown Counties, Ohio, to Richmond, Ind., restricted to service to be performed under a contract or continuing contracts with the Ralston Purina Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 128220 (Sub-No. 1) (Amendment), filed November 25, 1966, published FEDERAL REGISTER issue of December 15, 1966, amended December 15, 1966, and republished as amended, this issue. Applicant: RALPH LATHAM, doing business as LATHAM TRUCKING COMPANY, Burnside, Ky. 42519. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquettes, wood chips, vermiculite, lighter fluid, and spices and sauces used in outdoor cooking*, between Albany, Burnside, Morehead, and Barbourville, Ky., and points within 5 miles thereof on the one hand, and, on the other, Parsons, W. Va., and points within 5 miles thereof. NOTE: Applicant states it intends to tack with pending authority in MC 128220 at Burnside, Ky., serving points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee (except Knoxville). The purpose of this republication is to add Albany, Ky., to the origin point, and correct the spelling of applicant's name. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 128375 (Sub-No. 2), filed December 5, 1966. Applicant: CRETE CARRIER CORPORATION, Post Office Box 249, Crete, Nebr. Applicant's representative: Duane W. Acklie, Box 2028, 605 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal feed*, from Crete, Nebr., to points in Michigan, Indiana, Ohio, Kentucky, Missouri, Arkansas, and Tennessee and (2) *supplies, ingredients, and materials used in the manufacture of animal feed*, from points in Michigan, Indiana, Ohio, Kentucky, Missouri, Arkansas, and Tennessee to Crete, Nebr., under contract with Allen Products Co., Inc. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 128536 (Sub-No. 1), filed December 5, 1966. Applicant: MAURICE J. GALLAGHER AND MARIE GALLAGHER, a partnership, doing business

as AAA VAN & STORAGE CO., 1008 West Main Street, El Cajon, Calif. 92020. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods as defined by the Commission*, between points in San Diego and Orange Counties, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego or Los Angeles, Calif.

No. MC 128590 (Sub-No. 2) filed December 9, 1966. Applicant: E. W. MUDGE AND BOB MUDGE, a partnership, doing business as WE-HAUL TRUCKING, Post Office Box 1046, Buffalo, Wyo. Applicant's representative: Ward A. White, Post Office Box 568, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor propelled toboggans, snow tractors, and parts and accessories therefor transported incidental thereto*, from the ports of entry on the international boundary line between the United States and Canada located at or near Detroit, Mich., and Champlain, N.Y., to points in Wyoming, Montana, Idaho, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo., or Billings, Mont.

No. MC 128600 (Sub-No. 1), filed December 2, 1966. Applicant: DELBERT CRUMM AND EUGENE CRUMM, a partnership, doing business as DELBERT CRUMM & SON TRUCKING, 2101 Scott Street, West Palm Beach, Fla. 33401. Applicant's representative: Robert M. Leite, 908 Comeau Building, West Palm Beach, Fla. 33401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Raw sugar in bulk*, (1) from the site of the Atlantic Sugar Association plant near Belle Glade, Fla., to nearby railroad sidings at Belle Glade, Pahokee, and South Bay, Fla., (2) from site of Osceola Farms near Pahokee, to railroad siding 8 miles away, and (3) from the site of Florida Sugar Mill near Belle Glade, Fla., to nearby railroad sidings known as "Cane Siding," "Pelican Lake Siding," "Belle Glade Siding" and "South Bay Siding," under contracts with Atlantic Sugar Association and Osceola Farms. NOTE: If a hearing is deemed necessary, applicant requests it be held at West Palm Beach or Miami, Fla.

No. MC 128733 (Sub-No. 1), filed December 2, 1966. Applicant: W & W FEED SERVICE, INC., Box 310, Arlington, Tenn. 38103. Applicant's representative: John Paul Jones, 189 Jefferson Avenue, Memphis, Tenn. 38103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients, grain and grain ingredients*, from points in Shelby County, Tenn., on the one hand, and, on the other, points in Washington, Sunflower, Leflore, Holmes, Attala, Winston, and Noxubee Counties, Miss., and points in Randolph, Lawrence, Jackson, White, Leno, Jefferson, Cleveland, Bradley, and Union Counties, Ark., under a continuing contract with Ralston Purina Co., Memphis, Tenn. NOTE:

If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 128735, filed November 30, 1966. Applicant: ALVIN E. GOLNIK, doing business as GOLNIK TRUCKING, 731 Second Avenue, Koppel, Pa. 16136. Applicant's representative: Arthur J. Diskin, 302 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel sign posts for gasoline service stations, and fabricated metal products*, from the plantsite of Ellwood City Iron & Wire Co., Ellwood City, Pa., to points in Minnesota, Wisconsin, Illinois, Michigan, Indiana, Iowa, Kentucky, Tennessee, West Virginia, Virginia, North Carolina, New Jersey, Delaware, Maryland, New York, Ohio, Massachusetts, Rhode Island, Connecticut, Vermont, New Hampshire, and the District of Columbia, and materials used in the manufacture thereof, on return, under contract with Ellwood City Iron & Wire Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 128742, filed December 2, 1966. Applicant: HALLWAY, INC., 700 West North Street, Springfield, Ill. 62704. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer materials*, in bulk, in tank vehicles, from the plant and storage site of Mobil Chemical Co. located at or near Meredosia, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted against tacking or interlining for the purpose of performing through service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or St. Louis, Mo.

No. MC 128751, filed December 1, 1966. Applicant: FRED LEE WATSON, doing business as WATSON TRANSPORT COMPANY, 828 Bethsaida Road, Boaz, Ala. 35957. Applicant's representative: David D. Wininger, 427 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New mobile homes*, in driveway, towaway service, from the plantsite of Boanza Mobile Homes, Inc., at Boaz, Ala., to points in Georgia, Florida, Tennessee, Kentucky, Mississippi, Louisiana, and South Carolina, and specific commodities for the manufacture of mobile homes, on return, under contract with Boanza Mobile Homes, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham or Montgomery, Ala.

MOTOR CARRIER OF PASSENGERS

No. MC 84728 (Sub-No. 55), filed December 6, 1966. Applicant: SAFEWAY TRAILS, INC., 1200 Eye Street NW., Washington, D.C. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*,

by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, and newspapers* in the same vehicle with passengers, between junction Interstate Highway 295 and New Jersey Highway 73 and junction New Jersey Highway 38 and Interstate Highway 295 over Interstate Highway 295, serving no intermediate points. NOTE: Applicant states this proposed authority is an alternate service route in connection with presently held operations between the termini of this application but over different routes. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAVE BEEN REQUESTED

No. MC 102616 (Sub-No. 811), filed December 8, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. 17405. Applicant's representative: Samuel E. Smith (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from North Charleroi, Pa., to points in West Virginia on and south of U.S. Highway 33.

No. MC 118217 (Sub-No. 4), filed December 5, 1966. Applicant: A. W. STURGEON and HARRY MEEKER, a partnership, doing business as STURGEON and MEEKER, 1733 North Washington Street, Post Office Box 11184, Wichita, Kans. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Flour*, from Hutchinson, Kans., to Albuquerque and Santa Fe, N. Mex. NOTE: Applicant holds contract carrier authority under MC 110064 and Sub 1 thereunder, therefore dual operations may be involved.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13923; Filed, Dec. 28, 1966;
8:47 a.m.]

[Notice 309]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 23, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized repre-

sentative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 5470 (Sub-No. 23 TA), filed December 21, 1966. Applicant: ER-SKINE & SONS, INC., Post Office Box 146, Rural Delivery No. 5, Mercer, Pa. 16137. Applicant's representative: Richard W. Sanguigni (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Graphite scrap*, in bulk, in dump vehicles, from Falconer, N.Y., to Hickman, Ky., for 180 days. Supporting shipper: The Carborundum Co., Post Office Box 337, Niagara Falls, N.Y. 14302. Send protests to: Gasper Plovarchy, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 52751 (Sub-No. 69 TA), filed December 20, 1966. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50317, also Post Office Box 1351, Des Moines, Iowa 50305. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Mill mixers, and parts thereof*, from Windom, Minn., to points in Nebraska and Wisconsin, for 180 days. Supporting shipper: Brady Manufacturing Corp., Southeast 30th and Granger Avenue, Des Moines, Iowa. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 103191 (Sub-No. 20 TA), filed December 20, 1966. Applicant: THE GEORGE A. RHEMAN CO., INC., Post Office Box 2095, Station A, Charleston, S.C. 29403. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *No. 5 and No. 6 residual fuel oil*, in bulk, in tank vehicles, from the plantsite of Hess Oil & Chemical Corp. at Georgetown, S.C., to points in North Carolina. Supporting shipper: Hess Oil & Chemical Corp., 3384 Peachtree Road NE., Atlanta, Ga. 30326. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 509 Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

No. MC 112696 (Sub-No. 37 TA), filed December 21, 1966. Applicant: HARTMAN, INCORPORATED, 833 Chicago Avenue, Post Office Box 898, Harrisonburg, Va. 22801. Authority sought to

operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Cotton piece goods or fabrics*, unfinished, from the plantsite of the J. P. Stevens Co., Appleton Mill, at Anderson, S.C., to the plantsite of Crompton-Shenandoah Co., Waynesboro, Va., for 150 days. Supporting shipper: Crompton-Shenandoah Co., Inc., Drawer 907, Waynesboro, Va. 22980. Send protests to: George S. Hales, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 113388 (Sub-No. 75 TA), filed December 20, 1966. Applicant: LESTER C. NEWTON TRUCKING CO., Post Office Box 248, Bridgeville, Del. 19933. Applicant's representative: Warren Hamstead, Bridgeville, Del. Authority to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Frozen foodstuffs*, in temperature control vehicles, (1) between points in Maryland, and points in South Carolina, and (2) from points in Maryland, to points in Virginia, for 180 days. Supporting shipper: Campbell Soup Co., 375 Memorial Avenue, Camden, N.J. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Post Office Building, Salisbury, Md. 21801.

No. MC 113388 (Sub-No. 76 TA), filed December 21, 1966. Applicant: LESTER C. NEWTON TRUCKING CO., Post Office Box 248, Bridgeville, Del. 19933. Applicant's representative: Lester C. Newton, Bridgeville, Del. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Frozen bakery products*, in temperature control vehicles, from Lancaster and Downingtown, Pa., to Miami, Fla., for 180 days. Supporting shippers: Campbell Soup Co., 375 Memorial Avenue, Camden, N.J., Albin J. Budash, Manager, Transportation Cost Analyses. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Post Office Building, Salisbury, Md. 21801.

No. MC 116077 (Sub-No. 209 TA), filed December 20, 1966. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 9527, Houston, Tex. 77011. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *Chemicals*, in bulk, in tank vehicle from Lake Charles, La., to points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Wisconsin, Iowa, Missouri, Illinois, Indiana, Michigan, Kentucky, and North Carolina. (a) Restricted to traffic originating at Lake Charles, La.; (b) restricted against the transportation of anhydrous ammonia and nitric acid to points in Arizona, Colorado, Nebraska, Kansas, Iowa, Minnesota, Wisconsin, and New Mexico; (c) restricted against the trans-

portation of catalyst to the refinery of El Paso Natural Gas Co., 18 miles east of Gallup, N. Mex., and spent catalyst to Kansas. (2) *Chemicals*, in bulk, from the plantsites and storage facilities of Pittsburgh Plate Glass at or near Lake Charles, La., to points in Ohio, subject to the restriction that the authority sought in (2) may not be tacked to or joined with any other authority held by applicant, for 180 days. Supporting shipper: Pittsburgh Plate Glass Co., Mr. J. X. Higgins, Manager of Rates, Chemical, Traffic and Transportation Department, 1 Gateway Center, Pittsburgh, Pa. Send protests to: District Supervisor John C. Redus, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 118288 (Sub-No. 14 TA), filed December 21, 1966. Applicant: STEPHEN F. FROST, Post Office Box 28, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* as described in section A 7 C of appendix I to the Report in Description in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from Billings, Mont., to points in Washington, Oregon, and that part of Idaho consisting of Washington, Canyon, Boundary, Payette, Gem, and Valley Counties, Idaho, for 180 days. Supporting shipper: Pierce Packing Co., Post Office Box 1356, Billings, Mont. 59103. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 119268 (Sub-No. 59 TA), filed December 20, 1966. Applicant: OSBORN, INC., Post Office Box 6985, Atlanta, Ga. 30315. Applicant's representative: B. K. McClain (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, as follows: *Rugs, carpet, carpeting and textile products* from points in Georgia, Alabama, and Tennessee, to points in Nevada, for 180 days. Supporting shippers: The Barwick Mills, Inc., Box 651, Dalton, Ga.; Ideal Interiors, 702 Idaho Street, Post Office Box 669, Elko, Nev. 89801; Simas Floor Co., Inc., 2453 East Second Street, Reno, Nev.; Abbott Supply Co., 6460 South Virginia Street, Reno, Nev. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 300, 680 West Peachtree Street NW., Atlanta, Ga. 30308.

No. MC 119619 (Sub-No. 4 TA), filed December 21, 1966. Applicant: DISTRIBUTORS SERVICE CO., 2000 West 43d Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: (1) *Canned meat*, from piers located at Philadelphia, Pa.; Boston, Mass.; Baltimore, Md.; and the Port of New York Harbor, as defined

by the Commission, to the warehousing, processing, and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill. and Monroe, Wis.; (2) *cheese*, from piers located at Philadelphia, Pa.; Boston, Mass.; Baltimore, Md.; and the Port of New York Harbor, as defined by the Commission, to the warehousing, processing, and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill.; (3) *sliced meat*, from the warehousing, processing, and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill., and Monroe, Wis., to points in Maryland, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, and the District of Columbia and points on and east of U.S. Highway 5 from the Maryland-Pennsylvania State line to its intersection with the Pennsylvania-New York State line; *cheese* from the warehousing, processing, and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill., to points in Maryland, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, and the District of Columbia, and points on and east of U.S. Highway 5 from the Maryland-Pennsylvania State line to its intersection with the Pennsylvania-New York State line, for 180 days. Supporting shipper: J. S. Hoffman Co., Illinois at Orleans, Chicago, Ill. 60610. Send protests to: District Supervisor Charles J. Kudelka, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1086, U.S. Courthouse and Federal Office Building, 218 South Dearborn Street, Chicago, Ill. 60604.

No. MC 120936 (Sub-No. 3 TA), filed December 21, 1966. Applicant: SPEEDY TRANSPORT INC., a corporation, 800 South Airport Way, Stockton, Calif. Applicant's representative: Markley & Cooke, 1896 The Alameda, San Jose, Calif. 95126. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, as follows: *General commodities* (with usual exception), between Tahoe City, Calif., and State-line, Calif.; over Nevada Highway 28 and U.S. Highway 50, serving no intermediate points, for 90 days. Supporting shippers: None. Note: Service over alternate routes necessary due to adverse weather conditions which result in applicant's normal routes being closed by State highway department. Send protests to: Howard O. Gaston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 123487 (Sub-No. 4 TA), filed December 21, 1966. Applicant: HENRY HAMEL and NORMAND E. HAMEL, doing business as HAMEL MOTOR TRANSP. CO., River Road, Allentown, N.H. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: *Rough granite*, from Vinalhaven, Maine, to Concord, N.H., for 180 days. Supporting shipper: The John Swenson Granite Co., Inc., Concord, N.H. 03301. Send protests to: District Supervisor Ross J. Seymour, Interstate Commerce Commission, Bureau of Operations and Compliance, 14 Parkhurst Street, Lebanon, N.H. 03766.

