FEDERAL REGISTER

VOLUME 32 • NUMBER 223

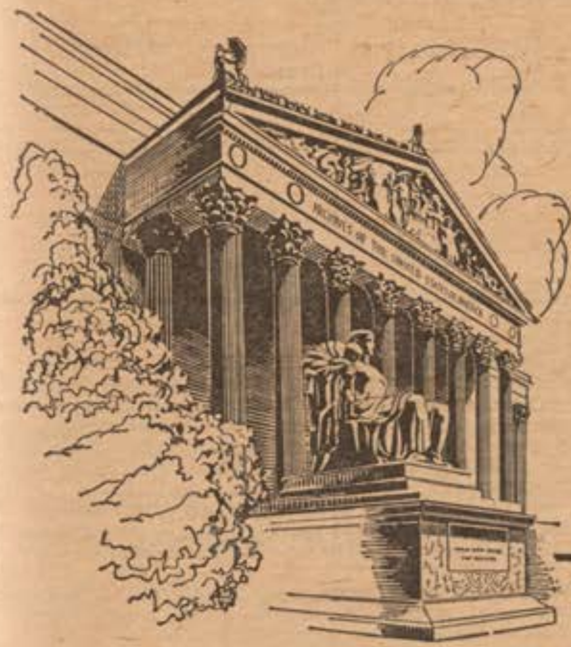
Friday, November 17, 1967 • Washington, D.C.

Pages 15801–15864

Agencies in this issue—

Agricultural Stabilization and Conservation Service
Agriculture Department
Atomic Energy Commission
Business and Defense Services Administration
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commerce Department
Consumer and Marketing Service
Customs Bureau
Federal Aviation Administration
Federal Highway Administration
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Health, Education, and Welfare Department
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Maritime Administration
National Mediation Board
Panama Canal
Post Office Department
Securities and Exchange Commission
Transportation Department
Wage and Hour Division

Detailed list of Contents appears inside.



THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

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

(Continued on next page)

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 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Removal of Certain Positions From Schedule C

Part 213 is amended by adding a new § 213.3301a to remove from Schedule C those positions in grades GS-16, GS-17, and GS-18 in the executive branch which are covered by Civil Service Rule IX. Specific amendments to Schedule C identifying the positions that are no longer excepted under that Schedule will be issued in the near future. Effective November 17, 1967, § 213.3301a is added as follows:

§ 213.3301a Special revocation of exceptions.

The exception from the competitive service for each position in the executive branch listed in Schedule C which is classified in grade GS-16, GS-17, or GS-18, and is covered by Civil Service Rule IX (§ 9.1 of Subchapter A of this chapter) is revoked effective November 17, 1967. Each such position is removed from Schedule C effective November 17, 1967.

(5 U.S.C. 3301, 3302; E.O. 11315, 31 F.R., 3 CFR 1966 Comp., p. 165)

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

[F.R. Doc. 67-13607; Filed, Nov. 16, 1967; 8:51 a.m.]

PART 305—EXECUTIVE ASSIGNMENT SYSTEM

PART 754—ADVERSE ACTIONS BY THE COMMISSION

Limited Executive Assignments; Scope

Parts 305 and 754 are amended to provide that employees serving under limited executive assignments are eligible for within-grade increases and to extend to them the right of appeal from adverse actions by the Commission.

1. Effective November 17, 1967, § 305.-509(e) is amended as set out below.

§ 305.509 Limited executive assignments.

* * * * *

(e) *Eligibility for within-grade increases.* An employee serving under a limited executive assignment is eligible for within-grade increases in accordance with Subpart D of Part 531 of this chapter.

(5 U.S.C. 3301, 3302; E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218; E.O. 11315, 31 F.R. 14729, 3 CFR, 1966 Supp., p. 165)

2. Effective November 17, 1967, § 754.-101 is amended as set out below.

§ 754.101 Scope.

This part sets forth the procedures to be followed when the Director of the Commission's Bureau of Personnel Investigations or his designee (referred to in this part as the Director), acting under authority of § 5.4 or § 731.302(b) of this chapter, instructs an agency to remove or take other disciplinary action against an employee in the competitive service who was appointed subject to investigation under § 731.301 of this chapter and who has served more than one year under his current career, career-conditional, overseas limited, indefinite, or term appointment or under his current career or limited executive assignment.

(5 U.S.C. 1302, 3301, 3302, 7701; E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218; E.O. 10987, 27 F.R. 550, 3 CFR 1959-1963 Comp., p. 519)

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

[F.R. Doc. 67-13543; Filed, Nov. 16, 1967; 8:49 a.m.]

Title 7—AGRICULTURE

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

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

Amendment of Rules and Regulations

Notice was published in the FEDERAL REGISTER issue of November 7, 1967 (32 F.R. 15488), that the Department was giving consideration to a proposed amendment of the rules and regulations (Subpart—Rules and Regulations 7 CFR 907.100 et seq.; 32 F.R. 7839) currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was submitted by the Navel Orange Administrative Committee, established pursuant to the amended marketing agreement and order as the agency to administer the provisions thereof.

During the time provided in said notice for written data, views, or arguments in connection with said proposal, the Navel Orange Administrative Committee submitted its recommendations, and considerations with respect thereto concerning an additional proposal. The committee recommended that the rules and regulations be further amended, concurrent with the original proposal, to (1) change § 907.112 thereof to provide that handlers shall report the date of delivery of oranges (to a purchaser or consignee) rather than the date of the applicable weekly regulation period as currently required, and (2) delete entirely the provisions of paragraph (c) of § 907.111 so that lending handlers will be enabled to receive repayment of loaned allotment at the times specified in their allotment loan agreements rather than at the time the allotment loans become immediately repayable under the current provisions.

After consideration of all relevant matter presented, including that in the notice, the recommendations, considerations, and information submitted by the committee, and other available information, it is hereby found that the amendment, as hereinafter set forth, of said rules and regulations is in accordance with said amended marketing agreement and order and will tend to effectuate the declared policy of the act in that it would facilitate more efficient scheduling of shipments of Navel oranges by handlers and contribute to more effective operations under said marketing agreement and order.

Therefore, said rules and regulations (Subpart—Rules and Regulations, 7 CFR 907.100 et seq.; 32 F.R. 7839) are hereby amended as follows:

1. The provisions of § 907.100 *Definitions* are amended by adding a new paragraph (f) reading as follows:

§ 907.100 Definitions.

* * * * *

(f) Whenever the term "week" or "weekly" appears in Part 907 it shall mean the period from Friday through the following Thursday.

2. Paragraph (c) *all oranges moved prior to payback date* of § 907.111 is deleted therefrom.

3. Paragraph (d) of § 907.111 is amended to read as follows:

§ 907.111 **Allotment loans.**

* * * * *

(d) *Confirmation.* All allotment loans made on Saturday shall be confirmed as required by § 907.57 but not later than 5 p.m. of the following Monday.

4. The provisions of § 907.112 are amended by deleting the language in paragraph (a) and substituting therefor the following:

§ 907.112 **Assignment of allotment certificates.**

(a) Date oranges delivered;

* * * * *

§ 907.113 **[Amended]**

5. Paragraph (b) of § 907.113 is amended by deleting the word "Monday" wherever it appears and substituting therefor the word "Friday."

§ 907.120 **[Amended]**

6. Paragraph (a) of § 907.120 is amended by deleting the word "Friday" wherever it appears and substituting therefor the word "Wednesday."

§ 907.140 **[Amended]**

7. Section 907.140 is amended by deleting the word "Monday" wherever it appears and substituting therefor the word "Friday."

8. Section 907.142 (32 F.R. 7839) is amended by designating the present provisions thereof as paragraph (a) and adding a new paragraph (b) reading as follows:

§ 907.142 **Other reports.**

* * * * *

(b) Upon request, each handler shall submit to the committee a completed N.O.A.C. Form No. 29—Inventory Report of Navel Oranges Controlled, showing therein: The specified inventory date; variety; field boxes of oranges picked to date; estimated number of field boxes remaining to be picked; field boxes of oranges in the packinghouse; cartons of oranges loaded on trucks and rail cars for Friday shipment; number of cartons of oranges in storage; number of cartons of oranges on the packinghouse floor; loose oranges on hand (converted to cartons); oranges on hand for products (converted to cartons); and the date when the handler plans to complete his orange picking operations. The report shall be signed by the handler or by his authorized representative.

It is hereby found that good cause exists for fixing the effective date hereof as November 17, 1967—the date specified in said notice—and for not postponing the effective date of this amendment (including the provisions thereof relative to § 907.111(c) and § 907.112) until 30 days after publication in the Federal Register (5 U.S.C. 553) in that (1) such amendment should be made applicable for the entire season, which is expected to begin November 17, and be available for use by the time when weekly volume regulation may become effective for the season so as to avoid disruption of handler operations and to assure continuity, on a weekly basis, of regulations; (2) the procedures established by the amendments will provide more flexibility and contribute to more efficient operations by handlers and the committee; (3) to be of maximum benefit to handlers and the committee the amendment should be made effective at the time specified; and (4) the amendment will require, of handlers, no special preparations to comply therewith which cannot be completed by such effective time.

With regard to amendment of § 907.111 (c) and § 907.112 of said rules and regulations it is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule-making procedure in that (1) the amendment of § 907.111(c) will relieve restrictions on handlers by enabling a lending handler to receive repayment of loaned allotment at the time specified in his agreement rather than at the time the allotment loan becomes immediately repayable under the current provisions, and (2) the amendment of § 907.112 will enable the committee to obtain more accurate and timely information as to the respective dates of orange deliveries for its records and deliberations relative to the need for volume regulation. Therefore, to be of maximum benefit these amendments should also be effective on November 17, 1967, and such effective date will require, of handlers, no preparations that cannot be completed by the effective time hereof.

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

Dated: November 15, 1967, to become effective November 17, 1967.

Paul A. Nicholson,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-13618; Filed, Nov. 16, 1967; 8:51 a.m.]

[Grapefruit Reg. 47, Terminated]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District 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 other available information, it is hereby found that the limitation, as provided in Grapefruit Regulation 47 (32 F.R. 15632), of the handling of such grapefruit during the effective time thereof no longer tends to effectuate the order and 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 time of this termination action 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 action is based became available and the time when this action must become effective is insufficient, and this action relieves restrictions on the handling of grapefruit grown in the Indian River District in Florida.

It is, therefore, ordered, That Grapefruit Regulation 47 (§ 912.347, 32 F.R. 15632) is hereby terminated.

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

Dated: November 13, 1967.

Paul A. Nicholson,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-13443; Filed, Nov. 16, 1967; 8:45 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 9]

PART 101—ADMINISTRATION

List of Public-Use SBA Forms

Part 101 of Title 13 of the Code of Federal Regulations is hereby amended by revising § 101.4 thereof to read as follows:

§ 101.4 **List of public-use SBA forms.**

Number	Date	Reference [1]	Title	Code [2]
1	7-67	ND 135-5	Purchase Order	P
1A	1-58	ND 135-5	Purchase Order (Continuation Sheet)	P
4(I)	10-66	ND 510-1	Application for Loan	P
4(II)	11-65	ND 510-1	Application for Loan (Statement of Personal History)	P
4	8-66	ND 510-1	Schedule A—Summary of Collateral Offered by Applicant as Security for Loan and SBA Appraiser's Evaluation Report.	P
4A	2-67	ND 510-1	Instruction Sheet (Form 4, Part 1 and Schedule A)	P
4B	4-66	ND 510-1	Essential Information Required for Loans to Producers of Minerals, Metals, Fuel Except Oil, and Gas (Mining Loans).	P

See footnotes at end of table.

Number	Date	Reference [1]	Title	Code [2]
4C	9-64	ND 560-1	Essential Information for Substantial Economic Injury Disaster Loans.	P
4H	3-65		Convalescent Nursing Homes	P
5	7-65	ND 560-1	Application for Disaster Loan—Business	P
5B	7-67	ND 560-1	Application for Disaster Loan of $2,500 or Less	P
5C	7-67	ND 560-1	Application for Disaster Loan—Home	P
6B	6-67	ND 510	Application for Loan	P
74	3-66	ND 615-1A	Application for Certificate of Competency	P
74A	10-66	ND 615-1A	Instructions for the Preparation of SBA Form 74	P
112	8-67		Biographical Data—Proposed Members of SBA Advisory Councils.	RC
115ML	2-67		Mailing Application—Free Management Assistance Publications.	P
136	2-66	ND 510-1	Participation Agreement (Immediate-Serviced by Bank).	P
136B	12-66	ND 510-1	Simplified Early Maturities Participation Agreement	P
137	8-65	ND 510-1	Participation Agreement (Immediate—Serviced by SBA).	P
138A	1-67	ND 560-1	Disaster Participation Agreement (Immediate)	P
138B	12-66	ND 560-1	Disaster Participation Agreement Program (Immediate).	P
139	6-67	ND 520-1	Standby Agreement	P
143	8-67	ND 560-1	Request for Credit Information	R
147	9-63	ND 560-1	Note (Direct Disaster in Excess of $1,000)	P
147A	7-65		Note—Direct and SBA Serviced Immediate Participation Loans—Over $25,000.	P
148	8-67	500-M-503	Guaranty	P
148A	9-63	500-M-503	Guaranty	P
148B	2-64	500-M-503	Guaranty (Loan Guaranty Plan)	P
152	1-66	500-M-503	Participation Certificate	P
152A	4-66	500-M-503	Participation Certificate	P
153	10-66	500-M-503	Loan Agreement	P
153A	4-66	500-M-503	Loan Agreement (Loan Guaranty Plan)	P
154	1-65	500-M-503	Note (Participation)	P
154B	7-65		Note—Loan Agreement—Bank Serviced Immediate Participation Loans—Over $25,000.	P
155	6-67	ND 520-1	Standby Agreement (Participation Loan)	P
156	1-65	500-M-503	Certificate of Interest	P
156A	10-66	500-M-503	Certificate of Interest	P
156B	12-66	500-M-503	Certificate of Interest	P
157	8-65	500-M-503	Participation Certificate	P
159	6-67	ND 510	Compensation Agreement for Services in Connection with Application and Loan from (or Participation with) Small Business Administration.	P
160	9-64	ND 560-1	Resolution of Board of Directors of (Applicant)	P
160A	9-64	ND 560-1	Certificate as to Partners	P
161	8-67	ND 560-1	Loan Agreement	P
166	10-65	ND 620-1	Registration of Manufacturing Facilities for Small business Concerns.	R
166B	3-65	ND 620-1	Registration of Construction-General Contractor or Service Facilities for Small Business Concerns.	R
166C	8-59	ND 620-1	Registration of Facilities—Timber	R
166D	6-66	ND 620-1	Registration of Small Business Research and Development Concerns.	R
172	4-66	ND 520-1	Report of Transactions on Loans Serviced by Banks	P
172D	12-66	500-M-503	Report of Transactions on Loan Serviced by Bank (EMP-SEMP).	P
175	7-54	ND 206-1	Notice of Assignment (Contract)	P
203	4-66	ND 205-1	Notice of Loan Payment Past Due	P
224	1-65	ND 520-1	Insurance Record and Tickler	P
225	2-66	ND 520-1	Substitution of Assigned Accounts Receivable	P
226	4-56	ND 205-1	Notice of Loan Payment Due	P
230	6-65	ND 206-1	Receipt for Payment	P
303	12-66	ND 560-1	Confidential Bank Credit Report	P
304	9-64	ND 560-1	Authorization (Disaster-Residential-Direct)	P
305	7-65	ND 560-1	Authorization (Disaster Business Loan-Direct)	P
316	12-65	ND 223-1	Blanket Bond	PC
319	12-66		Report and Confirmation of Loan	P
326A	12-66		Note (For All Immediate Participation Loans Not Over $25,000 SBA's Share).	P
326B	8-67	ND 222-1	Note (Direct Loan Not Over $25,000)	P
326C	7-65		Note—Bank Serviced Immediate Participation Loan—$25,000 or Less.	P
326D	7-65		Note—Direct and SBA Serviced Immediate Participation Loans—$25,000 or Less.	P
347	3-66		Computation and Transmittal Notice (Bank's Share)	PC
348	10-67		SBA Listing of Field Office Addresses	P
349A	12-66	ND 510-1	Authorization (Direct Loan)	P
349B	5-66	ND 510-1	Authorization (Immediate Participation)	P
349C	8-66	ND 510-1	Authorization (Loan Guaranty Plan)	P
351	11-65	ND 205-1	Past Due Notice—Participation Loan	P
355	12-66	ND 400-4	Application for Small Business Size Determination	P
362	8-66	ND 520-1	Financial Statement	P
362A	3-66	ND 520-1	Data to Support Balance Sheet	P
368	12-66	ND 205-1	SBA Monthly Report of Collections—Disaster Deferred Participation Loans Purchased.	P
368A	12-66	ND 205-1	SBA Monthly Report of Collections—Disaster Deferred Participation Loans.	P
370	3-66	ND 1100-4	Representative Index	P
391	4-66	ND 205-1	Quarterly Report on Deferred Participation or Guaranteed Loans.	P
393	3-67	300-M-305	Qualifications Inquiry	P
394	8-67	ND 1100-4	SBA Policy and Regulations Concerning Representatives and Their Fees.	P
403	9-64	ND 560-1	Note (Disaster Loans Only)	P
408	9-65		Authorization—Direct Loan	P
408A	10-65		Authorization—Immediate Participation—Small Loan	P
408B	11-65		Authorization—Loan Guaranty Plan—Small Loan	P
408C	3-67	ND 510-1	Authorization—Direct Loan—EOL Program	P
408D	3-67	ND 510-1	Authorization—Immediate Participation—EOL Program.	P
408E	12-66	ND 510-1	Authorization—Loan Guaranty Plan—EOL Program	P
413	8-67	ND 520-1	Personal Financial Statement	P
414—Part I	10-65	ND 900-1	Proposal to Operate a Small Business Investment Company.	P
414—Part II	10-65	ND 900-1	Statement of Personal History and Qualification of Management.	P
414A	4-66		Amendments to Proposal to Operate a Small Business Investment Company Under the Small Business Investment Act of 1958, as Amended.	P
415—Part I	3-61	Part-107	License Application (SBIC)	P
416	12-66	Part-107	Application for Funds	P
416A	12-66		Application for Loan and Extension	P
419	12-66		Application for Membership in Small Business Production or Research and Development Pool.	P
435	3-59		Small Business Administration License (SBIC)	PC
435A	3-59		Small Business Administration License (SBIC) (Copy).	PC
444	12-66		Subordinated Debenture	P
466	9-67		Transcript of Account	PC
468	9-66	Part-107	Financial Report	R
468	9-66	Part-107	Instructions for Preparation of the Financial Report	R
478	3-66		Compliance Examination Report	R
480	5-62	Part-107	Size Status Declaration	P
482	2-62	ND 625-1	Application for Personal Property Sales Assistance Register.	R
482A	2-62	ND 625-1	Application for Personal Property Sales Assistance Register.	
483	9-66		Unfilled Orders—Publications	P
500	8-67		Analysis and Recomputation of Repayments	P
502	2-60	ND 535-1	Application for Loan (502)	P
502	11-63	ND 535-1	Addendum to SBA Form 502	P
502B	11-63	ND 535-1	Information to be Submitted by the Small Business Concern to be Assisted by a Development Company Which is Applying for a Section 502 Loan.	P
502C	1-67	ND 535-1	Statement of Personal History	P
502D	4-65	ND 535-1	Exhibit ___ to SBA Form 502B	P
502E	4-65	ND 535-1	Exhibit ___ to SBA Form 502	P
508	3-61	500-M-503	Note (Timber Access Road Loan Program)	P
508A	12-66	500-M-503	Note (Timber Access Road Loan Program)	P
509	4-61	500-M-503	Assignment of Rights Under Timber Sale Contract	P
509A	9-62	500-M-503	Assignment of Rights Under Contract for Sale of Timber.	P
510	12-66		Direct Loan Note	P
510A	1-67		Loan Amendment and Extension	P
522	8-61		Questionnaire—Small Business Administration Loans to Local Development Companies.	P
527	8-67	ND 510-1	Bank Request for Loan Guaranty or Immediate Participation (SBLP-SEMP).	P
528	8-66	ND 510-1	Applicant's Statement	P
529	6-67	ND 510-1	Authorization Approving Bank's Request for SBA Participation.	P

See footnotes at end of table.

