FEDERAL REGISTER

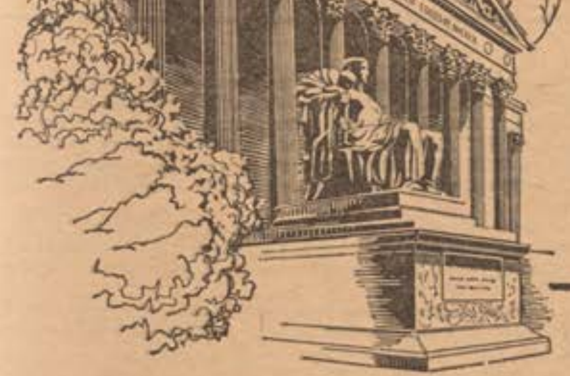
VOLUME 32 • NUMBER 180

Saturday, September 16, 1967 • Washington, D.C.

Pages 13175–13209

Agencies in this issue—
- Agriculture Department
- Civil Aeronautics Board
- Civil Service Commission
- Consumer and Marketing Service
- Customs Bureau
- Environmental Science Services Administration
- Federal Aviation Administration
- Federal Committee on Pest Control
- Federal Highway Administration
- Federal Power Commission
- Fish and Wildlife Service
- Food and Drug Administration
- Forest Service
- Interior Department
- Interstate Commerce Commission
- Land Management Bureau
- National Park Service
- Renegotiation Board
- Securities and Exchange Commission

Detailed list of Contents appears inside.



FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

Contents

List of CFR Parts Affected

(Codification Guide)

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

Rules and Regulations

Title 7—AGRICULTURE

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

[Export Reg. 15]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Export Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of exports of oranges, including Temple and Murcott Honey oranges, grapefruit, and tangelos, 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 regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments, including those in export other than to Canada and Mexico, of oranges including Temple and Murcott Honey oranges, grapefruit, and tangelos, grown in the production area, are in progress or will begin in the near future and, insofar as possible, all such export shipments should be subject to regulation in order to prevent the shipment of undesirable fruit; the recommendation and supporting information for the grade and size limitation hereinafter prescribed for exports of oranges, including Temple and Murcott Honey oranges, grapefruit, and tangelos, other than to Canada or Mexico, were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on September 5, 1967; such meeting was held to consider recommendations for regulation on exports, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this regulation, including the effective time hereof, are identical with the aforesaid recommendation of the committee and information concerning such provisions and effective time has been disseminated among handlers of such fruit; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth; and compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

§ 905.497 Export Regulation 15.

(a) *Order.* (1) During the period September 18, 1967, through September 8, 1968, no handler shall ship to any destination outside the continental United States, other than to Canada or Mexico:

(i) Any oranges, including Temple and Murcott Honey oranges, grapefruit, or tangelos, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any oranges, including Murcott Honey oranges but not including Temple oranges, grown in the production area, which are of a size smaller than 2$\frac{4}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges, except Temple oranges, smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the amended U.S. Standards for Florida Oranges and Tangelos;

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than 2$\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the aforesaid U.S. Standards for Florida Oranges and Tangelos;

(iv) Any grapefruit, grown in the production area, which are of a size smaller than 3$\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of grapefruit smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised U.S. Standards for Florida Grapefruit; or

(v) Any tangelos, grown in the production area, which are of a size smaller than 2$\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said amended U.S. Standards for Florida Oranges and Tangelos.

(2) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and diameter as used herein, shall have the same meaning as is given to the respective terms in the revised U.S. Standards for Florida Grapefruit (§§ 51.750–51.783 of this title), or the U.S. Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

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

Dated: September 13, 1967.

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

[F.R. Doc. 67–10922, Filed, Sept. 15, 1967; 8:48 a.m.]

[Valencia Orange Reg. 220]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.520 Valencia Orange Regulation 220.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia 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 recommendations and information submitted by the Valencia 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 Valencia 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section

must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 14, 1967.

(b) *Order*. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period September 17, 1967, through September 23, 1967, are hereby fixed as follows:

(i) District 1: 136,000 cartons;

(ii) District 2: 664,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: September 15, 1967.

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

[F.R. Doc. 67-11008; Filed, Sept. 15, 1967; 11:16 a.m.]

[Lemon Reg. 285]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.585 Lemon Regulation 285.

(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 607–674), and upon the basis of the recommendations and information submitted by the Lemon 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 lemons, 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 rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 12, 1967.

(b) *Order*. (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period September 17, 1967, through September 23, 1967, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 186,000 cartons;

(iii) District 3: 22,304 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: September 14, 1967.

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

[F.R. Doc. 67-10951; Filed, Sept. 15, 1967; 8:49 a.m.]

[Avocado Reg. 5, Amdt. 3]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Containers

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

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of avocados.

Order. (1) The provisions in paragraph (a) (1) (viii) of § 915.305 (Avocado Order 5; 29 F.R. 8463; 30 F.R. 4666, 32 F.R. 7171) are hereby amended to read as follows:

§ 915.305 Avocado Order 5.

(a) *Order*. (1) * * *

(viii) With respect to the containers prescribed in subdivisions (ii) through (iv) of this subparagraph, all avocados packed in such containers shall be placed in one layer only and the net weight of all Arue, Pollock, Simmonds, Hardee, Nadir, Peterson, Waldin, Pinelli, Tonnage, Booth 8, Black Prince, Blair, Booth 7, Booth 10, Collinson, Lula, Booth 5, Hickson, Simpson, Vaca, Avon, Booth 11, Hall, Winslowson, Choquette, Herman, Monroe, Ajax (Booth 7–B), Booth 3, Taylor, Byars, Linda, Nabal, Wagner, Schmidt, Itzamna, Dr. Dupuis, Katherine, Nirody, Rue, Sherman, Marcus, Nelson, Catalina, Chica, Murphy, Leona, and Dunedin varieties of avocados in any such container shall be not less than 13½ pounds and the net weight of all other varieties of avocados in any such container shall be not less than 13 pounds: *Provided*, That not to exceed 5 percent, by count, of such containers in any lot may fail to meet such applicable weight requirement.

* * * * *

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

Dated, September 15, 1967, to become effective September 18, 1967.

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

[F.R. Doc. 67-11006; Filed, Sept. 15, 1967; 11:16 a.m.]

[Avocado Reg. 9, Amdt. 6]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

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

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of avocados in that it permits shipment of a certain variety of avocados at a smaller size than currently provided.

Order. The provisions of paragraph (a)(2) of § 915.309 (32 F.R. 7213, 8761, 10156, 10641, 11731, 12832) are hereby amended by revising in Table I certain dates and minimum weights or diameters applicable to the Nirody variety of avocados, so that after such revision the portion of Table I relating to such variety reads as follows:

Variety (1)	Date (2)	Minimum weight or diameter (3)	Date (4)	Minimum weight or diameter (5)	Date (6)	Minimum weight or diameter (7)	Date (8)
Nirody	9-18-67	16 oz. $3\frac{15}{16}$ in.	10-2-67				

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

Dated, September 15, 1967, to become effective September 18, 1967.

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

[F.R. Doc. 67-11007; Filed, Sept. 15, 1967; 11:16 a.m.]

[Peach Reg. 5]

PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Limitation of Shipments

Correction

In F.R. Doc. 67-7231, appearing at page 9082 of the issue for Tuesday, June 27, 1967, the following change should be made:

In the 7th line of § 921.305(b)(5), "28 pounds" should read "26 pounds".

PART 927—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Control Committee Rules and Regulations

Notice is hereby given of the approval of an amendment, hereinafter set forth, of the rules and regulations (Subpart—Control Committee Rules and Regulations, 7 CFR 927.100–927.122) under the provisions of the marketing agreement, as amended, and Order No. 927, as amended (7 CFR Part 927), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The proposed amendment would add Wenatchee, Wash., as an in transit storage point to which pears may be shipped for storage in public warehouses without prior inspection and certification.

It is hereby found and determined that said amendment of the rules and regulation, which was proposed and submitted for approval by the Control Committee (Winter Pears), established pursuant to the amended marketing agreement and order as the agency to administer the provisions thereof, is in accordance with the provisions of said amended marketing agreement and order and will tend to effectuate the declared purposes of the Agricultural Marketing Agreement Act of 1937, as amended; and said rules and regulations are hereby amended as follows:

In § 927.122, paragraph (a) is revised to read as follows:

§ 927.122 Shipments to designated storages.

(a) Pears may be shipped without prior inspection and certification to any public warehouse in Yakima, Zillah, Wenatchee, or Grandview, in the State of Washington, in Portland, Klamath Falls, or Medford in the State of Oregon, or in Tulelake, California, for storage therein in transit: *Provided*, That any pears so shipped shall be inspected, and a certificate issued with respect thereto, as provided in § 927.60 of the marketing agreement and order, prior to such pears being removed from such warehouse. At the time any pears are so shipped into such public storage warehouse and again when such pears are shipped out of such warehouse, the handler shall, on his semimonthly "Handler's Statement of Pear Shipments," report each such shipment as prescribed in § 927.125(b).

* * * * *

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the aforesaid varities of pears are currently in progress; (2) the amendment does not require any special preparation for compliance therewith which cannot be completed by the effective time hereof; and (3) the amendment relieves restrictions on handlers by adding an additional in transit storage point. Therefore, to be of maximum benefit this amendment should be made effective as soon as possible.

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

Dated, September 13, 1967, to become effective upon publication in the FEDERAL REGISTER.

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

[F.R. Doc. 67-10923; Filed, Sept. 15, 1967; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 67-SO-72; Amdt. 39-480]

PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-28 and PA-32 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modifications to be made to the fuel selector quadrant, quick drain valve operating lever, and installation of new fuel lines from the outboard tip tanks on Piper PA-28 and PA-32 series airplanes was published in the FEDERAL REGISTER, dated August 1, 1967.

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

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

PIPER. Applies to Piper PA-28 and PA-32 series airplanes. Serial numbers affected are noted below:

Compliance is required within the next 100 hours' time in service after the effective date of this AD unless already accomplished.

The purpose of this AD is to prevent:

Possible sticking of the quick drain in the fuel selector valve;

Improper positioning of the fuel selector valve between detents;

Rotation of the fuel selector lever knob; and

Excessive time delay in expelling entrapped air from a tip tank fuel line.

The following must be accomplished:

(a) On Model PA 28-235 airplanes, Serial Nos. 28-10001 through 28-10851; Model PA 32-260 airplanes, Serial Nos. 32-04, 32-1 through 32-14, and 32-16 through 32-853; Models PA 32-300 and PA 32S-300 airplanes, Serial Nos. 32-15 and 32-40000 through 32-40153:

(1) Install a new manual-return quick-drain valve operating lever, P/N 65289-00.

(2) Install pin in the fuel selector knob.

(3) Install indicators on the fuel selector quadrant to indicate the exact position of the selector valve.

Installation instructions and all necessary parts are contained in Piper Kit No. 757139V and Service Bulletin No. 249 dated May 16, 1967.

(b) On Model PA 28-235 airplanes, Serial Nos. 28-10001 through 28-10719:

Install new fuel lines at the wing tip tanks in accordance with Piper Service Bulletin 253 dated July 7, 1967, and Piper Kit No. 757151V. All necessary parts and installation instructions are contained in this kit.

(c) On Model PA 28-235 airplanes, Serial Nos. 28-10720 through 28-10851; Model PA 32-260 airplanes, Serial Nos. 32-04, 32-1 through 32-14, and 32-16 through 32-853; Model PA 32-300, PA 32S-300 airplanes, Serial Nos. 32-15 and 32-40000 through 32-40153:

Install new fuel lines at the wing tip tanks in accordance with Piper Service Bulletin 253 and Piper Kit No. 757152V. All necessary parts and installation instructions are contained in this kit.

Other means of compliance with the requirements of this directive may be utilized, if approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Southern Region.

Compliance time may be adjusted up to a maximum of 20 hours to coincide with aircraft annual or 100-hour scheduled inspections.

This amendment becomes effective September 16, 1967.

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

Issued in East Point, Ga., on September 8, 1967.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 67-10901; Filed, Sept. 15, 1967; 8:47 a.m.]

[Docket No. 7933; Amdt. 39-483]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 and 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive inspections of fin ribs assembles 2, 3, 4, 5, and 6 on BAC 1-11 200 and 400 Series airplanes for cracks in accordance with British Aircraft Corp. BAC 1-11 Alert Service Bulletin No. 55-A-PM 2730, Issue 2, or an FAA-approved equivalent, and the repair before further flight of any cracks found exceeding specified limits was published in 32 F.R. 7396.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One operator of these airplanes cited its service experience since the original proposed AD was published in 32 F.R. 2577 and renewed its request that, for the 400 Series airplanes the initial inspection be accomplished at 3,000 hours and that the interval between inspections be increased. Based on this service experience, and the fact that since the publication of the proposed AD 400 Series airplanes have accumulated 3,000 hours' time in service, and no defects were found during their inspection, the FAA has determined that the initial inspection of the 400 Series airplanes should be accomplished before the accumulation of 3,000 hours' time in service with subsequent inspections at 1,000-hour intervals for ribs 3, 4, and 5, and 1,200-hour intervals for ribs 2 and 6. Therefore, the AD has been revised to require the inspections at these times. Since these changes are a relaxation of the requirements of the proposed AD and impose no additional burden on any person, further notice and public procedure thereon are not required.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11 200 and 400 Series airplanes that have not been modified to incorporate BAC Modification PM 2742(d).

Compliance required as indicated.

To prevent possible failure of the fin rib assembly, accomplish the following:

(a) For Model BAC 1-11 200 Series airplanes, within the next 200 hours' time in service after the effective date of this AD, or before the accumulation of 2,300 hours' time in service, whichever occurs later, and thereafter at intervals not to exceed 600 hours' time in service from the last inspection for fin rib assemblies numbers 3, 4, and 5, and 1,200 hours' time in service for fin rib assemblies numbers 2 and 6, conduct a visual or radiographic inspection of the fin rib assemblies numbers 2, 3, 4, 5, and 6 for cracks in accordance with British Aircraft Corp. BAC 1-11 Alert Service Bulletin No. 55-A-PM 2730, Issue 2, or later ARB-approved issue, or an FAA-approved equivalent.

(b) For Model BAC 1-11 400 Series airplanes, within the next 200 hours' time in service after the effective date of this AD, or before the accumulation of 3,000 hours' time in service, whichever occurs later, and thereafter at intervals not to exceed 1,000 hours' time in service from the last inspection for fin rib assemblies numbers 3, 4, and 5, and 1,200 hours' time in service for fin rib assemblies numbers 2 and 6, conduct a visual or radiographic inspection of the fin rib assemblies numbers 2, 3, 4, 5, and 6 for cracks in accordance with British Aircraft Corp. BAC 1-11 Alert Service Bulletin No. 55-A-PM 2730, Issue 2, or later ARB-approved issue, or an FAA-approved equivalent.

(c) If damage to the fin ribs is found that is within the permissible limits specified in BAC 1-11 Alert Service Bulletin No. 55-A-PM 2730, Issue 2, or later ARB-approved issue, or an FAA-approved equivalent, reinspect local areas of known damage, using the inspection procedures specified in paragraph (a), at intervals not to exceed 200 hours' time in service from the last inspection.

(d) If damage to the fin ribs if found that exceeds the permissible limits specified in the BAC 1-11 Alert Service Bulletin No. 55-A-PM 2730, Issue 2, or later ARB-approved issue, or an FAA-approved equivalent, repair the damaged parts in accordance with BAC 1-11 Structural Repair Manual or BAC 1-11 Service Bulletin No. 55-PM-2742, or later ARB-approved issue, or an FAA-approved equivalent, before further flight.

(e) The repetitive inspections required by paragraphs (a), (b), and (c) of this AD may be discontinued for any one of the fin rib assemblies numbers 2, 3, 4, 5, or 6 for a period of 4,000 hours' time in service after that fin rib assembly has been modified in accordance with Part (c) of BAC 1-11 Service Bulletin No. 55-PM-2742, or an FAA-approved equivalent.

NOTE: The inspections required by paragraph (c) are in addition to the general inspections required by paragraphs (a) and (b).

This amendment becomes effective October 19, 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 September 12, 1967.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-10918; Filed, Sept. 15, 1967; 8:48 a.m.]