No. MC 124078 (Sub-No. 256 TA), filed December 21, 1966. Applicant: SCHWERTMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Cement*, from the plantsite of Universal Atlas Cement, division of United States Steel Corp. in Ralls County, Mo., near Hannibal, Mo., to points in Illinois, Iowa, and Missouri, for 150 days. Supporting shipper: United States Steel Corp., Chatham Center, 112 Washington Place, Post Office Box 2969, Pittsburgh, Pa. 15230 (J. H. Dent, manager, cement traffic). Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 124692 (Sub-No. 27 TA), filed December 20, 1966. Applicant: MYRON SAMMONS, Post Office Box 933, Missoula, Mont. 59801. Applicant's representative: Gene P. Johnson, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Paint*, in containers, from Duluth, Minn., and Grand Forks, N. Dak., to Clearfield, Utah, and Auburn, Seattle, and Tacoma, Wash., and *paint pigment and carbonate white lead* in packages, from Seattle, Wash., and Helena, Mont., to Duluth, Minn., and Grand Forks, N. Dak., for 180 days. Supporting shipper: American Paint Corp., Duluth, Minn. 55806. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 124796 (Sub-No. 25 TA), filed December 20, 1966. Applicant: CONTINENTAL CONTRACT CARRIER, CORP., 7236 East Slauson Avenue, Los Angeles, Calif. 90022. Applicant's representative: J. Max Harding, 301 N.S.E.A. Building, 14th and J Streets, Lincoln, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: (a) *Metal castings*, from Albert Lea, Minn., to Lake Mills, Iowa, and Holly Springs, Miss. (b) *Oil filters and component parts for oil filters and air filters*, from West Salem, Ill., to Lake Mills and Mason City, Iowa, and Holly Springs, Miss., for 180 days. Supporting shipper: Deluxe Products, division of Walker Manufacturing Co., Lake Mills, Iowa. Send protests to: John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 127093 (Sub-No. 6 TA), filed December 20, 1966. Applicant: BASIL J. SMEESTER and JOSEPH G. SMEESTER, doing business as Smeester Bros. Trucking, 1330 South Jackson, Iron Mountain, Mich. 49801. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, as follows: *Building material* (not including lumber or bulk commodities): 1. *Gypsum and gypsum products, and material and supplies used in the installation or distribution thereto*; 2. *boards thereto*; 3. *manufactured and/or composition boards and parts, materials and accessories incidental thereto*; 4. *roofing and/or insulating materials, and parts and accessories incidental thereto*; and 5. *materials and supplies used in the manufacture of items specified in above subparagraphs 1, 2, 3, and 4 and refused, rejected, or damaged shipments, on return.* From plantsite of Celotex Corp. at or near Fort Dodge, Iowa, to points in Missouri (except St. Louis and the commercial zone of St. Louis), for 150 days. Supporting shipper: The Celotex Corp., 120 North Florida Avenue, Tampa, Fla. 33602. C. R. Flemming, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich. 48933.

No. MC 128757 TA, filed December 20, 1966. Applicant: CURTIS VANCIL, doing business as C. V. TRUCK LEASING CO., 6744 West Park Avenue, St. Louis, Mo. 63139. Applicant's representative: Ben Messina, No. 7 North Seventh Street, Room 605, St. Louis, Mo. 63101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: *Alcoholic beverages*, packaged and in cases, from Louisville, Maryland, Frankfort, and Lawrenceburg, Ky.; Cincinnati, Ohio; Evansville, Ind.; Chicago and Peoria, Ill.; Detroit, Mich.; Brooklyn and Hammondsport, N.Y.; Teatersborough, St. Louis, and Joplin, Mo., for 180 days. Supporting shipper: Pioneer Liquor Co., Inc., Attention Morris L. Cruvant, vice president, 2340 59th Street, St. Louis, Mo. 63110. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248B, 1520 Market Street, St. Louis, Mo. 63103.

MOTOR CARRIER OF PASSENGERS

No. MC 107583 (Sub-No. 37 TA), filed December 21, 1966. Applicant: SALEM TRANSPORTATION CO., INC., 1222 Jerome Avenue, Bronx, N.Y. 10452. Applicant's representative: George H. Rosen, 265 Broadway, Monticello, N.Y. 12701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Passengers and their baggage and effects in the same vehicle in special and charter operations, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver, and not including children under 10 years of age who do not occupy a seat or seats:* Between Bayonne, N.J., on the one hand, and, on the other, McGuire Air Force Base, Fort Dix, Port Newark and Port Newark Airport, N.J., and New York, N.Y., for 150 days. Supporting shipper: Lt. Col. Charles K. Thiebauth, T.C., Department of the Army, Military Air Traffic Coordinating Office, McGuire Air Force Base, N.J. 08641. Send protests to: R. E. Johnston, District Supervisor, Bureau of

Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13924; Filed, Dec. 28, 1966;
8:47 a.m.]

[Notice 427]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

DECEMBER 23, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protest if any should refer to such letter-notices by number.

No. MC 13123 (Deviation No. 11) WILSON FREIGHT COMPANY, 3636 Follett Avenue, Cincinnati, Ohio 45223, filed December 12, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Columbus, Ohio, over Interstate Highway 71 to Cleveland, Ohio, (2) from Columbus, Ohio, over Interstate Highway 71 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction Interstate Highway 77, thence over Interstate Highway 77 to Cleveland, Ohio, (3) from Columbus, Ohio, over Interstate Highway 71 to junction Interstate Highway 80S, thence over Interstate Highway 80S to Youngstown, Ohio, (4) from Lodi, Ohio, over Interstate Highway 80S to Akron, Ohio, also from Lodi, Ohio, over Interstate Highway 80S to Youngstown, Ohio, (5) from Jeffersonville, Ind., over Interstate Highway 65 to Indianapolis, Ind., (6) from Davenport, Iowa, over Interstate Highway 80 to Hammond, Ind., also from Rock Island, Ill., over Interstate Highway 80 to Hammond, Ind., (7) from Chicago, Ill., over Interstate Highway 55 to St. Louis, Mo., (8) from Somerville, N.J., over Interstate Highway 287 to junction U.S. Highway 1, thence over U.S. Highway 1 to Elizabeth, N.J., (9) from Cleveland, Ohio, over Interstate Highway 71 to junction Interstate Highway 70, thence over Interstate Highway 70 to St. Louis, Mo., (10) from Indianapolis, Ind., over Interstate Highway 65

to Chicago, Ill., (11) from Richmond, Va., over Interstate Highway 64 to Lexington, Ky., (12) from St. Louis, Mo., over Interstate Highway 70 to Indianapolis, Ind., also from St. Louis, Mo., over Interstate Highway 70 to Columbus, Ohio, also from St. Louis, Mo., over Interstate Highway 70 to junction Interstate Highway 76 (Pennsylvania Turnpike), near New Stanton, Pa., and thence over U.S. Highway 119 between New Stanton, Pa., and junctions U.S. Highways 22, 30, and 40 east of Pittsburgh, Pa.

(13) From Norristown, Pa., over U.S. Highway 202 to Wilmington, Del., (14) from Philadelphia, Pa., over Interstate Highway 76 to junction Pennsylvania Turnpike at or near Valley Forge, Pa., using access route U.S. Highway 202 between Norristown, Pa., and junction Interstate Highway 76 and between junction U.S. Highway 30 and Interstate Highway 76, (15) from Hamlin, Pa. (east of Harrisburg, Pa.), over Interstate Highway 78 to Elizabeth, N.J., (16) from Hamlin, Pa., over Interstate Highway 78 to junction Interstate Highway 287, thence over Interstate Highway 287 to junction U.S. Highway 1, thence over U.S. Highway 1 to Elizabeth, N.J., (17) from Pittsburgh, Pa., over Interstate Highway 79 to Erie, Pa., (18) from Boston, Mass., over Interstate Highway 95 to Providence, R.I., Stratford, Conn., New York, N.Y., Elizabeth, N.J., Philadelphia, Pa., Baltimore, Md., Washington, D.C., Richmond, Va., and Rocky Mount, N.C., (19) from Washington, D.C., over Interstate Highway 66 to junction Interstate Highway 81, thence over Interstate Highway 81 to Wytheville, Va., and (20) from Richmond, Va., over Interstate Highway 64 to junction Interstate Highway 81, at or near Staunton, Va., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Columbus, Ohio, over U.S. Highway 23 to Delaware, Ohio, thence over U.S. Highway 42 to Cleveland, Ohio, (2) from Columbus, Ohio, over U.S. Highway 23 to Delaware, Ohio, thence over U.S. Highway 42 to junction Ohio Highway 18, thence over Ohio Highway 18 to Youngstown, Ohio, (3) from Lodi, Ohio, over U.S. Highway 42 to junction Ohio Highway 18, thence over Ohio Highway 18 to Akron and Youngstown, Ohio.

(4) From Jeffersonville, Ind., over Indiana Highway 62 to junction Indiana Highway 107, thence over Indiana Highway 107 to junction U.S. Highway 421, thence over U.S. Highway 421 to Indianapolis, Ind., (5) from Davenport, Iowa, and Rock Island, Ill., over U.S. Highway 6 to Hammond, Ind., (6) from Chicago, Ill., over U.S. Highway 66 to St. Louis, Mo., (7) from Elizabeth, N.J., over U.S. Highway 22 to Somerville, N.J., (8) from Cleveland, Ohio, over U.S. Highway 6 to junction U.S. Highway 66 at Joliet, Ill., thence over U.S. Highway 66 to St. Louis, Mo., (9) from Indianapolis, Ind., over U.S. Highway 52 to junction U.S. Highway 41, thence over U.S. Highway 41 to

Chicago, Ill., (10) from Richmond, Va., over U.S. Highway 60 to junction U.S. Highway 52, near Huntington, W. Va., thence over U.S. Highway 52 to Cincinnati, Ohio, thence over U.S. Highway 25 to Lexington, Ky., (11) from St. Louis, Mo., over U.S. Highway 40 via Indianapolis, Ind., and Columbus, Ohio, to junction U.S. Highway 119 east of Pittsburgh, Pa., (12) from St. Louis, Mo., over U.S. Highway 40 via Indianapolis, Ind., and Columbus, Ohio, to Cambridge, Ohio, thence over U.S. Highway 22 via Pittsburgh, Pa., to junction U.S. Highway 119 east of Pittsburgh, Pa., (13) from St. Louis, Mo., over U.S. Highway 40 via Indianapolis, Ind., and Columbus, Ohio, to Cambridge, Ohio, thence over U.S. Highway 22 to Pittsburgh, Pa., thence over U.S. Highway 30 to junction U.S. Highway 119, (14) from Norristown, Pa., over U.S. Highway 422 to Philadelphia, Pa., thence over U.S. Highway 13 to Wilmington, Del., (15) from Norristown, Pa., over U.S. Highway 422 to Philadelphia, Pa.

(16) From junction U.S. Highways 30 and 202 over U.S. Highway 30 to Philadelphia, Pa., (17) from Hamlin, Pa., over U.S. Highway 22 to Elizabeth, N.J., (18) from Pittsburgh, Pa., over U.S. Highway 19 to Erie, Pa., (19) from Boston, Mass., over U.S. Highway 1 via Providence, R.I., Stratford, Conn., New York, N.Y., and Elizabeth, N.J., to Philadelphia, Pa., thence over U.S. Highway 13 to junction U.S. Highway 40, thence over U.S. Highway 40 to Baltimore, Md., thence over U.S. Highway 1 via Washington, D.C., and Richmond, Va., to Petersburg, Va., thence over U.S. Highway 301 to Rocky Mount, N.C., (20) from Washington, D.C., over U.S. Highway 211 to junction U.S. Highway 11, thence over U.S. Highway 11 to junction U.S. Highway 60, thence over U.S. Highway 60 to Richmond, Va., and (21) from Washington, D.C., over U.S. Highway 211 to junction U.S. Highway 11, thence over U.S. Highway 11 to Wytheville, Va., and return over the same routes.

No. MC 45657 (Deviation No. 7), PICWALSH FREIGHT CO., 731 Campbell Avenue, St. Louis, Mo. 63147, filed December 16, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Indianapolis, Ind., and Cincinnati, Ohio, over Interstate Highway 74, using such roads and highways as are necessary for ingress and egress of Interstate Highway 74 over the shortest practical route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis, Ind., over U.S. Highway 421 (formerly Indiana Highway 29) to junction U.S. Highway 50, thence over U.S. Highway 50 to Cincinnati, Ohio, and return over the same route.

No. MC 45657 (Deviation No. 8), PICWALSH FREIGHT CO., 731 Campbell Avenue, St. Louis, Mo. 63147, filed December 16, 1966. Carrier proposes to op-

erate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over U.S. Highway 40 (segments of which are designated as Interstate Highway 70), to Indianapolis, Ind., thence over Interstate Highway 74 to Cincinnati, Ohio, and return over the same route, using such roads and highways as are necessary for ingress and egress of Interstate Highway 70 and Interstate Highway 741 over the shortest practical route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From St. Louis, Mo., over U.S. Highway 50 to Cleves, Ohio, thence over Ohio Highway 264 to Cincinnati, Ohio, thence over U.S. Highway 25 to Dayton, Ohio, thence over Ohio Highway 4 to Springfield, Ohio, and (2) from Indianapolis, Ind., over U.S. Highway 421 (formerly Indiana Highway 29), to junction U.S. Highway 50, thence over U.S. Highway 50 to Cincinnati, Ohio, and return over the same routes.

No. MC 61628 (Deviation No. 4), TAMAMI FREIGHTWAYS, INC., 4305 21st Avenue, Tampa, Fla. 33610, filed December 16, 1966. Carrier's representative: James E. Wharton, 506 First National Bank Building, Post Office Box 231, Orlando, Fla. 32802. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Atlanta, Ga., over Interstate Highway 75 to junction Interstate Highway 10, approximately 7 miles west of Lake City, Fla., thence over Interstate Highway 10 to Jacksonville, Fla., (2) from Atlanta, Ga., over Interstate Highway 85 to La Grange, Ga., thence over Georgia Highway 219 to junction Georgia Highway 103, thence over Georgia Highway 103 to Columbus, Ga., (3) from Savannah, Ga., over Interstate Highway 95 to Jacksonville, Fla., (4) from Macon, Ga., over Interstate Highway 16 to Savannah, Ga., (5) from Columbus, Ga., over Georgia Highway 103, to Buena Vista, Ga., thence over Georgia Highway 41 to junction Georgia Highway 30, thence over Georgia Highway 30 to junction U.S. Highway 280, near Americus, Ga., thence over U.S. Highway 280 to junction Interstate Highway 75, near Cordele, Ga., (6) from Atlanta, Ga., over Interstate Highway 20 to Madison, Ga., (7) from Jacksonville, Fla., over Interstate Highway 95 to Miami, Fla., (8) from Jacksonville, Fla., over Interstate Highway 95 to junction Interstate Highway 4, approximately 6 miles west of Daytona Beach, Fla., thence over Interstate Highway 4 to Tampa, Fla., (9) from Orlando, Fla., over Interstate Highway 4 to junction with the Sunshine State Parkway, approximately 5 miles south of Orlando, Fla., thence over the Sunshine State Parkway to Miami, Fla.

(10) From Ocala, Fla., over Florida Highway 40 to junction Interstate Highway 75, approximately 3 miles southwest of Ocala, Fla., thence over Interstate Highway 75 to junction with the Sun-

shine State Parkway, near Wildwood, Fla., thence over the Sunshine State Parkway to Miami, Fla., (11) from Ocala, Fla., over Florida Highway 200 to junction Interstate Highway 75, approximately 3 miles southwest of Ocala, Fla., thence over Interstate Highway 75 to Tampa, Fla., (12) from Bartow, Fla., over Florida Highway 60 to junction U.S. Highway 27, approximately 4 miles west of Lake Wales, Fla., thence over U.S. Highway 27 to South Bay, Fla., (13) from Atlanta, Ga., over Interstate Highway 75 to junction U.S. Highway 82, near Tifton, Ga., thence over U.S. Highway 82 to junction U.S. Highway 1, at Waycross, Ga., thence over U.S. Highway 1 to Jacksonville, Fla., (14) from Macon, Ga., over Interstate Highway 16 to junction U.S. Highway 301, near Claxton, Ga., thence over U.S. Highway 301 to junction U.S. Highway 1, near Folkston, Ga., thence over U.S. Highway 1 to Jacksonville, Fla., (15) from Swainsboro, Ga., over U.S. Highway 80 to Statesboro, Ga., thence over U.S. Highway 301 to Claxton, Ga., (16) from junction Florida Highway 60 and Florida Highway 39 over Florida Highway 60 to Tampa, Fla., (17) from junction Florida Highway 80 and Florida Highway 31, near Tice, Fla., over Florida Highway 31 to Arcadia, Fla., thence over Florida Highway 72 to junction U.S. Highway 41, (18) from Arcadia, Fla., over Florida Highway 70 to junction Florida Highway 675, thence over Florida Highway 675 to Parrish, Fla., and (19) from junction Interstate Highway 75 and the Sunshine State Parkway, near Wildwood, Fla., over Interstate Highway 75 to junction Florida Highway 44, thence over Florida Highway 44 to junction U.S. Highway 301, thence over U.S. Highway 301 to junction U.S. Highway 98, approximately 6 miles south of Dade City, Fla., thence over U.S. Highway 98 to Bartow, Fla., and return over the same routes, for operating convenience only.