Number	Date	Reference[1]	Title	Code
529A	12-66	ND 510-1	Authorization Approving Bank's Request for SBA Participation (SEMP).	P
529B	8-66	ND 510-1	Authorization Approving Bank's Request for SBA Guaranty.	P
530	9-61	ND 510-1	Note (SBLP)	P
530A	7-65	ND 510-1	Note (SEMP)	P
530B	7-65	ND 510-1	Note (SBLP—Immediate Participation Only)	P
532	12-65	Part-107	Condensed Financial Statement	P
543	1-67	ND 625-1	Sales Assistance Register—Information	P
546	1-62		Note (Bank Disbursed Loan)	P
548	2-62		Assignment Agreement	P
556	3-67	ND 535-1	Contents of Portfolio	P
557	4-62		Contractor's Proposal of Costs	PC
558	4-62		Invoice—Claim for Reimbursement	PC
558A	4-62		Itemization of Direct Costs—Salaries	PC
558B	4-62		Itemization of Direct Costs—Transportation and Communications.	PC
558C	4-62		Itemization of Direct Costs—Supplies and Equipment	PC
559	4-62	ND 620-1	Facilities Inventory Registration (Post Card)	P
563	5-62		Conference ID Card	P
574	3-63	ND 535-1	Certificate of Incorporation for Local Development Companies.	P
578A	8-63	ND 1030-1	Subpoena Duces Tecum	P
579A	8-63	ND 1030-1	Subpoena	P
591	3-65	ND 510-1	Certification of Fees Paid in Connection with SBLP or SEMP Loan.	P
592	11-65	ND 650-1	Starting a New Business	P
593	5-63	ND 650-1	Workshop for Prospective Small Business Owners—Worksheets.	P
596	7-65	ND 650-1	Laundry and Cleaning Plants and Agencies	P
597	2-67	ND 510-1	Guaranty Agreement (Deferred Participation)	P
598	5-67	ND 520-1	Application for Liquidity Privilege	P
601	9-66	ND 1500-2A	Applicant's Agreement of Compliance	P
601A	3-64	ND 1500-2A	Agreement of Amendment of Contract to Conform with Requirements of SBA Form 601.	P
603	12-66	ND 535-1	Information for Inquiries on Section 502 Applications for Guarantee or Loan.	P
610	10-66	ND 630-1	Application for Registration as a Score Volunteer and Request for Counseling Assignment.	P
613	6-67		SBA Business Inquiry	P
639	6-67	ND 630-1	SCORE Case Report	P
641	10-66	ND 630-1	Request for Counseling	P
650	1-67	ND 150-2A	Communication Acknowledgment (Post Card)	P
652	2-66	ND 1500-3A	Applicant's Assurance of Compliance	P
652A	2-66	ND 1500-3A	Applicant Licensee's Assurance of Compliance	P
652B	7-67	ND 1500-3A	Assurance of Compliance	P
652C	4-67	ND 1500-3A	Applicant's Contingent Assurance of Compliance	P
652D	8-67	ND 1500-3A	Assurance of Compliance	P
656	2-66		Control Report	P
662	3-66		Agreement	P
663	3-66		Guaranty Agreement	P
666	11-65	ND 1030-1	Portfolio Confirmation Request	R
667	6-67	ND 1030-1	Custodian Confirmation Request	R
668	11-65		Bank and Savings Institution Confirmation Request	R
670	11-65		Participation Purchased Confirmation Request	R
671	11-65		Participations Sold Confirmation	R
672	11-65		SBC Confirmation Request	R
674	11-65		Confirmation Request for Amount Due	R
680	6-66	ND 510-1	SBDC Client Interview Form	R
684	3-66		Program Evaluation Report	R
685	10-65		Notice—Mailing List Revision for Aids	P
696	11-65		Liability Certificate	R
702	3-66		"Thank You"	P
714	8-66	ND 560-1	Letter for DBL Notification	P
722	9-66	ND 1500-8	Equal Employment Opportunity Poster	P
723	9-66	ND 625-1	Small Business Certification Required on All Preferential Sales of Set-Aside Timber.	P
727		ND 630-1	SCORE Identification Card	P
729	9-67	ND 510-1	SBA Special Conditions for RAA Nonresidential Rehabilitation Loans.	P
740	12-66	500-M-506	Certification and Receipt	P
750	6-67		Blanket Loan Guaranty Agreement Between .... and SBA.	P
751	6-67	ND 510	Application for Loan Under Blanket Guaranty	P
770	5-67		Financial Statement of Debtor	P
774	6-67	ND 1250-2	Request for SBA Forms, Documents, Records and Other Information.	P
775	7-67		Form Letter—Status of Indebtedness	PC
778	7-67	ND 1250-2	Request for Agency Information or Records	P
779	7-67		Interest Paid During the Calendar Year	PC
782	6-67		Report of Bank Contact	PC
786	7-67		Form Letter re Voluntary Deductions	PC
787	8-67		Form Letter to CPAs re Bank's Participation	PC
788	8-67	ND 205-1	SBA Returned Unpaid Remittance	P
793	9-67	ND 1500-10	Notice to New SBA Borrowers	P

[1] Explanation of reference symbols:
ND—SBA National Directive, e.g., ND 135-5.
M—SBA Manual, e.g., 500-M-503.
Part—Part of 13 CFR (SBA Rules and Regulations), e.g., Part 107.

[2] Explanation of code symbols:
P&PC—SBA forms used by the public when applying for or obtaining SBA assistance or when providing services for SBA.
Forms available in both the Washington and field offices .... P
Forms available only in the Washington Office .... PC
R&RC—SBA forms used by SBA or under SBA sponsorship to solicit information from 10 or more persons (other than Federal employees). These forms have Bureau of the Budget approval, as required by the Federal Reports Act of 1942.
Forms available in both the Washington and field offices .... R
Forms available only in the Washington Office .... RC

Effective date: September 29, 1967.

R. C. Moot,
Administrator.

[F.R. Doc. 67-13530; Filed, Nov. 20, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

Subchapter C—Aircraft

[Docket No. 67-CE-6-AD; Amdt. 39-509]

PART 39—AIRWORTHINESS DIRECTIVES

Continental Models IO-470 and TSIO-470 Engines

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive with respect to Continental Models IO-470 and TSIO-470 engines was published in the Federal Register (32 F.R. 7598) on May 24, 1967. The proposal required retirement within the next 200 hours' time in service after the effective date of the AD of those reground or chrome plated cylinder assemblies, Part No. 626820, installed on the aforementioned Continental Model engines which are not impression stamped with the letter "H" on the top edge of the rocker box flange over the exhaust valve. These cylinders are commonly referred to as "Non-H" cylinders while those impression stamped with the letter "H" are referred to as "H" cylinders.

On August 25, 1967, a supplemental notice of proposed rule making was published in the Federal Register (32 F.R. 12405) which modified the original proposal by proposing the prevention of further installation of the reground or chrome plated "Non-H" cylinders, but permitting engines in which these cylinders were already installed to be operated until the next overhaul provided that inspections were conducted at intervals of 25 hours of operation. The supplemental notice also advised the public that the agency was conducting a study concerning the service experience with both "H" and "Non-H" cylinders whether unmodified, reground, or chrome plated and was soliciting comments from the industry in these respects in order to determine if the original proposal should be further modified.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Numerous comments were received, a few of which supported the amendment while the majority felt that compliance with the proposal and supplemental proposal were too severe. After analyzing both the comments received and the results of the agency study, the evidence indicates that fatigue cracks are as likely to occur on the unmodified "Non-H" cylinders as on the reground or chrome plated "Non-H" cylinders. The information now available discloses that a majority of these cracks were detected during inspections to locate the source of an oil leak or to establish the reason for some abnormal operating condition. Therefore the agency has determined it can further modify the amendment so as to be less burdensome to the user and at the same time still achieve the desired level of safety. Accordingly, the agency is issuing an AD which will require inspection of all "Non-H" Part No. 626820 cylinders at 25 hour intervals for any indication of fatigue cracks. These inspections may be accomplished by the holder of a pilot's certificate issued under Part 61 of the Federal Aviation Regulations on any aircraft owned or operated by him that is not used in air carrier services. If indications of cracks are noted, a certificated power plant mechanic must determine the cause of these indications and correct any unairworthy condition discovered prior to return to service.

Since this amendment further modifies the original and supplemental proposals, and imposes no additional burden on any person, further notice and public procedure hereon are unnecessary.

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

CONTINENTAL. Applies to Models IO-470-D, IO-470-E, IO-470-F, IO-470-H, IO-470-L, IO-470-M, IO-470-N, IO-470-S, IO-470-U, IO-470-V, and TSIO-470-B, TSIO-470-C, TSIO-470-D engines which have "Non-H" cylinder assemblies installed.

Compliance required as indicated, unless already accomplished.

To detect initial failure of Part No. 626820 cylinder assemblies, not having the letter "H" impression stamped on the top edge of the rocker box flange over the exhaust valve, installed on the above referred to Continental Model engines, within the next 25 hours' time in service after the effective date of this AD, and thereafter at intervals of not to exceed 25 hours' time in service from the last inspection, accomplish the following:

(a) Visually inspect the circumference of the cylinder assembly at the junction of the aluminum head and steel barrel for oil leaks and/or combustion product stains. Engine permanent maintenance record entry must be made to reflect AD compliance.

NOTE: In order to perform the inspection required by paragraph (a) of this AD, it may be necessary to remove engine cowling or access doors to permit visual examination with mirrors or other visual aids of the prescribed area of the cylinder. If the engine is clean and free of oil in the area to be inspected, the inspection required by paragraph (a) may be performed without further cleaning of the engine. If oil leakage from an unknown source has caused a generally oily condition, the engine should be washed down and run up to normal operating conditions prior to the inspection required by paragraph (a). During the inspection it may also be helpful to rotate the propeller to detect significant differences in compression between cylinders or audible compression leakage through a crack in the cylinder barrel.

(b) The inspection(s) required by paragraph (a) must be performed by those persons authorized to perform inspections under Federal Aviation Regulation 43.3 except that on aircraft not utilized in air carrier services the inspection(s) may be performed by the holder of a pilot's certificate issued under Part 61 of the Federal Aviation Regulations on any aircraft owned or operated by him.

(c) If oil leaks and/or combustion product stains are found at the junction of the cylinder head and barrel during an inspection required by paragraph (a), before further flight, a certificated power plant mechanic shall investigate and establish the source of these conditions. If a cylinder barrel crack is found, the cracked cylinder must be replaced with an airworthy part.

(d) Defective cylinders found during the inspections required by this AD shall be reported on a completed FAA Form 1226 and the form forwarded to Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Central Region.

This amendment becomes effective December 17, 1967.

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

Issued in Kansas City, Mo., on November 8, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-13531; Filed, Nov. 16, 1967; 8:48 a.m.]

Subchapter E—Airspace

[Airspace Docket No. 67-WE-69]

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

Alteration of Control Zone Description

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to amend the description of Sacramento County Metropolitan Airport, Sacramento, Calif., control zone. The name of Sacramento County Metropolitan Airport has recently been changed to "Sacramento Metropolitan Airport." Action herein is necessary to reflect the name change.

In § 71.171 (32 F.R. 11632) the Sacramento, Calif. (Sacramento County Metropolitan Airport), control zone is amended by deleting "* * * County * * *" wherever it appears in the title or description of the control zone.

Since this change is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Issued in Los Angeles, Calif., on October 26, 1967.

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

ARVIN O. BASNIGHT,
Director, Western Region.

[F.R. Doc. 67-13532; Filed, Nov. 16, 1967; 8:48 a.m.]

[Airspace Docket No. 67-SO-105]

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

Alteration of Control Zone and Transition Area

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the Huntsville, Ala., control zone and transition area.

The Huntsville control zone is described in § 71.171 (32 F.R. 2071 and 11631).

The Huntsville transition area is described in § 71.181 (32 F.R. 2148 and 11631).

The requirement for controlled airspace protection at the old Huntsville-Madison County Airport no longer exists and the operators at this airport have requested that it be excluded from the control zone to eliminate an unnecessary burden on VFR flight activities. Accordingly, it is necessary to alter the control zone and transition area by revoking the designated airspace for the old Huntsville-Madison County Airport and altering the control zone to exclude the airspace within a 1-mile radius of the old Huntsville-Madison County Airport.

Since these amendments are less restrictive in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (32 F.R. 2071), the Huntsville, Ala., control zone (32 F.R. 11631) is amended as follows: "* * * within a 5-mile radius of the old Huntsville-Madison County Airport (lat. 34°41'18" N., long. 86°35'20" W.); within 2 miles each side of the Huntsville VOR 160° radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the old Huntsville ILS localizer north course, extending from the 5-mile radius zone to 6 miles north of the airport; and within 3 miles north and 2 miles south of the extended centerline of runway 5, extending from the 5-mile radius zone to a point 8.5 miles northeast of the airport * * *" is deleted and "* * * excluding the airspace within a 1-mile radius of the old Huntsville-Madison County Airport (lat. 34°41'18" N., long. 86°35'20" W.) * * *" is substituted therefor.

In § 71.181 (32 F.R. 2148), the Huntsville, Ala., transition area (32 F.R. 11631) is amended as follows: "* * * within a 15-mile radius of lat. 34°40'00" N., long. 86°37'30" W. * * *" is deleted.

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

Issued in East Point, Ga., on November 6, 1967.

JAMES S. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-13533; Filed, Nov. 16, 1967; 8:48 a.m.]

[Airspace Docket No. 67-SO-93]

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

Alteration of Control Zone and Designation of Transition Area

On September 27, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 13526), stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Dothan, Ala., control zone and designate the Dothan, Ala., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable except those submitted by the U.S. Army.

The U.S. Army objected to the proposal on the basis that the 700-foot transition area would place additional limitations upon aeronautical activity at the uncharted Goldberg AHP (lat. 31°24′57″ N., long. 85°27′47″ W.). They requested, due to increased traffic and the assigned mission of Goldberg AHP, the airspace within a 1.5-mile radius of Goldberg AHP be excluded from the 700-foot transition area. They also advised that immediate action would be initiated to have Goldberg AHP published on Sectional Aeronautical Charts.

Further review of terminal airspace requirements for Dothan Airport was conducted in light of the comments submitted by the U.S. Army. This review disclosed that AL-123-VOR/DME-RWY-13 instrument approach procedure could be adjusted to eliminate the proposed northwest arrival extension to the control zone and permit excluding the airspace within a 1.5-mile radius of Goldberg AHP from the transition area. Since these adjustments would have no adverse effect upon the instrument approach procedure nor the controlled airspace requirements, it is necessary to alter the control zone and transition area accordingly.

Subsequent to the publication of the notice, the geographic coordinate (lat. 31°19′10″ N., long. 85°27′30″ W.) for Dothan Airport (lat. 31°21′45″ N., long. 85°18′30″ W.) for Headland Municipal Airport, and (lat. 31°11′55″ N., long. 85°20′55″ W.) for Baker's Skytel Airport, was obtained from Coast and Geodetic Survey.

Since these alterations and the adding of airport coordinates are either editorial or less restrictive in nature, they are incorporated in this rule.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., January 4, 1968, as hereinafter set forth.

In § 71.171 (32 F.R. 2071), the Dothan, Ala., control zone (32 F.R. 3438) is amended to read:

DOTHAN, ALA.

Within a 5-mile radius of Dothan Airport (lat. 31°19′10″ N., long. 85°27′30″ W.); within 2 miles each side of the Dothan VORTAC 156° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; and within a 1.5-mile radius of the Baker's Skytel Airport (lat. 31°11′55″ N., long. 85°20′55″ W.).

In § 71.181 (32 F.R. 2148), the following transition area is added:

DOTHAN, ALA.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Dothan Airport (lat. 31°19′10″ N., long. 85°27′30″ W.), excluding the portion which coincides with the Fort Rucker, Ala., transition area, the airspace within a 1.5-mile radius of Headland Municipal Airport (lat. 31°21′45″ N., long. 85°18′30″ W.) and the airspace within a 1.5-mile radius of Goldberg AHP (lat. 31°24′57″ N., long. 85°27′47″ W.).

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

Issued in East Point, Ga., on November 2, 1967.

JAMES S. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-13534; Filed, Nov. 16, 1967; 8:48 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8519; Amdt. 568]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

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

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Racine Int	LOM	Direct	2500	T-dn	300-1	300-1	200-½
MKE VOR	LOM	Direct	2500	C-dn	500-1	500-1	500-1½
Cardinal Int	LOM	Direct	2700	S-dn-1	500-1	500-1	500-1
Wind Lake Int	LOM	Direct	2500	A-dn	800-2	800-2	800-2
Horlick Int	LOM	Direct	2500				
Big Bend Int	LOM	Direct	2500				
Oakwood Int	LOM (final)	Direct	2500				

Radar available.
Procedure turn E side of crs, 186° Outbnd, 006° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 006°—5.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing LOM, climb to 2700′ on 006° bearing from LOM, proceed direct to Cardinal Int or, when directed by ATC, climb to 2600′ and proceed to MKE VOR via MKE R 110°.
NOTE: Runway 1 LOM named METRO.
MSA within 25 miles of facility: 090°-270°—2200′; 270°-090°—2800′.

City, Milwaukee; State, Wis.; Airport name, General Mitchell Field; Elev., 722′; Fac. Class., LOM; Ident., MK; Procedure No. NDB(ADF) Runway 1, Amdt. 22; Eff. date, 9 Dec. 67; Sup. Amdt. No. ADF 1, Amdt. 21; Dated, 3 Dec. 66

From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
LBF VOR	LED NDB	Direct	4600	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-30	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 120° Outbnd, 300° Inbnd, 4600′ within 10 miles.
Minimum altitude over Bignell Int on final approach crs, 3479′; over facility, 3179′.
Crs and distance, facility to airport, 300°—0.8 mile; Bignell Int to facility, 300°—3.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing LED NDB, make right-climbing turn to 4600′ on 120° bearing from LED NDB within 10 miles, make left turn and return to LED NDB.
NOTES: (1) Final approach from holding pattern at NDB not authorized. Procedure turn required. (2) ADF/VOR receivers required.
CAUTION: When departing N and NW plan flight to avoid 3627′ tower, 4.5 miles NNW of airport.
MSA within 25 miles of facility: 270°-090°—4700′; 090°-180°—4200′; 180°-270°—5400′.

City, North Platte; State, Nebr.; Airport name, Lee Bird Field (Municipal); Elev., 2779′; Fac. Class., NDB; Ident., LED; Procedure No. NDB(ADF)-1 Runway 30, Amdt. 1; Eff. date, 9 Dec. 67; Sup. Amdt. No. NDB(ADF)-1 Runway 30 Orig.; Dated, 30 Sept. 67

From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
North Platte VOR	LBF RBn	Direct	4700	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				A-dn	800-2	800-2	800-2

Procedure turn E side crs, 175° Outbnd, 355° Inbnd, 4700′ within 10 miles.
Minimum altitude over facility on final approach crs, 3800′.
Crs and distance, facility to airport, 355°—1.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 miles after passing LBF RBn, make right turn, climbing to 4700′ on 175° bearing from LBF RBn within 15 miles, make right turn and return to LBF RBn.
NOTE: Final approach from holding pattern at RBn not authorized. Procedure turn required.
CAUTION: Aircraft departing northbound or northwestbound should plan flight to avoid 3627′ tower 4.5 miles NNW of airport.
MSA within 25 miles of facility: 270°-090°—4700′; 090°-180°—4200′; 180°-270°—5400′.

City, North Platte; State, Nebr.; Airport name, Lee Bird Field (Municipal); Elev., 2779′; Fac. Class., H-SAB; Ident., LBF; Procedure No. NDB(ADF)-1, Runway 35, Amdt. 3; Eff. date, 9 Dec. 67; Sup. Amdt. No. ADF1, Amdt. 2; Dated, 8 Oct. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
North Platte VOR	LBF RBn	Direct	4700	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1¼
				S-dn-35	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 175° Outbnd, 355° Inbnd, 4700′ within 10 miles.
Minimum altitude over Moran Int on final approach crs 3800′; over LBF RBn, 3230′.
Crs and distance, facility to airport 355°—1.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 miles after passing LBF RBn, make right turn, climbing to 4700′ on 175° bearing from LBF RBn within 15 miles, make right turn and return to LBF RBn.
NOTES: (1) Final approach from holding pattern at RBn not authorized. Procedure turn required. (2) ADF/VOR receivers required.
CAUTION: Aircraft departing northbound or northwestbound should plan flight to avoid 3627′ tower, 4.5 miles NNW of airport.
MSA within 25 miles of facility: 270°-090°—4700′; 090°-180°—4200′; 180°-270°—5400′.

City, North Platte; State, Nebr.; Airport name, Lee Bird Field (Municipal); Elev., 2779′; Fac. Class., H-SAB; Ident., LBF; Procedure No. NDB(ADF)-2, Runway 35, Amdt. 2; Eff. date, 9 Dec. 67; Sup. Amdt. No. ADF 2, Amdt. 1; Dated, 8 Oct. 66

From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Cardinal Int	LM LOM	Direct	2000	T-dn	300-1	300-1	200-½
St. Paul Int	LM LOM (final)	Direct	2000	C-dn	500-1	500-1	500-1¼
STL VOR	LM LOM	Direct	2000	S-dn-12R@	400-1	400-1	400-1
Lake RBn	LM LOM	Direct	2000	A-dn	800-2	800-2	800-2
ST LOM	LM LOM	Direct	2000				
Staunton Int	LM LOM	Direct	2000				
Barracks Int	LM LOM	Direct	2600				
Maryland Heights VOR	LM LOM	Direct	2200				
Imperial Int	LM LOM	Direct	2600				
Mounds Int	LM LOM	Direct	2100				

Radar available.
Procedure turn N side of crs, 297° Outbnd, 117° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs 2000′.
Crs and distance facility to airport 117°—5.3 miles.
If visual contact not established upon descent to authorized landing minimums of if landing not accomplished within 5.3 miles after passing LM LOM, proceed to MTS VOR via Cardinal Int climbing to 2400′ or, when directed by ATC, proceed to ST LOM via Cardinal Int climbing to 1900′.
CAUTION: Vehicular traffic crossing perpendicular to approach crs and extending above ALS 900′ from threshold Runway 12R.
@Sliding scale not authorized.
MSA within 25 miles of facility: 000°-090°—2100′; 090°-180°—2700′; 180°-270°—2200′; 270°-360°—2200′.