[Docket No. CE-67-AD-8; Amdt. 39-479]

PART 39—AIRWORTHINESS DIRECTIVES

Weston-Garwin Carruth Model 22-374 Altimeters

There have been reports of broken and cracked balance arm assemblies in certain Model 22-374 altimeters produced by Weston Instruments, Inc., Weston-Garwin Carruth Division since June 1, 1966, and installed in those Cessna, Beech, Mooney, and Aero Commander Model aircraft and Bell Model helicopters listed herein. These altimeters might also have been installed in other aircraft as replacements for original equipment. The result of a cracked balance arm assembly is loss of reliable altitude information. A broken balance arm assembly causes a rapid increase in indicated altitude and a complete loss of reliable altitude information. Production of the Model 22-374 altimeter commenced June 1, 1966. Those Model 22-374 altimeters marked with a white "M-1" on the back of the instrument have already been modified by the installation of an improved balance arm assembly in order to correct these deficiencies. Since these conditions are likely to exist or develop in other Model 22-374 altimeters, not so modified, an airworthiness directive is being issued which applies to all aircraft in which the affected Weston-Garwin Carruth Model 22-374 altimeters are installed. The airworthiness directive requires (1) that the altimeter must be modified by replacement of the balance arm assembly with a balance arm assembly identified by an "M-1" stamped on the brass portion thereof, or (2) that the altimeter be replaced with an altimeter known to be airworthy. Until the altimeter is modified or replaced in accordance with this AD, for those aircraft equipped with unmodified Weston-Garwin Carruth Model 22-374 altimeter, the AD requires certain checks and operational restrictions. It also requires that within 10 hours flight time after the effective date of the AD, the installation of a placard. This AD does not limit operations of those aircraft equipped with two operative altimeters, even though both are unmodified Model 22-374 altimeters. They must however be given the ground and flight checks called for in the AD. If the Model 22-374 altimeter(s) are installed, they must be modified or replaced within 12 months.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is not practicable, and good cause exists for making this rule effective in less than thirty (30) days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

WESTON-GARWIN CARRUTH DIVISION. Applies to aircraft equipped with Model 22-374 altimeters, except those altimeters which have been modified and marked with a white "M-1" on the back of the instrument. The unmodified Model 22-374 altimeters are known to have been installed in Cessna Model 150G, 172H, 180H, 182J, 182K, 185E, 188, A188, P206A, P206B, TP206A, TP206B, TU206A, U206A, U206B, TU206B, 210F, 210G, T210F, T210G, 337B, T337B, Serial Nos. 310L-0018 through Serial No. 310L-0182, Serial Nos. 320E-0055 through Serial No. 320E-0276, Serial Nos. 320F-0001 through Serial No. 320F-0016, Serial Nos. 401-0014 through Serial No. 401-0022, Serial Nos. 402-0032 through Serial No. 402-0122, Serial Nos. 411-0240, 411-0241, 411-0243, 411-0246, Serial Nos. 411A-0255 through Serial No. 411A-0276 aircraft, Beech Model H18 Serial Nos. BA743 through BA750, A23A Serial Nos. M992 through M1064, A23-19 Serial Nos. MB154 through MB272 except MB266 and MB268, A23-24 Serial Nos. MB125 through MB272, V35 Serial Nos. D8250 through D8566, D8268 through D8274 except D8271, 35-C33 Serial Nos. CD1045 through CD1114, 35-C33A Serial Nos. CE80 through CE174, 56TC Serial Nos. TG1 through TG5, TG8 through TG10, A65 Serial Nos. LC257 through LC268, 65-B80 Serial Nos. LD332 through LD348, LD351, and LD352, 65-88 Serial Nos. LP43 through LP45, 65-A90 Serial Nos. LJ237 through LJ304, 65-A90-1 Serial Nos. LM2 through LM37, LM39, LM41 and LM42, 95-C55 Serial Nos. TE186 through TE433, D95A Serial Nos. TD665 through TD687, and TD689 through TD704 aircraft, Mooney Model M20C, Serial Nos. 670001 through 670149, M20E, Serial Nos. 1177, 1199, 1217, 1268, 1273, 1277, 1281, 1283, 1286 through 1288, 1290, 1292, 1293, 1295 through 1308, 670001 through 670062, M20F, Serial Nos. 660001 through 660004, 670001 through 670486, Model M22, Serial Nos. 670001 through 670003 aircraft, Aero Commander Model 500B, 500U, 680FL, 680FLP, 680T aircraft, Bell Model 47G-2A, 47G-2A1, 47G-3B, 47G-3B-1, 47G-4, 47G-4A, 47G-5, 206A helicopters. The unmodified Model 22-374 altimeter may have also been installed in other aircraft as a replacement part since June 1, 1966.

Compliance required as indicated.

To prevent loss of reliable altitude information, accomplish the following:

(a) Unless already accomplished, within 12 months after the effective date of this AD:

(1) Modify altimeter by replacing balance arm assembly with an assembly identified by an M-1 stamped on the brass portion thereof available from Weston Instruments, Inc., Weston-Garwin Carruth Division in accordance with Weston Instruments, Inc., Weston-Garwin Carruth Division Service Bulletin 600-0002 or equivalent approved by the Chief, Engineering and Manufacturing Branch, Central Region, FAA or

(2) Replace the altimeter with an altimeter known to be airworthy.

(b) Until the altimeter is modified or replaced in accordance with paragraph (a) of this AD, for those aircraft equipped with only one operative unmodified Weston-Garwin Carruth Model 22-374 altimeter, (1) on and after the effective date of this AD, flight is limited to those conditions in which flight is maintained with visual reference to the ground and when flight visibility is 3 miles or better, and (2) within 10 hours flight time after the effective date of this AD a placard must be installed on the instrument panel in plain view of the pilot which states "This aircraft is limited to operations in those conditions in which flight is maintained with visual reference to the ground and when flight visibility is 3 miles or better."

(c) On and after the effective date of this AD, for those aircraft equipped with unmodified Weston-Garwin Carruth Model 22-374 altimeter(s) the pilot shall accomplish the following in order to determine if the altimeter(s) is operative:

(1) Prior to the commencement of flight, check the altimeter reading(s) against the known field elevation at the appropriate altimeter setting(s). If a deviation of more than 100 feet is observed in the altimeter reading and the aircraft is equipped with only one altimeter, further flight is prohibited until the altimeter is replaced with an altimeter known to be airworthy. If such a deviation is observed in one altimeter on an aircraft equipped with two unmodified Weston-Garwin Carruth Model 22-374 altimeters, flight may only be accomplished in accordance with paragraph (b) of this AD.

(2) During flight, check the altimeter(s) for erroneous or erratic reading (s). If such reading(s) are observed and the aircraft is equipped with only one altimeter, flight may be continued in accordance with subdivision (1) of paragraph (b) of this AD to the next point of intended landing. Flight beyond that point may be conducted only in accordance with FAR 21.197 to a base where repairs can be accomplished. If such reading(s) are observed in only one altimeter on an aircraft equipped with two unmodified Weston-Garwin Carruth Model 22-374 altimeters, and the other altimeter is operative, flight may only be accomplished in accordance with paragraph (b) in this AD.

This amendment becomes effective September 18, 1967.

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

Issued in Kansas City, Mo., on September 14, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-10957; Filed, Sept. 15, 1967; 8:49 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-505]

PART 202—TERMS, CONDITIONS AND LIMITATIONS OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY; INTERSTATE AND OVERSEAS ROUTE AIR TRANSPORTATION

Airport Authorization

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of September 1967.

By notice of proposed rule making issued July 27, 1967, EDR-120, Docket 18830, and published at 32 F.R. 11170, the Board advised of its intention to amend Part 202 of the Board's Economic Regulations so as to provide for service of airport notices upon the Federal Aviation Administration.

Interested persons were afforded an opportunity to participate in the making of this rule, but no comments were received. Therefore, the Board will now make final the rule as proposed.

Accordingly, the Civil Aeronautics Board hereby amends Part 202 of its Economic Regulations (14 CFR Part 202) effective October 16, 1967, as follows:

And a new subparagraph (4) to § 202.3 (c) to read as follows:

§ 202.3 Airport authorization.

* * * * *

(c) *Persons to be served.* * * *

(4) The Federal Aviation Administration, marked for attention of the Director of Airport Services.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 401, 72 Stat. 754; 49 U.S.C. 1371)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 67-10909; Filed, Sept. 15, 1967; 8:47 a.m.]

[Reg. ER-506]

PART 203—TERMS, CONDITIONS AND LIMITATIONS OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY; FOREIGN AIR TRANSPORTATION

Persons Upon Whom Notice Must Be Served

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of September 1967.

By notice of proposed rule making issued July 27, 1967, EDR-120, Docket 18830, and published at 32 F.R. 11170, the Board advised of its intention to amend Part 203 of the Board's Economic Regulations so as to provide for service of airport notices upon the Federal Aviation Administration.

Interested persons were afforded an opportunity to participate in the making of this rule, but no comments were received. Therefore, the Board will now make final the rule as proposed.

Accordingly, the Civil Aeronautics Board hereby amends Part 203 of its Economic Regulations (14 CFR Part 203) effective October 16, 1967, as follows:

Amend § 203.7(d) to read as follows:

§ 203.7 Persons upon whom notice must be served.

* * * * *

(d) In the case of an Airport Notice—Foreign Air Transportation, each scheduled air carrier which regularly renders service to or from the point intended to be served through the proposed airport; and also the Federal Aviation Administration, marked for attention of the Director of Airport Services.

* * * * *

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 401, 72 Stat. 754; 49 U.S.C. 1371)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 67-10910; Filed, Sept. 15, 1967; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter IX—Environmental Science Services Administration, Department of Commerce

SUBCHAPTER A—GENERAL REGULATIONS

PART 903—PUBLIC INFORMATION

In order to further implement section 552, Title 5, United States Code, as amended by Public Law 90-23, June 5, 1967 (81 Stat. 54), and pursuant to Department of Commerce Order 64, 32 F.R. 9734, a new Chapter IX, Subchapter A, consisting of Part 903, is hereby added to Title 15, Code of Federal Regulations. This part describes the arrangements whereby the materials specified in 5 U.S.C. 552(a)(2) are made available for public inspection and copying, and the procedures and other conditions whereby identifiable records may be made available pursuant to 5 U.S.C. 552(a)(3). This part is limited to information and records of the Environmental Science Services Administration, Department of Commerce, including its component organizations, staffs, and offices. Part 903 reads as follows:

AUTHORITY: The provisions of this Part 903 issued under 5 U.S.C. 552, 553; Reorganization Plan No. 2 of 1965; other authorities vested by law in the Secretary of Commerce and delegated to the Administrator, Environmental Science Services Administration applicable to the dissemination of records and other information of the Administration, including charges therefor; Department Order 64, 32 F.R. 9734; and Department Orders 2A and 2B, as amended, 31 F.R. 10752 and 32 F.R. 10700.

§ 903.1 Scope and purpose.

This part establishes the rules whereby the materials specified in 5 U.S.C. 552(a)(2), and the identifiable records of the following organizations of the Environmental Science Services Administration (ESSA) requested under 5 U.S.C. 552(a)(3) are to be made publicly available:

(a) The Office of the Administrator and the Office of the Federal Coordinator for Meteorological Services and Supporting Research.

(b) The general and special staff offices of the Administration.

(c) The Weather Bureau.

(d) The Coast and Geodetic Survey.

(e) The Environmental Data Service.

(f) The National Environmental Satellite Center.

(g) The Institutes for Environmental Research.

§ 903.2 Policies.

Policies and other factors considered in issuing the rules in this part are set forth in Department of Commerce Order 64 (32 F.R. 9734) and Part 4 of this title.

§ 903.3 Definitions.

(a) To the extent that terms used in this part are defined in 5 U.S.C. 551, they shall have the same definition herein.

(b) The organizational units defined in the terms "Office of the Administrator," "Federal Coordinator for Meteorological Services and Supporting Research" "general staff offices," and "special staff offices," are identified in Department Order 2B (31 F.R. 10700).

§ 903.4 Publication in the Federal Register.

(a) Those materials which are required to be published in the FEDERAL REGISTER pursuant to the provisions of of 5 U.S.C. 552(a)(1) have been and will continue to be published in the FEDERAL REGISTER in the form of or included in:

(1) Department Orders of the Department of Commerce, including any supplements and appendices thereto, Secretary of Commerce Circulars, and Department Administrative Orders.

(2) ESSA rules and regulations set forth in this part.

(3) Notices or otherwise in the FEDERAL REGISTER.

(4) Other publications, when incorporated by reference in the FEDERAL REGISTER with the approval of the Director of the Federal Register.

(b) Those materials which are published in the FEDERAL REGISTER pursuant to 5 U.S.C. 552(a)(1) will, to the extent practicable and to further assist the public, be made available for inspection and copying at the facility identified in § 903.5(c).

§ 903.5 Availability of materials for inspection and copying.

(a) The Assistant Administrator for Administration and Technical Services will, as provided in 5 U.S.C. 552(a)(2) and subject to other provisions of law, establish and maintain an ESSA Public Reference Facility for the public inspection and copying of:

(1) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(2) Statements of policy and interpretations adopted by ESSA and not published in the FEDERAL REGISTER;

(3) Administrative staff manuals and instructions to staff that affect a member of the public;

(4) A current index providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, and required to be made available or published by 5 U.S.C. 552(a)(2);

(5) Such additional materials as the ESSA Public Reference Facility may consider desirable and practicable to make available for the convenience of the public.

(b) ESSA may, to prevent unwarranted invasion of personal privacy, delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, staff manual or instruction, and will, in each such case, explain in writing the justification for the deletion.

(c) The above materials may be inspected in the ESSA Public Reference Facility, Room 424, Building 5, 6010 Executive Boulevard, Rockville, Md. Mail to this facility should be addressed as follows: Administrative Controls Branch (AD14), Environmental Science Services Administration, Rockville, Md. 20852. The telephone number for this facility is Area Code 301, 496-8595. This facility is open to the public Monday through Friday of each week, except on official Federal holidays, between the hours of 9 a.m. and 4:30 p.m. There are no fees or formal requirements for such inspections. Photo copies of these materials can be provided on demand at the prices established in § 903.8. In addition, printed copies of various administrative publications may be purchased from the facility, at the price established in § 903.8.

§ 903.6 Requests for identifiable records.

(a) The procedures of this section are applicable only to the records of the organizations listed in § 903.1 and only to those records not customarily available to the public as part of the regular information activities of ESSA. A person desiring to inspect or copy a record or obtain other information about or from one of the organizations listed in § 903.1 should contact the appropriate office responsible for providing such information to the public. Such information offices are listed in one or more of the following: (1) The "public information appendices" to the relevant Department orders, which are published in the FEDERAL REGISTER, (2) various guides and handbooks issued by the Department and its operating units, (3) the U.S. Government Organization Manual, and (4) the Department of Commerce Telephone Directory. The latter two publications are for sale by the Superintendent of Documents, Washington, D.C. 20402.

(b) If the appropriate information office is not known, the public should direct its inquiries to the ESSA Public Reference Facility identified in § 903.5(c). This facility will route the request, if it appears to be for information regularly available, to the appropriate information office; if the request is for other types of information, the facility will advise the inquirer as to how to proceed.

(c) A person who wishes to inspect a record not part of the regular information activities of ESSA should complete Form CD-244, "Application To Inspect Records", and submit this form, in person or by mail, to the ESSA Public Reference Facility. Copies of Form CD-244 are available from this facility and from many of the information offices of ESSA.

(d) An application form shall be submitted for each record or group of records related to the same general subject matter. Each application form shall be accompanied by the nonrefundable application fee of $2.

(e) Detailed instructions for the completion of Form CD-244 are stated on the back of the form. Employees of the facility will assist the public to a reasonable extent in completing the form; however, the responsibility rests with the applicant for identifying each record sought in sufficient detail so that it can be located by personnel familiar with the filing of agency records. Each application shall clearly itemize, when there are more than one, each record requested so that it may be identified and its availability separately determined.

(f) The staff of the facility will review the application for completeness, and will record receipt of the fee. If the application appears in order, it will be processed by the facility as described in § 903.7, to determine if it is an identifiable and disclosable record. If the application is incomplete in some substantial and material respect, it will be promptly returned to the applicant to complete.

§ 903.7 Determination of availability of records.

(a) Upon finding that the application is otherwise in order, the ESSA Public Reference Facility will determine:

(1) Whether the requested record can be identified on the basis of the information supplied by the applicant. If the facility cannot identify the record, it will return the application, specifying why the record is not identifiable and what additional clarification, if any, the applicant may make to assist the organization in its identification.

(2) Whether the record, if identifiable, is still in existence and in the possession of ESSA. If the record no longer exists, the applicant will be so notified. If the record is not in ESSA's possession and its existence is not otherwise reasonably ascertainable, the applicant will be so notified. If the requested record is in another organization of the Department, or is the exclusive or primary concern of another executive department or agency, the application for such record will be promptly referred to that other organization or agency for further action under its rules, and the applicant will be promptly informed of this referral.

(b) If the requested record is identifiable and subject to ESSA's determination as to availability, the application will be reviewed by an official authorized, pursuant to Department Order 64, to initially determine availability.

(c) If the authorized official determines that the record is not to be made available, he shall so notify the applicant in writing stating the reason(s) why the record is not being made available.

(d) If the authorized official determines that the record is to be made available, he shall so notify the applicant specifying the estimated costs to be recovered in accordance with § 903.8. Upon payment of such estimated costs, subject to adjustment as provided in § 903.8, the record will be made available to the applicant at the ESSA Public Reference Facility or transmitted to him by it.

§ 903.8 Fees and charges.

(a) Fees and charges are hereby established to recover costs for application handling, record searching, reproduction, certification, and authentication, and for related expenses incurred by ESSA:

(1) Application fee—$2. This fee is nonrefundable, and covers costs of accepting and reviewing the application, and making a determination as to the availability of the requested record, or group of related records.

(2) Records search fee—per man-hour—$5. This fee covers the costs of locating the desired record, transporting it by Government messenger service to the point of inspection, supervising the inspection, and returning the record to its regular file. It also includes the costs of any copies of records made at ESSA's option. The minimum fee charged for records search will be $2.50.

(3) Copies of records, if requested by applicant:

(i) Xerographic or similar process—Up to 9 x 4 inches (each page)—$0.25.

(ii) Photocopy or similar process—Up to 12 x 18 inches (each page)—$1. Over 12 x 18 inches, but less than 18 x 25 inches (each)—$2.

(4) Single printed copy of administrative publications—12 pages or less, 10 cents; 13 to 36 pages, 25 cents; 37 to 60 pages, 50 cents; 61 to 80 pages, 75 cents; 81 to 100 pages, $1; and over 100 pages, 1 cent a page rounded upward to the next quarter dollar. Each blank page and each introductory (Roman numeral) page is to be considered as one page, and separate paper covers are to be considered as four pages.

(5) Certification fee, if requested, per certification—$1.

(6) Postage, registration, or other forwarding or packing fees—Actual cost (Applicable only if copies of records are requested to be shipped to a point other than the ESSA Public Reference Facility).

(b) All fees and charges will be collected in advance. The applicant will be given an estimate of the cost of records search for each application where disclosure availability is authorized. If actual cost exceeds the estimate, the applicant will have the option of either paying any additional costs, or inspecting the requested record to the extent covered by his payment. If the advance estimated payment is $1 or more in excess of both the actual cost and the minimum charge, a refund will be made of the excess above the higher of these two amounts.

(c) The above fees are established solely for services provided pursuant to section 5 U.S.C. 552(a)(3), and do not affect fees charged for other services to the public, as may be performed under other authorities.

§ 903.9 Arrangements for public inspection and copying of available records.

(a) During his inspection of the record at the ESSA Public Reference Facility, the applicant may extract or have copied any portion of the record, and may obtain certification of a machine-copied record, subject to the fees established in § 903.8.