The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Atlanta, Ga., over Georgia Highway 42 to junction Georgia Highway 87 near Flovilla, Ga., thence over Georgia Highway 87 to Eastman, Ga., thence over combined Georgia Highway 27 and U.S. Highways 23 and 341 to Hazlehurst, Ga., thence over Georgia Highway 19 to junction U.S. Highways 1 and 23, thence over U.S. Highway 1 to Jacksonville, Fla., (2) from Atlanta, Ga., over U.S. Highway 29 to Newnan, Ga., thence over Georgia Highway 41 and Alternate U.S. Highway 27 to Columbus, Ga., (3) from Savannah, Ga., over U.S. Highway 17 to Jacksonville, Fla., (4) from Macon, Ga., over Georgia Highway 57 to Irwinton, Ga., thence over Georgia Highway 29 to Soperton, Ga., thence over Georgia Highway 56 to Mount Vernon, Ga., thence over U.S. Highway 280 to Blitchton, Ga., thence over U.S. Highway 80 to Savannah, Ga., (5) from Columbus, Ga., over Georgia Highway 103 to Buena Vista, Ga., thence over Georgia Highway 26 to junction Interstate Highway 75 near Henderson, Ga., (6) from Atlanta, Ga., over Georgia Highway 12 to Madison,

Ga., (7) from Jacksonville, Fla., over U.S. Highway 1 to Bunnell, Fla., thence over Florida Highway 11 to Deland, Fla., thence over combined U.S. Highways 17 and 92 to Orlando, Fla., thence over Florida Highway 15 to Ashton, Fla., thence over U.S. Highway 441 to Belle Glade, Fla., thence over unnumbered highway to South Bay, Fla., thence over U.S. Highway 27 to Miami, Fla., (8) from Jacksonville, Fla., over U.S. Highway 1 to Daytona Beach, Fla., thence over U.S. Highway 27 to Miami, Fla., (8) from Ocala, Fla., over U.S. Highway 441 to Orlando, Fla., thence to Miami, Fla., as specified in (7) above.

(10) from Ocala, Fla., over Florida Highway 200 to Hernando, Fla., thence over U.S. Highway 41 to Tampa, Fla., (11) from Bartow, Fla., over Florida Highway 60 to junction U.S. Highway 441, at Yeehaw Junction, Fla., thence over U.S. Highway 441 to Belle Glade, Fla., thence over unnumbered highway to South Bay, Fla., (12) from Macon, Ga., over U.S. Highway 129 to Cochran, Ga., thence over Georgia Highway 87 to Eastman, Ga., thence over Georgia Highway 27 to Hazlehurst, Ga., thence over Georgia Highway 19 to junction U.S. Highway 1, 6 miles north of Alma, Ga., thence over U.S. Highway 1 to Jacksonville, Fla., (13) from Swainsboro, Ga., over U.S. Highway 1 to Lyons, Ga., thence over Georgia Highway 30 to Claxton, Ga., (14) from junction Florida Highways 60 and 39 over Florida Highway 39 to Plant City, Fla., thence over U.S. Highway 92 to Tampa, Fla., (15) from junction Florida Highways 80 and 31 over Florida Highway 80 to junction U.S. Highway 41 at Fort Myers, Fla., thence over U.S. Highway 41 to junction Florida Highway 72, (16) from Arcadia, Fla., over U.S. Highway 17 to junction Florida Highway 62 near Wachula, Fla., thence over Florida Highway 62 to Parrish, Fla., and (18) from junction Interstate Highway 75 and the Sunshine State Parkway over Interstate Highway 75 to Tampa, Fla., thence over U.S. Highway 92 to Plant City, Fla., thence over Florida Highway 39 to junction Florida Highway 60, thence over Florida Highway 60 to Bartow, Fla., and return over the same routes.

No. MC 109533 (Deviation No. 3),
OVERNITE TRANSPORTATION COM-

PANY, Post Office Box 1216, Richmond, Va. 23209, filed December 12, 1966. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Richmond, Va., and Petersburg, Va., over Interstate Highway 95, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Bristol, Tenn., over U.S. Highway 11 to Roanoke, Va., thence over U.S. Highway 460 via Appomattox and Farmville, Va., to Petersburg, Va., thence over U.S. Highway 1 to Richmond, Va., and return over the same route.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13925; Filed, Dec. 28, 1966;
8:47 a.m.]

[Ex Parte Nos. MC-37, MC-37 (Sub-No. 12)]

SEATTLE TRAFFIC ASSOCIATION

Petition for Redefinition of Limits of Seattle, Wash., Commercial Zone

DECEMBER 23, 1966.

Petitioner: Seattle Traffic Association. Petitioner's representative: H. E. Franklin, Jr., 215 Columbia Street, Seattle, Wash. By petition filed December 13, 1966, Seattle Traffic Association requests the Commission to reopen the above proceeding for the purpose of redefining the limits of the Seattle, Wash., commercial zone, which were originally defined on March 23, 1948, in commercial zones and terminal areas, 48 M.C.C. 95 at page 98 (49 CFR 170.24), so as to include therein Everett and Auburn, Wash.

As presently defined, the Seattle commercial zone includes all points within 5 miles of the corporate limits of Seattle (except certain islands in Puget Sound) and two areas north and south of this perimeter as described in paragraphs (c) and (d) of 49 CFR 170.24. Petitioner requests the Commission to revise paragraphs (c) and (d) as follows: (c) All points more than 5 miles beyond the municipal limits of Seattle within

a line drawn as follows: Beginning at that point South of Seattle where the eastern shore of Puget Sound intersects the line described in (a) above, thence southerly and westerly along the eastern shore of Puget Sound to the boundary between King and Pierce Counties, thence southerly and easterly along the boundary between King and Pierce Counties to 132d Avenue, SE. (projected), thence westerly along 352d Street (projected) to the city limits of Auburn, Wash., to South 312th Street (projected), thence northerly along the western shore of the Green River to South 277th Street (projected), thence easterly along South 277th Street (projected) to 104th Avenue, SE. (projected), thence northerly along 104th Avenue, SE. (projected) to the point where it again intersects the line described in (b) above at Southeast 240th Street. (d) All points more than 5 miles beyond the municipal limits of Seattle within a line drawn as follows: Beginning at that point North of Seattle where the eastern shore of Puget Sound intersects the line described in (b) above, thence northerly and easterly along the eastern shore of Puget Sound to the point where it intersects the city limits of Everett, Wash., thence easterly, northerly, and southerly along the city limits of Everett to the point where it intersects State Highway 527, thence southerly along Highway 527 to the point where it again intersects the line described in (b) above. No other changes are proposed to the zone as presently described. Interested parties desiring to reply to the above petition may do so on or before February 1, 1967. Each such reply should include a statement of replicant's position with respect to the proposed revision.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-13926; Filed, Dec. 28, 1966;
8:47 a.m.]

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FEDERAL REGISTER

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PART II

Department of the Interior

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National Park Service

Parks, Forests, and Memorials

Revision and Recodification
of Regulations



Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

REVISION AND RECODIFICATION OF RULES

On pages 12750-63 of the FEDERAL REGISTER of September 29, 1966, there was published a notice and text of a proposed revision and recodification of Chapter I of Title 36 of the Code of Federal Regulations. The purpose of the revision and recodification is to clarify and bring up to date the regulations applicable to the areas administered by the National Park Service, as well as to bring them into conformity with the basic policies of the Department of the Interior relating to administration and preservation of natural resources in areas of the National Park System.

Interested persons were afforded 60 days within which to submit written comments, suggestions, or objections. All comments have been considered and the revision and recodification of Title 36, Chapter I, as proposed at 31 F.R. 12750 is hereby adopted with the following changes:

1. The text of § 1.1 is designated as paragraph (a) and the first sentence is revised, and a new paragraph (b) is added.

2. The text of § 1.2(g) preceding the list of monuments is changed by striking out "all National Parks except Mesa Verde and to the following National Monuments:" and inserting "the National Monuments listed below and to all National Parks except Mesa Verde."

3. In § 2.2, the words "on the water" are inserted in the second sentence of paragraph (a) following the word "aircraft"; and the last sentence of paragraph (b) is deleted.

4. In § 2.3(a), the word "portable" is deleted.

5. In § 2.5, paragraphs (k) and (l) are deleted; the last sentence of paragraph (c) is changed by deleting the words "entrance and" and inserting in lieu thereof the word "campgrounds"; and paragraph (j) is revised.

6. Section 2.6 is revised.

7. In § 2.7(b), the word "thereof" is inserted following the word "risk"; and paragraph (b) (1) is revised.

8. The following sentence is added at the end of § 2.8(b): "This paragraph shall not apply to seeing eye dogs."; and § 2.8(c) is revised.

9. The word "exclusive" in § 2.11(a) (1) is deleted and the last sentence of § 2.11 (a) is revised.

10. Section 2.12(e) is revised.

11. In § 2.13, the name "Crater Lake" is inserted in paragraph (b) following the name "Big Bend"; the word "non-preserved" is inserted in paragraph (e) following the words "any live fish or"; and in paragraph (f) the words "or are a species unlawful to take" are inserted following the words "over the maximum legal size limit"; paragraphs (a) and (d)

of § 2.13 are revised and a new paragraph (k) is added.

12. In § 2.15, the words "or controlled" and the word "exclusive" are deleted.

13. In § 2.20, subparagraphs (4) and (5) of paragraph (a) are redesignated paragraphs (d) and (e) respectively; in subparagraph (3) of paragraph (b) the words "mineral objects" are deleted and the word "resale" in the second sentence is changed to read "for the purpose of sale"; subparagraph (2) of paragraph (a) is revised and two new subparagraphs (4) and (5) are added to paragraph (b).

14. The following note is added at the end of § 2.20:

NOTE: Regulations concerning archeological ruins and objects are found in 43 CFR 3.

15. Paragraph (a) of § 2.23 is revised.

16. In paragraph (b) of § 2.24, the word "vessel" is deleted; in paragraph (e) of § 2.24, the words "or other inedible parts of fish" are inserted following the word "entrails"; and the words "in areas of public concentration" are added at the end of the sentence; in paragraph (h) of § 2.24, the words "or other refuse facilities" are added following the word "containers"; and paragraph (d) is revised.

17. Sections 2.25 through 2.32 are renumbered §§ 2.26 through 2.33 respectively, and a new § 2.25 is added.

18. Renumbered § 2.26 is revised.

19. Renumbered § 2.28(d) is revised.

20. In paragraph (b) of renumbered § 2.30, the words "on trails" are inserted following the word "vehicles."

21. In renumbered § 2.31(c), subparagraph (3) is deleted.

22. In renumbered § 2.32, the last sentence of paragraph (b) (1) is designated as paragraph (b) (2); and in paragraph (a) (3) the word "exclusive" is deleted and the name "Mesa Verde" is inserted following the name "Lassen Volcanic."

23. The text of § 3.2 is designated as paragraph (a) and a new paragraph (b) is added.

24. In § 3.6(e) the words "readily accessible" are changed to read "immediately accessible in the event of emergency."

25. The last sentence of § 3.9 is deleted.

26. In § 3.14(m) the word "shall" is changed to "may".

27. Section 3.17 is renumbered § 3.18 and a new § 3.17 is added.

28. In renumbered § 3.18 the words "while afloat or underway" are deleted.

29. A new sentence is added at the end of § 4.1.

30. The word "alcohol" in both the heading and text of § 4.6 is changed to read "intoxicating liquor".

31. Section 4.12 is revised.

32. In § 4.13(a), the words "or upon a designated fire lane" are inserted following the words "other vehicles".

33. In § 4.14 the heading is changed to read "Reckless or careless driving." and the words "or wildlife" are added at the end of the last sentence.

34. In § 4.19(b) the words "or comparable safety devices" are added after the word "chains".

35. The following language is inserted immediately preceding Part 5: "Part 5

of Chapter I of Title 36 of the Code of Federal Regulations is revised as follows."

36. In § 5.2(b) the word "exclusive" is deleted.

37. Section 5.6(a) is revised.

38. Sections 5.8 through 5.15 are renumbered §§ 5.9 through 5.16, respectively, and a new § 5.8 is added.

39. A new paragraph (c) is added to renumbered § 5.9.

40. In renumbered § 5.10(a) the word "exclusive" is deleted.

41. Renumbered § 5.11(a) is revised and a new paragraph (f) is added.

42. Sections 6.3 (c) and (d) are deleted and paragraphs (e), (f), and (g) are redesignated paragraphs (c), (d), and (e) respectively.

43. Section 6.4(a) is deleted and paragraphs (b), (c), (d), and (e) of § 6.4 are redesignated paragraphs (a), (b), (c), and (d) respectively.

44. In § 6.5(a), subparagraph (1), the list of rates is revised.

45. In paragraph (a) (2) of § 6.5, the word "and" in the first sentence is changed to "through."

46. Section 6.7 is deleted.

Typographical and spelling errors have been corrected throughout and minor changes have been made in part titles.

These regulations shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

CHARLES F. LUCE,

Under Secretary of the Interior.

DECEMBER 22, 1966.

Part

- 1 General regulations, miscellaneous provisions.
- 2 General regulations, public use and recreation.
- 3 General regulations, boating.
- 4 General regulations, vehicles and traffic safety.
- 5 General regulations, commercial and private operations.
- 6 Miscellaneous fees.
- 7 Special regulations.
- 8 Labor standards applicable to employees of National Park Service concessioners.
- 9 Procedure and business of the National Park Trust Fund Board.
- 10 Disposal of certain wild animals.
- 11 Arrowhead Symbol.
- 20 Isle Royale National Park; commercial fishing.
- 21 Hot Springs National Park; bathhouse regulations.
- 25 National Military Parks; licensed guide service regulations.
- 27 Cape Cod National Seashore; zoning standards.
- 28 Fire Island National Seashore; zoning standards.
- 29 Olympic National Park; temporary land use regulation.
- 50 National Capital Parks regulations.
- 55 National cemetery regulations.

TABLE SHOWING RELATIONSHIP OF PARTS IN PRESENT REGULATIONS TO PROPOSED REVISION

Part No. in present regulations	Part No. in proposed revision
1.....	Parts 1, 2, 3, 4, 5.
2.....	Parts 1, 2, 3, 4, 5.
3.....	Part 50.
4.....	Part 55.
5.....	Parts 1, 2, 3, 4, 5.

RELATIONSHIP OF PARTS—Continued

Part No. in present regulations	Part No. in proposed revision
6	Same.
7	Same.
8	Same.
9	Same.
10	Same.
11	Same.
20	Same.
21	Same.
22	Deleted.
25	Same.
26	Deleted.
27	Same.
28	Same.
29	Same.

Part 1 of Chapter I of Title 36 of the Code of Federal Regulations is revised as follows:

PART 1—MISCELLANEOUS PROVISIONS

- Sec.
1.1 Applicability and scope.
1.2 Definitions.
1.3 Penalties.

AUTHORITY: The provisions of this Part 1 issued under secs. 1 and 3, 39 Stat. 535, as amended; sec. 1, 47 Stat. 1420; 60 Stat. 885; as amended; sec. 2, 49 Stat. 666; 16 U.S.C. 1, 3, 9a, 17j-2, and 462, and acts relating to the individual areas.

§ 1.1 Applicability and scope.

(a) The regulations contained in Parts 1 through 6 of this chapter shall apply to all persons entering, using, visiting, or who are otherwise within the boundaries of any federally owned or controlled areas administered by the National Park Service, except: (1) Areas administered by the National Park Service in the District of Columbia and its environs to which Part 50 is specifically applicable, and (2) national cemeteries to which Part 55 is specifically applicable. The special regulations in Part 7 of this chapter also will apply to all persons entering, using or visiting the areas for which they are adopted. The regulations contained in Parts 1 through 7 of this chapter are hereby made and prescribed for the proper use, management, government and protection of, and maintenance of good order in the areas to which they apply.

(b) The regulations contained in Parts 1 through 7 of this chapter are not applicable on privately owned lands (including Indian lands owned either individually or tribally) within the boundaries of any park area, except as may be provided by regulations specifically relating to privately owned lands under the legislative jurisdiction of the United States.

§ 1.2 Definitions.

The following definitions shall apply to all regulations contained in Parts 1 through 7 of this chapter.

- (a) The term "Secretary" shall mean the Secretary of the Interior.
(b) The term "Director" shall mean the Director of the National Park Service.
(c) The term "Regional Director" means the official in charge of a region of the National Park Service.