City, St. Louis; State, Mo.; Airport name, Lambert-St. Louis Municipal; Elev., 571′; Fac. Class., LOM; Ident., LM; Procedure No. NDB(ADF) Runway 12R, Amdt. 2; Eff. date, 9 Dec. 67; Sup. Amdt. No. ADF 3, Amdt. 1; Dated, 17 Sept. 66

From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
San Lorenzo Int	SJP RBn	Direct	3000	T-dn	300-1	300-1	200-½
SJU VOR	SJP RBn	Direct	1600	C-dn	600-1	600-1	600-1¼
SJU RBn	SJP RBn	Direct	1600	S-dn-7#	600-1	600-1	600-1
Greenwater Int	SJP RBn	Direct	2000	A-dn	800-2	800-2	800-2
Coral Int	SJP RBn	Direct	1600				
Mangrove Int	SJP RBn	Direct	2000				
Caribbean Int	SJP RBn	Direct	2000				
Guaynabo Int	SJP RBn	Direct	3200				

Radar available.
Procedure turn* N side of crs, 289° Outbnd, 109° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1000′.
Crs and distance, facility to airport, 075°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing SJP RBn, climb to 1100′ on crs of 075° within 20 miles of SJP RBn.
*Nonstandard due to high terrain on S side of crs.
#Reduction in landing visibility not authorized.
MSA within 25 miles of facility: 000°-090°—1300′; 090°-180°—5100′; 180°-270°—5100′; 270°-360°—1800′.

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Fac. Class., MHW; Ident., SJP; Procedure No. NDB(ADF) Runway 7, Amdt. 9; Eff. date, 9 Dec. 67; Sup. Amdt. No. ADF 1, Amdt. 8; Dated, 14 May 66

PROCEDURE CANCELED, EFFECTIVE 9 DEC. 1967.

City, Shemya; State, Alaska; Airport name, Shemya AFS; Elev., 95′; Fac. Class, HW; Ident., SYA; Procedure No. 1, Amdt. 2; Eff. date, 4 Sept. 65; Sup. Amdt. No. 1; Dated, 20 June 64

From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Thornhurst VOR	LOM	Direct	3600	T-dn*	600-1	600-1	600-1
Hazleton VOR	LOM	Direct	3600	C-dn**	1000-1½	1000-1½	1000-2
Crystal Lake RBn	LOM (final)	Direct	3100	S-dn			
				A-dn	1200-2	1200-2	1200-2

Radar available.
Procedure turn W side of crs, 223° Outbnd, 043° Inbnd, 3600′ within 10 miles of LOM.
Minimum altitude over facility on final approach crs, 3100′.
Crs and distance, facility to airport, 043°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing AV LOM, climb to 3600′ on crs 043° from the AV LOM, climbing right turn to 4000′ direct to Lake Henry VOR. Hold E, 1-minute right turns, Inbnd crs 268° or, when directed by ATC, climb to 3600′ on crs 043° from the LOM, left turn direct AV LOM. Hold SW, 1-minute left turns, Inbnd crs, 043°.
NOTES: (1) High terrain to 1820′ E, SE, and S of airport within 2.3 miles. (2) **Circling approaches are prohibited in that area SE of Runways 4/22 centerline extended. (3) *Takeoff Runways 10 and 16, day 600-2, night 800-2. (4) Reduction not authorized.
MSA within 25 miles of facility: 000°-090°—3800′; 090°-180°—3600′; 180°-270°—3600′; 270°-360°—3700′.

City, Wilkes-Barre-Scranton; State, Pa.; Airport name, Wilkes-Barre-Scranton; Elev., 956′; Fac. Class, LOM; Ident., AV; Procedure No. NDB(ADF) Runway 4, Amdt. 9; Eff. date, 7 Dec. 67; Sup. Amdt. No. NDB(ADF) Runway, Amdt. 8; Dated, 15 July 67

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-d	300-1		
				C-d	500-1		
				S-d-4	500-1		
				A-d	NA	NA	NA

Procedure turn E side of crs, 193° Outbnd, 013° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′; Atco Int, 1000′.
Crs and distance, facility to airport, 013°—14.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 14.2 miles after passing MIV VOR or 5 miles after passing Atco Int/9-mile DME Fix, make right-climbing turn to 1600′ direct to MIV VOR, hold S, 1-minute right turns, Inbnd crs 013°.
NOTE: Use Millville altimeter setting.
MSA within 25 miles of facility: 000°-090°—1600′; 090°-180°—1600′; 180°-270°—1600′; 270°-360°—2100′.

City, Albion; State, N.J.; Airport name, Albion Airstrip; Elev., 150′; Fac. Class., L-BVORTAC; Ident., MIV; Procedure No. VOR Runway 4, Amdt. Orig.; Eff. date, 9 Dec. 67

PROCEDURE CANCELED, EFFECTIVE 7 DEC. 1967, OR UPON COMMISSIONING OF RELOCATED FACILITY.

City, Beaumont; State, Tex.; Airport name, Jefferson County; Elev., 16′; Fac. Class., BVOR; Ident., BPT; Procedure No. 1, Amdt. 7; Eff. date, 16 July 66; Sup. Amdt. No. 6; Dated, 16 May 64

				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	600-1½
				S-dn-34	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 187° Outbnd, 007° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 516′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of BPT VOR, make climbing right turn and proceed to Waterway Int via BPT R 069°.
MSA within 25 miles of facility: 000°-090°—2100′; 090°-180°—2000′; 180°-270°—1400′; 270°-360°—1700′.

City, Beaumont; State, Tex.; Airport name, Jefferson County; Elev., 16′; Fac. Class., L-BVOR; Ident., BPT; Procedure No. VOR Runway 34, Amdt. Orig.; Eff. date, 7 Dec. 67 or upon commissioning of relocated facility.

R 200°, counterclockwise	R 120°	Via 8-mile DME Arc.	1700	T-d	300-1	300-1	NA
R 091°, clockwise	R 120°	Via 8-mile DME Arc.	1700	C-d	600-1	600-1	NA
8-mile arc, R 120°	CTY VORTAC (final)	Via R 120°	700	S-d-31#	600-1	600-1	NA
				A-dn*	NA	NA	NA

Procedure turn N side of crs, 120° Outbnd, 300° Inbnd, 1700′ within 10 miles.
Minimum altitude over facility on final approach crs, 700′.
Crs and distance, facility to airport, 300°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing CTY VORTAC, climb to 1700′ on R 300° within 15 miles.
NOTE: Use Gainesville altimeter setting.
*Weather not available to the public.
#Reduction not authorized.
MSA within 25 miles of facility: 000°-360°—1400′.

City, Cross City; State, Fla.; Airport name, Cross City; Elev., 42′; Fac. Class., L-BVORTAC; Ident., CTY; Procedure No. VOR Runway 31, Amdt. 11; Eff. date, 9 Dec. 67; Sup. Amdt. No. VOR Runway 31, Amdt. 10; Dated, 27 May 67

AOO VOR	CLN VORTAC	Via CLN, R 130°	4500	T-dn	300-1	300-1	
JST VORTAC	CLN VORTAC	Direct	4500	C-dn	800-1½	800-1½	
R 130°, CLN VORTAC counterclockwise	R 020°, CLN VORTAC	Via 10-mile DME Arc.	4500	A-dn	NA	NA	
R 282°, CLN VORTAC clockwise	R 020°, CLN VORTAC	Via 10-mile DME Arc.	4500	DME minimums: C-dn	700-1	700-1	
10-mile DME Fix, R 020°, CLN VORTAC	CLN VORTAC (final)	Direct	3500				

Procedure turn E side of crs, 020° Outbnd, 200° Inbnd, 4000′ within 10 miles.
Minimum altitude over facility on final approach crs, 3500′; over 3-mile DME Fix, R 200°, 2900′.
Crs and distance, facility to airport, 200°—5.3 miles; 3-mile DME Fix to airport, 200°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing CLN VOR, make a left-climbing turn to 4000′; return to CLN VORTAC, hold N, 1-minute right turns, 200° Inbnd.
NOTE: Use Altoona, Pa., altimeter setting.
MSA within 25 miles of facility: 000°-090°—3900′; 090°-180°—4200′; 180°-270°—4100′; 270°-360°—3500′.

City, Ebensburg; State, Pa.; Airport name, Ebensburg; Elev., 2098′; Fac. Class., L-BVORTAC; Ident., CLN; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 9 Dec. 67

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
10-mile DME Fix, R 060°, counterclockwise.	10-mile DME Fix, R 022°	Via 10-mile DME Arc.	3500	T-dn%	300-1	300-1	200-½
				C-dn	800-2	800-2	800-2
10-mile DME Fix, R 022°	EPH VOR (final)	Direct	2800	S-dn-20	400-1	400-1	400-1
				A-dn	1000-3	1000-3	1000-3

Procedure turn N side of crs, 022° Outbnd, 202° Inbnd, 3500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2800′.
Crs and distance, facility to airport, 202°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing EPH VOR, turn left, climb direct to EPH VOR. Continue climb to 4000′ on R 060° within 10 miles.
%Takeoffs all runwys: Climb direct to EPH VOR, thence continue climb on R 060° EPH VOR within 10 miles so as to cross EPH VOR at or above: Southwestbound V-2 and V-448, 2800′; Westbound, V-2N, 2800′; all turns N side R 060°.
MSA within 25 miles of facility: 000°-090°—3600′; 090°-180°—2800′; 180°-360°—4700′.

City, Ephrata; State, Wash.; Airport name, Ephrata Municipal; Elev., 1272′; Fac. Class., H-BVORTAC; Ident., EPH; Procedure No. VOR Runway 20, Amdt. 10; Eff. date, 7 Dec. 67; Sup. Amdt. No. VOR 1, Amdt. 9; Dated, 27 Aug. 66

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
Wilton Int	JEF VOR	Direct	2900	T-d	500-1	500-1	500-1
Algoa Int	JEF VOR	Direct	2400	T-n	500-2	500-2	500-2
CBI VOR	Scott Int	Direct	2400	C-dn$&	700-1	700-1	700-1½
Scott Int	Cole Int (final)	Direct	1800	S-dn-12$&@	700-1	700-1	700-1
Guthrie Int	JEF VOR	Direct	3000	A-dn$&	1000-2	1000-2	1000-2
Jamestown Int	Scott Int	Direct	2400				

Procedure turn S side of crs, 301° Outbnd, 121° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, *1247′ (*1347′ when control zone not effective).
Facility on airport. Crs and distance, Cole Int to airport, 121°—5.8 miles breakoff point to Runway 12, 116°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing JEF VOR, climb to 2500′ on JEF VOR, R 112° within 10 miles, make right turn and return to JEF VOR. Hold SE on JEF VOR, R 112°, 292° Inbnd, left turns.
NOTES: (1) Use Columbia, Mo., altimeter setting when control zone not effective. (2) If weather is below 1300-3, climb to 1200′ on runway heading before departing to NE.
CAUTION: 985′ tower located 1.3 miles W of airport. 1000′ tower located 2.7 miles SE of airport. 1151′ tower located 3.9 miles NE of airport. 1784′ tower located 6.2 miles NE of airport.
$Circling and straight-in ceiling minimums are raised 100′ and alternate minimums not authorized when control zone not effective.
&These minimums apply at all times for air carriers with approved weather reporting service.
@Reduction not authorized for nonstandard REIL.
MSA within 25 miles of facility: 000°-090°—2800′; 090°-180°—2300′; 180°-270°—2200′; 270°-360°—2700′.

City, Jefferson City; State, Mo.; Airport name, Jefferson City Municipal; Elev., 547′; Fac. Class., L-BVOR; Ident., JEF; Procedure No. VOR Runway, Amdt. 5; Eff. date, 7 Dec. 67; Sup. Amdt. No. VOR Runway 12, Amdt. 4; Dated, 20 July 67

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
Wilton Int	JEF VOR	Direct	2900	T-d	500-1	500-1	500-1
Algoa Int	JEF VOR	Direct	2400	T-n	500-2	500-2	500-2
CBI VOR	Scott Int	Direct	2400	C-dn&$	800-1	800-1	800-1½
Scott Int	JEF VOR	Direct	2400	S-dn-30&$	800-1	800-1	800-1
Guthrie Int	JEF VOR	Direct	3000	A-dn&$	1000-2	1000-2	1000-2
Jamestown Int	Scott Int	Direct	2400				

Procedure turn S side of crs, 112° Outbnd, 292° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, *1347′ (*1447′ when control zone not effective).
Facility on airport. Crs and distance, breakoff point to Runway 30, 296°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing JEF VOR, make right turn, climbing to 2500′ on JEF VOR R 112° within 10 miles, make right turn and return to JEF VOR.
NOTES: (1) If weather is below 1300-3, climb to 1200′ on runway heading before departing to NE. (2) Use Columbia, Mo., altimeter setting when control zone not effective.
CAUTION: 985′ tower located 1.3 miles W of airport. 1000′ tower located 2.7 miles SE of airport. 1151′ tower located 3.9 miles NE of airport. 1784′ tower located 6.2 miles NE of airport.
&These minimums apply at all times for air carriers with approved weather reporting service.
$Circling and straight-in ceiling minimums are raised 100′ and alternate minimums not authorized when control zone not effective.
MSA within 25 miles of facility: 000°-090°—2800′; 090°-180°—2300′; 180°-270°—2200′; 270°-360°—2700′.

City, Jefferson City; State, Mo.; Airport name, Jefferson City Memorial; Elev., 547′; Fac. Class., L-BVOR; Ident., JEF; Procedure No. VOR Runway 30, Amdt. 4; Eff. date, 7 Dec. 67; Sup. Amdt. No. VOR Runway 30, Amdt. 3; Dated, 20 July 67

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
R 261°, LBF VOR counterclockwise	R 198°, LBF VOR	Via 7-mile DME Arc.	4700	T-dn	300-1	300-1	200-½
				C-dn	600-1	600-1	600-1½
R 062°, LBF VOR clockwise	R 198°, LBF VOR	Via 7-mile DME Arc.	4700	A-dn	800-2	800-2	800-2
				Minimums with DME:			
7-mile DME Fix, R 198°	LBF VOR (final)	Direct	4100	C-dn	500-1	500-1	500-1½

Procedure turn E side of crs, 198° Outbnd, 018° Inbnd, 4700′ within 10 miles.
Minimum altitude over facility on final approach crs, 4100′; over 2.5-mile DME Fix (R 018°) 3379′.
Crs and distance, facility to airport 018°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing LBF VOR, climb to 4700′ on R 018° within 15 miles, make right turn and return to LBF VOR.
NOTE: Final approach from holding pattern at VOR not authorized. Procedure turn required.
CAUTION: Aircraft departing northbound or northwestbound should plan flight to avoid 3627′ tower, 4.5 miles NNW of airport.
MSA within 25 miles of facility: 270°-090°—4700′; 090°-180°—4200′; 180°-270°—5400′.

City, North Platte; State, Nebr.; Airport name, Lee Bird Field (Municipal); Elev., 2779′; Fac. Class., L-BVORTAC; Ident., LBF; Procedure No. VOR Runway 35, Amdt. 11; Eff. date, 9 Dec. 67; Sup. Amdt. No. VOR 1, Amdt. 10; Dated, 8 Oct. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
R 161°, DAB VOR clockwise	R 256°	Via 8-mile DME Arc.	1500	T-dn	300-1	300-1	200-½
R 360°, DAB VOR counterclockwise	R 256°	Via 8-mile DME Arc.	1500	C-dn	500-1	500-1	500-1½
8-mile DME Fix, R 256°, DAB VOR	Korona VHF/LF/DME Fix (final)	Via R 256°	529	S-dn-8#	500-1	500-1	500-1
				A-dn	NA	NA	NA
				LF/DME minimums:			
				S-dn-8	400-1	400-1	400-1

Procedure turn N side of crs, 256° Outbnd, 076° Inbnd, 1500′ within 10 miles.
Minimum altitude over Korona VHF/LF/DME Fix on final approach crs, 529′.
Crs and distance, Korona VHF/LF/DME Fix to airport, 076°—3 miles. Breakoff point to runway, 079°—0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 mile o' Daytona Beach VORTAC, make left-climbing turn to 1500′ on R 360° of DAB VORTAC within 15 miles.
NOTE: Use Daytona Beach altimeter setting.
#Reduction below ¾ mile not authorized.
MSA within 25 miles of facility: 000°-090°—1300′; 090°-180°—1500′; 180°-270°—2100′; 270°-360°—1400′.

City, Ormond Beach; State, Fla.; Airport name, Municipal; Elev., 29′; Fac. Class., H-BVORTAC; Ident., DAB; Procedure No. VOR Runway 8, Amdt. 1; Eff. date, 9 Dec. 67; Sup. Amdt. No. VOR Runway 8, Orig.; Dated, 20 July 67

PROCEDURE CANCELED, EFFECTIVE 9 DEC. 1967.

City, Roswell; State, N. Mex.; Airport name, Roswell Municipal; Elev., 3623′; Fac. Class., H-BVORTAC; Ident., ROW; Procedure No. VOR Runway 3, Amdt. 7; Eff. date, 30 Mar. 67; Sup. Amdt. No. VOR 1, Amdt. 6; Dated, 17 July 65

3. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
Pine Bluff VORTAC, R 060° clockwise	Pine Bluff VORTAC, R 180°	Via 12-mile DME Arc.	1800	T-dn	300-1	300-1	200-½
Pine Bluff VORTAC, R 276° counterclockwise.	Pine Bluff VORTAC, R 180°	Via 12-mile DME Arc.	1800	C-dn	400-1	500-1	500-1½
12-mile DME Fix, R 180°	9-mile DME Fix, R 180° (final)	Direct	1200	S-dn-35	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 180° Outbnd, 360° Inbnd, 180′ within 10 miles of 9-mile DME Fix PBF, R 180°.
Minimum altitude over 9-mile DME Fix on final approach crs, 1200′.
Crs and distance, 9-mile DME Fix to airport, 360°—4.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing the 9-mile DME Fix, climb to 1500′ direct to PBF VORTAC.
MSA within 25 miles of facility: 000°-270°—1700′; 270°-360°—3300′.

City, Pine Bluff; State, Ark.; Airport name, Grider Field; Elev., 205′; Fac. Class., L-BVORTAC; Ident., PBF; Procedure No. VOR/DME Runway 35, Amdt. Orig.; Eff. date, 7 Dec. 67

4. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
MKE VOR	LOM	Direct	2500	T-dn**	300-1	300-1	200-½
Big Bend Int	LOM	Direct	2500	C-dn	500-1	500-1	500-1½
Racine Int	LOM	Direct	2500	S-dn-1*$	200-½	200-½	200-½
Cardinal Int	LOM	Direct	2700	A-dn	600-2	600-2	600-2
Wind Lake Int	LOM	Direct	2500				
Horlick Int	LOM	Direct	2500				
Oakwood Int	LOM (final)	Direct	2500				

Radar available.
Procedure turn E side S crs, 186° Outbnd, 006° Inbnd, 2500′ within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2500′.
Altitude of glide slope and distance to approach end of runway at OM, 2370′—5.5 miles; at MM, 919′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2700′ on N crs of ILS and proceed direct to the Cardinal Int or, when directed by ATC, climb to 2600′ and intercept R 110° MKE VOR and proceed to MKE VOR.
NOTE: Runway 1 LOM named METRO.
*RVR (2400′). Descent below 922′ not authorized unless approach lights are visible.
**RVR (2400′) authorized Runway (1).
$400-¾ required when glide slope not utilized and 400-½ authorized with operative ALS except for 4-engine turbojets.
MSA within 25 miles of LOM: 090°-270°—2200′; 270°-090°—2800′.

City, Milwaukee; State, Wis.; Airport name, General Mitchell Field; Elev., 722′; Fac. Class., ILS; Ident., I-MKE; Procedure No. ILS Runway 1, Amdt. 23; Eff. date, 9 Dec. 67; Sup. Amdt. No. ILS-1, Amdt. 22; Dated, 3 Dec. 66

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
Cardinal Int	LM LOM	Direct	2000	T-dn##	300-1	300-1	200-½
St. Paul Int	LM LOM (final)	Via. STL, R 277 and NW crs LMR ILS.	2000	C-dn	500-1	500-1	500-1½
				S-dn-12R@	400-1	400-1	400-1
				A-dn	600-2	600-2	600-2
STL VOR	LM LOM	Direct	2000				
Lake RBn	LM LOM	Direct	2000				
ST LOM	LM LOM	Direct	2000				
Staunton Int	LM LOM	Direct	2000				
Barracks Int	LM LOM	Direct	2600				
Maryland Heights VOR	LM LOM	Direct	2200				
Imperial Int	LM LOM	Direct	2600				
Mounds Int	LM LOM	Direct	2100				

Radar available.
Procedure turn N side of crs, 297° Outbnd, 117° Inbnd, 2000′ within 10 miles.
Minimum altitude over LOM on final approach crs, 2000′.
Crs and distance, LOM to airport, 117°—5.3 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LM LOM, proceed to MTS VOR via Cardinal Int, climbing to 2400′ or, when directed by ATC, proceed to ST LOM via Cardinal Int climbing to 1900′.
CAUTION: Vehicular traffic crossing perpendicular to approach crs and extending above ALS 900′ from threshold Runway 12R.
##RVR 2400′ authorized Runway 24.
@Reduction not authorized.
MSA within 25 miles of LM LOM: 000°-090°—2100′; 090°-180°—2700′; 180°-270°—2200′; 270°-360°—2200′.