(b) No changes or alterations of any type may be made to the record being inspected, nor may any matter be added to or subtracted therefrom. Papers bound or otherwise assembled in a record file may not be disassembled during inspection. Staff of the facility shall provide assistance if disassembly of a record is necessary for copying purposes, and are authorized to supervise public inspection as necessary to protect the records. The public is reminded of Title 18, United States Code, section 2701(a), which makes it a crime to conceal, remove, mutilate, obliterate, or destroy any record filed in any public office, or to attempt to do any of the foregoing.

(c) If an applicant does not want to inspect a record by personal visit to the ESSA Public Reference Facility, he may request that a copy thereof be mailed to him, upon payment of the copying and postage fees set forth in § 903.8.

(d) Copies of transcripts of hearings will be made available for inspection when not in use. If ESSA's contract with a reporting service stipulates that copies of such transcripts may be sold only by the latter, persons requesting copies shall be referred to the reporting service.

(e) When appropriate in the interests of its program, ESSA may make exceptions to established charges.

§ 903.10 Requests for reconsideration of nonavailability.

(a) Any person whose application to inspect a record has been denied under § 903.7(c) may request a reconsideration of the initial denial, as set forth herein.

(b) The request for reconsideration should be made by completing the applicable portion of the Form CD-244, and returning it to the ESSA Public Reference Facility within 30 days following the date of the initial denial. (This date is shown on the Form CD-244.) No additional fee is required to obtain reconsideration. In submitting a request for reconsideration, the applicant should include any written arguments he desires to support his belief that the record requested should be made available. No personal appearance, oral agreement or hearing shall be permitted.

(c) The decision upon such review shall be made by the Administrator, ESSA, and shall be based upon the original application, the denial, and any written argument submitted by the applicant.

(d) The decision upon review shall be promptly made in writing and communicated to the applicant. If the decision is wholly or partly in favor of the applicant, the requested record to such extent will be made available for inspection, as described in §§ 903.8 and 903.9. To the extent that the decision is adverse to the request, the reasons for the denial will be stated.

(e) A decision upon review under this section shall constitute the final action and decision of ESSA as to the availability of a requested record, except as may be required by court proceedings initiated pursuant to 5 U.S.C. 552(a)(3).

(f) Reconsideration resulting in final decisions as prescribed herein will be indexed and kept available for public reference in the ESSA Public Reference Facility.

§ 903.11 Subpoena or other compulsory process.

Procedures applicable in the event of a subpoena, order, or other compulsory process or demand of a court or other authority are set forth in section 7 of Department Order 64 (32 F.R. 9734).

Effective date. This Part 903 shall become effective upon publication in the FEDERAL REGISTER.

ROBERT M. WHITE,
Administrator, Environmental Science Services Administration.

[F.R. Doc. 67-10878; Filed, Sept. 15, 1967; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 67-214]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Vessel Clearances

Pursuant to the provisions of sections 2 and 3, Public Law 89-777 (46 U.S.C. 817d, 817e), relating to financial responsibility for death or injury to passengers and indemnification of passengers for nonperformance of transportation, clearance is to be refused certain vessels embarking passengers at U.S. ports which do not have evidence supplied by the Federal Maritime Commision that the provisions of those sections have been complied with. Section 3 became effective May 5, 1967, and section 2 became effective August 7, 1967.

Section 4.68 of the Customs Regulations is therefore amended by adding a new paragraph (c) to read as follows:

§ 4.68 Crew; passengers.

* * * * *

(c) No vessel having berth or stateroom accommodations for 50 or more passengers and embarking passengers at U.S. ports shall be granted a clearance at the port or place of departure from the United States unless it is established that the vessel has valid certificates issued by the Federal Maritime Commission evidencing compliance with sections 2 and 3 of Public Law 89-777 (46 U.S.C. 817d, 817e).

The citation of authority for § 4.68 is amended to read as follows:

(R.S. 4573, secs. 2, 3, 80 Stat. 1356, 1357; 46 U.S.C. 674, 817d, 817e) (80 Stat. 379; 5 U.S.C. 301)

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

Approved: September 11, 1967.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-10915; Filed, Sept. 15, 1967; 8:48 a.m.]

[T.D. 67-215]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Coastwise Transportation of Empty Cargo Vans and Shipping Tanks by Irish Vessels

On the basis of information obtained and furnished by the Department of State, it is found that the Government of Ireland extends to vessels of the United States in ports of Ireland privileges reciprocal to those provided for in § 4.93(a) of the Customs Regulations. Vessels of Ireland are therefore entitled to the privileges granted by this section.

Accordingly, § 4.93(b) of the Customs Regulations is amended by the insertion of "Ireland" in appropriate alphabetical order in the list of countries in that section.

(80 Stat. 379, R.S. 251, sec. 624, 46 Stat. 759, sec. 2, 23 Stat. 118, as amended, sec. 27, 41 Stat. 999, as amended; 5 U.S.C. 301, 19 U.S.C. 66, 1624, 46 U.S.C. 2, 883)

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

Approved: September 11, 1967.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-10916; Filed, Sept. 15, 1967; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

REDELEGATIONS OF AUTHORITY FROM COMMISSIONER TO OTHER OFFICERS OF ADMINISTRATION

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), the regulation regarding redelegations of authority, § 2.121, is amended by adding thereto a new paragraph, as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

* * * * *

(l) *Delegation regarding review of denials of requests for records made pursuant to § 5.53 (45 CFR 5.53)*. The Chief, Press Relations Staff, Office of Assistant Commissioner for Education and Information, is authorized to review under § 5.82 (45 CFR 5.82) denials by the Information Center Officer of the Food and Drug Administration of written requests for inspection or copying of records of the Administration. Such requests are made pursuant to the Public Information Act (Public Law 90-23).

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: September 8, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-10920; Filed, Sept. 15, 1967; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

PART 1450—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Miscellaneous Amendments

This part is amended as follows:

1. The Table of Contents is amended in the following respects:

a. Under Subpart A, add "1450.735-7 Financial interests exempted from statutory prohibition."

b. Under Subpart B, insert new "1450.735-21 Proscribed actions"; renumber existing §§ 1450.735-21 through 1450.735-29 as 1450.735-22 through 1450.735-30; and change the heading of new § 1450.735-23 from "Outside employment" to "Outside employment and other activity".

c. Under Subpart D, insert "1450.735-42a Employee's complaint on filing requirements."

2. Section 1450.735-4 is amended by adding new paragraphs (c) and (d) to read as follows:

§ 1450.735-4 Reviewing statements and reporting conflicts of interest.

* * * * *

(c) In order to preserve the standards of honesty, integrity, and impartiality required of Government employees in accordance with the provisions of section 208, title 18, United States Code, and the regulations in this part, every employee, whether or not designated in § 1450.735-42, should use extreme care to avoid participation in any matter with respect to which he has a financial or other interest which, whether or not required to be reported under Subpart D of this part, would conflict or appear to conflict with his performance of services for the Board. If a matter is assigned to an employee having such an interest, he shall forthwith report such interest through his immediate superior to the appropriate deputy counselor. If the deputy counselor is unable to resolve the conflict or appearance of conflict, he shall so report to the counselor, who shall then proceed as in paragraph (b) of this section.

(d) Section 208, title 18, United States Code, reads as follows:

SEC. 208. *Acts affecting a personal financial interest*. (a) Except as permitted by subsection (b) hereof, whoever, being an officer or employee of the executive branch of the U.S. Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest—

Shall be fined not more than $10,000, or imprisoned not more than 2 years, or both.

(b) Subsection (a) hereof shall not apply (1) if the officer or employee first advises the Government official responsible for appointment to his position of the nature and circumstances of the judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by such official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such officer or employee, or (2) if, by general rule or regulation published in the FEDERAL REGISTER, the financial interest has been exempted from the requirements of clause (1) hereof as being too remote or too inconsequential to affect the integrity of Government officers' or employees' services. Added Pub. L. 87-849, § 1(a), October 23, 1962, 76 Stat. 1124.

3. A new § 1450.735-7 is added in Subpart A to read as follows:

§ 1450.735-7 Financial interests exempted from statutory prohibition.

Pursuant to the provisions of subsection (b) of 18 U.S.C. 208, the Board has determined that the following financial interests are too remote or too inconsequential to affect the integrity of the services of its employees, and therefore has exempted such interests from the requirement of this part: Investments in widely held diversified mutual funds (i.e., open-end management investment companies as defined by section 5 of the Investment Company Act of 1940, 15 U.S.C. 80a-5) in which the employee does not serve as a director, officer, partner, or adviser.

§§ 1450.735-22—1450.735-30 [Redesignated]

4. Sections 1450.735-21 through 1450.735-29 are renumbered as §§ 1450.735-22 through 1450.735-30, and a new § 1450.735-21 is inserted to read as follows:

§ 1450.735-21 Proscribed actions.

An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

(a) Using public office for private gain;

(b) Giving preferential treatment to any person;

(c) Impeding Government efficiency or economy;

(d) Losing complete independence or impartiality;

(e) Making a Government decision outside official channels; or

(f) Affecting adversely the confidence of the public in the integrity of the Board or the Government.

5. Section 1450.735-22 *Gifts, entertainment, and favors* is amended by deleting paragraphs (c), (d), and (e) in their entirety and inserting in lieu thereof the following:

§ 1450.735-22 Gifts, entertainment, and favors.

* * * * *

(c) An employee shall not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). However, nothing herein contained shall prohibit a voluntary gift of nominal value or donation in a nominal amount, made on a special occasion such as marriage, illness, or retirement.

(d) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in Public Law 89-673, 80 Stat. 952 (22 U.S.C. 2621-2626).

(e) Neither this section nor § 1450.735-23 precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under Board orders when reimbursement is proscribed by Decision B-128527 of the Comptroller General dated March 7, 1967.

§ 1450.735-23 [Amended]

6. Section 1450.735-23 *Outside employment* is amended in the following respects:

a. The heading of the section is changed from "Outside employment" to "Outside employment and other activity".

b. Subparagraph (1) of paragraph (e) is deleted in its entirety.

§ 1450.735-30 [Amended]

7. Section 1450.735-30 *Miscellaneous statutory provisions* is amended in the following respects:

a. In paragraph (f), "(5 U.S.C. 118p, 118r)" is changed to read "(5 U.S.C. 7311, 18 U.S.C. 1918)".

b. In paragraph (i), "(5 U.S.C. 640)" is changed to read "(5 U.S.C. 7352)".

c. In paragraph (j) "(5 U.S.C. 78c)" is changed to read "(31 U.S.C. 638a(c))".

d. In paragraph (l), "(5 U.S.C. 637)" is changed to read "(18 U.S.C. 1917)".

e. Paragraph (r) is changed to read "The prohibitions against political activities in subchapter III of chapter 73 of title 5, United States Code, and 18 U.S.C. 602, 603, 607, and 608."

f. A new paragraph (s) is added to read as follows:

(s) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

§ 1450.735-32 [Amended]

8. Section 1450.735-32 is amended by changing "§ 1450.735-22(c)" to read "§ 1450.735-23(c)".

§ 1450.735-34 [Amended]

9. Section 1450.735-34 is amended in paragraph (b) thereof by changing "§ 1450.735-21(b)" to read "§ 1450.735-22(b)".

§ 1450.735-35 [Amended]

10. Section 1450.735-35 is amended by changing "§ 1450.735-29" to read "§ 1450.735-30".

§ 1450.735-36 [Amended]

11. Section 1450.735-36 is amended by changing "§§ 1450.735-23 through 1450.-735-28" to read "§§ 1450.735-24 through 1450.735-29".

12. Section 1450.735-42 is deleted in its entirety and the following is inserted in lieu thereof:

§ 1450.735-42 Employees required to submit statements.

Except as provided in § 1450.735-43, statements of employment and financial interests are required from the following employees:

(a) General Counsel and Assistant General Counsel.

(b) Regional Board members.

(c) Director and Deputy Director of the Office of Accounting, the Office of Review, and the Office of Assignments.

(d) Assistant for Reassignments, Office of Review.

(e) Chief and Assistant Chief, Screening & Exemption Division.

(f) Director and Deputy Director of the Division of Accounting and Division of Renegotiating, Regional Boards.

(g) Regional Counsel, Regional Boards.

(h) Executive Assistant to the Chairman of the Board, and special assistants to members of the Board.

(i) Attorneys, accountants, renegotiators, reviewers, and business analysts in grades GS-13 and above.

13. A new § 1450.735-42a is inserted immediately after § 1450.735-42, to read as follows:

§ 1450.735-42a Employee's complaint on filing requirements.

Any employee required to submit a statement of employment and financial interests under this subpart shall be entitled to a review, through the grievance procedure of the Board, upon complaint that his position has been improperly included in the requirements of this subpart.

§ 1450.735-45 [Amended]

14. Section 1450.735-45 *Supplementary statements* is amended in the following respects:

a. Paragraph (a) is deleted in its entirety and the following is inserted in lieu thereof:

(a) Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported to the counselor in a supplementary statement as of June 30 each year, not later than July 15 of such year. Financial interests or employment acquired during a year, but disposed of before the end of such year, shall constitute changes or additions to be reported at the end of such year. If no changes or additions have occurred during a year, a negative report is required. Notwithstanding the filing of the annual report required by this section, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of section 208 of title 18, United States Code, or Subpart B of this part.

b. In the second sentence of paragraph (b), the words "except that if there are no changes or additions in a quarter ending June 30 or December 31, it shall suffice so to state in the supplementary statement submitted for such quarter" is changed to read "except that if no changes or additions have occurred during a year, it shall suffice so to state in the supplementary statement submitted for such year".

c. The third sentence of paragraph (b) is deleted in its entirety.

§ 1450.735-46 [Amended]

15. Section 1450.735-46 *Interests of employees' relatives* is amended by deleting "financial" in the first sentence thereof.

The foregoing amendments were approved by the Civil Service Commission on September 7, 1967, to be effective upon publication in the FEDERAL REGISTER.

(Sec. 109, 65 Stat. 22; 50 U.S.C. App., 1219)

Dated: September 13, 1967.

LAWRENCE E. HARTWIG,
Chairman.

[F.R. Doc. 67-10892; Filed, Sept. 15, 1967; 8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

Pursuant to subsection 2(e) of the act of November 8, 1965 (79 Stat. 1295, 1297; 16 U.S.C. 460q-1(e)), providing for the establishment of the Whiskeytown-Shasta-Trinity National Recreation Area, Title 36, Code of Federal Regulations, is amended by the addition to Chapter I—National Park Service, Department of the Interior, of Part 30, and to Chapter II—Forest Service, Department of Agriculture, of §§ 251.40-251.42, as hereinafter set forth. The purpose of these amendments is to specify standards and criteria with which local zoning ordinances for the Whiskeytown, Shasta, and Clair Engle-Lewiston Units of the recreation area must comply in order to meet the approval of the Secretary of Agriculture and the Secretary of Interior, who have the responsibility for administering these units.

On May 6, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 6979), by which the Department of Agriculture and the Department of the Interior afforded the public an opportunity to participate in the rule making process. The only comments or suggestions received were from the Shasta County Board of Supervisors, Shasta County, Calif., and the Palouse Property Co., San Francisco, Calif. Where appropriate, these comments, which were basically technical and clarifying in nature, were adopted, and the proposed regulations were revised accordingly.

It is important that these regulations be adopted as soon as possible so that the County of Shasta will have sufficient time within which to adopt implementing regulations before expiration of its present emergency interim zoning regulations for the Whiskeytown and Shasta Units of the recreation area. This involves time-consuming procedures such as publication of notices, conduct of hearings, preparation and review of planning reports, etc. Accordingly, the following regulations shall become effective upon the date they are published in the FEDERAL REGISTER.

DEPARTMENT OF AGRICULTURE,
JOHN A. BAKER,
Acting Secretary.

AUGUST 30, 1967.

DEPARTMENT OF THE INTERIOR,
STEWART L. UDALL,
Secretary.

SEPTEMBER 12, 1967.

Chapter I—National Park Service, Department of the Interior

PART 30—WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA ZONING STANDARDS FOR WHISKEYTOWN UNIT

Part 30, reading as follows, is added to Chapter I, Title 36 CFR:

AUTHORITY: The provisions of this Part 30 issued under subsection 2(e), 79 Stat. 1295, 1297; sec. 3, 39 Stat. 535; 16 U.S.C. 460q-1(e); 16 U.S.C. 3.

§ 30.1 Introduction.

(a) Administration of the Whiskeytown Unit is required to be coordinated with the other purposes of the Central Valley project and with the purposes of the recreation area as a whole so as to provide for: (1) Public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization and disposal of renewable natural resources as in the judgment of the Secretary of the Interior will promote or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) The Secretary may not acquire without consent of the owner any privately owned "improved property" or interests therein within the boundaries of the unit, so long as the appropriate local zoning agency (Shasta County), shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary. This suspension of the Secretary's authority to acquire "improved property" without the owner's consent would automatically cease: (1) If the property is made the subject of a variance or exception to any applicable zoning ordiance that does not conform to the applicable standards contained in the regulations in this part; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance approved by the Secretary.

(c) "Improved property" as used in this section, means any building or group of related buildings, the actual construction of which was begun before February 7, 1963, together with not more than 3 acres of land in the same ownership on which the building or group of buildings is situated, but the Secretary may exclude from such "improved property" any shore or waters, together with so much of the land adjoining such shore or waters, as he deems necessary for public access thereto.

(d) The regulations in this part specify the standards with which local zoning ordinances for the Whiskeytown Unit must conform if the "improved property" within the boundaries of that unit is to be exempt from acquisition by condemnation. The objectives of the regulations in this part are to: (1) Prohibit new commercial or industrial uses other than those which the Secretary considers to be consistent with the purposes of the act establishing the national recreation area; (2) promote the protection and development of properties in keeping with the purposes of that act by means of use, acreage, frontage, setback, density, height, or other requirements; and (3) provide that the Secretary receive notice of any variance granted under, or any exception made to, the application of the zoning ordinance approved by him.

(e) Following promulgation of the regulations in this part in final form, the Secretary is required to approve any zoning ordinance or any amendment to an approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in this part in effect at the time of adoption of the ordinance or amendment. Within 60 days following submission, the county will be notified of the Secretary's approval or disapproval of the zoning ordinances or amendments thereto. If more than 60 days is required the county will be notified of the expected delay and of the additional time deemed necessary to reach a decision. The Secretary's approval shall remain effective so long as the zoning ordinances or amendments thereto remain in effect as approved.