(d) The term "superintendent" includes any official in charge of a park area, or his authorized representative.

(e) The term "authorized person" includes any person authorized to enforce the provisions of this chapter.

(f) The term "park area" includes all federally owned or controlled areas administered by the National Park Service.

(g) The term "natural area" includes all those national parks and monuments established as such because of their natural features and is applicable to the National Monuments listed below and to all National Parks except Mesa Verde:

Arches.	Grand Canyon.
Badlands.	Great Sand Dunes.
Black Canyon of the	Jewel Cave.
Gunnison.	Joshua Tree.
Buck Island Reef.	Katmai.
Capitol Reef.	Lava Beds.
Capulin Mountain.	Lehman Caves.
Cedar Breaks.	Muir Woods.
Channel Islands.	Natural Bridges.
Chiricahua.	Oregon Caves.
Colorado.	Organ Pipe Cactus.
Craters of the Moon.	Pinnacles.
Death Valley.	Rainbow Bridge.
Devils Postpile.	Saguaro.
Devils Tower.	Sunset Crater.
Dinosaur.	Timpanogos Cave.
Glacier Bay.	White Sands.

(h) The term "historical area" includes all those park areas established as such because of their historical or archeological significance and applies to all National Historic Sites, National Memorials, National Historical Parks, National Military Parks, National Battlefield Sites, and Battlefield Parks, National Memorial Parks, all National Monuments other than those listed in paragraph (g) of this section, and Mesa Verde National Park.

(i) The term "recreational area" includes all National Seashores, National Lakeshores, National Scenic Riverways, National Recreation Areas, National Parkways, National Wild Rivers, Catoclin Mountain Park, Prince William Forest Park, and all other park areas administered by the National Park Service primarily for the purpose of public recreation.

§ 1.3 Penalties.

(a) Any person convicted of violating any provision of the regulations contained in Parts 1 through 7 of this chapter, or as the same may be amended or supplemented, within any park area not embraced in paragraphs (b) or (c) of this section, shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding 6 months, or both, and shall be adjudged to pay all costs of the proceedings. (16 U.S.C. 3)

(b) Any person who knowingly and wilfully violates any provision of the regulations contained in Parts 1 through 7 of this chapter, or as the same may be amended or supplemented, within any of the national military parks, battlefield sites, national monuments, or miscellaneous memorials transferred to the jurisdiction of the Secretary of the Interior from that of the Secretary of War by Executive Order No. 6166, June 10, 1933, and enumerated in Executive Order No.

6228, July 28, 1933, shall be punished upon conviction thereof by a fine of not more than \$100, or by imprisonment for not more than 3 months, or by both. (16 U.S.C. 9a)

(c) Any person convicted of violating any provision of the regulations contained in Parts 1 through 7 of this chapter, or as the same may be amended or supplemented within any park area established pursuant to the Act of August 21, 1935 (49 Stat. 666), shall be punished by a fine of not more than \$500 and shall be adjudged to pay all costs of the proceedings. (16 U.S.C. 462)

Part 2 of Chapter I of Title 36, Code of Federal Regulations is revised to read as follows:

PART 2—PUBLIC USE AND RECREATION

- Sec.
2.1 Abandoned and unattended property.
2.2 Aircraft.
2.3 Audio devices.
2.4 Begging and soliciting.
2.5 Camping.
2.6 Closing of areas.
2.7 Disorderly conduct.
2.8 Dogs, cats, and other pets.
2.9 Explosives.
2.10 False Report.
2.11 Firearms, traps, and other weapons.
2.12 Fires.
2.13 Fishing.
2.14 Fraudulently obtaining accommodations.
2.15 Gambling.
2.16 Intoxication; drug incapacitation.
2.17 Lost and found articles.
2.18 Picnicking.
2.19 Portable engines and motors.
2.20 Preservation of public property, natural features, curiosities, and resources.
2.21 Public assemblies, meetings.
2.22 Report of injury or damage.
2.23 Saddle and pack animals.
2.24 Sanitation.
2.25 Scientific specimens.
2.26 Skating, skateboards.
2.27 Special events.
2.28 Swimming and bathing.
2.29 Tampering with vehicle or vessel.
2.30 Travel on trails.
2.31 Water skiing.
2.32 Wildlife; hunting.
2.33 Winter sports.

AUTHORITY: The provisions of this Part 2 issued under secs. 1 and 3, 39 Stat. 535, as amended; sec. 1, 47 Stat. 1420; 60 Stat. 885, as amended; sec. 2, 49 Stat. 666; 16 U.S.C. 1, 3, 9a, 17j-2, 462, and acts relating to the individual areas.

§ 2.1 Abandoned and unattended property.

(a) Abandonment of any vehicle or other personal property is prohibited and such property shall be impounded by the Superintendent.

(b) Leaving any vehicle or other personal property unattended for longer than 24 hours, without prior permission of the Superintendent, is prohibited and any property so left shall be impounded by the Superintendent. In the event unattended property interferes with the safe or orderly management of the park area, it may be impounded by the Superintendent at any time.

§ 2.2 Aircraft.

(a) The operation or use of aircraft on lands or waters other than at the landing areas designated in special regulations is prohibited. Where a water surface is designated as a landing area, the operation or use of aircraft on the water within 500 feet of bathing beaches, boat docks, floats, piers, ramps, or within 1 mile of water control structures, except as otherwise provided by special regulations, is prohibited.

(b) Except in extreme emergencies involving the safety of human life or threat of serious property loss, the air delivery of any person or thing by parachute, helicopter, or other means without prior written permission of the Superintendent is prohibited.

(c) The provisions of this section shall not be applicable to aircraft engaged on official business of the Federal Government, or used in emergency rescue in accordance with the directions of the Superintendent, or forced to land due to circumstances beyond the control of the operator.

(d) The operation of aircraft shall be in accordance with current applicable regulations of the Federal Aviation Agency.

§ 2.3 Audio devices.

(a) The operation or use of any audio devices including radios, television sets, musical instruments, and noise producing devices such as electric generating plants, or other equipment driven by motors or engines in such a manner and at such times so as to unreasonably annoy persons in campgrounds, picnic areas, lodges, or at other public places or gatherings is prohibited.

(b) The operation or use of public address systems, whether fixed, portable, or vehicle mounted, on lands, waters, and highways, is prohibited except when such use or operation is in connection with public gatherings or special events for which permits have been issued in accordance with § 2.21 or § 2.26.

(c) The installation of aerials or other special radio, telephone, or television equipment is prohibited unless authorized by the Superintendent.

§ 2.4 Begging and soliciting.

(a) Begging is prohibited.

(b) Hitchhiking or the soliciting of transportation is prohibited.

(c) Commercial soliciting of any kind without a permit is prohibited: *Provided*, That this section shall not apply to transactions with authorized concessioners.

§ 2.5 Camping.

(a) Camping and the use of trailers or other camper units is permitted only at designated locations: *Provided, however*, That the Superintendent may issue written permits to persons desiring to camp in backcountry, or other isolated sections of a park area, or may designate portions of the park area in which such permits will not be required by marking on a map which shall be available for public inspection in the Park Offices.

(b) Within designated locations, the pitching of tents or parking of trailers or other camper units is permitted only at the sites designated.

(c) The Superintendent may establish limitations on the length of time persons may camp within a park area, either in a single period or in combined separate periods. Such limitations shall be posted at campgrounds, ranger stations, or other appropriate locations.

(d) The installation of permanent camping facilities is prohibited.

(e) The digging or leveling of the ground at any campsite is prohibited except with permission of the Superintendent.

(f) Camping equipment must be completely removed and the sites cleaned before departure.

(g) Camping within 25 feet of any water hydrant, main road, or well-defined water course, except upon the direction of the Superintendent is prohibited.

(h) Except in those park areas where hunting is permitted, the use of a camp in a park area as a base for hunting outside the park area is prohibited.

(i) Quiet shall be maintained in all campgrounds between the hours of 10 p.m. and 6 a.m.

(j) The gathering of wood for use as fuel in campgrounds or picnic areas shall be limited to dead material on the ground, except where such gathering is prohibited by the Superintendent by the posting of appropriate signs.

§ 2.6 Closing of areas.

The Superintendent may establish a reasonable schedule of visiting hours for all or portions of a park area and close or restrict the public use of all or any portion of a park area, when necessary for the protection of the area or the safety and welfare of persons or property by the posting of appropriate signs indicating the extent and scope of closure. All persons shall observe and abide by the officially posted signs designating closed areas and visiting hours.

§ 2.7 Disorderly conduct.

(a) Disorderly conduct is prohibited.

(b) Offense defined: A person is guilty of disorderly conduct if, with purpose to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he shall:

(1) Engage in fighting or in threatening, violent, or tumultuous behavior; or

(2) Make unreasonable noise or offensively coarse utterance, gesture, or display, or address abusive language to any person present; or

(3) Create a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

§ 2.8 Dogs, cats and other pets.

(a) Dogs, cats and other pets are prohibited unless they are crated, caged, or on a leash, or otherwise under physical restrictive control at all times.

(b) Pets are prohibited in public eating places, food stores and on designated swimming beaches at all times. The Superintendent may also designate by

the posting of appropriate signs other portions of the park area where pets are not permitted. This paragraph shall not apply to Seeing Eye dogs.

(c) The keeping of dogs, cats, or other pets by residents is prohibited unless authorized by the Superintendent under such conditions as he may prescribe.

(d) Dogs, cats or other pets running at large and observed by an authorized person in the act of killing, injuring or molesting humans or wildlife may be disposed of in the interest of public safety and protection of the wildlife.

(e) In park areas where hunting is permitted, the use of dogs may be allowed in accordance with State law or under such special regulations as the Superintendent may prescribe.

§ 2.9 Explosives.

(a) The use or possession of explosives is prohibited except upon written permission of the Superintendent. Any authorized use or possession of explosives shall conform with all applicable Federal, State and local laws.

(b) The use or possession of fireworks and firecrackers is prohibited, except upon written permission of the Superintendent.

§ 2.10 False report.

The giving of any false or fictitious report or other information to any authorized person investigating an accident or any violation of law or regulations is prohibited.

§ 2.11 Firearms, traps, and other weapons.

(a) In natural and historical areas and national parkways the use of traps, seines, hand-thrown spears, nets (except landing nets), firearms (including air and gas powered pistols and rifles), blow guns, bows and arrows or crossbows, and any other implements designed to discharge missiles in the air or under the water which are capable of destroying animal life is prohibited. The possession of such objects or implements is prohibited unless they are unloaded and adequately cased, or broken down or otherwise packed in such a way as to prevent their use while in the park areas.

(1) This paragraph (a) shall be applicable on the privately owned lands under the legislative jurisdiction of the United States within Glacier, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone, and Yosemite National Parks.

(2) When authorized by the Superintendent, licensed guides in charge of pack trains or saddle horse parties may carry firearms for emergency use as stipulated in a written permit.

(3) Authorized Federal, State, county, and city law enforcement officers may carry firearms in the performance of their official duties.

(b) In recreational areas (except national parkways) the use and possession of all firearms or other implements designed to discharge missiles, which are capable of destroying animal life, shall conform with all applicable Federal,

State and local laws. Such firearms or other implements shall not be used in a manner so as to endanger persons or property. The possession of loaded firearms or other implements in developed, populated, or concentrated use areas is prohibited.

§ 2.12 Fires.

(a) The kindling of any fire is permitted only:

(1) In designated camping and picnicking grounds when the fire is confined in a fireplace provided for the use of visitors, or in grills, or in locations marked by the Superintendent; or

(2) In other locations, including backcountry, wilderness and remote sections of the park areas when a written permit has been secured from the Superintendent; or

(3) In portions of the park areas designated by the Superintendent where fires may be kindled without a written permit. Portions of the park areas so designated shall be marked on a map which shall be available for public inspection in the area office; or

(4) In stoves or lanterns using gasoline, propane, butane gas or similar fuels.

(b) Fires must be kindled in such manner that no tree, shrub, grass, or other inflammable or combustible matter will be set on fire or caused to be set on fire.

(c) When no longer needed, the fire shall be completely extinguished. Leaving a fire unattended is prohibited.

(d) Throwing or dropping a lighted cigarette, cigar, pipe heel, match, or other burning material is prohibited.

(e) The kindling of fires on park area lands and privately owned lands under the legislative jurisdiction of the United States may be prohibited or limited by the Superintendent by posted signs when the fire hazard makes such action necessary.

(f) The Superintendent, during such periods of time as he may prescribe, may prohibit smoking on any lands, including roads and trails, by the posting of appropriate signs.

§ 2.13 Fishing.

(a) Unless further restricted herein or by special regulations, fishing shall be in accordance with the laws and regulations of the State or legal subdivision thereof, within whose exterior boundaries a park area or portion thereof is located, and such laws and regulations which are now or may hereafter be in effect are hereby adopted and made a part of these regulations.

(b) Fishing in the waters of park areas, except Big Bend, Crater Lake, Glacier, Isle Royale (inland waters only), Mammoth Cave, Mount McKinley, Mount Rainier, Olympic, Platt, and Yellowstone National Parks without the possession of a valid State fishing license is prohibited when required by the laws of the State in which the park areas, or portions thereof are situated.

(c) Fishing by means of the use of drugs, poisons, explosives, or electricity is prohibited.

(d) Digging for bait is prohibited.

(e) The transplanting or introducing of any live fish or nonpreserved fish eggs into the fresh waters of any park area without authorization from the Superintendent is prohibited.

(f) All fish caught which measure less than the minimum legal size limit or over the maximum legal size limit or are a species unlawful to take, and all fish the fisherman does not elect to keep shall be carefully and immediately returned to the water from which they were taken. Fish so released shall not be considered in the catch or possession limit, provided that at the time of such catching and releasing the fisherman shall have in his possession no more than one fish less than the legal limit.

(g) Fishing from or within 200 feet of any public raft or float designed for water sports or within the limits of designated mooring areas, swimming beaches or surfing areas is prohibited. Fishing from or within 200 feet of public boat docks or designated harbors may be prohibited by the Superintendent by the posting of appropriate signs.

(h) Fishing from motor road bridges is prohibited, except as authorized by the Superintendent.

(i) State fishing licenses must be exhibited upon demand to any person authorized to enforce the provisions of these regulations.

(j) In natural and historical areas:

(1) The possession of live or dead minnows, chubs, other bait fish, nonpreserved fish eggs and fish roe or the use thereof as bait in fresh water, or the placing or depositing of preserved or fresh fish eggs, fish roe, food or other substance in any fresh waters for the purpose of attracting, catching, or feeding fish is prohibited, except as may otherwise be provided in special regulations.

(2) Fishing in fresh waters with nets, seines, traps, spears, or in any manner other than by hook and line, the rod of line being held in the hand, or for merchandise or profit, is prohibited except as provided under special regulations.

(k) The regulations contained in this section, except for paragraph (d) shall be applicable on the privately owned lands under the legislative jurisdiction of the United States.

§ 2.14 Fraudulently obtaining accommodations.

Obtaining food, lodging or other accommodations in a park area without making payment therefor on demand is prohibited. The use of fraudulent means such as absconding without paying or offering to pay therefor, or paying with negotiable paper on which payment is refused, or false or fictitious showing of baggage or other property or surreptitious removal of baggage or other property is prohibited.

§ 2.15 Gambling.

Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited on the federally owned lands of a park

area, and on privately owned lands within park areas under the legislative jurisdiction of the United States.

§ 2.16 Intoxication; drug incapacitation.

Entering or remaining in a park area when manifestly under the influence of alcohol, narcotics or other drug, to a degree that may endanger oneself or other persons or property, or unreasonably annoy persons in the vicinity is prohibited.

§ 2.17 Lost and found articles.

All lost articles shall be deposited by the finder at the office of the Superintendent or at the nearest Ranger Station, leaving his name and address.

§ 2.18 Picnicking.

(a) In natural and historical areas picnicking is prohibited, except in those locations designated by the Superintendent by the posting of appropriate signs. The Superintendent may also establish reasonable limitations on the length of time any person or group of persons may use any picnicking facility by the posting of appropriate signs when such limitations are necessary for the accommodation of the visiting public.

(b) In recreational areas picnicking is permitted except in those locations designated by the Superintendent by the posting of appropriate signs. The Superintendent may also establish reasonable limitations on the length of time any person or persons may use any picnicking facility by the posting of appropriate signs when such limitations are necessary for the accommodation of the visiting public.