City, St. Louis; State, Mo.; Airport name, Lambert-St. Louis Municipal; Elev., 571′; Fac. Class., ILS; Ident., I-LMR; Procedure No. ILS Runway 12R, Amdt. 4; Eff. date 9 Dec. 67; Sup. Amdt. No. ILS-12R, Amdt. 3; Dated, 17 Sept. 66

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
Sweet Valley Int	CYE RBn	Direct	3800	T-dn#	600-1	600-1	600-1
Thornhurst VOR	CYE RBn	Direct	3800	C-dn*	1000-1½	1000-1½	1000-2
Effort Int	CYE RBn	Direct	3800	S-dn-4	600-1	600-1	600-1
Pocono Int	CYE RBn	Direct	3800	A-dn	1200-2	1200-2	1200-2
Scranton Int	CYE RBn	Direct	4000	With glide slope inoperative:			
Lopez Int	CYE RBn	Direct	3800	S-dn-4**	1000-1½	1000-1½	1000-2
Hazleton VOR	CYE RBn	Direct	3800				

Radar available.
Procedure turn W side SW crs, 223° Outbnd, 043° Inbnd, 3800′ within 10 miles of Crystal Lake RBn.
Minimum altitude at glide slope interception Inbnd final, 3775′ over Crystal Lake RBn.
Altitude of glide slope intercept and distance to approach end of runway at CYE RBn, 3775′—8.6 miles; at OM, 2229′—3.9 miles; at MM, 1177′—0.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing AV LOM or 8.6 miles after passing Crystal Lake RBn, climb to 3800′ on crs 043° from the AV LOM, climbing right turn to 4000′ direct to Lake Henry VOR. Hold E, 1-minute right turns, Inbnd crs 268° or, when directed by ATC, climb to 3800′ on crs 043° from the LOM, left turn direct Crystal Lake RBn, hold SW, 1-minute left turns, Inbnd crs, 043°.
NOTES: (1) This approach is authorized only when Crystal Lake Radio Beacon is operating, or when Radar is utilized. (2) High terrain to 1820′ E, SE, and S of airport within 2.3 miles. (3) *Circling approaches are prohibited in that area SE of Runways 4/22 centerline extended. (4) Back crs unusable. (5) Glide slope unusable below 1550′. (6) Reduction not authorized.
#Takeoff minimums for Runways 10 and 16: Day—600-2, night—800-2.
**Maintain 2600′ until past LOM.
MSA within 25 miles of AV LOM: 000°-090°—3800′; 090°-180°—3600′; 180°-270°—3600′; 270°-360°—3700′.

City, Wilkes-Barre-Scranton; State, Pa.; Airport name, Wilkes-Barre-Scranton; Elev., 956′; Fac. Class., ILS; Ident., I-AVP; Procedure No. ILS Runway 4, Amdt. 21; Eff. date, 7 Dec. 67; Sup. Amdt. No. ILS Runway 4, Amdt. 20; Dated, 15 July 67

5. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
					2-engine or less		
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots

PROCEDURE CANCELED, EFFECTIVE 9 DEC. 1967.

City, Shemya; State, Alaska; Airport name, Shemya AFS; Elev., 95'; Fac. Class. and Ident., Shemya Radar; Procedure No. 1, Amdt. 1; Eff. date, 14 Oct. 67; Sup. Amdt. No. 1, Orig.; Dated, 25 Feb. 67

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums			
															2-engine or less		
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
070°	210°	20	7600	15	7100									Surveillance approach			
210°	350°	20	4100	15	3700									T-dn	600-1	600-1	NA
350°	070°	20	5100	15	4600									C-dn	1300-1½	1300-2	NA
All quadrants								10	3500					S-dn			
060°	220°									5	3200			A-dn	NA	NA	NA
220°	060°									5	3000						

Radar site located on Wilkes-Barre-Scranton Airport.
Minimum altitude over 12-mile Radar Fix on final approach crs, 4200'; over 6-mile Radar Fix, 2400'.
Crs and distance, 6-mile Radar Fix to airport, 043°—6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make right-climbing turn intercept LHY VOR R 245°, proceed to LHY VOR climbing to 4000'. Hold E, 1-minute right turns, Inbnd crs, 268°.
CAUTION: 1700' terrain within 2 miles of airport to W, NW, and N.

City, Wilkes-Barre; State, Pa.; Airport name, Wilkes-Barre-Wyoming Valley; Elev., 546'; Fac. Class. and Ident., Wilkes-Barre Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 7 Dec. 67

070°	210°	20	7600	15	7100									Surveillance approach			
210°	350°	20	4100	15	3700									T-dn#	600-1	600-1	600-1
350°	070°	20	5100	15	4600									C-dn*	1000-1½	1000-1½	1000-1½
All quadrants						10	3500							S-dn-4	1000-1½	1000-1½	1000-1½
060°	220°							5	3200					S-dn 10-22	900-1	900-1	900-1½
220°	060°							5	3000					A-dn	1200-2	1200-2	1200-2

Runway 22—Climb to 3600' direct to Crystal Lake RBn. Hold SW, 1-minute left turns, Inbnd crs, 043°.
Runway 4—Climb to 3000' on crs 043° from AV LOM, climbing right turn to 4000' direct to Lake Henry VOR. Hold E, 1-minute right turns, Inbnd crs, 268°.
Runway 10—Immediate climbing left turn intercept a crs of 043°, from AV LOM climb to 3600' on crs 043°, climbing, right turn to 4000' direct to Lake Henry VOR. Hold E, 1-minute right turns, Inbnd crs, 268°.
NOTES: (1) High terrain to 1820', E, SE, and S of airport within 2.3 miles. (2) *Circling approaches are prohibited in that area SE of Runways 4/22 centerlines extended. (3) #Takeoff minimums for Runways 10 and 16, 600-2 day, 800-2 night. (4) Reduction not authorized.

City, Wilkes-Barre-Scranton; State, Pa.; Airport name, Wilkes-Barre-Scranton; Elev., 956'; Fac. Class. and Ident., Wilkes-Barre Radar; Procedure No. 1, Amdt. 4; Eff. date, 7 Dec. 67; Sup. Amdt. No. 1, Amdt. 3; Dated, 5 Feb. 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a) 601 of the Federal Aviation Act of 1958; (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on November 1, 1967.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 67-13186; Filed, Nov. 16, 1967; 8:51 a.m.]

Subchapter I—Airports

[Docket No. 8536; Amdt. 157-1]

PART 157—NOTICE OF CONSTRUCTION, ALTERATION, ACTIVATION, AND DEACTIVATION OF AIRPORTS

Revision of Notice Form

The purpose of this amendment is to revise the references to the form on which notices of proposed landing areas are filed to reflect the new form number that has been adopted.

The FAA adopted Form 7480-1 entitled Notice of Landing Area Proposal to replace Form 2681. This new form more adequately reflects informational requirements concerning proposed landing areas. Reference is made to Form FAA 2681 in several places throughout § 157.5, therefore an amendment is required to revise the references to this notice form.

Since this amendment involves procedural information, notice and public procedure thereon are unnecessary, and it may be made effective in less than 30 days.

In consideration thereof, § 157.5 of the Federal Aviation Regulations is amended, effective November 17, 1967, by deleting "Form FAA 2681", wherever it appears and substituting therefor "FAA Form 7480-1."

(Secs. 309, 313(a), Federal Aviation Act of 1958; 49 U.S.C. 1350, 1354)

Issued in Washington, D.C., on November 13, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-13535; Filed, Nov. 16, 1967; 8:48 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Subtitle A—Office of the Secretary of Commerce

PART 13—PROCEDURES RELATING TO REVIEWS BY THE SECRETARY OF COMMERCE

Subtitle A of Title 15 of the Code of Federal Regulations is amended by adding a new Part 13, reading as follows:

AUTHORITY: The provisions of this Part 13 issued under 80 Stat. 1521, 19 U.S.C. 1202, as amended.

§ 13.1 Purpose.

The purpose of this part is to set forth review procedures for rules of general applicability issued jointly by the Secretaries of Commerce and the Interior under Public Law 89-805, 19 U.S.C. 1202, which established a limitation on the number of watches and watch movements containing foreign components which may be imported duty-free from insular possessions of the United States.

§ 13.2 Provisions of law.

Title 19, U.S.C. § 1202, as amended, provides in part that,

The Secretary of the Interior and the Secretary of Commerce, acting jointly, shall allocate on a fair and equitable basis among producers of watches and watch movements located in the Virgin Islands, Guam, and American Samoa the quotas for each calendar year * * * for articles which are the product of the Virgin Islands, Guam, and American Samoa, respectively. Allocations made by the Secretaries shall be final. The Secretaries are authorized to issue such regulations as they determine necessary to carry out their duties under this paragraph.

§ 13.3 Petition for issuance or review of a rule.

Any interested party has the right to petition for the issuance of a rule, or the amendment or repeal of a rule issued by the Departments of Commerce and the Interior, which is of general application to watch producers located in the insular possessions of the United States.

§ 13.4 Petition procedures.

(a) All petitions shall be addressed to the two Secretaries and filed in two originals and four copies with the Business and Defense Services Administration, U.S. Department of Commerce, Washington, D.C. 20230, Attention: Scientific, Photographic and Business Equipment Division.

(b) All papers presented to the Secretaries shall bear on the cover the name and post office address of the petitioner and the name and address of the principal attorney, or authorized representative (if any) for the party concerned. Such papers shall contain the following in the order here indicated:

(1) A reference to the general rule which is the subject of the petition.

(2) A concise statement of the interest of the party submitting the petition.

(3) A listing of each of the grounds relied upon by the party submitting the petition.

(4) The argument generally amplifying the material in subparagraph (3) of this paragraph and exhibiting clearly the points of law, policy and fact being presented. In cases where policy error is contended, it should be pointed out what policy of the Secretaries is alleged to be wrong, what is wrong with it and what policy the submitting party advocates as the correct one.

(5) A conclusion specifying with particularity the action which the submitting party believes the Secretaries should take.

§ 13.5 Hearing on petition.

The Secretaries may in their discretion schedule a hearing and may invite the participation of other interested parties when they deem it desirable.

§ 13.6 Notice of action taken on petition.

Prompt notice of action on a petition will be communicated to the party by registered mail, together with a statement of the grounds therefor.

Effective date: November 13, 1967.

LAWRENCE C. MCQUADE,
Assistant Secretary for Domestic and International Business.

[F.R. Doc. 67-13540; Filed, Nov. 16, 1967; 8:48 a.m.]

Title 23—HIGHWAYS AND VEHICLES

Chapter II—Vehicle and Highway Safety

SUBCHAPTER B—PROCEDURAL RULES

PART 216—RULE-MAKING PROCEDURES: MOTOR VEHICLE SAFETY STANDARDS

This amendment revokes "Part 215—Rule-Making; Initial Safety Standards," 31 F.R. 13127, as amended, in 31 F.R. 15197, 32 F.R. 976, 32 F.R. 5832, and 32 F.R. 13000, and adds a new Part 216—"Rule-Making Procedures: Motor Vehicle Safety Standards" to the regulations of the Federal Highway Administration.

The purpose of this part is to describe the procedures applicable to the Federal Highway Administration in prescribing public rules for motor vehicle safety standards and to provide for appropriate participation by interested persons.

The new part provides for general notices of proposed rule making, to be published in the FEDERAL REGISTER, except in cases where the Administration finds that notice is impractical, unnecessary or contrary to the public interest. The new part also provides for petitions for extension of time to comment on notices of proposed rule making, petitions for reconsideration, and petitions for proposed rule making.

Sections 556 and 557 of Title 5, United States Code (formerly sections 7 and 8 of the Administrative Procedure Act), do not apply to rule making under this part. Consequently, hearings are not a required part of the rule-making procedure. However, hearings may be held, whenever it is considered necessary and desirable. Unless otherwise specified, any hearing held would be nonadversary, with no formal pleadings and no adverse party. A rule issued after such hearing would not necessarily be based exclusively on the record of the hearing.

All final rules will be published in the FEDERAL REGISTER, unless, in accordance with section 552(a) of Title 5, United States Code, actual and timely notice has been given to all persons subject to it.

Since this amendment relates to Federal Highway Administration organization, procedures, and practices, notice and public procedure hereon is not necessary and it may be made effective in less than thirty (30) days after publication in the FEDERAL REGISTER.

This amendment is made under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1407), and the delegation of authority of October 14, 1967 (32 F.R. 14277).

In consideration of the foregoing, Title 23 of the Code of Federal Regulations is amended by deleting Part 215 and adding the following new Part 216—"Rule-Making Procedures: Motor Vehicle Safety Standards" effective November 17, 1967.

Issued in Washington, D.C., on November 9, 1967.

LOWELL K. BRIDWELL,
Federal Highway Administrator.

AUTHORITY: The provisions of this Part 216 issued under secs. 103 and 119, National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1407; and the delegation of authority of Oct. 14, 1967 (32 F.R. 14277).

Subpart A—General

§ 216.1 Applicability.

The part prescribes rule-making procedures that apply to the issue, amendment, and revocation of rules under sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966.

§ 216.3 Definitions.

"Act" means the National Traffic and Motor Vehicle Safety Act of 1966, P.L. 89-563, 15 U.S.C. 1391, et seq.

"Administrator" means the Administrator of the Federal Highway Administration or a person to whom he has delegated final authority in the matter concerned.

"Rule" includes any order, regulation, or Federal motor vehicle safety standard issued under the Act.

§ 216.5 Regulatory docket.

(a) Information and data deemed relevant by the Administrator of the Federal Highway Administration relating to rule-making actions, including notices of proposed rule making; comments received in response to notices; petitions for rule making and reconsideration; denials of petitions for rule making and reconsideration; records of additional rule-making proceedings under § 216.25; and final rules are maintained in the Central File Room—Room 401, Federal Highway Administration, Donohoe Building, Sixth and D Streets SW., Washington, D.C. 20591.

(b) Any person may examine any docketed material at the Central File Room at any time during regular business hours after the docket is established, except material ordered withheld from the public under sections 112 and 113 of the Act (15 U.S.C. 1401, 1402) and section 552(b) of Title 5 of the United States Code, and may obtain a copy of it upon payment of a fee.

§ 216.7 Records.

Records of the Federal Highway Administration relating to rule-making proceedings are available for inspection as provided in section 552(b) of Title 5 of the United States Code and Part 7 of the Regulations of the Secretary of Transportation (49 CFR Part 7; 32 F.R. 9284, et seq.).

Subpart B—Procedures for Adoption of Rules Under Sections 103 and 119 of the Act

§ 216.11 General.

Unless the Administrator, for good cause, finds that notice is impracticable, unnecessary, or contrary to the public interest, and incorporates that finding and a brief statement of the reasons for it in the rule, a notice of proposed rule making is issued and interested persons are invited to participate in the rule-making proceedings involving rules under sections 103 and 119 of the Act.

§ 216.13 Initiation of rule making.

The Administrator initiates rule making on his own motion. However, in so doing, he may, in his discretion, consider the recommendations of other agencies of the United States or of other interested persons.

§ 216.15 Contents of notices of proposed rule making.

(a) Each notice of proposed rule making is published in the FEDERAL REGISTER, unless all persons subject to it are named and are personally served with a copy of it.

(b) Each notice, whether published in the FEDERAL REGISTER or personally served, includes—

(1) A statement of the time, place, and nature of the proposed rule-making proceeding;

(2) A reference to the authority under which it is issued;

(3) A description of the subjects and issues involved or the substance and terms of the proposed rule;

(4) A statement of the time within which written comments must be submitted; and

(5) A statement of how and to what extent interested persons may participate in the proceeding.

§ 216.17 Participation by interested persons.

(a) Any interested person may participate in rule-making proceeding by submitting comments in writing containing information, views or arguments.

(b) In his discretion, the Administrator may invite any interested person to participate in the rule-making procedures described in § 216.25.

§ 216.19 Petitions for extension of time to comment.

A petition for extension of the time to submit comments must be received in duplicate not later than three (3) days before expiration of the time stated in the notice. The filing of the petition does not automatically extend the time for petitioner's comments. Such a petition is granted only if the petitioner shows good cause for the extension, and if the extension is consistent with the public interest. If an extension is granted, it is granted to all persons, and it is published in the FEDERAL REGISTER.

§ 216.21 Contents of written comments.

All written comments must be in English and submitted in twenty (20) legible copies, unless fewer copies are specified in the notice. Any interested person must submit as part of his written comments all the material that he considers relevant to any statement of fact made by him. Incorporation of material by reference is to be avoided. However, if such incorporation is necessary, the incorporated material shall be identified with respect to document and page.

§ 216.23 Consideration of comments received.

All timely comments are considered before final action is taken on a rule-making proposal. Late filed comments may be considered as far as practicable.

§ 216.25 Additional rule-making proceedings.

The Administrator may initiate any further rule-making proceedings that he finds necessary or desirable. For example, interested persons may be invited to make oral arguments, to participate in conferences between the Administrator or his representative and interested persons at which minutes of the conference are kept, to appear at informal hearings presided over by officials designated by the Administrator at which a transcript or minutes are kept, or participate in any other proceeding to assure informed administrative action and to protect the public interest.

§ 216.27 Hearings.

(a) Sections 556 and 557 of Title 5, United States Code, do not apply to hearings held under this part. Unless otherwise specified, hearings held under this part are informal, nonadversary, fact finding proceedings, at which there are no formal pleadings or adverse parties. Any rule issued in a case in which an informal hearing is held is not necessarily based exclusively on the record of the hearing.

(b) The Administrator designates a representative to conduct any hearing held under this part. The Chief Counsel of the Federal Highway Administration designates a member of his staff to serve as legal officer at the hearing.

§ 216.29 Adoption of final rules.

Final rules are prepared by representatives of the office concerned and the Office of the Chief Counsel. The rule is then submitted to the Administrator for his consideration. If the Administrator adopts the rule, it is published in the FEDERAL REGISTER, unless all persons subject to it are named and are personally served with a copy of it.

§ 216.31 Petitions for rule making.

(a) Any interested person may petition the Administrator to establish, amend, or repeal a rule.

(b) Each petition filed under this section must—

(1) Be submitted in duplicate to the Docket Clerk, Central File Room—Room 401, Federal Highway Administration, Donohoe Building, Sixth and D Streets SW., Washington, D.C. 20591;

(2) Set forth the text or substance of the rule or amendment proposed, or specify the rule that the petitioner seeks to have repealed, as the case may be;

(3) Explain the interest of the petitioner in the action requested;

(4) Contain any information and arguments available to the petitioner to support the action sought.

§ 216.33 Processing of petition.

(a) *General.* Each petition received under § 216.31 is referred to the Director of the Bureau. Unless the Administrator otherwise specifies, no public hearing, argument, or other proceeding is held directly on a petition before its disposition under this section.

(b) *Grants.* If the Administrator determines that the petition contains adequate justification, he initiates rule-making action under this Subpart B.

(c) *Denials.* If the Administrator determines that the petition does not justify rule making, he denies the petition.

(d) *Notification.* Whenever the Administrator determines that a petition should be granted or denied, the Office of the Chief Counsel prepares a notice of that grant or denial for issuance to the petitioner, and the Administrator issues it to the petitioner.

§ 216.35 Petitions for reconsideration.

(a) Any interested person may petition the Administrator for reconsideration of any rule issued under this part. The petition must be submitted in twenty (20) legible copies to the Docket Clerk, Central File Room—Room 401, Federal Highway Administration, Donohoe Building, Sixth and D Streets SW., Washington, D.C. 20591, and received not later than thirty (30) days after publication of the rule in the FEDERAL REGISTER. Petitions filed after that time will be considered as petitions filed under § 216.31. The petition must contain a brief statement of the complaint and an explanation as to why compliance with the rule is not practicable, is unreasonable, or is not in the public interest.

(b) If the petitioner requests the consideration of additional facts, he must state the reason they were not presented to the Administrator within the prescribed time.

(c) The Administrator does not consider repetitious petitions.

(d) Unless the Administrator otherwise provides, the filing of a petition under this section does not stay the effectiveness of the rule.

§ 216.37 Proceedings on petitions for reconsideration.

The Administrator may grant or deny, in whole or in part, any petition for reconsideration without further proceedings. In the event he determines to reconsider any rule, he may issue a final decision on reconsideration without further proceedings, or he may provide such opportunity to submit comment or information and data as he deems appropriate. Whenever the Administrator determines that a petition should be granted or denied, he prepares a notice of the grant or denial of a petition for reconsideration, for issuance to the petitioner, and issues it to the petitioner. The Administrator may consolidate petitions relating to the same rule.

[F.R. Doc. 67-13542; Filed, Nov. 16, 1967; 8:48 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6935]

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

Nontaxable Exchanges of Certain U.S. Obligations

On August 24, 1967, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) in order to conform the regulations to sections 102 and 201 of the Act of September 22, 1959 (Public Law 86-346, 73 Stat. 621, 622), relating to certain exchanges with the United States of obligations of the United States issued under the Second Liberty Bond Act, was published in the FEDERAL REGISTER (32 F.R. 12182). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted.

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

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

Approved: November 13, 1967.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) to sections 102 and 201 of the Act of September 22, 1959 (Public Law 86-346, 73 Stat. 621, 622), relating to certain exchanges with the United States of obligations of the United States issued under the Second Liberty Bond Act, such regulations are amended as follows, effective for taxable years ending after September 22, 1959:

PARAGRAPH 1. Section 1.454 is amended by revising section 454(c) and by adding an historical note as follows:

§ 1.454 Statutory provisions; obligations issued at discount.