(f) Nothing contained in the regulations in this part or in the zoning ordinances or amendments adopted for the Whiskeytown Unit to implement the regulations in this part shall preclude the Secretary from exercising his power of condemnation at any time with respect to property other than "improved property" as defined herein. Nor shall the regulations in this part preclude the Secretary from otherwise fulfilling the responsibilities vested in him by the act authorizing establishment of the Whiskeytown-Shasta-Trinity National Recreation Area, by the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), as amended and supplemented, and such other statutory authorities relating to the National Park System.

§ 30.2 General provisions.

(a) Following issuance of the regulations in this part, Shasta County shall submit to the Secretary for his approval, all zoning ordinances and amendments thereto duly adopted by the county which are in force and applicable to property within the Whiskeytown Unit and which demonstrate conformity with the standards contained in the regulations in this part. This shall include any ordinances and amendments in effect prior to the issuance of the regulations in this part which demonstrate such conformity and any that have been adopted specifically to implement the regulations in this part.

(b) Any new uses, and the location, design and scope of any new developments, permitted under the regulations in this part shall be harmonized with adjacent uses, developments and the natural features and shall be consistent with the current Master Plan proposed or adopted by the National Park Service for the Whiskeytown Unit, so as to minimize disruption of the natural scene and to further the public recreational purposes of the aforesaid establishment act for this unit.

(c) Zoning ordinances for the districts hereinafter prescribed shall conform to the general and specific standards contained in the regulations in this part to assure that use and development of the lands within the Whiskeytown Unit are consistent with the objectives of the Congress to protect and preserve the values of the lands in such unit for public use and enjoyment, as set out in the Act of November 8, 1965 (79 Stat. 1295). Except as otherwise provided herein, no additional or increased commercial or industrial uses are permitted within these districts. Any existing nonconforming commercial or industrial uses shall be discontinued within 10 years from the date of this section: *Provided, however*, That with the approval of the Secretary such 10-year period may be extended by the county for an additional period of time sufficient to allow the owner a reasonable opportunity to amortize investments made in the property before November 8, 1965.

§ 30.3 Recreation District I.

(a) Definition: This district shall comprise all those portions of the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area delineated as "Recreation District I" on a map bearing the identification NRA-WHI-1000, and dated August 1966.

(b) The following uses are permitted in Recreation District I provided the Shasta County Planning Commission has issued a use permit in each case:

(1) Single-family dwellings, not including tents and trailers, but including servants' quarters in the same structure or in an accessory dwelling, and one noncommercial guest house. Such residential uses shall meet the following requirements:

(i) Minimum building site area—3 acres; but a lesser acreage may be utilized for this purpose if, on or before February 7, 1963, the site was in separate ownership and within a recorded subdivision.

(ii) Maximum building height—35 feet.

(iii) Minimum frontage—150 feet.

(iv) Minimum front yard setback—75 feet.

(v) Minimum side yard setback—50 feet.

(vi) Minimum rear yard setback—25 feet.

(vii) Maximum percentage of lot coverage permitted—10 percent.

(2) Moving, alteration, or improvement of existing residences or accessory structures provided there is compliance with the acreage, frontage, setback, density, height, and other requirements prescribed for residential uses under subparagraph (1) of this paragraph, and provided, further, that such moving, alteration, or improvement does not alter the residential character of the premises. Any moving, alteration or improvement

of such structures that would result in a deviation from these prescribed limitations and requirements would subject the property to acquisition without consent of the owner, unless the Secretary has waived such limitations or requirements.

(3) Tree farming under a timber management plan that conforms to the California Forest Practices Act.

(4) Riding stables.

(5) Campgrounds, organizational camps and picnic areas.

(6) Limited agricultural uses such as truck gardening, provided these uses do not require the extensive cutting or clearing of wooded areas and are not otherwise destructive of natural or recreational values.

(7) Clearing and removal of trees, shrubbery, and other vegetation to the extent necessary in order to permit the exercise of a use otherwise allowed within this district.

(8) Recreational pursuits such as horseshoe pitching, archery, croquet, tennis, softball, volley ball, and similar outdoor game-type activities compatible with the recreational purposes of the area.

(9) Religious and educational uses.

(10) Removal of gravel, sand, and rock or other alteration of the landscape to the minimum extent necessary for the construction of an access road to the property on which a use is permitted. In all other circumstances, such removal or alteration shall be permitted only to the minimum extent necessary to make possible the exercise of a use otherwise permitted in this district.

(11) Signs that are appurtenant to any permitted use and which (i) do not exceed 1 square foot in area for any residential use; (ii) do not exceed 4 square feet in area for any other use, including advertisement of the sale or rental of property; and (iii) which are not illuminated by any neon or flashing device. Such signs may be placed only on the property on which the advertised use occurs, or on the property which is advertised for sale or rental. Signs shall be subdued in appearance, harmonizing in design and color with the surroundings and shall not be attached to any tree or shrub. Nonconforming signs may continue such nonconformity until they are destroyed, moved, structurally altered or redesigned, but the period of such nonconformity may not exceed 2 years from the date a zoning ordinance containing this limitation is adopted by Shasta County.

(12) Accessory uses and temporary removable structures appurtenant to any permitted use.

(c) Any use not included above as a permitted use shall be deemed a prohibited use. Moreover, all land within the boundaries of the Whiskeytown Unit, except certain "improved property" as defined herein, will be acquired by the United States as rapidly as appropriated funds are made available therefor and before any development occurs thereon. Any property that is developed before such acquisition takes place will be subject to acquisition by the Secretary without consent of the owner.

§ 30.4 Recreation District II.

(a) Definition: This district shall comprise all those portions of the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area delineated as "Recreation District II" on a map bearing the identification NRA-WHI-1000, and dated August 1966.

(b) The following uses are permitted in Recreation District II:

(1) All uses permitted in Recreation District I, subject to all the limitations, conditions and requirements prescribed for such uses in that district.

(2) The following additional uses are permitted in Recreation District II, provided the Shasta County Planning Commission has issued a use permit in each case:

(i) Agricultural pursuits such as crop farming, grazing, animal husbandry, nurseries, and greenhouses.

(ii) Stands for retail sales of products produced on the premises.

(iii) Measures to promote conservation of soil, water, and vegetation, including reforestation and tree stand improvement, and measures to reduce fire hazards.

(iv) Public or privately operated parks and playgrounds.

(v) Trailer campgrounds.

(vi) Golf courses.

(vii) Heliports, provided they are located and screened so their operations will cause a minimum of interference with public recreational use and enjoyment of the area.

(viii) Accessory structures, facilities, and utilities as necessary to make possible the exercise of any use otherwise permitted.

(c) Structures developed for the exercise of the additional uses listed under paragraph (b)(2) of this section shall not exceed two stories in height (35 feet), shall have a minimum principal use area of 5 acres, and shall have a front yard setback of not less than 100 feet from the nearest right-of-way line of a road or street. However, a lesser area than 5 acres may be utilized for such purposes if the property in question was in separate ownership on February 7, 1963.

(d) Any use not included above as a permitted use shall be deemed a prohibited use. Moreover, all land within the boundaries of the Whiskeytown Unit, except certain "improved property" as defined herein, will be acquired by the United States as rapidly as appropriated funds are made available therefor and before any development occurs thereon. Any property that is developed before such acquisition takes place will be subject to acquisition by the Secretary without consent of the owner.

§ 30.5 Variances, exceptions, and use permits.

(a) Zoning ordinances or amendments thereto, for the zoning districts comprising the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area may provide for the granting of variances and exceptions.

(b) Zoning ordinances or amendments thereto for each of the districts established by the regulations in this part shall contain provisions advising applicants for variances and exceptions that, under section 2(f) of the Act of November 8, 1965, the authority of the Secretary to acquire "improved property" without the owner's consent would be reinstated (1) if such property is made the subject of a variance or exception to any applicable zoning ordinance that does not conform to any applicable standard contained in the regulations in this part; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance approved by the Secretary.

(c) The Shasta County Planning Commission, or private owners of "improved property" may consult the Secretary as to whether the grant of any proposed variance or exception would terminate the suspension of his authority to acquire the affected property without consent of the owner, and may request the approval of a variance or exception by the Secretary: *Provided*, The Secretary is notified in writing at least 30 days in advance of the hearing on the application for the variance or exception. The Secretary within 30 days after the receipt of a request for approval of a variance or exception, shall advise the owner or the Commission whether or not the intended use will subject the property to acquisition by condemnation. If more than 30 days is required by the Secretary for such determination, he shall so notify the owner or Commission, stating the additional time required and the reasons therefor.

(d) The Secretary shall be given written notice of any variance granted under, or exception made to the application of, a zoning ordinance or amendment thereof approved by him. The Secretary shall be provided a copy of every use permit granted by the Shasta County Planning Commission authorizing any use or development of lands within the boundaries of the Whiskeytown Unit of the recreation area.

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

Sections 251.40, 251.41, and 251.42, reading as follows are added to Part 251 of Chapter II, Title 36 CFR:

WHISKEYTOWN - SHASTA - TRINITY NATIONAL RECREATION AREA; ZONING STANDARDS FOR SHASTA AND CLAIR ENGLE-LEWISTON UNITS

Sec.
251.40 Introduction.
251.41 General provisions; procedures.
251.42 Standards.

AUTHORITY: §§ 251.40-251.42 issued under sec. 2, 79 Stat. 1295; 16 U.S.C. 460q-1; 30 Stat. 35; 16 U.S.C. 551.

WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA; ZONING STANDARDS FOR SHASTA AND CLAIR ENGLE-LEWISTON UNITS

§ 251.40 Introduction.

(a) Administration of the Shasta and Clair Engle-Lewiston Units will be coordinated with the other purposes of the Central Valley Project of the Bureau of Reclamation and of the recreation area as a whole so as to provide for: (1) Public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) the management, utilization, and disposal of renewable natural resources which in the judgment of the Secretary of Agriculture will promote or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) The Secretary may not acquire without consent of the owner any privately owned "improved property" or interests therein within the boundaries of these units, so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary. This suspension of the Secretary's authority to acquire "improved property" without the owner's consent would automatically cease: (1) If the property is made the subject of a variance or exception to any applicable zoning ordinance that does not conform to the applicable standards contained in §§ 251.40–251.42; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance approved by the Secretary.

(c) "Improved property" as used in §§ 251.40–251.42, means any building or group of related buildings, the actual construction of which was begun before February 7, 1963, together with not more than three acres of land in the same ownership on which the building or group of buildings is situated, but the Secretary may exclude from such "improved property" any shore or waters, together with so much of the land adjoining such shore or waters, as he deems necessary for public access thereto.

(d) Sections 251.40–251.42 specify the standards with which local zoning ordinances for the Shasta and Clair Engle-Lewiston Units must conform if the "improved property" or unimproved property proposed for development as authorized by the Act within the boundaries of the units is to be exempt from acquisition by condemnation. The objectives of §§ 251.40–251.42 are to: (1) Prohibit new commercial or industrial uses other than those which the Secretary considers to be consistent with the purposes of the act establishing the national recreation area; (2) promote the protection and development of properties in keeping with the purposes of that Act by means of use, acreage, setback, density, height or other requirements; and (3) provide that the Secretary receive notice of any variance granted under, or any exception made to, the application of the zoning ordinance approved by him.

(e) Following promulgation of §§ 251.40–251.42 in final form, the Secretary is required to approve any zoning ordinance or any amendment to an approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment.

(f) Any owner of unimproved property who proposes to develop his property for service to the public may submit to the Secretary a development plan setting forth the manner in which and the time by which the property is to be developed and the use to which it is proposed to be put. If the Secretary determines that the development and the use of the property conforms to approved zoning ordinances, and serves the purposes of the National Recreation Area and that the property is not needed for easements and rights-of-way for access, utilities, or facilities, or for administration sites, campgrounds, or other areas needed for use by the United States for visitors, he may in his discretion issue to such owner a certification that so long as the property is developed, maintained, and used in conformity with approved zoning ordinances the Secretary's authority to acquire the property without the owner's consent is suspended.

§ 251.41 General provisions; procedures.

(a) *Approval of zoning ordinances and development plans.* (1) All validly adopted zoning ordinances and amendments thereto pertaining to the Shasta and Clair Engle-Lewiston Units may be submitted by the county of origin to the Secretary for written approval relative to their conformance with the applicable standards of §§ 251.40–251.42. Within 60 days following submission, the county will be notified of the Secretary's approval or disapproval of the zoning ordinances or amendments thereto. If more than 60 days are required, the county will be notified of the expected delay and of the additional time deemed necessary to reach a decision. The Secretary's approval shall remain effective so long as the zoning ordinances or amendments thereto remain in effect as approved.

(2) Development plans pertaining to unimproved property within the Shasta and Clair Engle-Lewiston Units may be submitted by the owner to the Secretary for determination as to whether they conform with approved zoning ordinances and whether the planned use and development would serve the Act. Within 30 days following submission of such plans the Secretary will approve or disapprove the plans or, if more than 30 days are required, will notify the applicant of the expected delay and of the additional time deemed necessary.

(b) *Amendment of ordinances.* Amendments of approved ordinances may be furnished in advance of their adoption to the Secretary for written decision as to their conformance with applicable standards of §§ 251.40–251.42.

(c) *Variances or exceptions to application of ordinances.* (1) The Secretary shall be given written notice of any variance granted under, or any exception made to, the application of a zoning ordinance or amendment thereto approved by him.

(2) The County, or private owners of improved property, may submit to the Secretary proposed variances or exceptions to the application of an approved zoning ordinance or amendment thereto for written advice as to whether the intended use will make the property subject to acquisition without the owner's consent. Within 30 days following his receipt of such a request, the Secretary will advise the interested party or parties as to his determination. If more than 30 days are required by the Secretary for such determination, he shall so notify the interested party or parties stating the additional time required and the reasons therefore.

(d) *Certification of property.* Where improvements and land use of improved property conform with approved ordinances, or with approved variances from such ordinances, certification that the Secretary's authority to acquire the property without the owner's consent is suspended may be obtained by any party in interest upon request to the Secretary. Where the development and use of unimproved property for service to the public is approved by the Secretary, certification that the authority to acquire the property without the owner's consent is suspended may be issued to the owner.

(e) *Effect of noncompliance.* Suspension of the Secretary's authority to acquire any improved property without the owner's consent will automatically cease if (1) such property is made the subject of variance or exception to any applicable zoning ordinance that does not conform to the applicable standard in the Secretary's regulation, (2) such property is put to a use which does not conform to any applicable zoning ordinance, or, as to property approved by the Secretary for development, a use which does not conform to the approved development plan or (3) the local zoning agency does not have in force a duly adopted, valid, zoning ordinance that is approved by the Secretary in accordance with the standards of §§ 251.40–251.42.

(f) *Nonconforming commercial or industrial uses.* Any existing commercial or industrial uses not in conformance with approved zoning ordinances shall be discontinued within 10 years from the date such ordinances are approved: *Provided, however,* That with the approval of the Secretary such 10-year period may be extended by the county for a prescribed period sufficient to allow the owner reasonable additional time to amortize investments made in the property before November 8, 1965.

§ 251.42 Standards.

(a) The standards set forth in §§ 251.40–251.42 shall apply to the Shasta and Clair Engle-Lewiston Units, which are defined by the boundary descriptions in the notice of the Secretary of Agriculture of July 12, 1966 (31 F.R. 9469), and to a strip of land outside the National Recreation Area on either side of Federal Aid Secondary Highway Numbered 1089, as more fully described in 2(a) of the act establishing the recreation area (79 Stat. 1296).

(b) New industrial or commercial uses: new industrial or commercial uses will be prohibited in any location except under the following conditions:

(1) The industrial use is such that its operation, physical structures, or waste byproducts would not have significant adverse impacts on surrounding or nearby outdoor recreation, scenic and esthetic values. Industrial uses having an adverse impact include, but are not limited

to, cement production, gravel extraction operations involving more than one-fourth acre of surface, smelters, sand, gravel and aggregate processing plants, fabricating plants, pulpmills, and commercial livestock feeder yards.

(2) (i) The commercial use is for purposes of providing food, lodging, automotive or marine maintenance facilities and services to accommodate recreationists and the intended land occupancy and physical structures are such that they can be harmonized with adjacent land development and surrounding appearances in accordance with approved plans and schedules.

(ii) This standard provides for privately owned and operated businesses whose purposes and physical structures are in keeping with objectives for use and maintenance of the area's outdoor recreation resources. It precludes establishment of drive-in theaters, zoos, and similar nonconforming types of commercial entertainment.

(c) Protection of roadsides: Provisions to protect natural scenic qualities and maintain screening along public travel routes will include:

(1) Prohibition of new structural improvements or visible utility lines within a strip of land extending back not less than 150 feet from both sides of the centerline of any public road or roadway except roads within subdivisions or commercial areas. In addition to buildings, this prohibition pertains to above-ground power and telephone lines, borrow pits, gravel, or earth extraction areas, and quarries.

(2) Retention of trees and shrubs in the above-prescribed roadside strips to the full extent that is compatible with needs for public safety and road maintenance. Wholesale clearing by chemical or other means for fire control and other purposes will not be practiced under this standard.

(d) Protection of shorelines: Provisions to protect scenic qualities and reduce potentials for pollution of public reservoirs will include: Prohibition of structures within 300 feet horizontal distance from highwater lines of reservoirs other than structures the purpose of which is to service and accommodate boating or to facilitate picnicking and swimming: *Provided*, That exceptions to this standard may be made upon showing satisfactory to the Secretary that proposed structures will not conflict with scenic and antipollution considerations.

(e) Property development: Location and development of structures will conform with the following minimum standards:

(1) *Commercial development.* (i) Stores, restaurants, garages, service stations, and comparable business enterprises will be situated in centers zoned for this purpose unless they are operated as part of a resort or hotel. Commercial centers will be of sufficient size that expansion of facilities or service areas is not dependent upon use of public land.