§ 2.19 Portable engines and motors.

The operation or use of a portable motor-driven electric generating plant, pump, or other equipment driven by a portable engine or motor outside any developed or public use area without written permission from the Superintendent, is prohibited. The Superintendent may issue a permit for the use if he determines that the applicant has submitted satisfactory justification for the use of such equipment, that natural resources will not be impaired, and that no undue interference with public enjoyment of the park area will result. This section does not apply to outboard motors in areas where outboard motorboating is permitted, nor does it apply to electric generating plants on vessels.

§ 2.20 Preservation of public property, natural features, curiosities, and resources.

(a) In natural and historical areas:

(1) The possession, destruction, injury, defacement, removal or disturbance in any manner of any building, sign, equipment, monument, statue, marker, or other structure, or of any animal or plant matter and direct or indirect products thereof, including but not limited to petrified wood, flower, cone or other fruit, egg, nest, or nesting site, or of any soil, rock, mineral formation, phenomenon of crystallization, artifact, relic, historic or prehistoric feature, or of any other public

property of any kind, is prohibited, except as otherwise provided in this section or in special regulations for a park area.

(2) The gathering or possession for personal consumption or use, of only such fruits and berries as the Superintendent may designate is permitted. All such fruits and berries shall be picked only by hand. The gathering or collecting of such objects for the purpose of sale is prohibited.

(3) The use of any mineral or metal detecting device capable of detecting the underground or underwater location of geological, archeological or historical objects or material is prohibited: *Provided, however,* That the provisions of this section shall not apply to fathometers, radar equipment and electronic equipment used primarily for the navigation and safe operation of boats and aircraft.

(b) In recreational areas:

(1) The intentional or wanton destruction, defacement or removal of any natural feature or nonrenewable natural resource is prohibited.

(2) The intentional or wanton possession, destruction, injury, defacement, removal, or disturbance in any manner of any public building, sign, equipment, monument, marker, or other structure, or of any relic, artifact, ruin, or historic or prehistoric feature or of any other similar public property is prohibited.

(3) Gathering or collecting for personal use, reasonable quantities of natural products of a renewable nature, including, but not limited to, seashells, fruits, berries, driftwood, and marine deposits of natural origin is permitted. The gathering or collecting of such products for the purpose of sale is prohibited.

(4) The destroying, digging, removing, or possessing of any tree, shrub, or other plant is prohibited.

(5) The gathering or collecting of small quantities of pebbles or small rocks by hand for personal use is permitted. The collection of such objects for the purpose of sale is prohibited.

(c) Damaging or molesting crops or livestock is prohibited.

(d) Taking canes, umbrellas, sticks, or similar objects into caves or caverns is prohibited, except by permission of the Superintendent.

(e) The tossing, throwing, or rolling of rocks or other materials inside caves or caverns, into valleys or canyons or down hills and mountains is prohibited.

Note: Regulations concerning archeological ruins and objects are found in 43 CFR 3.

§ 2.21 Public assemblies, meetings.

(a) Public meetings, assemblies, gatherings, demonstrations, parades and other public expressions of views are permitted within park areas on lands which are open to the general public provided a permit therefor has been issued by the Superintendent.

(b) Any application for such a permit shall set forth the name of the applicant, the date, time, duration, nature and place of the proposed event, an estimate of the number of persons expected to attend, and a statement of equipment and facilities to be used in connection therewith.

(c) The Superintendent shall issue a permit on proper application unless:

(1) A prior application for the same time and place has been made which has been or will be granted; or

(2) The event will present a clear and present danger to the public health or safety; or

(3) The event is of such nature or duration that it cannot reasonably be accommodated in the particular park area applied for.

(d) The permit may contain such conditions as are reasonably consistent with protection and use of the park area for the purposes for which it is maintained. It may also contain reasonable limitations on the time and area within which the event is permitted.

§ 2.22 Report of injury or damage.

All incidents resulting in injury to persons or damage to property (other than those specified in Parts 3 and 4), must be reported by the person or persons involved as soon as possible to the Superintendent. This report does not relieve persons from the responsibility of making any other accident reports which may be required under State law.

§ 2.23 Saddle and pack animals.

(a) Horses and other saddle or pack animals are permitted only on those trails or routes established for their use, except in those areas where cross-country travel is permitted by the Superintendent.

(b) The use of horses or other saddle or pack animals upon the main-traveled or maintained portion of roadways is prohibited, except where such travel is necessary for ingress to and egress from trails or privately owned property, or is incidental to authorized travel.

(c) In the interest of the public safety and welfare the Superintendent, by special regulation, may require that saddle horse parties and pack trains shall be in the charge of a guide who has been licensed under State or local laws or who meets qualifications which may be established by the Superintendent, or both, if the Superintendent deems it necessary.

(d) Riding or hitching horses, or other saddle or pack animals in campgrounds, picnic areas, or within the immediate vicinity of trail shelters, eating or sleeping establishments or other areas of public gatherings, except where trails and facilities are designated or provided for such use, is prohibited.

(e) Riders shall slow their horses to a walk or slow trot when passing persons on foot or on bicycles.

§ 2.24 Sanitation.

(a) All garbage, papers, cans, bottles, waste materials and rubbish of any kind must be burned in authorized fires, or disposed of only at points or places designated for the disposal thereof, or removed from the area. All noncombustible waste materials shall be deposited only in places designated for the disposal of such materials or removed from the area.

(b) Draining or dumping refuse or wastes from any trailer, or other vehicle

except in places or receptacles provided for such use is prohibited.

(c) Cleaning food or washing clothing or articles of household use at campground hydrants is prohibited.

(d) Polluting or contaminating in any manner any watershed, water supplies or water used for drinking purposes is prohibited.

(e) Fish entrails or other inedible parts of fish may be disposed of into salt waters except within 200 feet of boat docks or swimming areas but shall not be thrown into fresh waters or onto park area lands in areas of public concentration.

(f) Depositing any body waste in or on any portion of any comfort station or other public structure except into fixtures provided for that purpose is prohibited. Placing any bottle, can, cloth, rag, metal, wood, or stone substances in any of the plumbing fixtures in such station or structure is prohibited. All comfort stations shall be used in a clean, sanitary, and orderly manner.

(g) Urinating or defecating other than at the places provided therefor is prohibited, except in backcountry, wilderness or other remote areas.

(h) Using Government refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought as such from private property is prohibited.

§ 2.25 Scientific specimens.

Unless specifically permitted by other regulations in this Part or in special regulations, the collection of plants, rocks, minerals, animal life, or other natural objects is permitted only in accordance with written permits obtained in advance from the Superintendent.

(a) No permits will be issued to individuals or associations to collect specimens for personal use, but only to persons officially representing reputable scientific or educational institutions in procuring specimens for research, group study or museum display.

(b) Permits will be issued only on condition that the specimens taken will become part of a permanent public museum or herbarium collection, or will in some suitable way be made permanently available to the public.

(c) No permits may be granted for the collection of specimens the removal of which would disturb the remaining natural features or mar their appearance.

(d) Permits to secure rare natural objects will be granted by the Director only upon proof of special need for scientific use and of the fact that such objects cannot be secured elsewhere.

§ 2.26 Skating, skateboards.

The use of roller skates and skateboards is prohibited except in locations designated by the Superintendent by the posting of appropriate signs.

§ 2.27 Special events.

Sports events, pageants, reenactments, regattas, entertainments and the like, characterized as public spectator attractions, are prohibited unless written permission therefor has been given by the

Superintendent. Such permits may be issued only after a finding that the issuance of such permit will not be inconsistent with the purposes for which the area is established and maintained, and will cause the minimum possible interference with use of the area by the general public. The permit may contain such reasonable conditions and restrictions as to duration and area occupied as are necessary for protection of the area and public use thereof.

§ 2.28 Swimming and bathing.

(a) Swimming and bathing are permitted except in waters and at times where such activities are prohibited in the interest of public health or safety, which excepted waters shall be designated by posted signs.

(b) The Superintendent may prohibit the use of flotation devices within designated swimming areas by the posting of appropriate signs.

(c) Swimming from vessels under way is prohibited.

(d) SCUBA diving is prohibited within the limits of designated swimming, boat mooring, and boat docking areas.

(e) The use of surfboards and similar devices is prohibited within the limits of designated swimming beaches.

§ 2.29 Tampering with vehicle or vessel.

Tampering or attempting to tamper with any vehicle, vessel or other equipment which is not lawfully in one's possession or control, or entering or going upon, moving or manipulating any of the parts or components of any vehicle, vessel or other equipment or starting or setting the same in motion, except under such lawful possession or control, are prohibited.

§ 2.30 Travel on Trails.

(a) In natural and historical areas, the use of bicycles, motorcycles and other motor vehicles is prohibited on trails, except that bicycles may be used on those trails designated for their use by posted signs.

(b) In recreational areas, the use of motorcycles and other motor vehicles on trails is prohibited except on trails designated by the Superintendent and posted for such use. The use of bicycles is permitted unless restricted by posted signs.

(c) Pedestrians on trails shall remain quiet when saddle or pack animals are passing.

§ 2.31 Water skiing.

(a) In natural and historical areas, the towing of water skis, surfboards, and similar devices by vessels is prohibited, except in waters specifically designated for such use by the Superintendent. Such designations shall be made on a map of the area which shall be available for public inspection in the office of the Superintendent, or by posted signs, or both.

(b) In recreational areas, the towing of water skis, surfboards, and similar devices by vessels is permitted except in waters posted by appropriate markers or signs.

(c) Where towing is permitted in any area persons shall comply with the following conditions:

(1) Towing is permitted only between the hours of sunrise and sunset, except in connection with special events authorized by the Superintendent and for which special lighting is provided.

(2) There must be at least two persons in the vessel, with one, other than the operator, observing the progress of the person or persons being towed.

(d) Water skiers shall wear a life-saving device. Skiers wearing a device which is not approved by the U.S. Coast Guard must have such an approved life-saving device readily available in the towing vessel.

(e) Water skiing is prohibited in channels or within 500 feet of harbors, swimming beaches, and mooring areas, or within 100 feet of any person swimming or diving.

§ 2.32 Wildlife; hunting.

(a) In natural and historical areas and national parkways:

(1) The hunting, killing, wounding, frightening, capturing, or attempting to kill, wound, frighten, or capture at any time of any wildlife is prohibited, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury.

(2) Except as otherwise provided herein, the feeding, touching, teasing, molesting, or intentionally disturbing any wildlife or nesting and related activities or phenomena thereof is prohibited.

(3) The regulations contained in this section shall be applicable to privately owned lands under the legislative jurisdiction of the United States within Glacier, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone and Yosemite National Parks.

(b) In recreational areas (except national parkways):

(1) Except as otherwise provided herein, hunting and trapping are permitted in accordance with all Federal, State and local laws and regulations applicable to these areas or portions thereof. Portions of the area in which hunting and trapping are not permitted shall be designated on a map of the area which will be available for public inspection in the office of the Superintendent and at other convenient places within the area, and may be posted on the ground.

(2) Any other hunting, killing, wounding, frightening, capturing, or attempts to kill, wound, frighten, or capture, or the feeding, touching, teasing, molesting, or intentional disturbance of any wildlife or nesting and related activities or phenomena thereof is prohibited, except when necessary to prevent dangerous animals from destroying human life or inflicting personal injury.

(c) The possession of unlawfully taken carcasses of wildlife or portions thereof is prohibited.

§ 2.33 Winter sports.

(a) Skiing, sledding, tobogganing, snowshoeing, skating, and other similar

winter sports are permitted except upon roads and parking areas when such roads and parking areas are open to motor vehicle traffic and in other places where these activities are prohibited by posted signs.

(b) The towing of persons on skis, sleds, or other sliding devices is permitted only on routes or in locations designated by the Superintendent. Such designations may be made by marking on a map of the area which shall be available for public inspection at the park office, or by posting of signs.

Part 3 of Chapter I of Title 36, Code of Federal Regulations, is redesignated as Part 50 and a new Part 3 is added to read as follows:

PART 3—BOATING

Sec.	
3.0	Applicable regulations.
3.1	Definitions.
3.2	Permits.
3.3	Numbering.
3.4	Motorboat classifications.
3.5	Lights required.
3.6	Lifesaving equipment required.
3.7	Signaling devices.
3.8	Flame arrestors.
3.9	Ventilation.
3.10	Fire extinguishers.
3.11	Commercial operations.
3.12	Rules of the road.
3.13	Accidents.
3.14	Prohibited operations.
3.15	Restricted waters.
3.16	Other safety requirements.
3.17	Water sanitation.
3.18	Inspections.

AUTHORITY: The provisions of this Part 3 issued under secs. 1 and 3, 39 Stat. 535, as amended; sec. 1, 47 Stat. 1420; 60 Stat. 885, as amended; sec. 2, 49 Stat. 666; 16 U.S.C. 1, 3, 9a, 17j-2, 462, and acts relating to the individual areas.

§ 3.0 Applicable regulations.

In addition to the regulations contained in this part, the U.S. Coast Guard Regulations, Titles 33 and 46, Code of Federal Regulations, are applicable on navigable waters of the United States.

§ 3.1 Definitions.

(a) "Vessel" includes every type or description of craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. This definition includes but is not limited to the following: Boat, motorboat, houseboat, rowboat, powerboat, jet boat, fishing boat, towboat, scow, flatboat, sailboat, cruiser, motor vessels, ship, barge, tug, floating cabana, party boat, charter boat, ferryboat, canoe, raft, or any buoyant device permitting or capable of free floatation.

(b) "Motorboat" means any vessel propelled by machinery (including steam) of 65 feet or less in length, whether or not such machinery is the principal source of power.

(c) "Motor vessel" means any vessel propelled by machinery (except steam) over 65 feet in length, whether or not such machinery is the principal source of power.

(d) "Sailboat or sail vessel" means any vessel propelled solely by wind effect on the sail.

(e) "Hand-propelled vessel" means any vessel which is propelled by human muscular effort, which includes but is not limited to oars, paddles, or other contrivances, and upon which no mechanical propulsion device such as electric motor, steam, or internal combustion engine or sail is used for the operation of such vessel.

(f) "Machinery" includes an inboard or outboard engine and any other type of motor or mechanical device capable of propelling a vessel.

(g) "Length" refers to the overall length of the hull, extending from end to end over the deck, excluding sheer, measured in a straight line from the foremost part to the aftermost part of a vessel and parallel to the centerline. Bow sprits, bumpkins, rudders, outboard motor brackets and similar fittings or attachments are not to be included in the measurement. Length shall be stated in feet and inches.

(h) "Operator" refers to the person who operates or has charge of the navigation or use of a vessel.

(i) "Owner" means the person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

(j) "Point" means eleven and one-quarter degrees of arc.

(k) "Visible" means visible on a dark night with a clear atmosphere.

(l) "Underway" means not at anchor or made fast to the shore or aground.

(m) "State" means a State or legal subdivision of the United States, Guam, the Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia.

(n) A "boating accident" includes but is not limited to: Capsizing, collision, foundering, flooding, fire, explosion, and the disappearance of a vessel other than by theft.

(o) "Person" means an individual, partnership, firm, corporation, association, or other entity.

(p) "Navigable waters of the United States," as used in the rules and regulations of this part, shall be construed to mean those waters of the United States, including the territorial seas adjacent thereto, the general character of which is navigable, and which, either by themselves or by uniting with other waters, form a continuous waterway on which boats or vessels may navigate or travel between two or more States or to or from foreign nations. A stream which otherwise conforms with the above definition would not change its navigable character because of the existence of natural or artificial obstructions such as falls, shallows, rapids, dams, or bridges. Statutory declarations by Congress and decisions pronounced by the Federal courts as to the navigability of specific waters are binding.

(q) "Port" means the left side of a vessel looking from the stern toward the bow.

(r) "Starboard" means the right side of a vessel, looking from the stern toward the bow.

(s) "Stern" means the aft or rear end of the vessel.

(t) "Bow" means the forward part of a vessel.

(u) "Privately owned vessel" means any vessel other than one owned by or engaged in the official business of the Federal Government, or a State or any political subdivision thereof.

(v) "Uniform waterway markers" shall mean the waterway marker system generally accepted for use in various State and Federal areas which includes but is not limited to the following symbols and designations:

(1) *Danger.* Orange bordered diamond symbol on white background. Words placed within border may include "ROCK," "DAM," "SNAG," etc.