SEC. 454. *Obligations issued at discount.* * * *

(c) *Matured U.S. savings bonds.* In the case of a taxpayer who—

(1) Holds a series E U.S. savings bond at the date of maturity, and

(2) Pursuant to regulations prescribed under the Second Liberty Bond Act (A) retains his investment in such series E bond in an obligation of the United States, other than a current income obligation, or (B) exchanges such series E bond for another nontransferable obligation of the United States in an exchange upon which gain or loss is not recognized because of section 1037 (or so much of section 1031 as relates to section 1037), the increase in redemption value (to the extent not previously includible in gross income) in excess of the amount paid for such series E bond shall be includible in gross income in the taxable year in which the obligation is finally redeemed or in the taxable year of final maturity, whichever is earlier. This subsection shall not apply to a corporation, and shall not apply in the case of any taxable year for which the taxpayer's taxable income is computed under an accrual method of accounting or for which an election made by the taxpayer under subsection (a) applies.

[Sec. 454 as amended by sec. 102, Act of Sept. 22, 1959 (Pub. Law 86-346, 73 Stat. 621)]

PAR. 2. Section 1.454-1 is amended by revising paragraphs (a) and (c) to read as follows:

§ 1.454-1 Obligations issued at discount.

(a) *Non-interest-bearing obligations issued at discount*—(1) *Election to include increase in income currently.* If a taxpayer owns—

(i) A non-interest-bearing obligation issued at a discount and redeemable for fixed amounts increasing at stated intervals, or

(ii) An obligation of the United States, other than a current income obligation, in which he retains his investment in a matured series E U.S. savings bond, or

(iii) A nontransferable obligation (whether or not a current income obligation) of the United States for which a series E U.S. savings bond was exchanged (whether or not at final maturity) in an exchange upon which gain is not recognized because of section 1037 (a) (or so much of section 1031(b) as relates to section 1037),

and if the increase, if any, in redemption price of such obligation described in subdivision (i), (ii), or (iii) of this subparagraph during the taxable year (as described in subparagraph (2) of this paragraph) does not constitute income for such year under the method of accounting used in computing his taxable income, then the taxpayer may, at his election, treat the increase as constituting income for the year in which such increase occurs. If the election is not made and section 1037 (or so much of section 1031 as relates to section 1037) does not apply, the taxpayer shall treat the increase as constituting income for the year in which the obligation is redeemed or disposed of, or finally matures, whichever is earlier. Any such election must be made in the taxpayer's return and may be made for any taxable year. If an election is made with respect to any such obligation described in subdivision (i), (ii), or (iii) of this subparagraph, it shall apply also to all other obligations of the type described in such subdivisions owned by the taxpayer at the beginning of the first taxable year to which the election applies, and to those thereafter acquired by him, and shall be binding for the taxable year for which the return is filed and for all subsequent taxable years, unless the Commissioner permits the taxpayer to change to a different method of reporting income from such obligations. See section 446(e) and paragraph (e) of § 1.446-1, relating to requirement respecting a change of accounting method. Although the election once made is binding upon the taxpayer, it does not apply to a transferee of the taxpayer.

(2) *Amount of increase in case of non-interest-bearing obligations.* In any case in which an election is made under section 454, the amount which accrues in any taxable year to which the election applies is measured by the actual increase in the redemption price occurring in that year. This amount does not accrue ratably between the dates on which the redemption price changes. For example, if two dates on which the redemption price increases (February 1 and August 1) fall within a taxable year and if the redemption price increases in the amount of 50 cents on each such date, the amount accruing in that year would be $1 ($0.50 on February 1 and $0.50 on August 1). If the taxpayer owns a non-interest-bearing obligation of the character described in subdivision (i), (ii), or (iii) of subparagraph (1) of this paragraph acquired prior to the first taxable year to which his election applies, he must also include in gross income for such first taxable year (i) the increase in the redemption price of such obligation occurring between the date of acquisition of the obligation and the first day of such first taxable year and (ii), in a case where a series E bond was exchanged for such obligation, the increase in the redemption price of such series E bond occurring between the date of acquisition of such series E bond and the date of the exchange.

(3) *Amount of increase in case of current income obligations.* If an election is made under section 454 and the taxpayer owns, at the beginning of the first taxable year to which the election applies, a current income obligation of the character described in subparagraph (1) (iii) of this paragraph acquired prior to such taxable year, he must also include in gross income for such first taxable year the increase in the redemption price of the series E bond which was surrendered to the United States in exchange for such current income obligation; the amount of the increase is that occurring between the date of acquisition of the series E bond and the date of the exchange.

(4) *Illustrations.* The application of this paragraph may be illustrated by the following examples:

Example (1). Throughout the calendar year 1954, a taxpayer who uses the cash receipts and disbursements method of accounting holds series E U.S. savings bonds having a maturity value of $5,000 and a redemption value at the beginning of the year 1954 of $4,050 and at the end of the year 1954 of $4,150. He purchased the bonds on January 1, 1949, for $3,750, and holds no other obligation of the type described in this section. If the taxpayer exercises the election in his return for the calendar year 1954, he is required to include $400 in taxable income with respect to such bonds. Of this amount, $300 represents the increase in the redemption price before 1954 and $100 represents the increase in the redemption price in 1954. The increases in redemption value occurring in subsequent taxable years are includible in gross income for such taxable years.

Example (2). In 1958 B, a taxpayer who uses the cash receipts and disbursements method of accounting and the calendar year as his taxable year, purchased for $7,500 a series E United States savings bond with a face value of $10,000. In 1965, when the stated redemption value of the series E bond is $9,760, B surrenders it to the United States in exchange solely for a $10,000 series H U.S. current income savings bond in an exchange qualifying under section 1037(a), after paying $240 additional consideration. On the exchange of the series E bond for the series H bond in 1965, B realizes a gain of $2,260 ($9,760 less $7,500), none of which is recognized for that year by reason of section 1037 (a). B retains the series H bond and redeems it at maturity in 1975 for $10,000, but in 1966 he exercises the election under section 454(a) in his return for that year with respect to five series E bonds he purchased in 1960. B is required to include in gross income for 1966 the increase in redemption price occurring before 1966 and in 1966 with respect to the series E bonds purchased in 1960; he is also required to include in gross income for 1966 the $2,260 increase in redemption price of the series E bond which was exchanged in 1965 for the series H bond.

* * * * *

(c) *Matured U.S. savings bonds*—(1) *Inclusion of increase in income upon redemption or final maturity.* If a taxpayer (other than a corporation) holds—

(i) A matured series E U.S. savings bond,

(ii) An obligation of the United States, other than a current income obligation, in which he retains his investment in a matured series E U.S. savings bond, or

(iii) A nontransferable obligation (whether or not a current income obligation) of the United States for which a series E U.S. savings bond was exchanged (whether or not at final maturity) in an exchange upon which gain is not recognized because of section 1037(a) (or so much of section 1031(b) as relates to section 1037(a)),

the increase in redemption price of the series E bond in excess of the amount paid for such series E bond shall be included in the gross income of such taxpayer for the taxable year in which the obligation described in subdivision (i), (ii), or (iii) of this subparagraph is redeemed or disposed of, or finally matures, whichever is earlier, but only to the extent such increase has not previously been includible in the gross income of such taxpayer or any other taxpayer. If such obligation is partially redeemed before final maturity, or partially disposed of by being partially reissued to another owner, such increase in redemption price shall be included in the gross income of such taxpayer for such taxable year on a basis proportional to the total denomination of obligations redeemed or disposed of. The provisions of section 454 (c) and of this subparagraph shall not apply in the case of any taxable year for which the taxpayer's taxable income is computed under an accrual method of accounting or for a taxable year for which an election made by the taxpayer under section 454(a) and paragraph (a) of this section applies. For rules respecting the character of the gain realized upon the disposition or redemption of an obligation described in subdivision (iii) of this subparagraph, see paragraph (b) of § 1.1037-1.

(2) *Illustrations.* The application of this paragraph may be illustrated by the following examples, in which it is assumed that the taxpayer uses the cash receipts and disbursements method of accounting and the calendar year as his taxable year:

Example (1). On June 1, 1941, A purchased for $375 a series E U.S. savings bond which was redeemable at maturity (10 years from issue date) for $500. At maturity of the bond, A exercised the option of retaining the matured series E bond for the 10-year extended maturity period. On June 2, 1961, A redeemed the series E bond, at which time the stated redemption value was $674.60. A never elected under section 454(a) to include the annual increase in redemption price in gross income currently. Under section 454(c), A is required to include $299.60 ($674.60 less $375) in gross income for 1961 by reason of his redemption of the bond.

Example (2). The facts are the same as in example (2) in paragraph (a)(4) of this section. On redemption of the series H bond received in the exchange qualifying under section 1037(a), B realizes a gain of $2,260, determined as provided in example (5) in paragraph (b)(4) of § 1.1037-1. None of this amount is includible in B's gross income for 1975, such amount having already been includible in his gross income for 1966 because of his election under section 454(a).

Example (3). C, who had elected under section 454(a) to include the annual increase in the redemption price of his non-interest-bearing obligations in gross income currently, owned a $1,000 series E U.S. savings bond, which was purchased on October 1, 1949, for $750. C died on February 1, 1955, when the redemption value of the bond was $820. The bond was immediately reissued to D, his only heir, who has not made an election under section 454(a). On January 15, 1960, when the redemption value of the bond is $1,000, D surrenders it to the United States in exchange solely for a $1,000 series H U.S. savings bond in an exchange qualifying under the provisions of section 1037(a). For 1960 D properly does not return any income from the exchange of bonds, although he returns the interest payments on the series H bond for the taxable years in which they are received. On September 1, 1964, prior to maturity of the series H bond, D redeems it for $1,000. For 1964, D must include $180 in gross income under section 454(c) from the redemption of the series H bond, that is, the amount of the increase in the redemption price of the series E bond ($1,000 less $820) occurring between February 1, 1955, and January 15, 1960, the period during which he owned the series E bond.

PAR. 3. Section 1.1031(a)-1 is amended by revising paragraph (d) to read as follows:

§ 1.1031(a)-1 Property held for productive use in trade or business or for investment.

* * * * *

(d) Gain or loss is recognized if, for instance, a taxpayer exchanges (1) Treasury bonds maturing March 15, 1958, for Treasury bonds maturing December 15, 1968, unless section 1037(a) (or so much of section 1031 as relates to section 1037(a)) applies to such exchange, or (2) a real estate mortgage for consolidated farm loan bonds.

PAR. 4. Section 1.1031(b) is amended to read as follows:

§ 1.1031(b) Statutory provisions; exchange of property held for productive use or investment; gain from exchanges not solely in kind.

SEC. 1031. *Exchange of property held for productive use or investment.* * * *

(b) *Gain from exchanges not solely in kind.* If an exchange would be within the provisions of subsection (a), of section 1035 (a), of section 1036(a), or of section 1037(a), if it were not for the fact that the property received in exchange consists not only of property permitted by such provisions to be received without the recognition of gain, but also of other property or money, then the gain, if any, to the recipient shall be recognized, but in an amount not in excess of the sum of such money and the fair market value of such other property.

[Sec. 1031 (b) as amended by sec. 201(c), Act of Sept. 22, 1959 (Pub. Law 86-346, 73 Stat. 624)]

PAR. 5. Section 1.1031(b)-1 is amended by revising paragraphs (a) and (b) to read as follows:

§ 1.1031(b)-1 Receipt of other property or money in tax-free exchange.

(a) If the taxpayer receives other property (in addition to property permitted to be received without recognition of gain) or money—

(1) In an exchange described in section 1031(a) of property held for investment or productive use in trade or business for property of like kind to be held either for productive use or for investment,

(2) In an exchange described in section 1035(a) of insurance policies or annuity contracts,

(3) In an exchange described in section 1036(a) of common stock for common stock, or preferred stock for preferred stock, in the same corporation and not in connection with a corporate reorganization, or

(4) In an exchange described in section 1037(a) of obligations of the United States, issued under the Second Liberty Bond Act (31 U.S.C. 774 (2)), solely for other obligations issued under such Act, the gain, if any, to the taxpayer will be recognized under section 1031(b) in an amount not in excess of the sum of the money and the fair market value of the other property, but the loss, if any, to the taxpayer from such an exchange will not be recognized under section 1031(c) to any extent.

(b) The application of this section may be illustrated by the following examples:

Example (1). A, who is not a dealer in real estate, in 1954 exchanges real estate held for investment, which he purchased in 1940 for $5,000, for other real estate (to be held for productive use in trade or business) which has a fair market value of $6,000, and $2,000 in cash. The gain from the transaction is $3,000, but is recognized only to the extent of the cash received of $2,000.

Example (2). (a) B, who uses the cash receipts and disbursements method of accounting and the calendar year as his taxable year, has never elected under section 454(a) to include in gross income currently the annual increase in the redemption price of non-interest-bearing obligations issued at a discount. In 1943, for $750 each, B purchased four $1,000 series E U.S. savings bonds bearing an issue date of March 1, 1943.

(b) On October 1, 1963, the redemption value of each such bond was $1,396, and the total redemption value of the four bonds was $5,584. On that date B submitted the four $1,000 series E bonds to the United States in a transaction in which one of such $1,000 bonds was reissued by issuing four $100 series E U.S. savings bonds bearing an issue date of March 1, 1943, and by considering six $100 series E bonds bearing an issue date of March 1, 1943, to have been issued. The redemption value of each such $100 series E bond was $139.60 on October 1, 1963. Then, as part of the transaction, the six $100 series E bonds so considered to have been issued and the three $1,000 series E bonds were exchanged, in an exchange qualifying under section 1037(a), for five $1,000 series H U.S. savings bonds plus $25.60 in cash.

(c) The gain realized on the exchange qualifying under section 1037(a) is $2,325.60, determined as follows:

Amount realized:		
Par value of five series H bonds		$5,000.00
Cash received		25.60
Total realized		5,025.60
Less: Adjusted basis of series E bonds surrendered in the exchange:		
Three $1,000 series E bonds	2,250.00	
Six $100 series E bonds at $75 each	450.00	
	2,700.00	
Gain realized		2,325.60

(d) Pursuant to section 1031(b), only $25.60 (the money received) of the total gain of $2,325.60 realized on the exchange is recognized at the time of exchange and must be included in B's gross income for 1963. The $2,300 balance of the gain ($2,325.60 less $25.60) must be included in B's gross income for the taxable year in which the series H bonds are redeemed or disposed of, or reach final maturity, whichever is earlier, as provided in paragraph (c) of § 1.454-1.

(e) The gain on the four $100 series E bonds, determined by using $75 as a basis for each such bond, must be included in B's gross income for the taxable year in which such bonds are redeemed or disposed of, or reach final maturity, whichever is earlier.

Example (3). (a) The facts are the same as in example (2), except that, as part of the transaction, the $1,000 series E bond is reissued by considering ten $100 series E bonds bearing an issue date of March 1, 1943, to have been issued. Six of the $100 series E bonds so considered to have been issued are surrendered to the United States as part of the exchange qualifying under section 1037(a) and the other four are immediately redeemed.

(b) Pursuant to section 1031(b), only $25.60 (the money received) of the total gain of $2,325.60 realized on the exchange qualifying under section 1037(a) is recognized at the time of the exchange and must be included in B's gross income for 1963. The $2,300 balance of the gain ($2,325.60 less $25.60) realized on such exchange must be included in B's gross income for the taxable year in which the series H bonds are redeemed or disposed of, or reach final maturity, whichever is earlier, as provided in paragraph (c) of § 1.454-1.

(c) The redemption on October 1, 1963, of the four $100 series E bonds considered to have been issued at such time results in gain of $258.40, which is then recognized and must be included in B's gross income for 1963. This gain of $258.40 is the difference between the $558.40 redemption value of such bonds on the date of the exchange and the $300 (4 × $75) paid for such series E bonds in 1943.

Example (4). On November 1, 1963, C purchased for $91 a marketable U.S. bond which was originally issued at its par value of $100 under the Second Liberty Bond Act. On February 1, 1964, in an exchange qualifying under section 1037(a), C surrendered the bond to the United States for another marketable U.S. bond, which then had a fair market value of $92, and $1.85 in cash, $0.85 of which was interest. The $0.85 interest received is includible in gross income for the taxable year of the exchange, but the $2 gain ($93 less $91) realized on the exchange is recognized for such year under section 1031 (b) to the extent of $1 (the money received). Under section 1031(d), C's basis in the bond received in exchange is $91 (his basis of $91 in the bond surrendered, reduced by the $1 money received and increased by the $1 gain recognized).

* * * * *

PAR. 6. Section 1.1031(c) is amended to read as follows:

§ 1.1031(c) Statutory provisions; exchange of property held for productive use or investment; loss from exchanges not solely in kind.

SEC. 1031. *Exchange of property held for productive use or investment.* * * *

(c) *Loss from exchanges not solely in kind.* If an exchange would be within the provisions of subsection (a), of section 1035(a), of section 1036(a), or of section 1037(a), if it were not for the fact that the property received in exchange consists not only of property permitted by such provisions to be received without the recognition of gain or loss, but also of other property or money, then no loss from the exchange shall be recognized.

[Sec. 1031(c) as amended by sec. 201(d), Act of Sept. 22, 1959 (Pub. Law 86-346, 73 Stat. 624)]

PAR. 7. Section 1.1031(c)-1 is amended to read as follows:

§ 1.1031(c)-1 Nonrecognition of loss.

Section 1031(c) provides that a loss shall not be recognized from an exchange of property described in section 1031(a), 1035(a), 1036(a), or 1037(a) where there is received in the exchange other property or money in addition to property permitted to be received without recognition of gain or loss. See example (4) of paragraph (a)(3) of § 1.1037-1 for an illustration of the application of this section in the case of an exchange of U.S. obligations described in section 1037(a).

PAR. 8. Section 1.1031(d) is amended to read as follows:

§ 1.1031(d) Statutory provisions; exchange of property held for productive use or investment; basis.

SEC. 1031 *Exchange of property held for productive use or investment.* * * *

(d) *Basis.* If property was acquired on an exchange described in this section, section 1035(a), section 1036(a), or section 1037(a), then the basis shall be the same as that of the property exchanged, decreased in the amount of any money received by the taxpayer and increased in the amount of gain or decreased in the amount of loss to the taxpayer that was recognized on such exchange. If the property so acquired consisted in part of the type of property permitted by this section, section 1035(a), section 1036(a), or section 1037(a), to be received without the recognition of gain or loss, and in part of other property, the basis provided in this subsection shall be allocated between the properties (other than money) received, and for the purpose of the allocation there shall be assigned to such other property an amount equivalent to its fair market value at the date of the exchange. For purposes of this section, section 1035(a), and section 1036(a), where as part of the consideration to the taxpayer another party to the exchange assumed a liability of the taxpayer or acquired from the taxpayer property subject to a liability, such assumption or acquisition (in the amount of the liability) shall be considered as money received by the taxpayer on the exchange.

[Sec. 1031(d) as amended by sec. 44, Technical Amendments Act 1958 (72 Stat. 1641); sec. 201(e), Act of Sept. 22, 1959 (Pub. Law 86-346, 73 Stat. 624)]

PAR. 9. Section 1.1031(d)-1 is amended by revising paragraph (a), the text of paragraph (b) preceding the example, the text of paragraph (c) preceding the example, paragraph (d), and the text of paragraph (e) preceding the example, to read as follows:

§ 1.1031(d)-1 Property acquired upon a tax-free exchange.

(a) If, in an exchange of property solely of the type described in section 1031, section 1035(a), section 1036(a), or section 1037(a), no part of the gain or loss was recognized under the law applicable to the year in which the exchange was made, the basis of the property acquired is the same as the basis of the property transferred by the taxpayer with proper adjustments to the date of the exchange. If additional consideration is given by the taxpayer in the exchange, the basis of the property acquired shall be the same as the property transferred increased by the amount of additional consideration given (see section 1016 and the regulations thereunder).

(b) If, in an exchange of properties of the type indicated in section 1031, section 1035(a), section 1036(a), or section 1037(a), gain to the taxpayer was recognized under the provisions of section 1031(b) or a similar provision of a prior revenue law, on account of the receipt of money in the transaction, the basis of the property acquired is the basis of the property transferred (adjusted to the date of the exchange), decreased by the amount of money received and increased by the amount of gain recognized on the exchange. The application of this paragraph may be illustrated by the following example:

* * * * *

(c) If, upon an exchange of properties of the type described in section 1031, section 1035(a), section 1036(a), or section 1037(a), the taxpayer received other property (not permitted to be received without the recognition of gain) and gain from the transaction was recognized as required under section 1031(b), or a silimar provision of a prior revenue law, the basis (adjusted to the date of the exchange) of the property transferred by the taxpayer, decreased by the amount of any money received and increased by the amount of gain recognized, must be allocated to and is the basis of the properties (other than money) received on the exchange. For the purpose of the allocation of the basis of the properties received, there must be assigned to such other property an amount equivalent to its fair market value at the date of the exchange. The application of this paragraph may be illustrated by the following example:

* * * * *

(d) Section 1031(c) and, with respect to section 1031 and section 1036(a), similar provisions of prior revenue laws provide that no loss may be recognized on an exchange of properties of a type described in section 1031, section 1035(a), section 1036(a), or section 1037(a), although the taxpayer receives other property or money from the transaction. However, the basis of the property or properties (other than money) received by the taxpayer is the basis (adjusted to the date of the exchange) of the property transferred, decreased by the amount of money received. This basis must be allocated to the properties received, and for this purpose there must be allocated to such other property an amount of such basis equivalent to its fair market value at the date of the exchange.