(ii) Sites outside designated commercial centers will be used for resort development contingent upon case by case concurrence of the responsible county officials and the Secretary that such use is, in all aspects, compatible with the purposes for establishing the recreation area.

(iii) Structures for commercial purposes, inclusive of isolated resorts or motels, will not exceed two stories height at front elevation, and will be conventional architecture and will utilize colors, nonglare roofing materials, and spacing or layout that harmonizes with forested settings. Except for signs, structures designed primarily for purposes of calling attention to products or service will not be permitted.

(2) *Residential development.* (i) Locations approved for residential development will be buffered by distance, topography, or forest cover from existing or planned public use areas such as trailer parks, campgrounds, or organization sites. Separation will be sufficient to avoid conflicts resulting from intervisibility, noise, and proximity that is conducive to private property trespass.

(ii) Requirements for approval of residential areas will include: (*a*) Construction of access when main access would otherwise be limited to a road constructed by the United States primarily to service publicly owned recreation developments; (*b*) limitation of residences to single-family units situated at a density not exceeding two per acre, but any lot of less than a half-acre may be used for residential purposes if, on or before promulgation of §§ 251.40–251.42, such lot was in separate ownership or was delineated in a county-approved plat that constitutes part of a duly recorded subdivision; (*c*) use of set-backs, limitations to natural terrain, neutral exterior colors, nonglare roofing materials, and limitations of building heights fully adequate to harmonize housing development with the objective of the National Recreation Area as set forth in the act.

(3) *Signs and signing.* Only those signs may be permitted which (i) do not exceed 1 square foot in area for any residential use; (ii) do not exceed 40 square feet in area, 8 feet in length, and 15 feet maximum height from ground for any other use, including advertisement of the sale or rental of property; and (iii) which are not illuminated by any neon or flashing device. Commercial signs may be placed only on the property on which the advertised use occurs, or on the property which is advertised for sale or rental. Signs shall be subdued in appearance, harmonizing in design and color with the surroundings and shall not be attached to any tree or shrub. Nonconforming signs may continue for a period not to exceed 2 years from the date a zoning ordinance containing these limitations is adopted.

[F.R. Doc. 67-10907; Filed, Sept. 15, 1967; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4270]

[Riverside 753]

CALIFORNIA

Transfer of Jurisdiction Over Oil and Gas Deposits (Veterans Administration Center)

Whereas, the following described lands in or adjacent to the Veterans Administration Center, Los Angeles, Calif., are reported to be subject to drainage of their oil and gas deposits by wells on adjacent lands in private ownership; and

Whereas, it is in the public interest that such protective action be taken as will prevent loss to the United States by reason of the drainage or threatened drainage from the said lands; and

Whereas, in order to facilitate such action, it is considered advisable that jurisdiction over the oil and gas deposits in such lands be transferred from the Veterans Administration to the Department of the Interior, in which transfer the Administrator of Veterans Affairs concurs,

Now, therefore, by virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The jurisdiction over the oil and gas deposits owned by the United States in the following described lands is hereby transferred from the Veterans Administration to the Department of the Interior:

SAN BERNARDINO MERIDIAN

T. 1 S., R. 15 W.,

Those parcels of land in the county of Los Angeles, described as follows:

Parcel A:

Beginning at the southeasterly corner of lot 1, block 23, said corner being at the intersection of the northeasterly line of said lot 1 and the northwesterly line of Wilshire Boulevard (formerly Sunset Boulevard); thence S. 72°19'30'' W., a distance of 662.89 feet along said northwesterly line of Wilshire Boulevard to an intersection with the northeasterly line of Veteran Avenue (formerly Lookout Avenue); thence N. 33°08'25'' W., a distance of 733.85 feet along said northeasterly line of Veteran Avenue to the southwesterly corner of that portion of said lot 2 deeded to the city of Los Angeles for fire station purposes November 15, 1945, in accordance with Public Law 37, 79th Congress, approved April 23, 1945; thence N. 56°51'35'' E., a distance of 150 feet to the southeasterly corner of said portion of said lot 2; thence N. 33°08'25'' W., a distance of 100 feet to the northeasterly corner of said portion of said lot 2; thence S. 56°51'35'' W., a distance of 150 feet to the northeasterly line of said Veteran Avenue; thence N. 33°08'25'' W., a distance of 454.33 feet along said northeasterly line to an intersection with the northwesterly line of said lot 2; thence N. 37°57'54''

W., a distance of 1,261.48 feet along the northeasterly line of Veteran Avenue to a point; thence N. 72°14'21" E., a distance of 1.69 feet to a point, said point being the southwesterly corner of lot 3, block 10, tract 9617, on file in Map Book 134, pages 78 to 82, inclusive, of the records of the city of Los Angeles; thence N. 72°19'41" E., a distance of 657.36 feet to the southeasterly corner of lot 11 of said block 10; thence S. 35°36'27" E., a distance of 2,548.54 feet along the northeasterly line of lots 4, 3, 2, and 1 of said block 23, to the point of beginning.

Containing approximately 34.88 acres.

Parcel B:

Beginning at the most southerly corner of Tract No. 7181 as shown on the map recorded in book 120 page 79 of Maps, in the office of the county recorder of said county; thence along the southwesterly line of said Tract No. 7181 and its northwesterly prolongation N. 35°32'45" W., 1,466.42 feet to the true point of beginning for this description in the boundary line of the land annexed to the city of Los Angeles in the Westgate Annexation on June 14, 1916, as described in Ordinance No. 34184; thence along said boundary line southerly 205.9 feet, more or less, to Station 12 as shown on the map attached to the deed to National Home for Disabled Volunteer Soldiers, recorded on June 5, 1900, as Instrument No. 20 in book 1368 page 167 of Deeds, records of said county; thence still along said boundary line southeasterly 1,223.7 feet, more or less, to Station 13 and 1,004.44 feet, more or less, to Station 14 as shown on the map attached to said deed; thence still along said boundary line northeasterly 1,386 feet, more or less, to the southwest line of block 22 of the subdivision of Rancho de San Jose de Buenos Ayres recorded in book 26 pages 19 et seq., of Miscellaneous Records, in the office of said county recorder; thence along said southwest line N. 35°30'00" W., a distance of 1,221.50 feet, more or less; thence N. 35°32'45" W., a distance of 1,466.42 feet, more or less, to point of beginning.

Containing approximately 35.70 acres.

2. The Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of the drainage or threatened drainage of oil and gas from such lands.

3. The jurisdiction of the Department of the Interior over such deposits shall be limited only by the primary jurisdiction of the Veterans Administration over the lands for hospital purposes.

4. The jurisdiction of the Department of the Interior over such deposits of oil and gas shall continue until revocation of this order, and no action which may be taken by the Veterans Administration to relinquish jurisdiction over the described lands for hospital purposes or to transfer such jurisdiction out of the Veterans Administration shall affect in any way the jurisdiction of the Department of the Interior over the oil and gas deposits.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

SEPTEMBER 11, 1967.

[F.R. Doc. 67-10886; Filed, Sept. 15, 1967; 8:45 a.m.]

Title 45—PUBLIC WELFARE

Chapter VIII—Civil Service Commission

PART 801—VOTING RIGHTS PROGRAM

Appendix A; Mississippi

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for Filing," two additional places for filing in Mississippi:

MISSISSIPPI

County; place for filing; beginning date.

* * * * *

Forrest; (1) Hattiesburg—U.S. Courthouse, corner of Pine and Forrest Streets, Room 6; June 8, 1967; (2) Petal—108 Ninth Avenue; September 16, 1967.

Jones; (1) Laurel—Federal Building, Room B-8; August 20, 1965; (2) Ellisville—102 Jasmine Street; September 16, 1967.

(Secs. 7, 9, Voting Rights Act of 1965; P.L. 89-110)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-10911; Filed, Sept. 15, 1967; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons make it impracticable to give public notice of proposed regulations.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

The public hunting of rails and gallinules on Prime Hook National Wildlife Refuge is permitted from September 1, 1967 through November 9, 1967, inclusive; and of mourning doves from September 15, 1967, through October 24, 1967, inclusive; and from December 15, 1967, to January 13, 1968, inclusive, and of woodcock from November 17, 1967, through January 20, 1968, inclusive; and of common snipe from November 3, 1967, through December 22, 1967, inclusive; but only on the area designated by signs as open to hunting. The open area, comprising approximately 3,186 acres, is delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of rails and gallinules, mourning doves, woodcock, and common snipe.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 20, 1968.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 6, 1967.

[F.R. Doc. 67-10880; Filed, Sept. 15, 1967; 8:45 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

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

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

The public hunting of ducks and coots on Prime Hook National Wildlife Refuge is permitted from November 3, 1967, through November 25, 1967, inclusive; and from December 15, 1967, through January 5, 1968, inclusive; and of geese and brant from November 3, 1967, through November 25, 1967, inclusive, and from November 28, 1967, through January 13, 1968, inclusive; but only on the Waterfowl Hunting Area. The Waterfowl Hunting Area, comprising approximately 1,512 acres, is delineated on a map available at the refuge headquarters, Milton, Del., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, brant, and coots subject to the following special conditions:

(1) A Federal permit is required to enter the Waterfowl Hunting Area. Permits may be obtained at the combined State and Federal Checking Station from 2 hours before legal shooting time until 3 p.m. (Standard Time), from November 3, 1967, through November 25, 1967, inclusive; from December 15 through January 5, 1968, inclusive; and from November 28, 1968, through January 13, 1968, inclusive. These permits must be

surrendered at the checking station within one hour after the close of legal shooting hours.

(2) Hunting shall be only at locations designated by refuge personnel. The possession of a loaded gun or shooting outside of a blind is not permitted except when in active pursuit of crippled waterfowl. No more than three persons may occupy any blind.

(3) Access to the Waterfowl Hunting Area will be only at the refuge headquarters and the boat ramp in the State wildlife area.

The provisions of the special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 13, 1968.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 7, 1967.

[F.R. Doc. 67-10881; Filed, Sept. 15, 1967; 8:45 a.m.]

PART 32—HUNTING

Brigantine National Wildlife Refuge, N.J.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds, for individual wildlife refuge areas.

NEW JERSEY

BRIGANTINE NATIONAL WILDLIFE REFUGE

Public hunting of rails on the Brigantine National Wildlife Refuge, N.J., is permitted from September 2, 1967, through November 10, 1967, inclusive, on the areas designated by signs as open to hunting. These open areas, comprising 4,480 acres, are delineated on maps available at refuge headquarters, Oceanville, N.J., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of rails.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 10, 1967.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 7, 1967.

[F.R. Doc. 67-10884; Filed, Sept. 15, 1967; 8:45 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the establishment of State hunting seasons makes it impracticable to give public notice of proposed regulations.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on Prime Hook National Wildlife Refuge, Del., is permitted from September 15, 1967, through February 28, 1968, inclusive, on the Upland Game Hunting Area designated by signs as open to hunting. This open Upland Game Hunting Area, comprising approximately 3,186 acres, is delineated on maps available at refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game subject to the following special condition:

(1) No mink, otter, owls, or hawks (including vultures) may be taken.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 28, 1968.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 6, 1967.

[F.R. Doc. 67-10882; Filed, Sept. 15, 1967; 8:45 a.m.]

PART 32—HUNTING

Prime Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the establishment of State hunting seasons makes it impracticable to give public notice of proposed regulations.

§ 32.32 Special regulations, big game; for individual wildlife refuge areas.

DELAWARE

PRIME HOOK NATIONAL WILDLIFE REFUGE

Public hunting of deer on Prime Hook National Wildlife Refuge, Del., is permitted from September 15, 1967, through November 4, 1967, inclusive, and from November 10, 1967, through November 16, 1967, inclusive on the Deer Hunting Area designated by signs as open to hunting. This open Deer Hunting Area, comprising approximately 3,186 acres, is delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Box 195, Milton, Del. 19968, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 16, 1967.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 6, 1967.

[F.R. Doc. 67-10883; Filed, Sept. 15, 1967; 8:45 a.m.]

PART 32—HUNTING

Salt Plains National Wildlife Refuge, Okla.

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

OKLAHOMA

SALT PLAINS NATIONAL WILDLIFE REFUGE

Public hunting of deer is permitted on the Salt Plains National Wildlife Refuge, Okla., but only on the area designated by signs as open to hunting. This open area, comprising 1,681 acres, is delineated on maps available at refuge headquarters, Jet, Okla., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Participants are to be selected on the basis of a special drawing, and applications are to be submitted to the Oklahoma Department of Wildlife Conservation, 1801 North Lincoln, Oklahoma City, Okla. 73105. Application may be made by letter, and must contain the applicant's name, address, and Oklahoma deer hunting license number. Application for bow hunting may be made between September 1 and September 30, 1967. Application for gun hunting may be made between September 15 and October 15, 1967. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) The bow hunting season is October 21, 22, 28, and 29, and November 4 and 5, 1967.

(2) The gun hunting season is November 18, 19, 20, 25, and 26, 1967.

(3) Hunters must check in at the refuge office prior to entering the assigned hunting area and must check out at the refuge office before leaving the area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 26, 1967.

FRED L. BOLWAHNN,
Salt Plains National Wildlife Refuge, Jet, Okla.

SEPTEMBER 11, 1967.

[F.R. Doc. 67-10914; Filed, Sept. 15, 1967; 8:48 a.m.]

PART 32—HUNTING

Horicon National Wildlife Refuge, Wis.

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WISCONSIN

HORICON NATIONAL WILDLIFE REFUGE

The public hunting of deer and foxes on the Horicon National Wildlife Refuge, Wis., is permitted only on the area designated by signs as open to hunting, during the period November 18 through November 19, 1967, with designated firearms, and during the period December 2 through December 31, 1967, with bow and arrow. The open area, comprising 20,700 acres, is delineated on maps available at the refuge headquarters, Mayville, Wis., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 1, 1968.

ROBERT G. PERSONIUS,
Refuge Manager, Horicon National Wildlife Refuge, Mayville, Wis.

AUGUST 29, 1967.

[F.R. Doc. 67-10885; Filed, Sept. 15, 1967; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Parts 1820, 3120]

APPLICATION PROCEDURE AND OIL AND GAS

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the act of February 25, 1920 (41 Stat. 437; 30 U.S.C. sec. 181 et seq.), and section 2470 of the Revised Statutes (43 U.S.C. sec. 1201) it is proposed to amend the hereinafter enumerated sections of Title 43 Code of Federal Regulations as indicated.

The purpose of the amendments is to permit flexibility in establishing leasing units and in determining the number of entry cards to be drawn for each numbered leasing unit in simultaneous oil and gas drawings. The change eliminates procedural matters from the regulations. Section 3123.2 is also amended to permit prompt execution of a lease under penalty of cancellation, without waiting the 15 days now permitted for filing the required written agreements where parties other than the lessee are also involved.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions or objections with respect to the proposed amendments to the Bureau of Land Management, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

§ 1821.2–3 [Amended]

1. Subparagraph (1) of paragraph (b) of § 1821.2–3 is revoked.

2. Subparagraph (3) of § 3123.2(c) is amended to read:

§ 3123.2 What should accompany offer.

* * * * *

(c) * * *

(3) A signed statement by the offeror that he is the sole party in interest in the offer and the lease, if issued; if not he shall set forth the names of the other interested parties. If there are other parties interested in the offer a separate statement must be signed by them and by the offeror, setting forth the nature and extent of the interest of each in the offer, the nature of the agreement between them if oral, and a copy of such agreement if written. Such separate statement and written agreement, if any, must be filed not later than 15 days after the filing of the lease offer. Failure to file the statement and written agreement within the time allowed will result in the cancellation of any lease that may have been issued pursuant to the offer. All interested parties must furnish evidence of their qualifications to hold such lease interest.

* * * * *

3. In § 3123.9 paragraphs (b), (c), and (d) are revised, and paragraph (e) is revoked:

§ 3123.9 Availability of lands.

* * * * *

(b) On the third Monday of each month, or the first working day thereafter, if the land office is not officially open on the third Monday, there will be posted on the bulletin board in each land office a list of the lands in leases which expired, were canceled, were relinquished in whole or in part, or which terminated, together with a notice stating that such lands will become subject to the simultaneous filings of lease offers, in accordance with paragraph (c) of this section, from the time of such posting until 10 a.m. on the fifth working day thereafter. Offers received pursuant to this section will be considered as filed as of that hour and date. The posted list will describe the lands by leasing units identified by parcel numbers, which will be supplemented by a description of the lands in accordance with § 3123.8, i.e., by subdivision, section, township and range if the lands are surveyed or officially protracted, or if unsurveyed, by metes and bounds.

(c) Offers to lease such designated leasing units by parcel numbers must be submitted on a form approved by the Director, "Simultaneous Oil and Gas Entry Card", signed and fully executed by the applicant or his duly authorized agent in his behalf. The entry card will constitute the applicant's offer to lease the numbered leasing unit by participating in the drawing to determine the successful drawee. By signing and submitting the entry card, the applicant agrees that he will be bound to a lease on a current form approved by the Director for the described parcel if such a lease is issued to him as a result of the drawing.

(1) Only one complete leasing unit, identified by parcel number, may be included in one entry card. Lands not on the posted list may not be included therein.

(2) The entry card must be accompanied by separate remittances covering the filing fee of $10 and the first year's advance rental. The advance rental must be paid by cash, money order, certified check, bank draft, or bank cashier's check. The filing fee may be paid by a similar remittance or by uncertified check.

(3) Upon determination of the successful drawee for a particular leasing unit, the first year's rental will not be returnable and will be earned and deposited in the U.S. Treasury upon execution of the lease in behalf of the United States. However, if an applicant withdraws his entry card prior to the drawing or if his offer to lease is rejected, the advance rental will be returned to him. Unsuccessful drawees will be notified accordingly by the return of their respective entry cards.

(d) If more than one offer for a leasing unit is filed during the period provided for in paragraph (b) of this section, the first qualified applicant will be determined by drawing, i.e., the offers will be successively drawn until a qualified offer is selected.

(e) [Revoked]

* * * * *

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

SEPTEMBER 11, 1967.