(2) *Keep out.* Orange bordered diamond symbol with cross on white background. Words placed outside the symbol may include "Dam," "Waterfall," "Domestic water," "Swim area," etc.

(3) *Restricted area.* Orange bordered circle on white background for regulating water use activity. Words placed within border may include "5 MPH," "No Swim," "No SCUBA," "Fishing Only," etc.

(4) *Information.* Orange bordered square or rectangle on white background. Words placed within symbol may include place names, distances, arrows indicating directions, availability of supplies and facilities, etc.

§ 3.2 Permits.

(a) The Superintendent may, by the posting of appropriate signs, require the issuance of a permit before any vessel is placed in or operated on the waters. He may also, consistent with regulations in this part, specify conditions of such permit. Where such permits are required, no vessel shall be operated in or on the waters without a permit. The permit must be carried within the vessel at all times and shall be exhibited upon request of any authorized person.

(b) In natural and historical areas, the launching or operating of any motorboat on waters which are not directly accessible by a designated public road is prohibited.

§ 3.3 Numbering.

(a) No vessels, except those specifically exempt herein, which are propelled by machinery of more than 10 horsepower shall be allowed to operate in or on the waters unless such vessels have been documented by the Bureau of Customs, numbered by the U.S. Coast Guard, or numbered by a State having a numbering system approved by the U.S. Coast Guard as provided by the Federal Boating Act of 1958 (72 Stat. 1754). Such vessels shall be properly identified, and the required valid documents or certificates of number shall be carried on board.

(b) The following vessels are exempt from the requirements of paragraph (a) of this section: Foreign vessels temporarily using waters of the United States, Federal, State, and municipal vessels, vessels used exclusively for racing, and vessels operating under a valid temporary Certificate of Number.

§ 3.4 Motorboat classifications.

Motorboats subject to the provisions of the regulations of this part shall be divided into four classes as follows:

- Class A—Less than 16 feet in length.
- Class 1—16 feet or over, but less than 26 feet in length.
- Class 2—26 feet or over, but less than 40 feet in length.
- Class 3—40 feet or over, but not more than 65 feet in length.

§ 3.5 Lights required.

Every motorboat when underway from sunset to sunrise shall carry and exhibit the following lights, and during such time no other light which may be mistaken for those prescribed shall be exhibited.

(a) Classes A and 1:

(1) A bright white light aft to show all around the horizon.

(2) A combined lantern in the fore part of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points abaft the beam on their respective sides.

(b) Classes 2 and 3:

(1) A bright white light in the fore part of the vessel as near the stem as practicable, so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass, so fixed as to throw the light 10 points on each side of the vessel; namely, from right ahead to 2 points abaft the beam on either side.

(2) A bright white light aft to show all around the horizon and higher than the white light forward.

(3) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side. On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass, so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side. The said side lights shall be fitted with inboard screens of sufficient height so set as to prevent these lights from being seen across the bow.

(c) Every white light heretofore prescribed in this section shall be of such character as to be visible at a distance of at least 2 miles, and every colored light shall be of such character as to be visible at a distance of 1 mile.

(d) Any motorboat may carry and exhibit the lights required by the Act of October 11, 1951 (65 Stat. 406-420), as amended (33 U.S.C. 143-147d), in lieu of the lights prescribed in this section.

(e) All other vessels shall display the lights prescribed by Statutory Rules of the Road (33 U.S.C. 143-147d; 151-232; 241-295; and 303-356), which include but are not limited to the following requirements for sailboats and hand-propelled vessels:

(1) Vessels when propelled by sail alone shall exhibit the following lights: On the starboard side a green light,

and on the portside a red light so constructed as to show an unbroken light over an arc of the horizon from dead ahead to 2 points abaft the beam. Such vessels shall also carry at the stern a 12-point white light so fixed as to throw the light 6 points from aft on each side of the vessel; or in a small vessel if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, such vessel shall carry ready at hand a lantern or flashlight to show a white light which shall be exhibited in sufficient time to avert collision. Sailboats less than 40 feet in length may carry a combined light in lieu of separate side lights.

(2) All hand-propelled vessels operated between sunset and sunrise shall have ready at hand a lantern or flashlight to show a white light which shall be exhibited in sufficient time to avoid collision.

(3) All vessels at anchor between sunset and sunrise, unless anchored at a designated site, shall carry forward or where it can best be seen a bright white light to show all around the horizon and visible for 1 mile.

§ 3.6 Lifesaving equipment required.

(a) All motor vessels shall carry a U.S. Coast Guard approved life preserver for each person on board, and such vessels carrying passengers for hire shall also be provided with an additional number of approved life preservers suitable for children equal to at least 10 percent of the total number of persons carried.

(b) Motorboats when carrying passengers for hire shall be provided with a U.S. Coast Guard approved life preserver for each person on board, and with an additional number of approved life preservers suitable for children equal to at least 10 percent of the total number of persons carried.

(c) Motorboats of Class 3 not carrying passengers for hire shall carry a U.S. Coast Guard approved life preserver or ring life buoy for each person aboard.

(d) All other vessels shall carry a U.S. Coast Guard approved life preserver, ring life buoy, buoyant vest, or buoyant cushion for each person aboard.

(e) Lifesaving devices required on all vessels shall be in a good and serviceable condition, and shall be so placed as to be immediately accessible in the event of emergency.

§ 3.7 Signaling devices.

Motorboats shall be provided with an efficient whistle or other sound producing device as set forth below:

Class of Motorboat	Type of Device
A-----	None.
1-----	Mouth, hand, or power operated whistle or other sound producing mechanical device, capable of producing a blast for 2 seconds or more duration, and audible for at least one-half mile.
2-----	Hand or power operated horn or whistle capable of producing a blast of 2 seconds or more duration, and audible for at least 1 mile; and a bell.

Class of Motorboat	Type of Device
3-----	Power operated horn or whistle capable of producing a blast of 2 seconds or more duration and audible for a distance of at least 1 mile; and a bell.

§ 3.8 Flame arrestors.

Each carburetor of every gasoline engine except outboard motors installed in a vessel shall be equipped with an efficient flame arrestor approved by the U.S. Coast Guard.

§ 3.9 Ventilation.

All vessels which use fuel having a flashpoint of 110° F. or less shall be equipped with ventilators as required by the U.S. Coast Guard.

§ 3.10 Fire extinguishers.

All motorboats shall carry at least the minimum number of hand portable fire extinguishers approved by the U.S. Coast Guard, as set forth below, except that motorboats of Classes A and 1 of open construction which are propelled by outboard motors but are not carrying passengers for hire need not carry such fire extinguishers.

Class of motorboat	Minimum number of B-1 hand-portable fire extinguishers required (however, one B-II hand-portable fire extinguisher may be substituted for two B-1 hand-portable fire extinguishers).	
	No fixed fire extinguishing system in machinery spaces	Fixed fire extinguishing system in machinery spaces
A-----	1	0
1-----	1	0
2-----	2	1
3-----	3	2

Examples of minimum size graduations for some of the typical hand-portable fire extinguishers are set forth below:

Classification		Foam (gallons)	Carbon dioxide (pounds)	Dry chemical (pounds)
Type	Size			
B-----	I-----	1½	4	2
B-----	II-----	2½	15	10
B-----	III-----	12	35	20

§ 3.11 Commercial operations.

(a) Vessels subject to United States Coast Guard inspection and certification shall not be operated on navigable waters of the United States unless the vessel has a valid certificate of inspection issued by the U.S. Coast Guard.

(b) In all waters, the operator of any vessel engaged in commerce, including a vessel carrying passengers for hire, must have either a valid U.S. Coast Guard operator's license or a valid operator permit issued by the Superintendent, following presentation of a valid U.S. Coast Guard operator's license or other adequate evidence of competency by the applicant. On vessels carrying passengers for hire which are operated on navigable waters of the United States, the only acceptable evidence of competency will be

a valid U.S. Coast Guard operator's license. In the case of those persons holding operators' permits issued by the Superintendent, violation of the regulations in this chapter or disregard of the conditions outlined in the permit by the permittee or other person under the direction or control of the permittee, will constitute cause for the cancellation of the permit.

(c) The use of liquified petroleum gases and gasoline for cooking, heating, or lighting is prohibited on vessels carrying passengers for hire.

(d) No vessel carrying passengers for hire or reward may be used upon the waters until and unless all safety equipment as described above, has undergone an inspection by the Superintendent or other authorized officer at intervals not to exceed 12 months and such equipment has been found to be acceptable by the examining officer.

§ 3.12 Rules of the road.

The Statutory Rules of the Road (see § 3.5(e)), which have been enacted by the Congress to prevent collision of vessels, must be observed by vessels which are subject to these regulations. The following regulations of this section outline specific requirements set forth in these rules which are hereby adopted for all vessels operated on any area waters.

(a) In narrow channels, when it is safe and practicable, every vessel shall keep to the right of the middle of the channel.

(b) When vessels are approaching each other head on, or nearly so, each shall be operated to pass the other on the port side at a distance and speed so that the wake of each will not endanger the other.

(c) When a vessel desires to pass another traveling in the same direction, the overtaking vessel shall keep clear of the overtaken vessel and shall not pass until it is safe to do so, and then at such speed and distance so as not to endanger the overtaken vessel. The overtaken vessel shall maintain its course and speed until the overtaking vessel has safely passed. An overtaking situation shall exist whenever a vessel approaches another from any direction more than two points abaft the beam of the other vessel.

(d) A crossing situation shall exist when two vessels are approaching each other at right angles or obliquely so as to involve risk of collision, other than when one vessel is overtaking another. In a crossing situation, the vessel which has the other on her own port side shall hold her course and speed; and the vessel which has the other on her own starboard side shall keep out of the way of the other by directing her course to starboard so as to cross the stern of the other vessel, or stop and reverse if necessary to avoid collision.

(e) Any vessel propelled by machinery shall keep clear of any vessel under sail or being propelled by oars or paddles.

(f) Safe and prudent speed shall be maintained in docking, fishing, or buoyed areas so as not to endanger persons, vessels, or other property.

§ 3.13 Accidents.

(a) In case of collision, accident, fire, or other casualty, the operator shall render such assistance as may be practicable and necessary to other persons affected. He shall also give in writing his name, address, and identification of his vessel to any person injured or to the owner of any property damaged.

(b) A report of collision, accident, fire, or other casualty that results in property damage or any personal injury or death to any person must be made by each operator of the vessels involved to the Superintendent as soon as possible, and in any event within 24 hours. This report does not relieve the responsibility of making boating accident reports as may be required by States or the U.S. Coast Guard.

§ 3.14 Prohibited operations.

(a) No operator or person in charge of any vessel shall operate or knowingly permit any other person to operate a vessel in a reckless or negligent manner, or in a manner so as to endanger or be likely to endanger any person or property.

(b) No operator shall permit any person to ride on the gunwales, transom, or on the decking over the bow of a vessel propelled by machinery while the vessel is underway, unless the vessel is adequately equipped with rails or guards: *Provided, however,* That this shall not apply while the vessel is being maneuvered for mooring or unmooring, or when embarking or disembarking passengers.

(c) Operating or being in actual physical control of a vessel while under the influence of alcohol or drugs is prohibited.

(d) No privately owned vessel shall be used to carry passengers for hire, or be used in any other commercial operation, unless written authorization has been granted in accordance with § 5.3 of this chapter, except as provided by special regulations for areas having navigable waters.

(e) Vessels transported by vehicles must be launched or removed from the waters only at designated launching sites.

(f) No vessel shall be operated within an area designated by a uniform waterway marker or a white buoy, having a horizontal international orange band at the top and bottom and an international orange diamond with cross on the white portions of the buoy, or between a line of such markers or buoys.

(g) No vessel propelled by machinery shall be operated within 500 feet of any designated swimming area, except within marked channels in which instance slow speed shall be maintained.

(h) All vessels shall proceed with due caution and at a slow speed while underway when in the vicinity of any diver's marker, designated by a standard square-shaped flag containing a white diagonal stripe on a red field.

(i) No vessel shall be operated in excess of 5 miles per hour within designated harbors or in any area designated

by a uniform waterway marker or white buoy, having a horizontal international orange band at the top and bottom and an international orange circle with a black "5 MPH" therein on the white portions of the buoy, or between a line of such buoys and the nearest shore.

(j) Attaching a vessel to or interfering with any marker, navigational buoy, or other navigational aid is prohibited.

(k) Operating any vessel in a manner which will unreasonably interfere with other vessels or with free and proper navigation of the waterways is prohibited. Anchoring in heavily traveled channels or main thoroughfares shall constitute such interference if unreasonable in the prevailing circumstances.

(l) Every vessel which is propelled on the waters by an internal combustion engine shall be equipped with a muffler so constructed as to prevent any intense or prolonged noise in the operation of such vessel, and the said muffler shall not be removed, cut down, or put out of operation for any purpose, except upon authorization of the Superintendent during periods of regattas. Nothing contained in this paragraph shall apply to vessels equipped with underwater exhausts or to vessels discharging water through open exhaust pipes, so long as these methods of silencing the exhaust are effective.

(m) Leaving any vessel unattended, outside of designated mooring or beaching areas, for a period in excess of 24 hours without prior written permission of the Superintendent is prohibited, and any vessel so left may be impounded by the Superintendent.

(n) Vessels equipped with a propeller above the water line, commonly referred to as an "airboat" are prohibited.

(o) In natural and historical areas no vessel 40 feet or more in length shall be placed in or operated on the fresh waters, except the waters of the Great Lakes: *Provided, however,* That this paragraph shall not apply to concession-operated sightseeing or ferrying vessels.

(p) In recreational areas no vessel more than 65 feet in length shall be placed in or operated on the fresh waters, except the Great Lakes: *Provided, however,* That this paragraph shall not apply to concession-operated sightseeing or ferrying vessels.

(q) No log boom, pier, dock, fence, pile, raft, anchorage, or other obstruction shall be installed in the waters.

(r) The provisions of this section shall not apply to vessels operated for official use by any agency of the United States, or of the States or political subdivisions thereof in which the waters are situated.

§ 3.15 Restricted waters.

(a) No vessel shall be operated on any waters which are zoned or marked as migratory bird waters, or for fish cultural or wildlife uses.

(b) No vessel shall approach any dam or other engineering works closer than the limits posted with appropriate signs or markers.

(c) The Superintendent may close or otherwise restrict the use of any body of

water when necessary to protect life or property, or for any other emergency. Such restricted area shall be defined, whenever practicable, by signs or markers and shall be designated on a map or chart, copies of which shall be conspicuously posted at places such as public docks and launching sites.

(d) The Superintendent may, by the posting of appropriate signs, restrict the loading, unloading, or mooring of privately owned vessels at Government-owned docks, piers and floats.

(e) The Superintendent may, by the posting of appropriate signs, establish limitations on the time allowed for camping on or from vessels, either in single periods, or combined separate periods, in any area waters or portions thereof.

§ 3.16 Other safety requirements.

(a) All vessels, except motorboats of Classes 2 and 3 and motor vessels, shall be equipped with oars or paddles while underway.

(b) No vessel, while underway, shall carry more than a safe capacity load in persons or total weight, taking into consideration water and weather conditions, hull configuration, and intended use: *Provided,* That the passenger loading capacity defined in the "Certificate of Inspection" for vessels inspected by the U.S. Coast Guard shall govern over any limit ascertained by application of a formula for determining maximum safe loads.

(c) All vessels of open construction shall carry a suitable bailing bucket, in addition to whatever bilge pumps or automatic bailing devices with which the vessel may be equipped.

(d) All vessels, except those capable of being safely beached, shall be equipped with an anchor and line of sufficient weight and length to securely anchor such vessel.

§ 3.17 Water sanitation.

(a) In fresh waters, except the Great Lakes, the draining, dumping, or discharging of wastes or refuse, including human wastes, into the waters from any vessel is prohibited.

(b) In salt waters and in the Great Lakes, the draining, dumping, or discharging of wastes or refuse, including human wastes, into the waters from any vessel within 1 mile from the nearest shore is prohibited.

(c) All vessels shall have a waste receptacle aboard. Receptacles shall be emptied only into facilities provided at docks or other specified places.

§ 3.18 Inspections.

The Superintendent may at any time stop or board any vessel to examine documents, licenses or permits relating to operation of the vessel and to inspect such vessel to determine compliance with regulations.