(e) If, upon an exchange of properties of the type described in section 1031, section 1035(a), section 1036(a), or section 1037(a), the taxpayer also exchanged other property (not permitted to be transferred without the recognition of gain or loss) and gain or loss from the transaction is recognized under section 1002 or a similar provision of a prior revenue law, the basis of the property acquired is the total basis of the properties transferred (adjusted to the date of the exchange) increased by the amount of gain and decreased by the amount of loss recognized on the other property. For purposes of this rule, the taxpayer is deemed to have received in exchange for such other property an amount equal to its fair market value on the date of the exchange. The application of this paragraph may be illustrated by the following example:

* * * * *

PAR. 10. There are inserted immediately after § 1.1036-1 the following new sections:

§ 1.1037 Statutory provisions; certain exchanges of United States obligations.

SEC. 1037. *Certain exchanges of United States obligations*—(a) *General rule.* When so provided by regulations promulgated by the Secretary in connection with the issue of obligations of the United States, no gain or loss shall be recognized on the surrender to the United States of obligations of the United States issued under the Second Liberty Bond Act in exchange solely for other obligations issued under such Act.

(b) *Application of section 1232*—(1) *Exchanges involving obligations issued at a discount.* In any case in which gain has been realized but not recognized because of the provisions of subsection (a) (or so much of section 1031(b) as relates to subsection (a) of this section), to the extent such gain is later recognized by reason of a disposition or redemption of an obligation received in an exchange subject to such provisions, the first sentence of section 1232(a)(2)(A) shall apply to such gain as though the obligation disposed of or redeemed were the obligation surrendered to the Government in the exchange rather than the obligation actually disposed of or redeemed. For purposes of this paragraph and section 1232, if the obligation surrendered in the exchange is a nontransferable obligation described in subsection (a) or (c) of section 454—

(A) The aggregate amount considered, with respect to the obligation surrendered, as gain from the sale or exchange of property which is not a capital asset shall not exceed the difference between the issue price and the stated redemption price which applies at the time of the exchange, and

(B) The issue price of the obligation received in the exchange shall be considered to be the stated redemption price of the obligation surrendered in the exchange, increased by the amount of other consideration (if any) paid to the United States as a part of the exchange.

(2) *Exchanges of transferable obligations issued at not less than par.* In any case in which subsection (a) (or so much of section 1031 (b) or (c) as relates to subsection (a) of this section) has applied to the exchange of a transferable obligation which was issued at not less than par for another transferable obligation, the issue price of the obligation received from the Government in the exchange shall be considered for purposes of applying section 1232 to be the same as the issue price of the obligation surrendered to the Government in the exchange, increased by the amount of other consideration (if any) paid to the United States as a part of the exchange.

(c) *Cross references.* (1) For rules relating to the recognition of gain or loss in a case where subsection (a) would apply except for the fact that the exchange was not made solely for other obligations of the United States, see subsections (b) and (c) of section 1031.

(2) For rules relating to the basis of obligations of the United States acquired in an exchange for other obligations described in subsection (a), see subsection (d) of section 1031.

[Sec. 1037 as added by sec. 201(a), Act of Sept. 22, 1959 (Public Law 86-346, 73 Stat. 622)]

§ 1.1037–1 Certain exchanges of United States obligations.

(a) *Nonrecognition of gain or loss*—(1) *In general.* Section 1037(a) provides for the nonrecognition of gain or loss on the surrender to the United States of obligations of the United States issued under the Second Liberty Bond Act (31 U.S.C. 774(2)) when such obligations are exchanged solely for other obligations issued under that Act and the Secretary provides by regulations promulgated in connection with the isssue of such other obligations that gain or loss is not to be recognized on such exchange. It is not necessary that at the time of the exchange the obligation which is surrendered to the United States be a capital asset in the hands of the taxpayer. For purposes of section 1037(a) and this subparagraph, a circular of the Treasury Department which offers to exchange obligations of the United States issued under the Second Liberty Bond Act for other obligations issued under that Act shall constitute regulations promulgated by the Secretary in connection with the issue of the obligations offered to be exchanged if such circular contains a declaration by the Secretary that no gain or loss shall be recognized for Federal income tax purposes on the exchange or grants the privilege of continuing to defer the reporting of the income on the bonds exchanged until such time as the bonds received in the exchange are redeemed or disposed of, or have reached final maturity, whichever is earlier. See, for example, regulations of the Bureau of the Public Debt, 31 CFR Part 339, or Treasury Department Circular 1066, 26 F.R. 8647. The application of section 1037(a) and this subparagraph will not be precluded merely because the taxpayer is required to pay money on the exchange. See section 1031 and the regulations thereunder if the taxpayer receives money on the exchange.

(2) *Recognition of gain or loss postponed.* Gain or loss which has been realized but not recognized on the exchange of a U.S. obligation for another such obligation because of the provisions of section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)) shall be recognized at such time as the obligation received in the exchange is disposed of, or redeemed, in a transaction other than an exchange described in section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)) or reaches final maturity, whichever is earlier, to the extent gain or loss is realized on such later transaction.

(3) *Illustrations.* The application of this paragraph may be illustrated by the following examples, in which it is assumed that the taxpayer uses the cash receipts and disbursements method of accounting and has never elected under section 454(a) to include in gross income currently the annual increase in the redemption price of non-interest-bearing obligations issued at a discount. In addition, it is assumed that the old obligations exchanged are capital assets transferred in an exchange in respect of which regulations are promulgated pursuant to section 1037(a):

Example (1). A, the owner of a $1,000 series E U.S. savings bond purchased for $750 and bearing an issue date of May 1, 1945, surrenders the bond to the United States in exchange solely for series H U.S. savings bonds on February 1, 1964, when the series E bond has a redemption value of $1,304.80. In the exchange A pays an additional $195.20 and obtains three $500 series H bonds. None of the $554.80 gain ($1,304.80 less $750) realized by A on the series E bond is recognized at the time of the exchange.

Example (2). In 1963, B purchased for $97 a marketable U.S. bond which was originally issued at its par value of $100. In 1964 he surrenders the bond to the United States in exchange solely for another marketable U.S. bond which then has a fair market value of $95. B's loss of $2 on the old bond is not recognized at the time of the exchange, and his basis for the new bond is $97 under section 1031(d). If it had been necessary for B to pay $1 additional consideration in the exchange, his basis in the new bond would be $98.

Example (3). The facts are the same as in example (2) except that B also receives $1 interest on the old bond for the period which has elapsed since the last interest payment date and that B does not pay any additional consideration on the exchange. As in example (2), B has a loss of $2 which is not recognized at the time of the exchange and his basis in the new bond is $97. In addition, the $1 of interest received on the old bond is includible in gross income. B holds the new bond 1 year and sells it in the market for $99 plus interest. At this time he has a gain of $2, the difference between his basis of $97 in the new bond and the sales price of such bond. In addition, the interest received on the new bond is includible in gross income.

Example (4). The facts are the same as in example (2), except that in addition to the new bond B also receives $1.85 in cash, $0.85 of which is interest. The $0.85 interest received is includible in gross income. B's loss of $1 ($97 less $96) on the old bond is not recognized at the time of the exchange by reason of section 1031(c). Under section 1031(d) B's basis in the new bond is $96 (his basis of $97 in the old bond, reduced by the $1 cash received in the exchange).

Example (5). (a) For $975 D subscribes to a marketable U.S. obligation which has a face value of $1,000. Thereafter, he surrenders this obligation to the United States in exchange solely for a 10-year marketable $1,000 obligation which at the time of exchange has a fair market value of $930, at which price such obligation is initially offered to the public. At the time of issue of the new obligation there was no intention to call it before maturity. Five years after the exchange D sells the new obligation for $960.

(b) On the exchange of the old obligation for the new obligation D sustains a loss of $45 ($975 less $930), none of which is recognized pursuant to section 1037(a).

(c) The basis of the new obligation in D's hands, determined under section 1031(d), is $975 (the same basis as that of the old obligation).

(d) On the sale of the new obligation D sustains a loss of $15 ($975 less $960), all of which is recognized by reason of section 1002.

Example (6). (a) The facts are the same as in example (5), except that five years after the exchange D sells the new obligation for $1,020.

(b) On the exchange of the old obligation for the new obligation D sustains a loss of $45 ($975 less $930), none of which is recognized pursuant to section 1037(a).

(c) The basis of the new obligation in D's hands, determined under section 1031(d), is $975 (the same basis as that of the old obligation). The issue price of the new obligation under section 1232(b)(2) is $930.

(d) On the sale of the new obligation D realizes a gain of $45 ($1,020 less $975), all of which is recognized by reason of section 1002. Of this gain of $45, the amount of $35 is treated as ordinary income and $10 is treated as long-term capital gain, determined as follows:

(1) Ordinary income under first sentence of sec. 1232(a)(2)(A) on sale of new obligation:	
Stated redemption price of new obligation at maturity	$1,000
Less: Issue price of new obligation under sec. 1232(b)(2)	930
Original issue discount on new obligation	70
Proration under sec. 1232(a)(2)(A)(ii): ($70×60 months/120 months)	35
(2) Long-term capital gain ($45 less $35)	10

Example (7). (a) The facts are the same as in example (5), except that D retains the new obligation and redeems it at maturity for $1,000.

(b) On the exchange of the old obligation for the new obligation D sustains a loss of $45 ($975 less $930), none of which is recognized pursuant to section 1037(a).

(c) The basis of the new obligation in D's hands, determined under section 1031(d), is $975 (the same basis as that of the old obligation). The issue price of the new obligation is $930 under section 1232(b)(2).

(d) On the redemption of the new obligation D realizes a gain of $25 ($1,000 less $975), all of which is recognized by reason of section 1002. Of this gain of $25, the entire amount is treated as ordinary income, determined as follows:

Ordinary income under first sentence of sec. 1232(a)(2)(A) on redemption of new obligation:	
Stated redemption price of new obligation at maturity	$1,000
Less: Issue price of new obligation under sec. 1232(b)(2)	930
Original issue discount on new obligation	70
Proration under sec. 1232(a)(2)(A)(ii): ($70×120 months/120 months), but such amount not to exceed the $25 gain recognized on redemption	$25

(b) *Application of section 1232 upon disposition or redemption of new obligation*—(1) *Exchanges involving nonrecognition of gain on obligations issued at a discount.* If an obligation, the gain on which is subject to the first sentence of section 1232(a)(2)(A) because the obligation was originally issued at a discount, is surrendered to the United States in exchange for another obligation and any part of the gain realized on the exchange is not then recognized because of the provisions of section 1037(a) (or because of so much of section 1031(b) as relates to section 1037(a)), the first sentence of section 1232(a)(2)(A) shall apply to so much of such unrecognized gain as is later recognized upon the disposition or redemption of the obligation which is received in the exchange as though the obligation so disposed of or redeemed were the obligation surrendered, rather than the obligation received, in such exchange. See the first sentence of section 1037(b)(1). Thus, in effect that portion of the gain which is unrecognized on the exchange but is recognized upon the later disposition or redemption of the obligation received from the United States in the exchange shall be considered as ordinary income in an amount which is equal to the gain which, by applying the first sentence of section 1232(a)(2)(A) upon the earlier surrender of the old obligation to the United States, would have been considered as ordinary income if the gain had been recognized upon such earlier exchange. Any portion of the gain which is recognized under section 1031(b) upon the earlier exchange and is treated at such time as ordinary income shall be deducted from the gain which is treated as ordinary income by applying the first sentence of section 1232(a)(2)(A) pursuant to this subparagraph upon the disposition or redemption of the obligation which is received in the earlier exchange. This subparagraph shall apply only in a case where on the exchange of United States obligations there was some gain not recognized by reason of section 1037(a) (or so much of section 1031(b) as relates to section 1037(a)); it shall not apply where only loss was unrecognized by reason of section 1037(a).

(2) *Rules to apply when a nontransferable obligation is surrendered in the exchange.* For purposes of applying both section 1232(a)(2)(A) and subparagraph (1) of this paragraph to the total gain realized on the obligation which is later disposed of or redeemed, if the obligation surrendered to the United States in the earlier exchange is a nontransferable obligation described in section 454 (a) or (c)—

(i) The aggregate amount considered, with respect to the obligation so surrendered in the earlier exchange, as ordinary income shall not exceed the difference between the issue price of the surrendered obligation and the stated redemption price of the surrendered obligation which applied at the time of the earlier exchange, and

(ii) The issue price of the obligation which is received from the United States in the earlier exchange shall be considered to be the stated redemption price of the surrendered obligation which applied at the time of the earlier exchange, increased by the amount of other consideration (if any) paid to the United States as part of the earlier exchange.

If the obligation received in the earlier exchange is a nontransferable obligation described in section 454(c) and such obligation is partially redeemed before final maturity, or partially disposed of by being partially reissued to another owner, the amount determined by applying subdivision (i) of this subparagraph shall be determined on a basis proportional to the total denomination of obligations redeemed or disposed of. See paragraph (c) of § 1.454-1.

(3) *Long-term capital gain.* If, in a case where both subparagraphs (1) and (2) of this paragraph are applied, the total gain realized on the redemption or disposition of the obligation which is received from the United States in the exchange to which section 1037(a) (or so much of section 1031(b) as relates to section 1037(a)) applies exceeds the amount of gain which, by applying such subparagraphs, is treated as ordinary income, the gain in excess of such amount shall be treated as long-term capital gain.

(4) *Illustrations.* The application of this paragraph may be illustrated by the following examples, in which it is assumed that the taxpayer uses the cash receipts and disbursements method of accounting and has never elected under section 454(a) to include in gross income currently the annual increase in the redemption price of non-interest-bearing obligations issued at a discount. In addition, it is assumed that the old obligations exchanged are capital assets transferred in an exchange in respect of which regulations are promulgated pursuant to section 1037(a):

Example (1). (a) A purchased a non-interest-bearing nontransferable U.S. bond for $74 which was issued after December 31, 1954, and redeemable in 10 years for $100. Several years later, when the stated redemption value of such bond is $94.50, A surrenders it to the United States in exchange for $1 in cash and a 10-year marketable bond having a face value of $100. On the date of exchange the bond received in the exchange has a fair market value of $96. Less than one month after the exchange, A sells the new bond for $96.

(b) On the exchange of the old bond for the new bond A realizes a gain of $23, determined as follows:

Amount realized (a new bond worth $96 plus $1 cash)	$97
Less: Adjusted basis of old bond	74
Gain realized	23

Pursuant to so much of section 1031(b) as applies to section 1037(a), the amount of such gain which is recognized is $1 (the money received). Such recognized gain of $1 is treated as ordinary income. On the exchange of the old bond a gain of $22 ($23 less $1) is not recognized.

(c) The basis of the new bond in A's hands, determined under section 1031(d), is $74 (the basis of the old bond, decreased by the $1 received in cash and increased by the $1 gain recognized on the exchange).

(d) On the sale of the new bond A realizes a gain of $22 ($96 less $74), all of which is recognized by reason of section 1002. Of this gain of $22, the amount of $19.50 is treated as ordinary income and $2.50 is treated as long-term capital gain, determined as follows:

(1) Ordinary income, treating sale of new bond as though a sale of old bond and applying sec. 1037(b)(1)(A):		
Stated redemption price of old bond	$94.50	
Less: Issue price of old bond	74.00	
Aggregate gain under sec. 1037(b)(1)(A) (not to exceed $22 not recognized at time of exchange)	20.50	
Less: Amount of such gain recognized at time of exchange	1.00	
Ordinary income	19.50	
(2) Ordinary income under first sentence of sec. 1232(a)(2)(A), applying sec. 1037(b)(1)(B) to sale of new bond:		
Stated redemption price of new bond at maturity	100.00	
Less: Issue price of new bond under sec. 1037(b)(1)(B) ($94.50 plus $0 additional consideration paid on exchange)	94.50	
Original issue discount on new bond	5.50	
Proration under sec. 1232(a)(2)(A)(ii): ($5.50×0 months/120 months)		0
(3) Total ordinary income (sum of subparagraphs (1) and (2))		19.50
(4) Long-term capital gain ($22 less $19.50)		2.50

Example (2). (a) The facts are the same as in example (1), except that, less than one month after the exchange of the old bond, the new bond is sold for $92.

(b) On the sale of the new bond A realizes a gain of $18 ($92 less $74), all of which is recognized by reason of section 1002. Of this gain, the entire amount of $18 is treated as ordinary income. This amount is determined as provided in paragraph (d)(1) of example (1) except that the ordinary income of $19.50 is limited to the $18 recognized on the sale of the new bond.

Example (3). (a) The facts are the same as in example (1), except that 2 years after the exchange of the old bond A sells the new bond for $98.

(b) On the sale of the new bond A realizes a gain of $24 ($98 less $74), all of which is recognized by reason of section 1002. Of this gain of $24, the amount of $20.60 is treated as ordinary income and $3.40 is treated as long-term capital gain, determined as follows:

(1) Ordinary income applicable to old bond (determined as provided in paragraph (d) (1) of example (1))	$19.50
(2) Ordinary income applicable to new bond (determined as provided in paragraph (d)(2) of example (1), except that the proration of the original issue discount under sec. 1232 (a)(2)(A)(ii) amounts to $1.10 ($5.50×24 months/120 months))	1.10
(3) Total ordinary income (sum of subparagraphs (1) and (2))	20.60
(4) Long-term capital gain ($24 less $20.60)	3.40

Example (4). (a) The facts are the same as in example (1), except that A retains the new bond and redeems it at maturity for $100.

(b) On the redemption of the new bond A realizes a gain of $26 ($100 less $74), all of which is recognized by reason of section 1002. Of this gain of $26, the amount of $25 is treated as ordinary income and $1 is treated as long-term capital gain, determined as follows:

(1) Ordinary income applicable to old bond (determined as provided in paragraph (d)(1) of example (1))	$19.50

(2) Ordinary income applicable to new bond (determined as provided in paragraph (d)(2) of example (1), except that the proration of the original issue discount under sec. 1232(a)(2)(A)(ii) amounts to \$5.50 (\$5.50×120 months/120 months))	5.50
(3) Total ordinary income (sum of subparagraphs (1) and (2))	25.00
(4) Long-term capital gain (\$26 less \$25)	1.00

Example (5). (a) In 1958 B purchased for \$7,500 a series E United States savings bond having a face value of \$10,000. In 1965 when the stated redemption value of the series E bond is \$9,760, B surrenders it to the United States in exchange solely for a \$10,000 series H U.S. savings bond, after paying \$240 additional consideration. B retains the series H bond and redeems it at maturity in 1975 for \$10,000, after receiving all the semiannual interest payments thereon.

(b) On the exchange of the series E bond for the series H bond, B realizes a gain of \$2,260 (\$9,760 less \$7,500), none of which is recognized at such time by reason of section 1037(a).

(c) The basis of the series H bond in B's hands, determined under section 1031(d), is \$7,740 (the \$7,500 basis of the series E bond, plus \$240 additional consideration paid for the series H bond).

(d) On the redemption of the series H bond, B realizes a gain of \$2,260 (\$10,000 less \$7,740), all of which is recognized by reason of section 1002. This entire gain is treated as ordinary income by treating the redemption of the series H bond as though it were a redemption of the series E bond and by applying section 1037(b)(1)(A).

(e) Under section 1037(b)(1)(B) the issue price of the series H bond is \$10,000 (\$9,760 stated redemption price of the series E bond at time of exchange, plus \$240 additional consideration paid). Thus, with respect to the series H bond, there is no original issue discount to which section 1232(a)(2)(A) might apply.

Example (6). (a) The facts are the same as in example (5), except that in 1970 B submits the \$10,000 series H bond to the United States for partial redemption in the amount of \$3,000 and for reissuance of the remainder in \$1,000 series H savings bonds registered in his name. On this transaction B receives \$3,000 cash and seven \$1,000 series H bonds bearing the original issue date of the \$10,000 bond which is partially redeemed. The \$1,000 series H bonds are redeemed at maturity in 1975 for \$7,000.

(b) On the partial redemption of the \$10,000 series H bond in 1970 B realizes a gain of \$678 (\$3,000 less \$2,322 [\$7,740×\$3,000/\$10,000]), all of which is recognized at such time by reason of section 1002 and paragraph (c) of § 1.454-1. This entire gain is treated as ordinary income, by treating the partial redemption of the series H bond as though it were a redemption of the relevant denominational portion of the series E bond and by applying section 1037(b)(1)(A).

(c) On the redemption at maturity in 1975 of the seven \$1,000 series H bonds B realizes a gain of \$1,582 (\$7,000 less \$5,418 [\$7,740×\$7,000/\$10,000]), all of which is recognized at such time by reason of section 1002 and paragraph (c) of § 1.454-1. This entire gain is treated as ordinary income, determined in the manner described in paragraph (b) of this example.

Example (7). (a) The facts are the same as in example (5), except that in 1970 B requests the United States to reissue the \$10,000 series H bond by issuing two \$5,000 series H bonds bearing the original issue date of such \$10,000 bond. One of such \$5,000 bonds is registered in B's name, and the other is registered in the name of C, who is B's son. Each \$5,000 series H bond is redeemed at maturity in 1975 for \$5,000.

(b) On the issuing in 1970 of the \$5,000 series H bond to C, B realizes a gain of \$1,130 (\$5,000 less \$3,870 [\$7,740×\$5,000/\$10,000]), all of which is recognized at such time by reason of section 1002 and paragraph (c) of § 1.454-1. This entire gain is treated as ordinary income by treating the transaction as though it were a redemption of the relevant denominational portion of the series E bond and by applying section 1037(b)(1)(A).