[F.R. Doc. 67-10887; Filed, Sept. 15, 1967; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 51]

MIXED NUTS IN THE SHELL

Standards for Grades [1]

Notice is hereby given that the U.S. Department of Agriculture is considering the amendment of U.S. Standards for Grades of Mixed Nuts in the Shell (7 CFR Secs. 51.3520–51.3523) pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal should file the same in duplicate, not later than October 1, 1967, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, where they will be available for public inspection during official hours of business (paragraph (b) of § 1.27, as amended at 29 F.R. 7311).

Statement of considerations leading to the proposed amendment of the grade standards. The U.S. Standards for Grades of Mixed Nuts in the Shell have been in effect since August 1965. They have been used to a considerable extent as a basis for grading lots of nuts and for grade-labeling packages. Both the U.S. Extra Fancy and the U.S. Fancy grade have been well received, but some

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

features of the U.S. Commercial or U.S. Select grade have been subject to criticism by mixed nut packers, who have requested amendment of the latter grade.

The present U.S. Commercial or U.S. Select grade is more lenient in two respects than the minimum quality requirements for mixed nuts packed under USDA continuous inspection contracts.

In order that mixed nuts packed to meet the U.S. Commercial or U.S. Select grade will be eligible to bear the continuous inspection marks on consumer packages, it is proposed to amend § 51.3523 of the standards by raising the grade requirements for pecans and walnuts to conform to the minimum requirements for continuous inspection labeling. If this is accomplished, a packer may label his containers "U.S. Commercial Grade" and also "U.S.D.A. Inspected."

The specific changes proposed for U.S. Commercial or U.S. Select would raise the minimum quality requirements for both pecans and walnuts. Pecans in the mix now must meet the U.S. Commercial in-shell pecan grade, which requires a minimum of 65 percent U.S. No. 1 quality kernels. The proposed change would raise this requirement to 75 percent U.S. No. 1 quality kernels. Walnuts in the mix now must meet the U.S. No. 2 in-shell walnut grade, which requires a minimum of 80 percent U.S. No. 1 quality kernels. The proposed change would raise this requirement to 85 percent U.S. No. 1 quality kernels, except that the lot need only meet the U.S. No. 2 requirements for kernel color.

As proposed to be amended, § 51.3523 is as follows:

§ 51.3523 U.S. Commercial or U.S. Select.

Species of nut	Allowable mixture		Minimum size	Grade
	Minimum percent	Maximum percent		
Almonds	5	40	29/64 inch	U.S. No. 1.
Brazils	5	40	Medium	U.S. No. 1.
Filberts	5	40	Medium	U.S. No. 1.
Pecans	5	40	Medium	At least 75 percent U.S. No. 1 external and internal quality, with not more than 3 percent serious damage caused by external defects, and not more than 15 percent serious damage caused by internal defects, including not more than 6 percent very serious damage.
Walnuts	5	40	Baby	At least 85 percent U.S. No. 1 external quality, with not more than 3 percent serious damage caused by external defects. At least U.S. No. 2 for kernel color; and otherwise at least 85 percent U.S. No. 1 internal quality, with not more than 8 percent serious damage caused by internal defects, including not more than 5 percent damaged by insects.

Dated: September 12, 1967.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 67-10906; Filed, Sept. 15, 1967; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 67-SO-89]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Alexander City, Ala., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 18097, Memphis, Tenn. 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The Alexander City transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Thomas C. Russell Field Airport (lat. 32°55'15" N., long. 85°57'45" W.); within 2 miles each side of the 170° bearing from the Alexander City RBN (lat. 32°53'10" N., long. 85°57'30" W.), extending from the 5-mile radius area to 8 miles south of the RBN.

The proposed transition area is required for the protection of IFR operations at the Thomas C. Russell Field Airport. A prescribed instrument approach procedure to this airport utilizing the Alexander City (private) nondirectional radio beacon is proposed in conjunction with the designation of this transition area.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on September 7, 1967.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 67-10902; Filed, Sept. 15, 1967; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 276]

[Ex Parte No. MC-19 (Sub No. 4)]

MOTOR CARRIERS OF HOUSEHOLD GOODS

Accessorial or Terminal Services; Tariffs Providing Therefor; Packaging and Uncrating Charges

In the matter of amendment of § 276.4,[1] general rules and regulations of motor carriers of household goods.

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C. on the 6th day of September 1967.

The order of the Commission, in the above-entitled proceeding dated July 13, 1967, and served on July 27, 1967, and published on page 11070 of the FEDERAL REGISTER issue of August 1, 1967, contains an inadvertent error in the first ordering paragraph, relating to the scope of the proposed rule-making proceeding.

The first ordering paragraph is amended to read as follows:

It is ordered, That a proceeding be, and it is hereby, instituted under authority of part II of the Interstate Commerce Act (sec. 217), 49 U.S.C. section 317, and section 4 of the Administrative Procedure Act, 5 U.S.C. section 553, for the purpose of determining whether section 276.4 should be amended solely with respect to local transportation services involving containerized shipments by certificated motor common carriers, within or without terminal areas, for or on behalf of freight forwarders exempt from regulations under section 402(b)(2) of the Interstate Commerce Act, in connection with through movements of used household goods in interstate or foreign commerce. As here pertinent said section reads as follows:

(a) Such common carriers shall establish in the manner prescribed in section 217 of part II of the Interstate Commerce Act, and the rules and regulations issued pursuant thereto, the charges to be made for each accessorial or terminal service rendered in connection with the transportation of household goods by motor vehicle. The tariffs establishing such charges shall separately state each service to be rendered and the charge therefor * * *. This section shall apply only

[1] Formerly numbered 49 CFR 176.4.

where the line-haul transportation is performed by a motor carrier. * * *

It is proposed that the period following "carrier" be stricken and the following language, preceded by a comma, added: "except that local transportation services involving containerized shipments by certificated motor common carriers, within or without terminal areas, for or on behalf of freight forwarders exempt from regulation under section 402(b)(2) of the Interstate Commerce Act, in connection with through movements of used household goods in interstate or foreign commerce, shall not constitute line-haul transportation within the purview of this rule."

It is further ordered, That the filing and service of pleadings is modified as follows: (a) Opening statement of facts and argument by any parties in support of the proposed amendment on or before 60 days from the date of service of this amended order; (b) 30 days thereafter, statement of facts and argument by any party in opposition; and (c) 10 days thereafter, replies by any supporting parties.

And it is further ordered, That a copy of this order be served on the Public Utility Commissions or Boards, or similar regulatory bodies, of each State having jurisdiction over transportation by motor common carrier; that a copy be posted in the Office of the Sceretary of the Interstate Commerce Commission for public inspection, and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested parties.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 67-10912; Filed, Sept. 15, 1967; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

National Park Service

[Order No. 34, Amdt. 1]

REGIONAL DIRECTORS

Delegation of Authority

Delegation. Order No. 34, approved March 4, 1966, and published at 31 F.R. 4255 on March 10, 1966, set forth in subsections (a) through (q) certain authority withheld from the Regional Directors by the Director. This amendment covers the revision of subsection (g) and the addition of subsection (r) as follows:

(g) Sales of timber pursuant to the Federal Property and Administrative Services Act of 1949, and the Federal Property Management Regulations, when the fair market value of the timber involved in any single transaction exceeds $1,000.

* * * * *

(r) Authority for archeological investigations and salvage activities in the Southeast and Southwest National Park Service Regions.

(245 DM 1, 27 F.R. 6395, 5 U.S.C. sec. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: August 22, 1967.

GEORGE B. HARTZOG, Jr.,
Director.

[F.R. Doc. 67-10889; Filed, Sept. 15, 1967; 8:46 a.m.]

Office of the Secretary

MARK V. BURLINGAME

Report of Appointment and Statement of Financial Interests

JULY 14, 1967.

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

Name of appointee: Mark V. Burlingame.
Name of employing agency: Office of Oil and Gas—Emergency Petroleum and Gas Administration.
The title of the appointee's position: Director, Gas Transmission, EPGA National Headquarters.
The name of the appointee's private employer or employers: Natural Gas Pipeline Company of America.

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

STEWART L. UDALL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

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

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on July 1, 1967, as Consultant, Emergency Petroleum & Gas Administration, an officer or director:

Senior Vice President and Director of Natural Gas Pipeline Company of America.

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

1. Eaton & Howard Stock Fund.
2. Peoples Gas Light & Coke Co.
3. J. C. Penney Co.
4. Southern Pacific Railway Co.
5. General Electric Co.
6. General Telephone & Electronics Corp.
7. General Motors Corp.
8. Standard Oil Co. (New Jersey).
9. Northern States Power Co.
10. Royal Dutch Shell Petroleum Corp.
11. Montgomery Ward & Co.
12. American Can Co.
13. Inland Steel Corp.
14. American Telephone & Telegraph Co.
15. Natural Gas Pipeline Co. of America.

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

Burlingame Consultants, Bradenton, Fla.

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

None.

M. V. BURLINGAME.

SEPTEMBER 5, 1967.

[F.R. Doc. 67-10890; Filed, Sept. 15, 1967; 8:46 a.m.]

DARIUS N. KEATON, JR.

Statement of Changes in Financial Interests

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

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of September 14, 1967.

Dated: September 1, 1967.

D. N. KEATON, Jr.

[F.R. Doc. 67-10891; Filed, Sept. 15, 1967; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[Marketing Agreement 146]

PEANUTS

Incoming and Outgoing Quality Regulations

Pursuant to the provisions of section 31, 32, and 34 of the marketing agreement regulating the quality of domestically produced peanuts heretofore entered into between the Secretary of Agriculture and various handlers of peanuts (30 F.R. 9402) and upon recommendation of the Peanut Administrative Committee established pursuant to such agreement and other information it is hereby found that the amendments hereinafter set forth to the Incoming and Outgoing Quality Regulation (32 F.R. 6732) will tend to effectuate the objectives of the Agricultural Marketing Agreement Act of 1937, as amended, and of such agreement.

Amendment of paragraph (c) of the Incoming Quality Regulation is necessary to bring the disposition requirements of loose shelled kernels into conformity with determinations of the Committee, pursuant to the Outgoing Quality Regulation, that disposition would be restricted to crushing as oil stock. Likewise, amendment of paragraph (d) of the Incoming Quality Regulation is necessary to bring the disposition requirements on peanuts residual from those shelled and disposed of for seed purposes and acquired by a signatory handler of the marketing agreement into conformity with the Outgoing Quality Regulation requirements by including the requirement of an assay for aflatoxin.

Therefore, the second sentence of pargraph (c) of the Incoming Quality Regulation (32 F.R. 6732) is deleted and replaced by the following: "If so separated, those loose shelled kernels which do not ride such screens, shall be held separate and apart from other peanuts and disposed of as oil stock."

Likewise, the penultimate sentence of the same paragraph is deleted and replaced by the following: "The whole kernels which ride the screens may be included with shelled peanuts prepared by the handler for inspection and sale for human consumption."

In paragraph (d) of the same Incoming Quality Regulation, the last sentence is deleted and replaced by the following: "If such peanuts have been shelled by a producer or seed sheller who has not signed the marketing agreement, the peanuts may be acquired only upon the condition that they are held and milled separate and apart from other receipts or acquisitions of the handler until inspected and certified without having been washed, blanched or cleaned with plastic pellets as meeting the Outgoing Quality Regulation for the crop, of U.S. No. 1 peanuts of the U.S. standards for grades of shelled peanuts, are wholesome as determined by an aflatoxin assay from a Committee approved laboratory and if they fail any requirement shall be disposed of by sale to the Commodity Credit Corporation, by sale for oil stock or by crushing."

Consistent with the foregoing, amendment of paragraph (g), subparagraph (1), of the Outgoing Quality Regulation is necessary to restrict the disposition of sheller oil stock, pickouts and that portion of loose shelled kernels not separated pursuant to paragraph (c) of the Incoming Quality Regulation to sale to the Commodity Credit Corporation or to oil stock or crushing outlets. Such amendment brings subparagraph (1) of paragraph (g) into conformity with subparagraph (3) of the same paragraph.

Therefore, the first sentence of paragraph (g), subparagraph (1) of the Outgoing Quality Regulation (32 F.R. 6732) is deleted and replaced by the following: "No handler may dispose of loose shelled kernels (other than the whole kernels separated from them pursuant to paragraph (c) of the Incoming Quality Regulation applicable to the 1967 crop peanuts), sheller oil stock, and pickouts (residue) from milled peanuts except by sale to the Commodity Credit Corporation of those qualities acceptable to it, by sale for oil stock or by crushing."

The Peanut Administrative Committee has recommended that these amendments be issued as soon as possible so as to implement and effectuate the provisions of the marketing agreement dealing with the incoming and outgoing quality regulations. Marketing of the 1967 peanut crop is underway and the changes as to disposition do not alter present operations under the agreement. The sole new requirement, namely, the aflatoxin assay on the residual from seed peanuts creates no present burden as such peanuts are not prepared during current months of peanut harvest. Hence, the changes should be made effective as soon as possible, i.e., on the effective date specified herein. Handlers of peanuts who will be affected by such amendment have signed the marketing agreement authorizing the issuance of such regulations, they are represented on the Committee which unanimously recommended such amendments, and prior notice of the proposed amendment to such handlers is not essential.

The foregoing amendments of the Incoming and Outgoing Quality Regulations are hereby approved and issued this 13th day of September 1967 to become effective September 13, 1967.

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

[F.R. Doc. 67-10905; Filed, Sept. 15, 1967; 8:47 a.m.]

Office of the Secretary

ALABAMA

Designation of Area for Emergency Loans

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

ALABAMA

Calhoun.	St. Clair.
Cleburne.	Talladega.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 13th day of September 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-10924; Filed, Sept. 15, 1967; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17828; Order E-25666]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding North/Central Pacific Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of September 1967.

Agreements adopted by Joint Conference 3-1 of the International Air Transport Association relating to North/Central Pacific fares, Docket 17828; Agreement CAB 19649, Agreement CAB 19689, Agreement CAB 19724.

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 3-1 of the International Air Transport Association (IATA) and adopted by mail votes. The mail vote agreements, which embrace fares to apply on the North/Central Pacific route for the period of October 1, 1967, through March 31, 1969, have been designated the above CAB agreement numbers.

Fares on the routes in question have been open since April 1, 1963. The open-rate situation was precipitated in part by the Board's action in disapproving the then-proposed increase in fares which would have resulted from a reduction in round-trip discounts from 10 percent to 5 percent. The economics of carrier operations warranted fare reductions not increases. Throughout the interim period, the Board made repeated efforts to achieve a lower level of fares. Although no progress was made in this direction until May 1966, the carriers at that time implemented some fare reductions outside the IATA procedures. The principal revision provided for a 15-percent reduction in the one-way United States-Tokyo economy fares in the winter months. This was partially offset by a change in the round-trip discount from 10 percent to 5 percent. The group fare program then in effect was also broadened to include additional discounts for larger groups and for inclusive-tour travel. In January of this year the carriers extended the basic economy fare reduction to a greater portion of the year and liberalized provisions relating to group fare travel.

The subject agreement reflects the result of the carriers' negotiations at a special conference in Paris which took place from June 30 to July 3, 1967. It embraces within IATA the current fare structure and provides for further reductions. Round-trip economy-class fares between the west coast and Tokyo during the peak season will be reduced from $760 to $722. The peak-season fares are to apply between July 1 and October 31 for departures from the the west coast. A minimal reduction will be offered in the off-season fares which apply during the balance of the year. These fares for round-trip travel will be reduced from $703 to $684. The current inclusive tour-basing fares available for individual travel will be reduced during both the peak and off seasons. During the peak season inclusive tour travel fares will be reduced from $660 to $641. Off-season fares will be reduced from $603 to $584. The availability of these fares will be subject to the requirement that the total price, including air fares, be equivalent to the normal economy-class round-trip fares plus $100 (this would require, West Coast-Tokyo, the purchase of ground accommodations with a minimum price of $200). Present affinity group fares of $555 per person for groups of 25 or more, and $500 for groups of 70 or more on West Coast-Tokyo round trips will be retained without a change. Round-trip first-class fares West Coast-Tokyo will be cut by a minimal amount of $19 from $1,235 to $1,216.

The Board believes that the carriers have substantial financial leeway to offer reductions in the Pacific area greater than those encompassed in the agreement. When considered in conjunction with the earlier adjustments described above, however, the agreement does reflect improvements. The extension of the lower level fares to the greater part of the year and the reduction in peak fares will be of benefit to the public. This is a step in the right direction. We will, therefore, approve the agreement. However, the carriers have failed to adopt an individual economy-class excursion fare of general application throughout the Pacific area, such as applies on the North Atlantic, which the Board has long urged. We hold to our view that this is economically feasible for the carriers, that it would serve to build tourism in Asia, and that it would serve as an adjunct to the various "Visit U.S.A." programs promoted by our domestic industry. At the same time, we are encouraged, and indeed, our determination to approve the subject agreement is influenced in no little measure by the prospect of the introduction of an economy-class promotional fare for groups which may be used in connection with inclusive-tour travel. Here we would observe that the effectiveness of the agreement through its intended life from October 1, 1967, through March 31, 1969, is contingent upon the adoption of an acceptable agreement for inclusive tour travel; otherwise, the agreement will expire at the end of this year.

All indications are that the low-yield group inclusive-tour fares which were introduced on the Atlantic in January of this year are meeting with a favorable response on the part of the traveling public, notwithstanding the limited time available for the merchandising of the fares this season. We believe that such fares would prove attractive and promotional on the North/Central Pacific as well. This market is showing an encouraging potential. While we will not condition our approval of the agreement, it is granted on the assumption that the carriers will work out an agreement and adopt economy-class group inclusive tour fares at a level comparable with the group-inclusive tour fares that apply via the Atlantic.

We would also note in passing on this agreement that the affinity group fares embraced therein contain provisions with respect to refunds and forfeitures which we have previously found objectionable. We are, therefore, including in this order conditions substantially similar to those that now apply to fares for travel via the Atlantic.