Part 4 of Chapter 1 of Title 36 of the Code of Federal Regulations is redesignated Part 55 and a new Part 4 is added to read as follows:

PART 4—VEHICLES AND TRAFFIC SAFETY

- Sec.
- 4.1 State law applicable.
- 4.2 Definitions.
- 4.3 Bicycles.
- 4.4 Commercial towing service.
- 4.5 Driver's license.
- 4.6 Driving under influence of intoxicating liquor or drugs.
- 4.7 Entrances and exits.
- 4.8 Excessive acceleration.
- 4.9 False report.
- 4.10 Following vehicles.
- 4.11 Load, weight, length, and width limitations.
- 4.12 Mufflers.
- 4.13 Obstructing traffic.
- 4.14 Reckless or careless driving.
- 4.15 Report of vehicle accident.
- 4.16 Right of way.
- 4.17 Speed limits.
- 4.18 Traffic control and signs.
- 4.19 Travel on roads.
- 4.20 Vehicle registration.

AUTHORITY: The provisions of this Part 4 issued under sec. 1 and 3, 39 Stat. 535, as amended; sec. 1, 47 Stat. 1420; 60 Stat. 885, as amended; sec. 2, 49 Stat. 666; 16 U.S.C. 1, 3, 9a, 17j-2, 462; and acts relating to the individual areas.

§ 4.1 State law applicable.

Unless specifically covered by the general and special regulations set forth in this chapter, the laws and regulations of the State within whose exterior boundaries a park area or portion thereof is located shall govern traffic and the operation and use of vehicles. Such State laws and regulations which are now or may hereafter be in effect are hereby adopted and made a part of the regulations in this part.

§ 4.2 Definitions.

The following terms and phrases when used in this part have the meanings respectively ascribed:

(a) *Vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn on land, except devices moved by human power or used exclusively upon stationary rails or tracks.

(b) *Motor vehicle.* Every vehicle which is self-propelled and every vehicle which is propelled by electric power, but not operated upon rails, or upon water.

(c) *Bicycle.* Every device propelled by human power upon which a person or persons may ride on land, having one, two, or more wheels.

(d) *Motorcycle.* Every motor vehicle having a seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

(e) *Traffic.* Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together while using any road, trail, street or other thoroughfare for purpose of travel.

(f) *State.* Any State or legal subdivision thereof of the United States, a territory of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

(g) *Authorized emergency vehicle.* Any vehicle in official use for emergency purposes by a State or Federal agency,

private ambulances, and other vehicles operated by or under the direction of the Superintendent.

(h) *Operator.* Any person who operates, drives, controls or otherwise has charge of a vehicle.

§ 4.3 Bicycles.

(a) Bicycle riders must comply with all applicable traffic regulations. Bicycle riders shall keep well to the side of the road and shall keep the bicycle under complete control at all times. Bicycles shall not be ridden abreast of one another except on roads designed for bicycle use only.

(b) Each bicycle must exhibit a white light on the front and a red light or red reflector on the rear during periods of low visibility or during the period between sundown and sunup.

§ 4.4 Commercial towing service.

An operator of a vehicle used to provide commercial towing service for another vehicle following an accident or for any other reasons must give immediate notice by the quickest available means of communication to the Superintendent before moving the vehicle, unless traffic is being obstructed, in which case notification shall be made before leaving the park area.

§ 4.5 Driver's license.

Driving or permitting another person to drive a vehicle unless such operator has a valid license, when such is required by laws of the State in which the operator is resident or in which the vehicle is registered, is prohibited. A valid driver's or operator's license must be displayed upon the request of any authorized person.

§ 4.6 Driving under influence of intoxicating liquor or drugs.

No operator of a vehicle shall be under the influence of intoxicating liquor or drugs.

§ 4.7 Entrances and exits.

No operator of a motor vehicle shall enter or leave the park with such vehicle at any place except established entrances and exits, and during such hours as may be designated by the Superintendent through the posting of appropriate signs.

§ 4.8 Excessive acceleration.

The excessive acceleration of the engine of a motor vehicle or motorcycle when such vehicle is not moving, or is approaching or leaving a stopping place, is prohibited.

§ 4.9 False report.

The giving of any false or fictitious report or information to any authorized person investigating an accident or other violation of law or regulations is prohibited.

§ 4.10 Following vehicles.

The operator of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the

roadway. The responsibility for conformance with this section rests with the operator of the following vehicle.

§ 4.11 Load, weight, length, and width limitations.

(a) Load, weight, length, and width limitations of vehicles except as provided herein shall be in accordance with applicable State law; *Provided, however,* The Superintendent may by the posting of appropriate signs, establish lesser limits, when limits within the State are determined to be greater than sufficient and proper for preservation of the roadway and the safety and welfare of the public, and may also establish hours during which heavy equipment may be operated over government roads.

(b) No vehicle, or load thereon, the total outside width of which exceeds 8 feet, shall be permitted on park roads without a permit from the Superintendent.

(c) Trailers more than 35 feet long are prohibited without a permit from the Superintendent.

(d) The transporting of explosives in any quantity or form without a permit from the Superintendent is prohibited.

§ 4.12 Mufflers.

Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke and no person shall use a muffler cut-out, bypass, or similar device upon a motor vehicle.

§ 4.13 Obstructing traffic.

(a) Stopping, parking, or leaving any vehicle, whether attended or unattended, upon the paved or maintained surface of a road so as to leave less than 10 feet of the width of the same traffic lane for the free or unobstructed movement of other vehicles or upon a designated fire lane is prohibited, except in the event of accident or other conditions beyond the immediate control of the operator, or as otherwise directed by an authorized person.

(b) Causing or permitting a motor vehicle under one's control to obstruct traffic by making turns from the wrong traffic lane, or by weaving in and out of traffic, or by driving so slowly as to interfere with the normal flow of traffic, or in any other manner, is prohibited.

§ 4.14 Reckless or careless driving.

Driving or operating any vehicle carelessly or heedlessly, or in willful or wanton disregard for the rights or safety of other persons, or without due care or at a speed greater than is reasonable and prudent under prevailing conditions, having regard to traffic, weather, wildlife, road, and light conditions, and surface, width, and character of the road, is prohibited. Every operator shall maintain such control of the vehicle as may be necessary to avoid danger to persons or property or wildlife.

§ 4.15 Report of vehicle accident.

(a) The operator of any vehicle involved in collision or upset resulting in

damage to property or injury to or death of any person shall immediately stop such vehicle at the scene of the accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of paragraphs (b) and (c) of this section.

(b) The operator of any vehicle involved in collision or upset shall at the time and place of the incident give in writing his name and address and identification of his vehicle to the operator or owner of other property involved.

(c) The operator of any vehicle involved in collision with an unattended vehicle or other property in the absence of the owner shall at the time and place of incident leave in a secure and conspicuous place a written notice, setting forth the name and address of the operator and owner and identification of the moving vehicle, including State registration and license number.

(d) The operator of any vehicle involved in collision or upset shall give notice of such accident forthwith by the quickest available means of communication to the Superintendent, and shall also provide a written report of the incident within 24 hours when requested by an authorized person. This report does not relieve the operator from the responsibility of making any other motor vehicle accident report which may be required by the State law.

§ 4.16 Right of way.

(a) The operator of any vehicle, when being approached from any direction by any authorized emergency vehicle giving an audible or visual signal, shall yield the right of way to the emergency vehicle.

(b) Pedestrians, saddle horses, pack trains, and horse-drawn vehicles have right of way over motor vehicles.

§ 4.17 Speed limits.

(a) Except as otherwise provided in this section, driving a vehicle at a speed in excess of the maximum limits prescribed herein, is prohibited.

(1) 15 miles per hour: Within all school zones, campgrounds, picnic areas, parking areas, trailer campgrounds, utility areas, business or residential areas, and other places of public assemblage, and at sites of emergency, such as forest fires or motor vehicle accidents.

(2) 25 miles per hour: Upon sections of roads under repair or construction.

(3) 45 miles per hour: Upon all other public roads.

(b) The Superintendent may establish greater or lesser speed limits upon any road or other way when the maximum speed limits set forth above are determined to be greater or less than is reasonable or safe. Such speed limits shall be established by the posting of appropriate signs and no person shall drive any vehicle at a speed in excess of the maximum limits so posted.

(c) The provisions of this section shall not apply to authorized emergency vehicles: *Provided, however,* That such vehicles shall not be operated at speeds

in excess of those which are prudent under the circumstances.

§ 4.18 Traffic control and signs.

(a) The Superintendent may erect signs which regulate traffic, prohibit or restrict stopping, standing, or parking, the direction of travel, and the hours during which roads and parking areas are open to the public. All persons shall comply with the directions of any signal or posted traffic sign.

(b) All persons shall obey the lawful order or signal of any authorized person directing, controlling, or regulating the movement of traffic.

(c) The operator of a motor vehicle shall comply with and observe all visual or audible signals given by any authorized person directing the operator to bring his motor vehicle to a stop.

§ 4.19 Travel on roads.

(a) Operating a vehicle outside of established public roads, parking areas, or routes designated by the Superintendent is prohibited. Such routes may be designated by the posting of appropriate signs, or by marking on a map which shall be available for public inspection in the office of the Superintendent, or both.

(b) Operating a vehicle equipped with any fitting or device which damages or is likely to damage the road surface is prohibited: *However,* This section shall not be construed to prohibit the use of ordinary detachable tire or skid chains or comparable safety devices under adverse road conditions.

§ 4.20 Vehicle registration.

The operation of a vehicle which does not bear valid license plates and is not properly certificated or registered in accordance with applicable State laws is prohibited. Valid proof of ownership or State registry of the vehicle must be displayed upon the request of any authorized person.

Part 5 of Chapter I of Title 36 of the Code of Federal Regulations is revised as follows.

PART 5—COMMERCIAL AND PRIVATE OPERATIONS

Sec.	Advertisements.
5.1	Alcoholic beverages; sale of intoxicants.
5.2	Business operations.
5.3	Commercial passenger-carrying motor vehicles.
5.4	Commercial photography.
5.5	Commercial vehicles.
5.6	Construction of buildings or other facilities.
5.7	Discrimination in employment practices.
5.8	Discrimination in furnishing public accommodations and transportation services.
5.9	Eating, drinking, or lodging establishments.
5.10	Impounding of animals.
5.11	Memorialization.
5.12	Nuisances.
5.13	Prospecting, mining, and mineral leasing.
5.14	Residence on Federal lands.
5.15	Trespass on Federal lands.
5.16	

AUTHORITY: The provisions of this Part 5 issued under secs. 1 and 3, 39 Stat. 535, as amended; sec. 1, 47 Stat. 1420; 60 Stat. 885, as amended; sec. 2, 49 Stat. 666; 16 U.S.C. 1, 3, 9a, 17j-2, 462, and acts relating to the individual areas.

§ 5.1 Advertisements.

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent. Such permission may be granted only if the notice or advertisement is of goods, services, or facilities available within the park area and such notices and advertisements are found by the Superintendent to be desirable and necessary for the convenience and guidance of the public.

§ 5.2 Alcoholic beverages; sale of intoxicants.

(a) The sale of alcoholic, spirituous, vinous, or fermented liquor, containing more than 1 percent of alcohol by weight, shall conform with all applicable Federal, State and local laws and regulations.

(b) No such liquor shall be sold on any privately owned lands under the legislative jurisdiction of the United States within Glacier, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone, or Yosemite National Parks, unless a permit for the sale thereof has first been secured from the appropriate Regional Director.

(1) In granting or refusing applications for permits as herein provided, the Regional Directors shall take into consideration the character of the neighborhood, the availability of other liquor-dispensing facilities, the local laws governing the sale of liquor, and any other local factors which have a relationship to the privilege requested.

(2) A fee will be charged for the issuance of such a permit, corresponding to that charged for the exercise of similar privileges outside the park area boundaries by the State government, or appropriate political subdivision thereof within whose exterior boundaries the place covered by the permit is situated.

(3) The applicant or permittee may appeal to the Director from any final action of the appropriate Regional Director refusing, conditioning or revoking the permit. Such an appeal shall be filed, in writing, within 20 days after receipt of notice by the applicant or permittee of the action appealed from. Any final decision of the Director may be appealed to the Secretary of the Interior within 15 days after receipt of notice by the applicant or permittee of the Director's decision.

(4) The permit for sale of intoxicating liquors shall contain such general and special conditions as the Regional Director may deem reasonably necessary to insure safe and orderly management of the park area.

(5) The permittee shall comply with all State and county laws and regulations, other than fee and license requirements, which would be applicable to the

premises and to the sale and dispensing of intoxicating beverages if the privately owned lands were not subject to the jurisdiction of the United States.

§ 5.3 Business operations.

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

§ 5.4 Commercial passenger-carrying motor vehicles.

(a) The commercial transportation of passengers by motor vehicle, except as authorized under a contract or permit from the Secretary or his authorized representative, is prohibited in Bryce Canyon, Crater Lake, Glacier (except that portion of the park road from the Sherburne entrance to the Many Glacier area), Grand Canyon (except the service road branch of the south entrance road serving park headquarters and Grand Canyon Village, including the portion of the south entrance road which lies between the park boundary and said service road), Grand Teton (except that portion of Highways Nos. 89 and 187, 287, and 26 commencing at the south boundary of the park and running in a northerly direction to the east boundary of the park), Lassen Volcanic (except those portions of Highway No. 89 and Highway No. 44 crossing the northwest corner of the park outside the Manzanita Lake checking station), Mount McKinley (except that portion of the Denali Highway between the Nenana River and the McKinley Park Hotel), Rocky Mountain, Sequoia-Kings Canyon, Yellowstone (except that portion of U.S. Highway 191 traversing the northwest corner of the park), Yosemite, and Zion National Parks, and Cedar Breaks National Monument. The following principles will govern the interpretation and enforcement of the section:

(1) Transportation is commercial if it is operated primarily as a business activity or for profit of the operator, or if any person or organization may receive a profit, commission, fee, brokerage or other compensation for organizing, advertising, promoting, soliciting or selling the trip or tour of which such transportation is a part.

(2) Transportation is commercial if payment therefor is made directly or indirectly to the operator: *Provided*, That bona fide sharing of actual expenses will not be deemed a payment.

(3) Transportation by a motor vehicle licensed as a commercial vehicle, or of commercial type, will be presumed to be commercial unless otherwise established to the satisfaction of the Superintendent or his authorized representative.

(4) Transportation will not be deemed commercial for the sole reason that the motor vehicle is chartered or rented in good faith to the operator, by the owner, for general use at a charge based upon time or mileage or both. Nothing in this section is intended to prohibit the opera-

tion of pleasure type automobiles rented without a driver on the normal terms from the owner.

(5) Subject to the provision of subparagraph (1) of this paragraph, transportation is not commercial if it is a part of a trip or tour initiated, organized, and directed by an established bona fide school or college, institution, society or other organization, as a nonprofit activity of such organization, and if all passengers are students, faculty, members, or employees of such organization, or otherwise connected therewith, provided that credentials are presented at the park entrance from the head of such institution or organization indicating the trip is in accordance with the provisions stipulated herein. Clubs or associations having as a principal purpose the arranging of tours, trips, or transportation for their members will not qualify for admission into the above-named parks under the provision of this paragraph.

(6) As used in this section, "owner" means the person or organization having legal title, or all the incidents of ownership other than legal title, of a motor vehicle by which passengers may be transported, and includes a registered owner or a purchaser under a conditional sales contract. "Operator" means the person, organization, or group that arranges for the transportation, assumes responsibility for financial risk and management, and determines who shall be transported upon what terms, conditions, or charges. The operator may be the owner, but need not be.

(b) Passenger-carrying motor vehicles, otherwise admissible, that are so large as to require special escort in order to proceed safely over park roads, or which in the judgment of the Superintendent are beyond the carrying capacity or safety factor of the roads, will not be permitted in the parks, except that, where they may satisfactorily enter and travel to park headquarters, they may be parked there during the period of stay.

§ 5.5 Commercial photography.

(a) *Motion pictures, television.* Before any motion picture may be filmed or any television production or sound track may be made, which involves the use of professional casts, settings, or crews, by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent, in accordance with the provisions of the special regulations contained in Part 5, Subtitle A, Title 43 of the Code of Federal Regulations.

(b) *Still photography.* The taking of photographs of any vehicle, or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

§ 5.6 Commercial vehicles.

(a) The term "Commercial vehicle" as used in this section shall include, but not be limited to trucks, station wagons, pickups, passenger cars or other vehicles when used in transporting movable prop-

erty for a fee or profit, either as a direct charge to another person, or otherwise, or used as an incident to providing services to another person, or used in connection with any business.