(c) On the redemption at maturity in 1975 of the \$5,000 series H bond registered in his name B realizes a gain of \$1,130 (\$5,000 less \$3,870 [\$7,740×\$5,000/\$10,000]), all of which is recognized at such time by reason of section 1002 and paragraph (c) of § 1.454-1. This entire gain is treated as ordinary income, determined in the manner described in paragraph (b) of this example.

(d) On the redemption at maturity in 1975 of the \$5,000 series H bond registered in his name C does not realize any gain, since the amount realized on redemption does not exceed his basis in the property, determined as provided in section 1015.

(5) *Exchanges involving nonrecognition of gain or loss on transferable obligations issued at not less than par*—(i) *In general.* If a transferable obligation of the United States which was originally issued at not less than par is surrendered to the United States for another transferable obligation in an exchange to which the provisions of section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)) apply, the issue price of the obligation received from the United States in the exchange shall be considered for purposes of applying section 1232 to gain realized on the disposition or redemption of the obligation so received, to be the same as the issue price of the obligation which is surrendered to the United States in the exchange, increased by the amount of other consideration, if any, paid to the United States as part of the exchange. This subparagraph shall apply irrespective of whether there is gain or loss unrecognized on the exchange and irrespective of the fair market value, at the time of the exchange, of either the obligation surrendered to, or the obligation received from, the United States in the exchange.

(ii) *Illustrations.* The application of this subparagraph may be illustrated by the following examples, in which it is assumed that the taxpayer uses the cash receipts and disbursements method of accounting and that the old obligations exchanged are capital assets transferred in an exchange in respect of which regulations are promulgated pursuant to section 1037(a):

Example (1). (a) A purchases in the market for \$85 a marketable U.S. bond which was originally issued at its par value of \$100. Three months later, A surrenders this bond to the United States in exchange solely for another \$100 marketable U.S. bond which then has a fair market value of \$88. He holds the new bond for 5 months and then sells it on the market for \$92.

(b) On the exchange of the old bond for the new bond A realizes a gain of \$3 (\$88 less \$85), none of which is recognized by reason of section 1037(a).

(c) The basis of the new bond in A's hands, determined under section 1031(d), is \$85 (the same as that of the old bond). The issue price of the new bond for purposes of section 1232(a)(2)(A) is considered under section 1037(b)(2) to be \$100 (the same issue price as that of the old bond).

(d) On the sale of the new bond A realizes a gain of \$7 (\$92 less \$85), all of which is recognized by reason of section 1002. Of this gain of \$7, the entire amount is treated as long-term capital gain, determined as follows:

(1) Ordinary income under first sentence of sec. 1232(a)(2)(A), applicable to old bond:		
Stated redemption price of old bond at maturity	\$100	
Less: Issue price of old bond	100	
Original issue discount on old bond		0
(2) Ordinary income under first sentence of sec. 1232(a)(2)(A), applying sec. 1037(b)(2) to sale of new bond:		
Stated redemption price of new bond at maturity	\$100	
Less: Issue price of new bond under sec. 1037(b)(2)	100	
Original issue discount on new bond		0
(3) Long-term capital gain (\$7 less sum of subparagraphs (1) and (2))		\$7

Example (2). The facts are the same as in example (1), except that A retains the new bond and redeems it at maturity for \$100. On the redemption of the new bond, A realizes a gain of \$15 (\$100 less \$85), all of which is recognized under section 1002. This entire gain is treated as long-term capital gain, determined in the same manner as provided in paragraph (d) of example (1).

Example (3). (a) For \$1,000 B subscribes to a marketable U.S. bond which has a face value of \$1,000. Thereafter, he surrenders this bond to the United States in exchange solely for a 10-year marketable \$1,000 bond which at the time of exchange has a fair market value of \$930, at which price such bond is initially offered to the public. Five years after the exchange, B sells the new bond for \$950.

(b) On the exchange of the old bond for the new bond, B sustains a loss of \$70 (\$1,000 less \$930), none of which is recognized pursuant to section 1037(a).

(c) The basis of the new bond in A's hands, determined under section 1031(d), is \$1,000 (the same basis as that of the old bond).

(d) On the sale of the new bond B sustains a loss of \$50 (\$1,000 less \$950), all of which is recognized by reason of section 1002.

Example (4). (a) The facts are the same as in example (3), except that 5 years after the exchange B sells the new bond for \$1,020.

(b) On the exchange of the old bond for the new bond B sustains a loss of \$70 (\$1,000 less \$930), none of which is recognized pursuant to section 1037(a).

(c) The basis of the new bond in B's hands, determined under section 1031(d), is \$1,000 (the same basis as that of the old bond). The issue price of the new bond for purposes of section 1232(a)(2)(A) is considered under section 1037(b)(2) to be \$1,000 (the same issue price as that of the old bond).

(d) On the sale of the new bond B realizes a gain of \$20 (\$1,020 less \$1,000), all of which is recognized by reason of section 1002. This entire gain is treated as long-term capital gain, determined in the same manner as provided in paragraph (d) of example (1).

(6) *Other rules for applying section 1232.* To the extent not specifically af-

fected by the provisions of section 1037 (b) and subparagraphs (1) through (5) of this paragraph, any gain realized on the disposition or redemption of any obligation received from the United States in an exchange to which section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)) applies shall be treated in the manner provided by section 1232 if the facts and circumstances relating to the acquisition and disposition or redemption of such obligation require the application of section 1232.

(c) *Holding period of obligation received in the exchange.* The holding period of an obligation received from the United States in an exchange to which the provisions of section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)) apply shall include the period for which the obligation which was surrendered to the United States in the exchange was held by the taxpayer, but only if the obligation so surrendered was at the time of the exchange a capital asset in the hands of the taxpayer. See section 1223 and the regulations thereunder.

(d) *Basis.* The basis of an obligation received from the United States in an exchange to which the provisions of section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)) apply shall be determined as provided in section 1031(d) and the regulations thereunder.

(e) *Effective date.* Section 1.1037 and this section shall apply only for taxable years ending after September 22, 1959.

PAR. 11. Section 1.1232-3 is amended by revising paragraphs (a)(2) and (f) to read as follows:

§ 1.1232-3 Gain upon sale or exchange of obligations issued at a discount after December 31, 1954.

(a) *General rule.* * * *

(2) *Sale or exchange after December 31, 1957.* In the case of gain realized upon the sale or exchange after December 31, 1957, of an obligation issued at a discount after December 31, 1954, and held by the taxpayer for more than 6 months, section 1232(a)(2)(A) provides that such gain shall be considered ordinary income to the extent it does not exceed—

(i) An amount equal to the entire "original issue discount", or

(ii) If at the time of original issue there was no intention to call the bond or other evidence of indebtedness before maturity, a portion of the "original issue discount" determined in accordance with paragraph (c) of this section, and the balance, if any, of the gain shall be considered as long-term capital gain. The terms "original issue discount" and "intention to call the bond or other evidence of indebtedness before maturity" are defined in paragraph (b) of this section. See section 1037(b) and paragraph (b) of § 1.1037-1 for special rules which are applicable in applying section 1232(a)(2)(A) and this subparagraph to gain realized on the disposition or redemption of obligations of the United States which were received from the United States in an exchange upon which gain or loss is not recognized because of section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)).

* * * * *

(f) *Record keeping requirements.* In the case of any obligation held by a taxpayer which was issued at an original issue discount after December 31, 1954, the taxpayer shall keep a record of the issue price and issue date upon or with each such obligation (if known to or reasonably ascertainable by him). If the obligation held by the taxpayer is an obligation of the United States received from the United States in an exchange upon which gain or loss is not recognized because of section 1037(a) (or so much of section 1031 (b) or (c) as relates to section 1037(a)), the taxpayer shall keep sufficient records to determine the issue price of such obligation for purposes of applying section 1037(b) and paragraphs (a) and (b) of § 1.1037-1 upon the disposition or redemption of such obligation. The issuer (or in the case of obligations first sold to the public through an underwriter or wholesaler, the underwriter or wholesaler) shall mark the issue price and issue date upon every obligation which is issued at an original issue discount after September 26, 1957.

[F.R. Doc. 67-13471; Filed, Nov. 16, 1967; 8:45 a.m.]

Title 29—LABOR

Chapter X—National Mediation Board

PART 1200—MINIMUM STANDARDS OF CONDUCT FOR EMPLOYEES OF THE NATIONAL MEDIATION BOARD

Pursuant to and in conformity with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (20 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 1200 is amended in the following respects:

1. Present §§ 1200.735-20 through 1200.735-28 are renumbered as §§ 1200.735-21 through 1200.735-29 and a new § 1200.735-20 is added which includes the provisions in renumbered § 1200.735-21(c) to indicate that this provision applies to all the following applicable material.

2. Renumbered § 1200.735-21(c) is deleted.

3. Renumbered § 1200.735-21(d) is amended to indicate the circumstances under which a voluntary gift to an official superior may be allowed.

4. Renumbered § 1200.735-21(e) is amended to correct statutory references.

5. Renumbered § 1200.735-21 is amended by addendum of paragraph (f). The provisions of this section formerly appeared in renumbered § 1200.735-22(d)(1). The amendment was made to show the exception does not allow non-Government reimbursement for travel on official business under agency orders.

6. Renumbered § 1200.735-22(d)(1) has been deleted.

7. Renumbered § 1200.735-22 and the heading have been amended for clarity.

8. Renumbered § 1200.735-22(e) is amended to correct statutory reference.

9. Renumbered § 1200.735-29 is amended in paragraphs (d), (g), (h), and (j) to correct statutory references made obsolete by the codification of 5 U.S.C.

10. Renumbered § 1200.735-29 has had added paragraph (p) dealing with certain proscribed political activities and paragraph (q) dealing with the prohibition against acting as an agent of a foreign principal.

11. Section 1200.735-32 has been amended to reflect renumbering of reference § 1200.735-22(c).

12. Section 1200.735-35(b) has been amended to reflect renumbering of reference § 1200.735-21(b).

13. Section 1200.735-41 has been amended to indicate what employee must now file financial statements.

14. Section 1200.735-41(a) has been added to indicate what an employee may do who protests his inclusion under the filing requirement.

15. Section 1200.735-42 has been amended to delineate who does not have to file a financial record.

16. Section 1200.735-44 has been amended to eliminate the quarterly submission of supplementary statements of employment and financial interests.

17. Section 1200.735-48 is amended to insure the confidentiality of statements of financial and employment interests.

As amended Part 1200 is revised to read as follows:

AUTHORITY: The provisions of this Part 1200 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—Introduction

§ 1200.735–1 General.

(a) The promulgation of these minimum standards of ethical conduct for employees and special Government employees of the National Mediation Board has as its objective the maintaining and reaffirming of the public's confidence in the activities of their Government. The regulations in this part are intended to act as the broad moral and ethical guideposts for employees of the Board and to supplement and verbalize the individual ethic and integrity of the employees affected. The avoidance of misconduct and conflict of interest on the part of Government employees and special Government employees through informed judgment is indispensable to the maintenance of these standards.

(b) The elimination of conflicts of interests in the Federal service is one of the most important objectives in establishing general standards of conduct. A conflict-of-interest situation may be defined as one in which a Federal employee's private interest, usually of an economic nature, conflicts or raises a reasonable question of conflict with his public duties and responsibilities. The potential conflict is of concern whether it is real or only apparent.

(c) The failure of an employee to observe the basic principles of good conduct, ethics, and integrity will result in immediate adverse or disciplinary action of a severity in keeping with the offense committed and in accordance with equitable administrative practice.

(d) These standards are established in conformity with Part 735 of Title 5 of the Code of Federal Regulations.

§ 1200.735–2 Interpretation and advisory service.

It shall be the practice of the National Mediation Board to appoint as counselor for the agency one of the members of the Board itself. Based upon the experience, usually legal, and position of such individual, employees of the Board will more naturally express complete personal confidence in such a counselor. This individual shall coordinate the Board's counseling services, which services shall be brought to the attention of the Board's employees and special Government employees within 90 days after the approval of the agency's regulations by the Commission. In the case of new employees, notification of the availability of counseling services shall be effected upon their entrance on duty.

§ 1200.735–3 Reviewing statements and reporting conflicts interest.

(a) When a statement submitted or information from other sources indicates a conflict between the interests of an employee or special Government employee and the performance of his services for the Government, and when the conflict or appearance of conflict is not resolved at a lower level, the information concerning the conflict or appearance of the conflict shall be reported to the Board through the counselor for the Board.

(b) The employee or special Government employee concerned shall be provided an opportunity to explain the conflict or appearance of conflict.

§ 1200.735–4 Disciplinary and other remedial action.

(a) A violation of the regulations in this part by an employee or special Government employee may be cause for appropriate disciplinary action which may be in addition to any penalty prescribed by law.

(b) When after consideration of the explanation of the employee or special Government employee the Board decides that remedial action is required, immediate action shall be taken to end the conflicts or appearance of conflicts of interest. Remedial action may include, but is not limited to:

(1) Change in assigned duties;

(2) Divestment by the employee or special Government employee of his conflicting interest;

(3) Disciplinary action; or

(4) Disqualification for a particular assignment.

(c) Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

Subpart B—Ethical Conduct and Responsibilities of Employees

§ 1200.735–20 Proscribed actions.

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

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside of official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

§ 1200.735–21 Gifts, entertainment, and favors.

(a) An employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from a person who:

(1) Has, or is seeking to obtain, contractual or other business of financial relations with the Board;

(2) Conducts operations or activities that are regulated by the Board; or

(3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) The restrictions set forth in paragraph (a) of this section do not apply to:

(1) Obvious family or personal relationships when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;

(2) The acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or during an investigation where an employee may be properly in attendance;

(3) The acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans; and

(4) The acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value.

(c) [Deleted]

(d) 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, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(e) An employee shall not accept a gift, present, decoration, or other things from a foreign government unless authorized by Congress as provided by the Constitution and in Public Law 89-673, 80 Stat. 952.

(f) Neither this section nor § 1200.735-22 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.

§ 1200.735-22 Outside employment and other activity.

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interest; or

(2) Outside employment which tends to impair his mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) An employee shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Government.

(c) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, the Executive order, or the Board regulations in this part. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the Board gives written authorization for the use of nonpublic information on the basis that the use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of Executive Order 11222 shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(d) An employee is not precluded from:

(1) [Deleted]

(2) Participation in the activities of National or State political parties not prescribed by law:

(3) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

§ 1200.735-23 Financial interests.

(a) An employee shall not:

(1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Governmental duties and responsibilities; or

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(b) An employee is not precluded from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, the Executive order or the Board regulations in this part.

§ 1200.735-24 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him.

§ 1200.735-25 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

§ 1200.735-26 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. A "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the Board determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, the Board is not required to determine the validity or amount of the disputed debt.

§ 1200.735-27 Gambling, betting, and lotteries.

An employee shall not participate, while on Government owned or leased property or while on duty for the Government, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

§ 1200.735-28 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

§ 1200.735-29 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of the Board and of the Government. The following statutory provisions are to be noted:

(a) House Concurrent Resolution 175, 85th Congress, 2d session, 72 Stat. B12, the "Code of Ethics for Government Service."

(b) Chapter 11 of title 18, U.S.C., relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against:

(1) The disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783), and

(2) The disclosure of confidential information (18 U.S.C. 1905).

(g) The provisions relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(h) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against:

(1) Embezzlement of Government money or property (18 U.S.C. 641);

(2) Failing to account for public money (18 U.S.C. 643); and

(3) Embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against prescribed political activities in Subchapter III of Chapter 73 of Title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608.

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

Subpart C—Board of Regulations Governing Ethical and Other Conduct and Responsibilities of Special Government Employees

§ 1200.735-30 Special provisions of Board regulations.

Special Government employees, including those individuals categorized as WAE (When as employed), shall be put on actual notice regarding section 5, Third (a), and 7, Third (d) of the Railway Labor Act, 45 U.S.C. Chapter 8, which provide that arbitrators appointed by the Board shall be impartial without bias and disinterested. These Board appointed arbitrators or neutrals shall be further notified of the intent of Executive Order 11222 governing conflict of interests and ethical standards of Government employees.

§ 1200.735–31 Use of Government employment.

A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

§ 1200.735–32 Outside activities of special Government employees.

Special Government employees may teach, lecture, or write in a manner not inconsistent with § 1200.735–22(c) governing other employees.

§ 1200.735–33 Use of inside information.

A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person whether by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

§ 1200.735–34 Coercion.

A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

§ 1200.735–35 Gifts, entertainment, and favors.

(a) A special Government employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with the Board anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business or financial ties.

(b) The exceptions enumerated under § 1200.735–21(b) are applicable to special Government employees.

Subpart D—Board Regulations Governing Statements of Employment and Financial Interests

§ 1200.735–40 Form and content of statements.

The statements of employment and financial interests required for use by employees and special Government employees shall contain, as a minimum, the information required by the formats prescribed by the Commission in the Federal Personnel Manual.

§ 1200.735–41 Employees required to submit statements.

The Board shall require statements of employment and financial interests from the following employees: Board's Executive Secretary.

§ 1200.735–41a Employee's complaint on filing requirement.

Any employee required to submit statements pursuant to § 1200.735–41, who believes his inclusion under Board regulations is improper, may file a complaint directed to the Ethical Conduct Counselor of the National Mediation Board.

§ 1200.735–42 Employees not required to submit statements.

A statement of employment and financial interests is not required of Board members. These Board members are subject to separate reporting requirements under section 401 of Executive Order 11222.

§ 1200.735–43 Time and place for submission of employees' statements.

An employee required to submit a statement of employment and financial interests under the regulations in this part shall submit that statement to the Counselor of Ethical Standards not later than:

(a) Ninety days after the effective date of the Board regulations in this part if employed on or before that effective date; or

(b) Thirty days after his entrance on duty, but not earlier than 90 days after the effective date, if appointed after that effective date.

§ 1200.735–44 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year, except when the Civil Service Commission authorizes a different date on a showing by the Board of necessity therefor. If no changes or additions occur, 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.

§ 1200.735–45 Interests of employees' relatives.

The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

§ 1200.735–46 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 1200.735–47 Information prohibited.

This section does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with or interest in, professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 1200.735–48 Confidentiality of employees' statements.

The Board shall hold each statement of employment and financial interests, and each supplementary statement, in confidence. To insure this confidentiality, the Board shall designate which employees are authorized to review and retain the statements. Employees so designated are responsible for maintaining the statements in confidence and shall not allow access to, or allow information to be disclosed from, a statement except to carry out the purpose of this part. The Board shall not disclose information from a statement except as the Civil Service Commission or the Board may determine for good cause shown.

§ 1200.735–49 Effect of employees' statements on other requirements.

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

§ 1200.735–50 Specific provisions of Board regulations for special Government employees.

(a) Each special Government employee appointed by the National Mediation Board shall file a statement of employment and financial interests on a form to be furnished by the Board. However, the following special Government employees are not required to file a statement of employment and financial interests: Neutrals, referees, and arbitrators, who are exempted due to the fact that the duties of the positions held by these employees are of such a nature and at such a level of responsibility that the submission of such a statement is not necessary to protect the integrity of the Government.

(b) It shall be the duty of the National Mediation Board to notify each of its special Government employees of the specific requirements of the Railway Labor Act and Executive Order 11222 concerning impartiality, integrity, and conflicts of interest.

(c) The statement of employment and financial interests required in this section shall be submitted not later than the time of employment of the special Government employee as provided in the Board's regulations in this part. Each special Government employee shall keep his statement current throughout his employment with the Board by the submission of supplementary statements.

These amendments were approved by the Civil Service Commission on October 19, 1967, and are effective upon publication in the FEDERAL REGISTER.

[SEAL] THOMAS A. TRACY,
Executive Secretary.

[F.R. Doc. 67-13524; Filed, Nov. 16, 1967; 8:47 a.m.]

PART 1202—RULES OF PROCEDURE

PART 1203—APPLICATIONS FOR SERVICE

PART 1208—AVAILABILITY OF INFORMATION

Miscellaneous Amendments

Chapter X of Title 29 is amended as follows:

§ 1202.15 [Deleted]

1. Section 1202.15 is hereby deleted.

§ 1203.2 [Amended]

2. The words "at least a majority of the" appearing in the second sentence of § 1203.2 are deleted.

3. Part 1208 is added to read as follows:

Sec.
1208.1 Purpose.
1208.2 Place at which information may be obtained.
1208.3 General policy.
1208.4 Material relating to representation function.
1208.5 Material relating to mediation function—confidential.
1208.6 Compliance with subpoenas.

AUTHORITY: The provisions of Part 1208 are issued under Stat. 577, as amended: 45 U.S.C. 151-163.

§ 1208.1 Purpose.

The purpose of this section is to set forth the basic policies of the NMB in regard to the availability and disclosure of information in the possession of the NMB.

§ 1208.2 Place at which information may be obtained.

Any individual, carrier, or labor organization desiring information regarding the operations of the NMB should communicate directly with the Executive Secretary of the NMB. General inquiries for information concerning the Board should also be addressed to the Executive Secretary, National Mediation Board, Washington, D.C. 20572.

§ 1208.3 General policy.

(a) Public policy and the successful effectuation of the NMB's mission require that Board members and the employees of the NMB maintain a reputation for impartiality and integrity. Labor and management and other interested parties participating in mediation efforts must have assurance, as must labor organizations and individuals involved in questions of representation, that confidential information disclosed to Board members and employees of the NMB will not be divulged, voluntarily or by compulsion.

(b) Notwithstanding this general policy, the Board will under all circumstances endeavor to make public as much information as can be allowed.

§ 1208.4 Material relating to representation function.