We are also approving a number of collateral fare resolutions for application in this area such as those relating to baggage provisions, conditions of service, etc., which have previously been approved for application in other areas.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board does not find the following IATA resolutions, incorporated in the agreement indicated, to be adverse to the public interest or in violation of the Act:

CAB agreement	IATA No.	Title
19724, R-1	JT31(Mail 129)001b	Special Effectiveness Resolution.
R-2	JT31(Mail 129)002d	Special Readoption Resolution,[1] except as it relates to Resolutions 100 and 200h.
R-4	JT31(Mail 129)150a	Round Trip Discount (North and Central Pacific).
R-6	JT31(Mail 129)056	North and Central Pacific First Class Normal Fares.
R-7	JT31(Mail 129)066	North and Central Pacific Economy Class Fares.
R-8	JT31(Mail 129)084yy	North and Central Pacific Inclusive Tour Basing Fares.
R-10	JT31(Mail 129)095b	30-Day "Stand-by" Excursion Fares for U.S. Military Personnel.
R-11	JT31(Mail 129)096d	Emigrant Fares—Hong Kong—U.S.A./Canada.

[1] This resolution supersedes and readopts those resolutions adopted by IATA at Honolulu and not acted upon by the Board (except for Resolution 100) for application in air transportation as defined by the Act via the North Central Pacific, namely: Agreement CAB 19200, R-15; Agreement CAB 19234, R-8, R-15, R-25, R-26, R-28, R-38, R-97 through R-102, R-105 through R-109, and R-112.

2. The Board does not find Resolution 060a, contained in IATA Memorandum JT 123/Resolution 1302 and incorporated in Agreement CAB 19649, to be adverse to the public interest or in violation of the Act.

3. The Board does not find the following IATA resolutions, incorporated in the agreements indicated, to be adverse to the public interest or in violation of the Act, provided that approval shall be subject to the conditions stated therein.

CAB agreement	IATA No.	Title
19724, R-2	JT23(Mai 129)002d	Special readoption Resolution insofar as it relates to: Resolution 100—Conditions of Service-In-flight Entertainment.[1] *Provided*, That insofar as air transportation is concerned, approval shall not constitute approval beyond March 31, 1968. Resolution 200h—Free and Reduced Fare Transportation for Inaugural Flights—Amending. *Provided*, That, approval shall be subject to the same conditions as have been previously imposed with respect to Resolution 200h in Order E-24823.
R-3	JT31(Mail 129)014a	Construction Rule for Passenger Fares: *Provided*, That (1) all unprotested notices issued pursuant to the provisions of said resolution shall be filed with the Board as agreements under section 412 of the Federal Aviation Act of 1958 and approved by the Board prior to being placed in effect; and (2) fares or rates applying to and from the United States shall not be combined with other fares or rates if such a combination undercuts a through fare or rate published with the Civil Aeronautics Board unless the fares or rates so constructed are shown in the tariffs on file with the Board.
R-5	JT31(Mail 129)015b	North American Proportional Fares—North and Central Pacific: *Provided*, That (1) copies of minutes or reports of meetings shall be submitted to the Board at the conclusion of any meetings which may be held as well as copies of any notices that are circulated at the time of circulation to members; and (2) agreements reached at meetings shall be filed with the Board under section 412 of the Act and approved prior to being placed in effect. Similarly, all unprotested notices shall be filed as agreements and approved by the Board prior to being placed in effect.
R-9	JT31(Mail 129)088n	North and Central Group Travel Fares: *Provided*, That (1) the provisions imposing numerical limitation and/or population standards on affinity groups from which passengers may be drawn shall not be applicable, (2) the provision which at departure time would permit a lesser number of passengers than that prescribed by the resolution to travel shall not be limited to situations caused by circumstances beyond the control of the passengers dropping out of the group and the balance of the group may travel at no added costs, (3) in the event a passenger discontinues his journey en route for any reason, the amount of the fare paid may be applied as a credit toward the purchase of transportation at the applicable fare calculated from the original point of origin, (4) the amount of the forfeiture to be imposed in the event of cancellation by the group or members of the group prior to or at departure time for any reason shall not exceed 25 percent of the fare paid and after departure the forfeiture shall not exceed 25 percent of the excess of the price of the group fare ticket over the cost of normal fare transportation from the point of origin to the point of cancellation, and (5) full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel.
19689	JT31(Mail 129)002b	Special Readoption and Effectiveness Resolution:[2] *Provided*, That approval shall not constitute approval of the $2.50 in-flight entertainment charge beyond March 31, 1968.

[1] The Board by Order E-24823 approved this resolution subject to the condition stated above. Under IATA technicalities, this resolution would be inapplicable in the absence of its readoption as proposed herein.

[2] This resolution, in general terms, eliminates the tie-in of fares and conditions of service on the North and Central Pacific with the resolution until such time as the fares and conditions of service are agreed upon and become effective on the North and Central Pacific.

Accordingly, it is ordered, That:

1. That portion of Agreement CAB 19724, described in finding paragraph 1, is approved.

2. Agreement CAB 19649, described in finding paragraph 2, is approved.

3. Agreement CAB 19689 and that portion of Agreement CAB 19724, described in finding paragraph 3, are approved subject to the conditions stated therein.

Any air carrier party to the agreements, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify, or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-10861; Filed, Sept. 15, 1967; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ACTING FIRST ASSISTANT

Designation

Pursuant to the authority vested in me as Federal Highway Administrator under the provisions of the Department of Transportation Act, Public Law 89-670, 80 Stat. 931, and the authority delegated to me by "The Delegations by the Secretary of Transportation" issued March 31, 1967, and published in the FEDERAL REGISTER on April 5, 1967 (32 F.R. 5606), I hereby designate J. R. Abernathy to be my acting first assistant within the meaning of 5 U.S.C. 3346.

Issued in Washington, D.C., on September 11, 1967.

LOWELL K. BRIDWELL,
Federal Highway Administrator.

[F.R. Doc. 67-10903; Filed, Sept. 15, 1967; 8:47 a.m.]

FEDERAL COMMITTEE ON PEST CONTROL

FUNCTIONS AND PROCEDURES

This notice is published pursuant to Bureau of the Budget Circular A-63, of March 2, 1964, and replaces in its entirety the statement of Functions and Procedures (29 F.R. 12945).

CHARTER

A. *Establishment.* The functions and procedures of the Federal Committee on Pest Control were published in the FEDERAL REGISTER on September 15, 1964. Like the Federal Pest Control Review Board before it, the Committee was established through the joint action of the Secretaries of Defense, the Interior, Agriculture, and Health, Education, and Welfare. The Committee objectives and procedures are hereby realigned in this revision of the Charter.

Germane to the establishment of the Federal Committee on Pest Control was recognition of the need for balance between man and his environment that will be consistent with his total aesthetic and economic necessities and his social values.

The Committee was established in recognition of the fact that the Federal Government both recommends and participates in pest control, regulatory, research, and information programs involving pesticides.

Proper usage of pesticide chemicals to destroy unwanted pests and disease organisms as they affect man, animals, and plants has an enormous potential for the public good. There must, at the same time, be a recognition that chemicals which will kill or control pests are, in many cases, capable of causing harm. It is therefore essential that any contemplated use of a pesticide chemical be first evaluated as to the good that its use is expected to achieve, the harm which may result, the precautions which should be taken to minimize harmful effects, and a decision made as to whether any risk that may be involved is warranted in the light of the benefits contemplated.

B. *Purpose.* This Committee is the primary coordinating mechanism for all Federal activities in the general field of pesticides, and pests and their control. The activities coordinated by this Committee include such things as the review of pest control programs in various parts of the world in which there is active participation on the part of the Federal Government either in funding or in supervision; research on pests and their control and effects of control procedures whether by chemical or other methods; monitoring of the environment for pesticides and their residues; public information on pest control and the use of pesticides; and evaluation of economic and social values and risks involved in the control of pests by various methods.

The Committee shall advise the appropriate Departments and agencies of Government concerning matters of interest to more than one Department. This advice shall be offered in the light of the total interests of the citizens of this country and must take account of activities by other agencies and individuals. In no case, however, will the advice of this Committee supersede the responsibility of each Department and agency to carry out the functions assigned to it by legislative and executive mandates.

The Committee will encourage exchange of information among International, Federal, and State agencies and, in the case of Federal multidepartmental effort, will review recommendations that may result.

C. *Procedures*—1. *Review of programs.* (a) The Committee may request any Federal agency to submit for review a detailed description of its proposed and current pest control programs, and monitoring, research, education, and other programs pertaining to pest control.

(b) The Committee will identify those portions of such programs which have some interaction with activities or interests of other Departments.

(c) The Committee will review such portions of programs from the standpoint of effectiveness, economic impact, and of hazards to human health, to livestock and crops, to fish or wildlife, and other elements of the environment.

(d) Based upon such review the Committee shall recommend to the heads of the Departments or agencies concerned, such modifications in the programs as the Committee feels will best serve the public interest.

2. *Intergovernmental cooperation.* (a) The Committee shall promote or encourage review of both Federal and non-Federal programs by State and local groups representing a broad spectrum of interests and responsibilities.

(b) The Committee may communicate with such State and local groups to receive their recommendations, and make recommendations to them, either directly or through member Departments, whichever seems most expeditious and effective.

(c) Subject to foreign policy guidance from the Department of State, the Committee may participate in joint activities with foreign or international groups having similar interests and will coordinate these activities among Federal and State agencies. Formal recommendations arising from such joint activities may be directed by the FCPC to any concerned Federal Department or agency. Such formal recommendations shall not be transmitted directly to any foreign government or international agency.

3. *Stimulation of new activities.* (a) Whenever the Committee feels that the public interest will be served by the initiation of a new activity such as interdepartmental participation in integrating a variety of control methods or analyzing jointly the effects of such integrated control on all aspects of the environment, the Committee may recommend appropriate action to the heads of the concerned Departments or agencies and representatives of States.

4. *Mechanisms available to the Committee.* (a) The Committee may establish subcommittees, ad hoc work groups, or panels of specialists to assist in discharging the Committee's responsibilities. Membership on such subcommittees, etc., need not be limited to representatives of Federal Departments.

(b) The Committee may request Departments or agencies to provide special services, consultation, staff, facilities, publications, conferences, etc., as may facilitate the work of the Committee. Expenditure of appropriated funds for such activities of the Committee must be within the authority and area of responsibility of the contributing Department or agency and must remain within their individual fiscal control, even though the technical supervision may be provided by the Committee.

D. *Membership.* Membership on the Committee is by appointment of two members by letter to the Chairman from the Secretaries of the primary pesticide-user Departments: Defense, the Interior, Agriculture, and Health, Education, and Welfare. Upon invitation of the Committee, a liaison representative may be similarly appointed by other government agencies having an interest in interdepartmental, national, or international pest control and related problems. The Council of State Governments may also designate a representative to the Committee.

E. *Officers and staff.* 1. The Officers of the Committee shall be:

Chairman.
Vice Chairman.
Full-time Executive Secretary and professional staff as required.

(a) The Chairman and Vice Chairman shall be elected by the Committee from among its members. The Executive Secretary will be appointed by HEW from nominations submitted by the FCPC.

(b) The Chairman will be elected for a 1-year term (to be ineligible for more than one additional successive term) and his successor will be elected from a different Department.

(c) The Vice Chairman will also be elected for a 1-year term but from a different Department than the Chairman (to be ineligible for more than one additional successive term).

2. It shall be the duty of the Chairman to preside at all meetings and assure compliance with the Charter of the Committee. He shall call meetings of the Committee when he deems it necessary or upon request of any member Department. The Chairman shall exercise leadership in seeking timely resolutions of interagency differences on items of concern to the Committee.'

3. In the absence of the Chairman, the Vice Chairman will perform the functions of the Chairman. In the absence of both, the Chairman will furnish the Executive Secretary with the names of those individuals who can assume these duties.

4. By agreement of the signators, the Secretary of the Department of Health, Education, and Welfare will provide administrative support for the Executive Secretary and required professional and clerical staff. The Federal Committee on Pest Control will recommend staffing requirements and budgetary support to the Secretary of HEW consistent with workload requirements. The Secretariat will be responsible to the FCPC for functional and operational guidance.

5. The Executive Secretary will be responsible for:

(a) Preparation of agenda, notice of meetings, correspondence, subcommittee coordination, and representation of the Committee as requested by the Committee through the Chairman.

(b) Preparation and recommendation to the Committee of pertinent policies and plans to meet the Committee and subcommittee requirements and long-range objectives. To this end, the Executive Secretary may request the Chairman to appoint advisory planning work groups and ad hoc subcommittees as desired.

(c) Final review and consideration of publications or presentations authorized by the Committee through the Chairman.

(d) Maintenance of sufficient records and accounts to provide an annual report of the Committee's activities for such distribution as recommended by the Committee and acting as the Archivist of the Committee.

F. *Meetings*. 1. Meetings shall be held at the call of the Chairman following coordination with members regarding time, place, and date.

2. Decisions of the Committee shall be made normally at regular meetings where there is an opportunity for discussion, and not by correspondence or telephone calls except in rare cases of urgency.

3. Minutes of meetings shall consist of a record of important discussions and decisions of the Committee but need not be a verbatim record. Minutes shall be distributed to members and alternates.

G. *Quorum*. A majority of the members of the Committee shall constitute a quorum authorized to transact any business duly presented at any meeting of the Committee.

Approved:

JOHN W. GARDNER,
Secretary of Health, Education, and Welfare.

MAY 17, 1967.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

MAY 25, 1967.

STEWART L. UDALL,
Secretary of the Interior.

JUNE 2, 1967.

ROBERT S. MCNAMARA,
Secretary of Defense.

JUNE 19, 1967.

[F.R. Doc. 67-10919; Filed, Sept. 15, 1967; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CI67-1768]

PHILLIPS PETROLEUM CO.

Notice of Application; Correction

SEPTEMBER 8, 1967.

In the notice of application, issued August 25, 1967, and published in the FEDERAL REGISTER, September 6, 1967 (F.R. Doc. 67-10384, 32 F.R. 12772), Docket No. CI67-1768, page 1, paragraph 2, line 3: Change "16.11 cents" to "16.66 cents".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-10879; Filed, Sept. 15, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

CODITRON CORP.

Order Suspending Trading

SEPTEMBER 12, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $3 par value, of Coditron Corp., New York, N.Y., otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 13, 1967 through September 22, 1967.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-10893; Filed, Sept. 15, 1967; 8:46 a.m.]

[812-1998]

LEXINGTON CORPORATE LEADERS FUND, INC., AND CORPORATE LEADERS OF AMERICA, INC.

Notice of and Order for Hearing on Application To Permit Offer of Exchange and for Exemption

SEPTEMBER 12, 1967.

Notice is hereby given that Lexington Corporate Leaders Fund, Inc. ("Fund"), a Delaware corporation registered under the Investment Company Act of 1940, 15 U.S.C. sec. 80a-1 et seq., ("Act"), as an open-end management investment company, and Corporate Leaders of America, Inc. ("Sponsor"), 163 Engle Street, Englewood, N.J. 07631, a New York corporation which sponsors Corporate Leaders Trust Fund, Series B ("Trust") (herein collectively called "Applicants") have filed an application pursuant to sections 6(c) and 11(c) of the Act for an order of the Commission permitting an offer of exchange and exempting Applicants from section 22(d) of the Act as described below. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicants propose that shares of Fund be offered at their net asset value, without sales load and for such time as Fund may determine, to outstanding certificate holders of Trust, a unit investment trust registered as such under the Act, by the Fund and by one or more broker-dealers registered under the Securities Exchange Act of 1934. Renyx, Field & Co., Inc., the principal distributor of the Trust's certificates, is affiliated with Lexington Security Managers, Inc., the principal distributor of Fund's shares; both firms are registered broker-dealers and members of the National Association of Securities Dealers, Inc.

The application represents that both the Trust and the Fund have substantially similar general investment objectives, with emphasis on long-term capital growth through investments in common stocks of major companies. The Trust was organized in 1935 and is administered in accordance with a trust indenture requiring investment in units consisting of one share of each of 28 portfolio companies, without management discretion to vary the composition of the portfolio. The application states that the 1935 trust indenture contains a number of archaic and uneconomic provisions not present in the Fund which was organized in 1965 with an investment adviser.

The Applicants would make the offer to certificate holders who reside in a State in which shares of Fund are qualified for sale and who either own a single payment certificate or who have completed all 200 of the payments under a monthly payment certificate. The $500 minimum purchase of shares of Fund would further apply to the proposed offering. The certificate holders would purchase shares of Fund with all or part of the net redemption proceeds of their interests in the Trust as they may choose to liquidate for the purpose. A further offering would be made separately to certificate holders who own a monthly payment certificate and who have completed at least 13 but not all of the 200 payments. The certificate holder would be permitted to purchase additional shares of Fund from time to time, to the maximum extent of the aggregate dollar amount of his unpaid balance under his outstanding certificate at a reduced sales charge of 4.7 percent rather than the higher sales charge applicable to other purchasers of shares of the Fund.

Section 11(a) of the Act provides that it shall be unlawful for any registered open-end company or any principal underwriter for such a company to make or cause to be made an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission. Section 11(c) provides that, irrespective of the basis of exchange, the provisions of subsection (a) shall be applicable to any offer of exchange of any security of a registered open-end company for a security of a registered unit investment trust.

Section 22(d) of the Act, provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current public offering price described in its prospectus. Fund's prospectus indicates that its shares are offered to the public at a price which includes a maximum sales charge of 8.5 percent in addition to the net asset value.

Under section 6(c) of the Act the Commission may issue an exemptive order if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held with respect to the application:

It is ordered, Pursuant to section 40(a) of the Act, that a hearing on the aforesaid application under the applicable provisions of the Act and of the rules of the Commission thereunder be held on October 10, 1967, at 10 a.m., in the offices of the Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549. At such time, the hearing room clerk will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in the proceeding is directed to file with the Secretary of the Commission his application as provided by Rule 9(c) of the Commission's rules of practice, on or before the date provided in the rule, setting forth any issues of law or fact which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other actions of the Commission involving the subject matter of these proceedings.

It is further ordered, That any officer or officers of the Commission designated by it for that purpose, shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation has advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination: Whether the proposed exemption is (a) necessary or appropriate in the public interest, (b) consistent with the protection of investors, and (c) consistent with the purposes fairly intended by the policy and provisions of the Act.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to Lexington Corporate Leaders Fund, Inc., and Corporate Leaders of America, Inc.; that notice to all other persons be given by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 67-10894; Filed, Sept. 15, 1967; 8:46 a.m.]