(b) The use of government roads within park areas by commercial vehicles, when such use is in no way connected with the operation of the park area, is prohibited, except that in emergencies the Superintendent may grant permission to use park roads.

(c) The Superintendent shall issue permits for commercial vehicles used on park area roads when such use is necessary for access to private lands situated within or adjacent to the park area, to which access is otherwise not available.

§ 5.7 Construction of buildings or other facilities.

Constructing or attempting to construct a building, or other structure, boat dock, road, trail, path, or other way, telephone line, telegraph line, power line, or any other private or public utility, upon, across, over, through, or under any park areas, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States, is prohibited.

§ 5.8 Discrimination in employment practices.

(a) The proprietor, owner, or operator of any hotel, inn, lodge or other facility or accommodation offered to or enjoyed by the general public within any park area is prohibited from discriminating against any employee or maintaining any employment practice which discriminates because of race, creed, color, ancestry, or national origin in connection with any activity provided for or permitted by contract with or permit from the Government or by derivative subcontract or sublease. As used in this section, the term "employment" shall include, but not be limited to, employment, upgrading, demotion, or transfer; recruitment, or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship.

(b) Each such proprietor, owner or operator must post either the following notice:

NOTICE

This is a facility operated in an area under the jurisdiction of the United States Department of the Interior.

No discrimination in employment practices on the basis of race, creed, color, ancestry, or national origin is permitted in this facility. Violations of this prohibition are punishable by fine, imprisonment, or both.

Complaints of violations of this prohibition should be addressed to the Director, National Park Service, Washington, D.C. 20240

or notices supplied him in accordance with Executive Order 11246 at such locations as will ensure that the notice and its contents will be conspicuous to any person seeking employment.

(c) This section shall be applicable on privately owned lands under the legislative jurisdiction of the United States.

§ 5.9 Discrimination in furnishing public accommodations and transportation services.

(a) The proprietor, owner or operator and the employees of any hotel, inn, lodge, or other facility or accommodation offered to or enjoyed by the general public within a park area and, while using such a park area, any commercial passenger-carrying motor vehicle transportation service and its employees, are prohibited from (1) publicizing the facilities, accommodations or any activity conducted therein in any manner that would directly or inferentially reflect upon or question the acceptability of any person or persons because of race, creed, color, ancestry, or national origin; or (2) discriminating by segregation or otherwise against any person or persons because of race, creed, color, ancestry, or national origin in furnishing or refusing to furnish such person or persons any accommodation, facility, service, or privilege offered to or enjoyed by the general public.

(b) Each such proprietor, owner, or operator must post the following notice at such locations as will insure that the notice and its contents will be conspicuous to any person seeking accommodations, facilities, services, or privileges:

NOTICE

This is a facility operated in an area under the jurisdiction of the U.S. Department of the Interior.

No discrimination by segregation or other means in the furnishing of accommodations, facilities, services, or privileges on the basis of race, creed, color, ancestry or national origin is permitted in the use of this facility. Violations of this prohibition are punishable by fine, imprisonment, or both.

Complaints of violations of this prohibition should be addressed to the Director, National Park Service, Washington, D.C. 20240.

(c) This section shall be applicable on privately owned lands under the legislative jurisdiction of the United States.

§ 5.10 Eating, drinking, or lodging establishments.

(a) No establishment offering food, drink, or lodging for sale on any privately owned lands under the legislative jurisdiction of the United States within Glacier, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone, and Yosemite National Parks may be operated without a permit obtained from the Superintendent. Such permit may include terms and conditions deemed necessary by the Superintendent to the health, safety, and welfare of the public and it may be revoked upon failure to comply with the requirements of paragraphs (b) and (c) of this section or the conditions set forth in the permit.

(b) Such establishment shall be maintained and operated in accordance with the rules and regulations recommended by the U.S. Public Health Service for such establishments, and the substantive requirements of State and local laws and regulations relating to such establishments, which would apply if such privately owned lands were not subject to

the jurisdiction of the United States. In the event of conflict or inconsistency between such U.S. Public Health Service recommendations and State or local laws, the former shall prevail.

(c) The Superintendent shall have the right to inspect such establishments at reasonable times to determine whether the establishment is being operated in accordance with the applicable rules and regulations and in accordance with the provisions of the permit.

§ 5.11 Impounding of animals.

(a) Animals trespassing in park areas may be impounded by the Superintendent and, if not claimed by the owner within the periods specified in this section, shall be disposed of in accordance with State statutes insofar as they may be applicable. In the absence of such State statutes, the animals shall be disposed of in accordance with this section.

(b) If the owner is known, prompt written notice of the impounding will be served upon him, and in the event of his failure to remove the impounded animal within five (5) days from delivery of such notice, it will be disposed of in accordance with prescribed procedures.

(c) If the owner is unknown, no disposal of the animal shall be made until at least fifteen (15) days have elapsed from the date that a notice of the impounding is first published in a newspaper of general circulation in the county in which the trespass occurs and is posted at the county courthouse.

(d) The owner may redeem the animal by submitting proof of ownership and paying all expenses of the United States for capturing, advertising, pasturing, feeding, impounding, and the amount of damage to any public property injured or destroyed by or through such trespass.

(e) In determining the claim of the Government in any animal trespass, the value of forage consumed shall be computed at the daily, weekly, monthly, or yearly commercial rates prevailing in the locality for the class animal found in trespass. The claim shall include the pro rata salary of employees for the time spent and the expenses incurred in and about the investigation, reports, and settlement or prosecution of the claim.

(f) If an animal impounded under this section is offered at public sale and no bid is received or if the highest bid received is in an amount less than the amount of the claim of the United States or of the officer's appraised value of the animal, whichever is the lesser amount, such animal may be sold at private sale for the highest amount obtainable, or be condemned and destroyed or converted to the use of the United States if of value for that purpose.

§ 5.12 Memorialization.

The installation of any monument, memorial, tablet, or other commemorative installation in a park area without permission of the Director is prohibited.

§ 5.13 Nuisances.

The creation or maintenance of a nuisance upon the federally owned lands

of a park area or upon any private lands within a park area under the exclusive legislative jurisdiction of the United States is prohibited.

§ 5.14 Prospecting, mining, and mineral leasing.

Prospecting, mining, and the location of mining claims under the general mining laws and leasing under the mineral leasing laws are prohibited in park areas, except as authorized by law.

§ 5.15 Residence on Federal lands.

Residing in park areas is prohibited, except in accordance with a permit or other written agreement with the United States authorizing such use, or by employees of the National Park Service.

§ 5.16 Trespass on Federal lands.

The running at large, herding, driving across, or grazing of animals of any kind on the public lands of an area, or the use of such lands for agricultural purposes, is permitted only under a valid lease, contract, or special use permit issued by the United States, or pursuant to law.

Part 6 of Chapter I of Title 36 of the Code of Federal Regulations is revised to read as follows:

PART 6—MISCELLANEOUS FEES

Sec.

- 6.1 General.
- 6.2 Vehicles; miscellaneous.
- 6.3 Commercial passenger-carrying motor vehicles.
- 6.4 Trucking permits.
- 6.5 Motor vessel transportation.
- 6.6 Commercial fishing.

AUTHORITY: The provisions of this Part 6 issued under secs. 1 and 3, 39 Stat. 535, as amended; sec. 1, 47 Stat. 1420; 60 Stat. 885, as amended; sec. 2, 49 Stat. 666; 16 U.S.C. 1, 3, 9a, 17j-2, 462, and acts relating to the individual areas.

§ 6.1 General.

(a) The fees prescribed in this part for the operation of commercial vehicles shall not be applicable to vehicles institutionally owned or chartered carrying exclusively members of bona fide educational institutions when the trip to the area is officially initiated, organized, and directed by such institution for educational purposes.

(b) Park Superintendents may, when in the public interest, prescribe seasonal periods during which the collection of recreation or other fees prescribed for such area shall be suspended.

§ 6.2 Vehicles; miscellaneous.

(a) **Glacier National Park.** To promote the purpose of the Act of May 2, 1932 (47 Stat. 145; 16 U.S.C., 161a), Canadian dollars tendered by Canadian visitors entering the United States section of Glacier National Park will be accepted at the official rate of exchange in payment of the recreation fees prescribed for the park.

(b) **Yosemite National Park.** As stated in § 7.16(f) of this chapter, motor vehicles driven or moved upon a park road in Yosemite National Park must be registered and properly display cur-

rent license plates. Such registration may be with a State or other appropriate authority or, in the case of motor vehicles operated exclusively on park roads, with the Superintendent of the park. An annual registration fee of \$6 will be charged for vehicles registered with the Superintendent which are not connected with the operation of the park.

§ 6.3 Commercial passenger-carrying motor vehicles.

(a) *Colonial National Historical Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on any portion of the Colonial Parkway, Colonial National Historical Park. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: \$3.50 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: \$1 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 5-passenger vehicle: \$1.

(4) Permit good for one day, more than 5-passenger vehicle: \$3.

(b) *Great Smoky Mountains National Park; permits.* Permits issued by the Superintendent, and compliance with applicable State and Federal regulations, shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire within the park. The fee for such permits shall be as follows:

(1) Annual permit for calendar year: \$1 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: 25 cents for each passenger-carrying seat in the vehicle to be operated.

(3) In addition to the permit required in subparagraphs (1) and (2) of this section, a guide permit issued by the Superintendent shall be required for each driver of a commercial passenger-carrying vehicle, including taxicabs, carrying passengers for hire within the park. Such a permit will be issued by the Superintendent upon a showing to his satisfaction that the applicant possesses adequate knowledge of the park's road system and points of interest, and has complied with all applicable State and Federal regulations. The fee for a guide permit shall be \$5 for the calendar year, or any part thereof.

(c) *Hot Springs National Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire over park roads for sightseeing purposes. The fees for such permits shall be as follows:

(1) Fleet operator; equipment that includes any combination of commercial passenger-carrying vehicles, including taxicabs. Calendar-year permit—\$25.

(2) Bus operator; equipment limited to a single bus-type vehicle with passen-

ger-carrying seat capacity in excess of eight persons. Calendar-year permit—\$20.

(3) Taxicab operator; equipment limited to a single vehicle with a capacity of not over eight passenger-carrying seats. Calendar-year permit—\$12.

(4) The fees for permits issued for commercial passenger-carrying vehicle operations starting on or after July 1 of each calendar year will be one-half of the respective rates mentioned in subparagraphs (1), (2), and (3) of this paragraph.

(d) *Cape Cod National Seashore; permits.* Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, carrying passengers for hire over sand routes on federally owned lands within the seashore as follows:

(1) Annual permit for calendar year: \$3 for each passenger-carrying seat in the vehicle to be operated.

(2) Annual guide permit for the calendar year, or any part thereof: \$5.

(e) *Gettysburg National Military Park; permits.* Permits issued by the Superintendent shall be required for the operation of commercial vehicles carrying passengers for hire on a regularly scheduled basis in the park. These permits shall include reasonable provisions designed to assure service in the best interest of the public. Such provisions shall include, but not be limited to, regulations concerning preservation of park features and values, vehicular safety, content of informational message to passengers, advertising, and rates and schedules. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: \$5 for each passenger-carrying seat in each vehicle to be operated throughout the 12-month period.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: \$1.50 for each passenger-carrying seat in each vehicle to be operated.

§ 6.4 Trucking permits.

(a) *Rocky Mountain National Park.* (1) With reference to the permits that may be issued by the Superintendent, as stated in § 7.7 of this chapter, fees charged for trucking over the Trail Ridge Road shall be as follows:

Vehicle, 1 ton or less: \$2.
Vehicle, over 1 ton but not more than 2 tons: \$3.
Vehicle, over 2 tons but not more than 3 tons: \$4.
Vehicle, over 3 tons but not more than 5 tons: \$5.
Vehicle, over 5 tons but not more than 10 tons: \$10.

(2) The applicable fee shall be charged for the licensed capacity of a truck, trailer, or semitrailer.

(3) The fee charged is for one round trip, provided such trip is made in 1 day, otherwise the fee is for a one-way trip.

(4) No vehicle which has a gross weight, including vehicle and load, in excess of 10 tons, shall be operated or moved on the Trail Ridge Road.

(5) The fees provided in this paragraph shall also apply to special emergency trucking permits issued pursuant to § 5.6(b) of this chapter.

(b) *Yellowstone National Park.* (1) With reference to the permits that may be issued by the Superintendent, as stated in § 7.13 of this chapter, trucking fees for the use of park roads shall be charged as follows:

Emergency trucking between any two park entrances—Round trip permit fee: \$10.

Trucking between the north and north-east entrances:

Trucks with a capacity of $\frac{3}{4}$ ton, but with a capacity of not more than $1\frac{1}{2}$ tons—Yearly permit fee: \$20.

Trucks with a capacity of more than $1\frac{1}{2}$ tons—Yearly permit fee: \$40.

(c) *Yosemite National Park.* (1) The fees for special trucking permits issued by the Superintendent in emergencies pursuant to paragraph (b) of § 5.6 of this chapter shall be based on the licensed capacity of trucks, trailers, or semitrailers, as follows:

Trucks, less than 1 ton.
Trucks of 1 ton and over, but not to exceed 10 tons.

Appropriate automobile permit fee.
\$5 for each ton or fraction thereof.

(i) The fee charged is for one round trip between any two park entrances, provided such trip is made within one 24-hour period; otherwise the fee is for a one-way trip.

(ii) Trucks carrying bona fide park visitors and/or their luggage or camping equipment may enter the park upon payment of the regular recreation fees.

(2) The fee provided in subparagraph (1) of this paragraph also shall apply to permits which the Superintendent may issue for trucking through one park entrance to and from privately owned lands contiguous to the park boundaries, except that such fee shall be considered an annual vehicle fee covering the use of park roads between the point of access to such property and the nearest park exit connecting with a State or county road.

(3) No commercial trucks will be permitted on the Tioga Road except those used in connection with the activities of the U.S. Government, the State of California, or agencies operating under contract or agreement with the U.S. Government to render service to the public in the park, or trucks delivering supplies, materials, etc., to the U.S. Government, the State of California, or contractors or permittees in the park.

(d) *Zion National Park.* Vehicles exceeding certain size limitations must be convoyed over the park roads, as stated in § 7.10 of this chapter, for which a fee of \$5 per single trip will be charged for each vehicle or combination of vehicles. The convoy fee shall be in addition to the recreation fees.

(e) *"Vehicle."* The word "vehicle", as used in this section, shall mean truck, tractor, trailer, semitrailer, and/or any combination thereof.

§ 6.5 Motor vessel transportation.

(a) *Isle Royale National Park.* (1) Transportation services between Houghton, Mich., and Isle Royale National Park, Mich., rendered aboard Government-owned vessels, shall be charged for at the following rates:

Personal transportation—one way: \$7.50; round trip: \$15.

Transportation of boats up to 14 feet in length—one way: \$5; round trip: \$10.

Transportation of boats over 14 feet but not exceeding 17 feet in length—one way: \$10; round trip: \$20.

Transportation of boats over 17 feet but limited to 20 feet in length—one way: \$15; round trip: \$30.

Canoes—one way: \$5; round trip: \$10.

Outboard motors not attached to boat—one way: \$2.50; round trip: \$5.

(2) Personal transportation for children between the ages of 5 through 15, inclusive, will be one-half of the rates mentioned in subparagraph (1) of this paragraph for comparable service. No charge will be made for children under the age of 5. Family groups consisting of parents (or a parent) and children shall be entitled to a special group rate not to exceed three times the amount of the individual adult fee.

(3) The rates for personal transportation mentioned in subparagraph (1) of this paragraph include the transportation of usual hand baggage and camping gear not exceeding 100 pounds per person. Any baggage in excess of the 100 pounds per person allowance will be subject to an additional charge of \$1 per 100 pounds or any part thereof.

(4) Shipment of baggage, supplies and equipment by persons not traveling aboard Government-owned vessels shall be subject to a rate of \$1 per 100 pounds or any part thereof for a one-way shipment.

§ 6.6 Commercial fishing.

(a) *Isle Royale National Park.* In those cases where special use permits are issued in conformity with the provisions stated in § 20.2 of this chapter, permittees will be required to pay an annual fee of \$25.

Part 22 of Chapter I of Title 36, Code of Federal Regulations, is deleted.

Part 26 of Chapter I of Title 36, Code of Federal Regulations, is deleted.

[F.R. Doc. 66-13862; Filed, Dec. 28, 1966; 8:45 a.m.]