[811-793]

NORTH AMERICAN PLANNING CORP. AND PLANNED INVESTMENT FUND, INC.

Notice of Application for Exemption

SEPTEMBER 12, 1967.

Notice is hereby given that North American Planning Corp. ("North American"), a New York corporation, and Planned Investment Fund, Inc. ("Plan Co."), 230 Park Avenue, New York, N.Y. 10017, a Massachusetts corporation, have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et. seq., for an order of exemption from the provisions of section 27(a)(3) of the Act. North American proposes to offer periodic payment plan certificates for the accumulation of shares of Plan Co. Plan Co. is registered under the Act as an open-end, diversified management investment company. North American acts as Sponsor. The application requests an exemption from the provisions of section 27(a)(3) of the Act to permit the deduction of sales load on periodic payment plan certificates from payments during the second year which exceed those of the third year and which during the second and third year exceed the amounts of sales load to be deducted from subsequent payments. All interested persons are referred to the application filed with the Commission for a full statement of the representations contained in the application which are summarized below.

Section 27(a)(3) in part provides that the amount of sales load deducted from the first periodic payment shall not exceed proportionally the amount deducted from any other such payment. Applicants propose to deduct sales load which totals a maximum of 8.97 percent of aggregate payments on periodic payment plan certificates at the rate of 20 percent of payments during the first and second years, 10 percent during the third year and the balance to be paid equally over the remaining term of the plan. In addition to the sales load deduction, a custodian fee equal to a maximum of 3 percent of the plan is to be deducted. The total charges on the minimum Periodic Payment Plan calling for $20 monthly payments ($40 initial payment) would amount to 23 percent of each payment made during the first two (2) years, 13 percent of each payment during the third year and the pro rata amount of the remaining sales charge plus 3 percent for custodian fees for each year thereafter of the plan. Applicants state that total deductions for sales load under the proposed plan will be less, at any time before the final payment, than the amount which would be deducted if 50 percent, the maximum permitted by section 27(a)(2) of the Act, were deducted in the first year and amounts of sales load were deducted at a uniform rate thereafter as specified in section 27(a)(3).

Section 6(c) of the Act authorizes the Commission, by order upon application, to exempt, conditionally or unconditionally, any transaction or any class of transactions from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than October 2, 1967, at 5:30 p.m., submit to the

Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in the application, unless an order for hearing upon the application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-10895; Filed, Sept. 15, 1967; 8:46 a.m.]

[812-2176]

PROCTER & GAMBLE INTERNATIONAL CO.

Notice of Filing of Application for Order Exempting Company

SEPTEMBER 12, 1967.

Notice is hereby given that The Procter & Gamble International Co. ("applicant"), 301 East Sixth Street, Cincinnati, Ohio 45201, an Ohio corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting applicant from all provisions of the Act and the rules and regulations thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant was organized by The Procter & Gamble Corp. ("P&G"), under the laws of the State of Ohio on August 29, 1967. Of the applicant's 15,000 authorized shares without par value, P&G has subscribed for 1,000 shares and will pay an aggregate amount of $1 million in cash for said shares. On or before December 31, 1967, P&G, or a fully owned subsidiary of P&G (which shall mean a corporation all of whose outstanding securities, other than short term paper as defined in section 2(a)(36) of the Act, and directors' qualifying shares, are owned directly or indirectly by P&G), will make such capital contributions to applicant of, or will purchase additional shares of applicant for, additional cash, securities or other property so that the capital of the applicant will not be less than $5 million on that date. Of the $5 million, $500,000 will be allocated to stated capital and the balance to capital surplus. P&G, or a fully owned subsidiary of P&G may, in the future, purchase additional shares of, or make additional capital contributions to, applicant.

If applicant shall in the future issue additional securities other than debt securities, P&G or a fully owned subsidiary of P&G will acquire such securities. P&G will not dispose of any of applicant's securities (other than debt securities) except to applicant itself or to a fully owned subsidiary of P&G. P&G will cause any such fully owned subsidiary not to dispose of any such securities of applicant except to applicant, P&G or another fully owned subsidiary of P&G.

P&G is principally engaged in manufacturing and distributing household and industrial products, such as soap, detergents, cleaners, food products, toiletries, and paper products.

Applicant intends to issue and sell an aggregate of up to $25 million of its Guaranteed Debentures Due 1982 ("Debentures"). P&G will guarantee the principal of (and premium, if any) and interest and sinking fund on the Debentures. Any additional debt securities of applicant which may be issued to or held by the public will be guaranteed by P&G in a manner substantially similar to the guarantee of the Debentures.

P&G is interested in providing working capital and financing plant expansion of its subsidiaries and affiliates and entering into joint ventures with other foreign companies engaged in a similar business or a business related to the business of P&G. P&G is using applicant to fulfill this objective and at the same time to support the balance of payments position of the United States in accordance with the President's voluntary cooperation program instituted in February 1965.

It is intended that upon completion of the long-term investment of applicant's assets, substantially all of the assets of applicant (exclusive of U.S. Government securities and cash items) will be invested in or loaned to foreign companies (including U.S. companies all or substantially all of whose business is carried on abroad either directly or indirectly through foreign companies) which are primarily engaged in a business or businesses other than investing, reinvesting, owning, holding, or trading in securities and which are, or upon the making of such investments will be (1) majority-owned subsidiaries under P&G's control within the meaning of section 2(a)(23) of the Act, (2) companies under P&G's control within the meaning of section 2(a)(9) of the Act, or (3) companies which are engaged in a business related to the business of P&G, in which P&G or applicant owns, directly or indirectly, an equity interest of 15 percent or more: *Provided, however,* That nothing contained herein shall preclude investments by applicant in fully owned subsidiaries of P&G or applicant primarily engaged in the business of owning or holding securities of companies in which the applicant may invest as stated herein. Applicant will proceed as expeditiously as possible with the long-term investment of its assets in the manner described above, will not acquire securities for the purpose of resale and will not trade in securities. Pending such investment, and from time to time thereafter in connection with changes in long-term investments, applicant will invest temporarily in debt obligations (including time deposits) of foreign governments, or the U.S. Government, foreign financial institutions (including foreign branches of U.S. financial institutions), and foreign subsidiaries of P&G or applicant, payable in U.S. dollars or other currencies and in each case maturing in 1 year or less from the date of acquisition. Applicant will not acquire securities for the purpose of resale and will not trade in securities.

The Debentures are to be sold to a group of underwriters for offering and sale only outside the United States. The Debentures are to be offered and sold under conditions which are intended to assure that the Debentures will not be offered or sold in the United States, its territories, or possessions or to nationals, citizens, or residents of the United States, its territories, or possessions. The contracts relating to such offer and sale will contain various provisions intended to assure that the Debentures will not be purchased by nationals, citizens, or residents of the United States, its territories, or possessions. Any additional debt securities of applicant which may be sold to the public in the future will be sold under substantially similar conditions.

Applicant will use its best efforts to have the Debentures listed on the New York Stock Exchange and registered under the Securities Exchange Act of 1934. The Debentures will also be listed on the Luxembourg Stock Exchange. The common stock of P&G is listed on the New York Stock Exchange and registered under the Securities and Exchange Act of 1934.

Tax advisers have advised P&G and applicant that U.S. persons will be required to report and pay an interest equalization tax with respect to acquisition of the Debentures, except where a specific statutory exemption is available. By financing its foreign operations through applicant rather than through the sale of its own obligations, P&G will utilize an instrumentality the acquisition of whose debt obligations by U.S. persons would generally subject such persons to the interest equalization tax, thus discouraging them from purchasing such debt obligations.

Applicant submits that it is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act for the Commission to enter an order exempting applicant from each and every provision of the Act for the following reasons: (1) A significant purpose of the applicant is to assist in improving the balance of payments program of the United States by obtaining funds for international operations in foreign countries; (2) the payment of principal (and premium, if any), interest, and sinking fund on the Debentures, which is guaranteed by P&G, does not depend solely upon the operations or investment policy of the applicant, for the debenture holders may ultimately look to the business enterprise of P&G; (3) none of the securities of the applicant (other than debt securities) will be held by any person other than P&G or a fully owned subsidiary of P&G; (4) applicant will not permit any debt securities to be issued to or held by the public unless they are guaranteed by P&G in a manner substantially similar to the guarantee of the Debentures; (5) applicant will not deal or trade in securities; (6) applicant's security holders will have the benefit of the disclosure and reporting provisions of the Securities Exchange Act of 1934 and of the New York Stock Exchange; (7) the Debentures will be sold only to foreign nationals and the burden of the Interest Equalization Tax will discourage resale to any U.S. national, citizen, or resident.

Notice is further given that any interested person may, not later than September 28, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-10896; Filed, Sept. 15, 1967; 8:46 a.m.]

[81-64]

PROTECTIVE SECURITY CO.

Notice of Application and Opportunity for Hearing

SEPTEMBER 11, 1967.

Notice is hereby given that Protective Security Co. ("Applicant") Palo Alto, Calif., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("Act") for an order of the Commission exempting Applicant from the provisions of section 12(g) of the Act. Exemption from section 12(g) will have the additional effect of exempting Applicant from sections 13 and 14 of the Act and any officer, director, or beneficial owner of more than 10 percent of any class of equity security from section 16 thereof.

Section 12(g) of the Act requires the registration of the equity securities of every issuer which is engaged in, or in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce and, on the last day of its fiscal year, has total assets exceeding $1 million and a class of equity security held of record initially by 750 or more persons, and after July 1, 1966, by 500 or more persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting, and proxy solicitation provisions and to grant exemption from the insider reporting and trading provisions of the Act if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The application and the amendments and exhibits thereto state in part:

1. Applicant was incorporated under the laws of California on December 6, 1961. Its sole business function is that of a holding company. Applicant owns 650,248 shares of American Pacific Life Insurance Co. of California (American Life), representing 94 percent of the outstanding stock of American Life.

2. As of December 31, 1965, Applicant's 1,250,248 shares of outstanding common stock were owned by 2,038 shareholders. One of the shareholders, American Pacific Group, Inc. (American Group), owned 51 percent of Applicant.

3. Pursuant to a Plan of Reorganization and Exchange approved by Applicant's shareholders on December 8, 1966, Applicant exchanged all of its assets for shares of stock of American Group and is distributing the American Group shares to its shareholders in liquidation and dissolution of Applicant.

For a more detailed statement of matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C.

Notice is further given that any interested person may, not later than October 2, 1967, submit to the Commission, in writing, his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued by the Commission unless an order for hearing upon said application be issued upon request or upon the Commission's own notice.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-10897; Filed, Sept. 15, 1967; 8:46 a.m.]

[811-1336]

SCIENCE & TECHNOLOGY EXCHANGE FUND, INC.

Notice of Filing of Application for Order Declaring Company Has Ceased To Be Investment Company

SEPTEMBER 12, 1967.

Notice is hereby given that The Science & Technology Exchange Fund, Inc. ("Applicant"), 75 East 55th Street, New York, N.Y. 10022, a Maryland corporation registered as an open-end, diversified management company under the Investment Company Act of 1940, 15 U.S.C. section 80a-1, et seq., ("Act"), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations, which are summarized below.

Applicant states that it registered with the Commission as a so-called "tax free exchange fund," with the intention of offering its shares in exchange for marketable securities. Applicant represents that it has no assets, has not conducted any business and does not propose to consummate the proposed exchange offering or to become an investment company as defined in the Act.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than October 2, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-10898; Filed, Sept. 15, 1967; 8:46 a.m.]

[811-602]

SECURITIES FUND, INC. (NEW JERSEY)

Notice of Filing of Application for Order Declaring Company Has Ceased To Be Investment Company

SEPTEMBER 12, 1967.

Notice is hereby given that Securities Fund, Inc. (Pennsylvania), on behalf of itself and Securities Fund, Inc. (New Jersey), 15 Exchange Place, Jersey City, N.J. (herein collectively referred to as "Applicants"), both open-end diversified management investment companies registered under the Investment Company Act of 1940, 15 U.S.C. section 80a–1, et seq. ("Act"), have filed an application pursuant to section 8(f) of the Act for an order declaring that Securities Fund, Inc. (New Jersey), has ceased to be an investment company as defined in the Act. Applicants represent that Securities Fund, Inc. (New Jersey), has merged into Securities Fund, Inc. (Pennsylvania). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein.

Applicants represent that pursuant to an agreement of merger the shares of Securities Fund, Inc. (New Jersey), were exchanged for shares of Securities Fund, Inc. (Pennsylvania), on the basis of relative net asset value per share. Under the Revised Statutes of New Jersey and the Business Corporation Law of Pennsylvania the separate existence of Securities Fund, Inc. (New Jersey), ceased upon the filing of the agreement of merger with the Secretary of State of New Jersey and the Department of State of Pennsylvania and thereupon Securities Fund, Inc. (Pennsylvania), became possessed of all the rights, privileges, powers, and franchises and became subject to all the restrictions, disabilities, and duties of both Securities Fund, Inc. (Pennsylvania), and Securities Fund, Inc. (New Jersey).

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than October 2, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon this matter shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-10899; Filed, Sept. 15, 1967; 8:47 a.m.]

SUBSCRIPTION TELEVISION, INC.

Order Suspending Trading

SEPTEMBER 12, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value of Subscription Television, Inc., New York, N.Y., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 13, 1967, through September 22, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-10900; Filed, Sept. 15, 1967; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—SEPTEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during September.

3 CFR

Page

PROCLAMATION:
- 3803 — 12663

EXECUTIVE ORDERS:
- July 2, 1910 (revoked in part by PLO 4267) — 13072
- Sept. 14, 1910 (revoked in part by PLO 4267) — 13072
- Sept. 21, 1916 (revoked in part by PLO 4267) — 13072
- 8652 (revoked in part by PLO 4266) — 12950
- 11370 — 12665
- 11371 — 12903

5 CFR

- 213 — 12831, 12937, 13045
- 630 — 12937
- 733 — 12937
- 870 — 12937

PROPOSED RULES:
- 890 — 12725
- 891 — 12727

7 CFR

- 27 — 12831
- 201 — 12778
- 319 — 12832
- 401 — 12989
- 411 — 12989
- 724 — 12905
- 725 — 13113
- 729 — 12990
- 755 — 12938
- 900 — 12992
- 905 — 12907, 13179
- 906 — 12992, 12993, 13113
- 908 — 12709, 12908, 12909, 13179
- 910 — 12709, 12743, 12909, 12938, 13180
- 915 — 12832, 13180, 13181
- 921 — 13181
- 926 — 12709, 13045
- 927 — 12743, 13181
- 944 — 12938, 12993
- 948 — 12939
- 958 — 12743
- 981 — 12787, 13114
- 987 — 12832
- 989 — 12710
- 1004 — 12787
- 1008 — 12994
- 1050 — 12940
- 1099 — 12744
- 1133 — 12940
- 1421 — 12744, 12745, 13046

PROPOSED RULES:
- 26 — 12755
- 51 — 12799, 12953, 13077, 13196
- 906 — 12802
- 932 — 12854

8 CFR

PROPOSED RULES:
- 252 — 12920

9 CFR

- 78 — 13050
- 201 — 12667
- 301–329 — 13115

9 CFR—Continued

Page

- 340 — 13115
- 355 — 13115
- 380 — 13115
- 381 — 13115

PROPOSED RULES:
- 316 — 12953
- 317 — 12953
- 328 — 12953

12 CFR

- 1 — 12850, 12938
- 545 — 12913
- 604 — 12710
- 605 — 13051

PROPOSED RULES:
- 215 — 12758
- 563 — 12922

13 CFR

- 107 — 12842
- 119 — 12788

14 CFR

- 39 — 12668, 12711, 12746, 12788, 12909–12911, 13115, 13182, 13183.
- 71 — 12668, 12712, 12789, 12790, 12833, 12912, 12913, 12995–12997, 13116–13119
- 73 — 12712, 12833, 13119
- 75 — 12913
- 77 — 12997
- 93 — 12747
- 95 — 12747
- 97 — 12669, 12834, 13120
- 202 — 13183
- 203 — 13184
- 370 — 13052
- 400 — 12839
- 1221 — 12997

PROPOSED RULES:
- 39 — 12920, 12921
- 71 — 12690, 12724, 12922, 13006–13008, 13079, 13140, 13141, 13197.
- 91 — 12724
- 121 — 12922
- 223 — 13141
- 378 — 13009

15 CFR

- 230 — 13057, 13058
- 373 — 12941
- 903 — 13184

PROPOSED RULES:
- 70 — 13077

16 CFR

- 13 — 12713, 12844, 13124
- 15 — 12750, 12941
- 38 — 12999

PROPOSED RULES:
- 153 — 12759
- 415 — 12954

18 CFR

PROPOSED RULES:
- 154 — 13077

19 CFR

Page

- 1 — 12999
- 4 — 12750, 13186

PROPOSED RULES:
- 13 — 12690

21 CFR

- 2 — 12714, 13186
- 3 — 12714
- 8 — 12715, 12943
- 20 — 12750
- 120 — 12715, 12716, 12751, 12913, 12943, 12999, 13124.
- 121 — 12716, 12717, 12751, 12844, 12943, 13124
- 141a — 12717
- 141c — 12717
- 146b — 13125
- 146c — 12717
- 148j — 12717
- 148o — 12717
- 148r — 12717
- 148x — 12717

PROPOSED RULES:
- 3 — 12756, 13008
- 19 — 12723
- 51 — 12723

22 CFR

- 601 — 12944

23 CFR

- 209 — 13000

24 CFR

- 207 — 12718
- 221 — 12718

25 CFR

- 41 — 12790

26 CFR

- 601 — 13058

29 CFR

- 526 — 12675

30 CFR

- 229 — 12941

31 CFR

- 317 — 12914
- 321 — 12914

32 CFR

- 82 — 12845
- 168 — 12718
- 169a — 12675
- 710 — 12790
- 806 — 13000
- 872 — 13000
- 882 — 13125
- 888 — 13125
- 888b — 13065
- 920 — 13000
- 1450 — 13187
- 1711 — 12845