(a) The documents constituting the record of a case, such as the notices of hearing, motions, rulings, orders, stenographic reports of the hearing, briefs, exhibits, findings upon investigation, determinations of craft or class, interpretations, dismissals, withdrawals, and certifications, are matters of official record and are available for inspection and examination during the usual business hours at the Board's offices in Washington.

(b) This part notwithstanding, the Board will treat as confidential the evidence submitted in connection with a representation dispute and the investigatory file pertaining to the representation function.

§ 1208.5 Material relating to mediation function—confidential.

(a) All files, reports, letters, memoranda, documents, and papers (hereinafter referred to as confidential documents) relating to the mediation function of the NMB, in the custody of the NMB or its employees relating to or acquired in their mediatory capacity under any applicable section of the Railway Labor Act of 1926, as amended, are hereby declared to be confidential. No such confidential documents or the material contained therein shall be disclosed to any unauthorized person, or be taken or withdrawn, copied or removed from the custody of the NMB or its employees by any person or by any agent of such person or his representative without the explicit consent of the NMB.

(b) However, the following specific documents: Invocation or proffer of mediation, the reply or replies of the parties, the proffer of arbitration and replies thereto, and the notice of failure of mediatory efforts in cases under section 5, First, of the Railway Labor Act, as amended, are matters of official record and are available for inspection and examination.

(c) Interpretations of mediation agreements by the NMB, arising out of section 5, Second, of the Railway Labor Act, as amended, are public records and are therefore open for public inspection and examination.

§ 1208.6 Compliance with subpoenas.

(a) No person connected in any official way with the NMB shall produce or present any confidential records of the Board or testify on behalf of any party to any cause pending in any court, or before any board, commission, committee, tribunal, investigatory body, or administrative agency of the U.S. Government, or any State or Territory of the United States, or the District of Columbia, or any municipality with respect to matters coming to his knowledge in his official capacity or with respect to any information contained in confidential documents of the NMB, whether in answer to any order, subpoena, subpoena duces tecum, or otherwise without the express written consent of the Board.

(b) Whenever any subpoena or subpoena duces tecum calling for confidential documents, or the information contained therein, or testimony as described above shall have been served on any such person, he will appear in answer thereto, and unless otherwise expressly permitted by the Board, respectfully decline, by reason of this section, to produce or present such confidential documents or to give such testimony.

THOMAS A. TRACY,
Executive Secretary.

[F.R. Doc. 67-13525; Filed, Nov. 16, 1967; 8:47 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter VII—Assistant Secretary of Commerce for Domestic and International Business

CHANGE IN NOMENCLATURE

The title of Chapter VII is changed to read as above.

Wherever the title "Under Secretary for Transportation" appears in Chapter VII, substitute the title "Assistant Secretary for Domestic and International Business."

Dated this 14th day of November, 1967.

LAWRENCE C. MCQUADE,
Assistant Secretary for Domestic and International Business.

[F.R. Doc. 67-13541; Filed, Nov. 16, 1967; 8:48 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

SUBCHAPTER E—EMPLOYMENT AND COMPENSATION IN THE CANAL ZONE

PART 255—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Miscellaneous Amendments

Effective upon publication in the FEDERAL REGISTER, Part 255 of Title 35, Code of Federal Regulations, is amended as follows:

1. Section 255.735-2(h) is amended by deleting the date "October 1, 1965" and the reference "30 F.R. 12259;".

2. Section 255.735-31(c) is deleted and its provisions set forth as a new § 255.735-30 reading as follows:

§ 255.735-30 Proscribed actions.

An employee shall avoid any action, whether or not specifically prohibited by the regulations in this part, 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 Government.

3. Section 255.735-31 is amended as follows: The introductory clause of paragraph (a) is amended, paragraph (c) is deleted, paragraphs (d) and (e) are revised, and the provisions of § 255.735-32(g)(1) are amended and transferred to this section as a new paragraph (f), as follows:

§ 255.735-31 Gifts, entertainment, and favors.

(a) Except as provided in paragraphs (b) and (f) of this section, an employee shall not solicit or accept, directly, or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

* * * * *

(c) [Deleted]

(d) 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, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(e) 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 5 U.S.C. 7342.

(f) Neither this section nor § 255.735-32 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 the regulations in 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 Panama Canal agency orders when reimbursement is proscribed by Decision B-128527 of the Comptroller General dated March 7, 1967.

4. The heading of § 255.735-32 is revised and paragraph (g)(1) of this section is deleted, as follows:

§ 255.735-32 Outside employment and other activity.

* * * * *

(g) * * *

(1) [Deleted]

* * * * *

5. Section 255.735-39 is amended by revising paragraph (a)(1) to read as follows:

§ 255.735-39 Publication of articles; public statements.

(a) * * * (1) is inconsistent with the provisions of § 255.735-32(c) or § 255.735-35;

* * * * *

6. Section 255.735-40 is amended by revising paragraphs (d), (g), (h), (j), and (p), and by adding a new paragraph (p-1), as follows:

§ 255.735-40 Miscellaneous statutory provisions.

* * * * *

(d) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

* * * * *

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(h) The prohibition against misuse of a Government vehicle (31 U.S.C. 638a(c)).

* * * * *

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

* * * * *

(p) 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

(p-1) 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).

* * * * *

7. Section 255.735-56 is amended by revising paragraphs (d), (g), (h), (j), and (p) and by adding a new paragraph (p-1), as follows:

§ 255.735-56 Miscellaneous statutory provisions.

* * * * *

(d) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

* * * * *

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(h) The prohibition against misuse of a Government vehicle (31 U.S.C. 638a(c)).

* * * * *

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

* * * * *

(p) 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.

(p-1) 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).

* * * * *

8. Section 255.735-72 is revised to read as follows:

§ 255.735-72 Employees required to submit statements.

(a) In accordance with § 735.403(b) of the Commission's regulations (5 CFR 735.403(b)), employees in the following positions shall submit statements of employment and financial interests:

Lieutenant Governor.
Secretary, Panama Canal Company.
Comptroller.
Deputy Comptroller.
Executive Secretary.
Deputy Executive Secretary.
General Counsel.
Assistant General Counsels.
Chief, Executive Planning Staff.
Assistant Chief, Executive Planning Staff.
Marine Director.
Chief, Navigation Division.
Chief, Industrial Division.
Transportation and Terminals Director.
Assistant Transportation and Terminals Director.
Superintendent, Terminals Division.
Engineering and Construction Director.
Assistant Engineering and Construction Director.
Chief, Construction Division.
Designing Engineer.
Assistant Designing Engineer.
Chief, Specifications and Estimating Branch.
Supply and Community Service Director.
Deputy Supply and Community Service Director.
Chief, Community Services Division.
General Manager, Supply Division.
Assistant General Manager, Supply Division.
General Merchandise Manager, Supply Division.
Superintendent, Marketing Branch.
Chief, Division of Storehouse.
Chief, Procurement Division, New Orleans.
Chief, Claims Branch.
Chief, Rates and Analysis Branch.
Chief, Division of Veterinary Medicine.

(b) In accordance with §735.403(c) of the Commission's regulations (5 CFR 735.403(c)), employees in the following positions shall submit statements of employment and financial interests:

Personnel Director.
Deputy Personnel Directors.
Civil Affairs Director.
Assistant Civil Affairs Director.
Chief, Customs Division.
Chief, Police Division.
Chief, Internal Security Office.
Panama Canal Information Officer.
Health Director.

(c) Additions to, deletions from, and other amendments of the lists of positions in paragraphs (a) and (b) of this section are effective upon approval by the Governor and actual notification of incumbents. Amendments of paragraphs (a) and (b) shall be submitted annually for publication in the FEDERAL REGISTER.

9. A new § 255.735-72a is added as follows:

§ 255.735-72a Employee's complaint on filing requirement.

An employee may file a complaint that his position has been improperly included as one requiring the submission of a statement of employment and financial interests by utilizing the final state of the grievance procedure provided for employees of the Panama Canal agencies. An employee may request that his complaint be reviewed without the convening of the Grievance Advisory Committee.

10. Section 255.735–74 is revised to read as follows:

§ 255.735–74 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If no changes or additions occur, 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.

11. Section 255.735–78 is revised to read as follows:

§ 255.735–78 Confidentiality of employees' statements.

Each statement of employment and financial interests submitted in accordance with the regulations in this part shall be held in confidence. The Counselor shall be responsible for reviewing and retaining the statements. Access to these statements shall be limited to the Governor, Lieutenant Governor, and the Counselor, who shall not allow access to, or allow information to be disclosed from, a statement except to carry out the purpose of the regulations in this part. Information from a statement may not be disclosed except as the U.S. Civil Service Commission or the Governor may determine for good cause shown.

12. Section 255.735–80 is amended by revising paragraph (a)(2) to read as follows:

§ 255.735–80 Statements required from special Government employees.

(a) * * *

(2) The financial interests of the special Government employee which the Counselor determines are relevant in the light of the duties he is to perform.

* * * * *

These amendments were approved by the Civil Service Commission on October 4, 1967.

Dated: November 8, 1967.

W. P. LEBER,
Governor of the Canal Zone,
President, Panama Canal Company.

[F.R. Doc. 67-13527; Filed, Nov. 16, 1967; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 3—Department of Health, Education, and Welfare

PART 3–75—DELEGATIONS OF AUTHORITY

Part 3–75 of Chapter 3 of Title 41 of the Code of Federal Regulations is revised to read as follows:

AUTHORITY: The authority of this Part 3–75 issued under Reorganization Plan No. 1 of 1953, 3 CFR 1949–53 Comp., p. 1022.

§ 3–75.000 Scope of part.

This part delegates the authority of the Secretary to make purchases and contracts for property and services and to perform other actions relating to procurement.

§ 3–75.001 Redelegations.

Redelegations of the authority conferred by this part, as well as revisions thereof, shall be in writing over the signature of the person vested with redelegation authority and shall specify the authority delegated.

Subpart 3–75.1—Procurement Authority

§ 3–75.100 Scope of subpart.

This subpart delegates the authority of the Secretary to make purchases and contracts for property and services and to appoint contracting officers.

§ 3–75.101 Head of the procuring activity.

The following officials of the Department are designated "Head of the Procuring Activity," as defined in FPR 1–1.206:

(a) Commissioner of Education.

(b) Commissioner of Food and Drugs.

(c) Surgeon General of the Public Health Service.

(d) Administrator, Social and Rehabilitation Service.

(e) Commissioner of Social Security.

(f) Directors, DHEW Regional Offices.

(g) Executive Officer, Office of the Secretary.

(h) Director of General Services, Office of the Secretary.

§ 3–75.102 Authority delegated.

Heads of the Procuring Activity are authorized hereby to: (a) Enter into, modify, administer, and terminate contracts for property and services and to make related determination and findings; (b) settle terminations claims; (c) appoint contracting officers; and (d) establish procurement policy and publish procurement regulations in conformance with: (1) Title III, Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 251 et seq.); (2) implementing regulations of the Administrator, General Services Administration; (3) regulations of this Department; and (4) other applicable law.

§ 3–75.103 Redelegation.

(a) Heads of the Procuring Activity may redelegate, with or without power of redelegation, the authority delegated by § 3–75.102 subject to limitations stipulated in the Federal Procurement Regulations, and regulations of this Department; but, authority to make determinations required by 10 U.S.C. 2353 may not be redelegated.

(b) Personnel delegated responsibility for procurement functions must possess a level of experience, training and ability commensurate with the complexity and magnitude of procurement actions involved.

§ 3–75.104 Limitations.

§ 3–75.104–1 Determinations and findings.

(a) Determinations and findings required by FPR 1–3.211 for contracts in excess of $25,000 and by FPR 1–3.212 and 1–3.213 shall be made by the Secretary.

(b) Determinations which justify construction or installation of nonseverable property on land not owned by the United States shall be made by the Assistant Secretary for Administration whenever the proposed contract contains a provision pursuant to 10 U.S.C. 2353(b)(3).

(c) Determinations and findings required by FPR 1–3.302(d) for advance payments shall be made by the Assistant Secretary for Administration.

(d) Determinations which justify an exception to the restrictions of the Buy American Act (41 U.S.C. 10a–d) shall be made in conformance with Part 1–6 of the Federal Procurement Regulations (41 CFR Part 1–6) as implemented by Subpart 3–6.1 of the HEW Procurement Regulations.

§ 3–75.104–2 Fixed fee.

(a) Proposed fees under cost-plus-a-fixed-fee contracts which exceed the following shall be approved only by the Head of the Procuring Activity or his designee:

(1) 10 percent of the estimated cost, exclusive of fee, of any cost-plus-a-fixed-fee contract for experimental, development or research work.

(2) 7 percent of the estimated cost, exclusive of fee, of any other cost-plus-a-fixed-fee contract.

§ 3–75.104–3 Review and approval of contracts. [Reserved]

§ 3-75.104-4 Consolidated procurement.

(a) Office of the Secretary Support.

(1) Except for the National Institutes of Health, the National Library of Medicine, the National Center for Radiological Health, out-patient clinics of the Public Health Service, field activities of the Social Security Administration, and St. Elizabeths Hospital, offices of operating agencies located within the metropolitan area of Washington, D.C., shall submit all requests for procurement of the following property and services to the Supply Operations Branch, Office of the Executive Officer, Office of the Secretary:

(i) Administrative supplies, equipment, or services; i.e., general use office items or related services, as distinguished from functional or program requirements.

(ii) Automatic Data Processing or Digital Computer Services or Equipment.

(iii) Motion Pictures.

(iv) Stenographic Reporting Services.

(v) Visual Arts, Graphics, and Supplementary Services.

(vi) Press Clipping Services.

§ 3-75.104-5 Mistakes in bids.

(a) Authority is delegated to the Director, Procurement and Supply Management Division, Office of General Services to make the determinations specified in §§ 1-2.406-3 and 1-2.406-4 of the Federal Procurement Regulations (41 CFR Part 1-2) in connection with mistakes in bids.

(b) This delegation of authority cannot be redelegated.

(c) Each proposed determination shall be approved by the Assistant General Counsel, Division of Business and Administrative Law, Office of General Counsel.

Subpart 3-75.2—Sale of Government-Owned Property

§ 3-75.200 Scope of subpart.

This subpart authorizes Heads of the Procuring Activity designated in § 3-75.101 to sell Government-owned surplus property when authorized by law or regulation.

§ 3-75.201 Authority delegated.

Heads of the Procuring Activity designated in § 3-75.101 are authorized hereby to sell Government-owned surplus property in accordance with the requirements and conditions stipulated in section 203, Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484); implementing regulations of the Administrator, General Services Administration; and the procurement and property regulations of this Department.

§ 3-75.202 Redelegation.

Heads of the Procuring Activity may redelegate the authority conferred in § 3-75.201.

Subpart 3-75.3—Publication of Advertisements, Notices or Proposals

§ 3-75.300 Scope of subpart.

This subpart authorizes Heads of the Procuring Activity designated in § 3-75.101 to publish advertising, notices, and contract proposals in newspapers and periodicals.

§ 3-75.301 Authority delegated.

Heads of the Procuring Activity designated in § 3-75.101 are authorized hereby to publish advertisements, notices and contract proposals in newspapers and periodicals in accordance with the requirements and conditions stipulated in 44 U.S.C., 321, 322, and 324; Title 7, Chapter 5200, General Accounting Office Policy and Procedure Manual for Guidance of Federal Agencies and HEWPR 3-4.51.

§ 3-75.302 Redelegation.

Heads of the Procuring Activity may redelegate the authority conferred by § 3-75.301.

Subpart 3-75.4—Authority To Sign Applications To Procure Tax-Free and Specially Denatured Alcohol and To Sign Treasury Department Forms for Purchase of Narcotics

§ 3-75.400 Scope of subpart.

This subpart authorizes Heads of Procuring Activities designated in § 3-75.101 (b), (c), and (h) to sign applications to procure tax-free and specially denatured alcohol and to appoint accredited individuals to order narcotics in accordance with regulations of the Treasury Department and the Internal Revenue Service.

§ 3-75.401 Authority delegated.

Heads of Procuring Activities are authorized to (a) sign applications to procure tax-free and specially denatured alcohol and (b) to appoint accredited officials to order narcotics in accordance with regulations of the Treasury Department, the Internal Revenue Service, and the requirements and conditions contained in HEWPR 3-5.56.

§ 3-75.402 Redelegation.

Heads of Procuring Activities may redelegate the authority conferred by § 3-75.401. Redelegation should be made only to responsible officials whose functions require the procurement of alcohol or narcotics.

Subpart 3-75.5—Establishment of Blood Donation Compensation Rates

§ 3-75.500 Scope of subpart.

This subpart authorizes the Surgeon General, PHS, to establish compensation rates for blood donations for the Department.

§ 3-75.501 Authority delegated.

The authority to establish compensation rates for blood donations under the Act of February 9, 1927, 44 Stat. 1066, as amended (24 U.S.C. 30) is delegated to the Surgeon General, Public Health Service.

§ 3-75.502 Redelegation.

The authority delegated by § 3-75.501 may be redelegated as deemed appropriate.

Effective date: Revised Part 3-75 shall become effective 90 days following publication in the FEDERAL REGISTER or upon the date officials designated in § 3-75.101 redelegate the authorities delegated by Part 3-75, whichever occurs first.

Dated: November 14, 1967.

DONALD F. SIMPSON,
Assistant Secretary for Administration.

[F.R. Doc. 67-13564; Filed, Nov. 16, 1967; 8:50 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds

In § 10.53 *Seasons and Limits on Waterfowl, Coots, and Wilson's Snipe*. The table in paragraph (c)(1), as published in the FEDERAL REGISTER of Friday, August 11, 1967, is amended by extending the closing date for hunting Canada geese in the Horicon Zone to December 10, 1967.

The table in § 10.53(c)(2) is amended by adding the figure "7" to the column headed "Period No."; and the dates "Nov. 20-Dec. 10" to the column headed "Valid Dates"; and the figures "7,500" under the column headed "Number of Permits and Tags Issued" and the figures "21" under the column headed "Days Valid."

Paragraph (c)(3) is amended to read:

(3)(i) Applications will be made available to the public at various locations selected by the Wisconsin Department of Conservation including their office located at 2158 Atwood Avenue, Madison, Wis. 53701 and also their Division headquarters located at Horicon, Wis., as well as the National Wildlife Refuge Headquarters, Route 2, Mayville, Wis. Permits will be issued by the Wisconsin Conservation Department on a first come first served basis.

(ii) Any person possessing a valid Wisconsin hunting license is eligible to apply for one of the 7,500 permits herein provided for except those persons who have already taken their limit of Canada geese in Wisconsin. Persons previously issued permits, but who did not take their season limit of Canada geese in either the Horicon Zone or the remainder of the State may also apply, but must have returned their unused tag and questionnaire.

(iii) The taking of Canada geese in the Horicon Zone is presently not permitted after November 19. Since this amendment relieves an existing restriction it shall become effective upon the date of filing for publication in the FEDERAL REGISTER.

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

NOVEMBER 14, 1967.

[F.R. Doc. 67-13566; Filed, Nov. 16, 1967; 8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 814]

MAINLAND CANE SUGAR AREA

1968 Sugar Quota; Notice of Hearing on Proposed Allotment

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922), and in accordance with the applicable rules of practice and procedure (7 CFR 801.1 et seq.) and on the basis of information before me, I do hereby find that the allotment of the 1968 sugar quota for the Mainland Cane Sugar Area is necessary to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market sugar, and hereby give notice that a public hearing will be held at Washington, D.C., in Room 6451, South Building, U.S. Department of Agriculture, on November 27, 1967, at 9:30 a.m., e.s.t.

The preliminary finding made above is based on the best information now available. It will be appropriate to present evidence at the hearing on the basis of which the Secretary of Agriculture may affirm, modify, or revoke such preliminary finding.

The purpose of such hearing is to receive evidence to enable the Secretary of Agriculture to establish fair, efficient, and equitable allotments of a portion of the quota for the Mainland Cane Sugar Area which will enable persons who process sugar and liquid sugar from sugarcane grown in the continental United States to market such sugar and liquid sugar in an orderly manner during the period January 1, 1968, to the date the Secretary prescribes a method for allotting the entire 1968 quota for the area on the basis of the record of another hearing to be held subsequently.

To avoid disorderly marketing by any allottee who might market early in 1968 a quantity of sugar larger than its allotment of the entire 1968 sugar quota for the area, it is necessary to make allotments effective on January 1, 1968. Part of the evidence necessary to provide an adequate basis for establishing allotments of the entire 1968 quota for the area for the full calendar year cannot be adduced on the date for which the hearing is called. Therefore, the testimony on that date will be limited to data, views, and arguments regarding the identity of the allottees and consideration of the factors cited in section 205(a) of the Act pertinent to establishing allotments of a portion of the quota for the area to be in effect from January 1, 1968, until an order establishing the method for allotting the entire quota for the area for the calendar year 1968 is made effective.

Upon notice hereafter to be given in accordance with applicable rules of practice and procedure, a public hearing for the area will be held early in 1968 for the purpose of receiving evidence to enable the Secretary to establish allotments of the entire 1968 quota for the area for the calendar year 1968 under the provisions of the Sugar Act of 1948, as amended.

Signed at Washington, D.C., this 16th day of November 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-13622; Filed, Nov. 16, 1967; 9:57 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Parts 33, 94, 112]

[CGFR 67-81]

PERSONNEL EXPOSURE PROTECTION IN LIFESAVING EQUIPMENT AND EMERGENCY ELECTRICAL POWER FOR RADIOTELEPHONE TO BE PROVIDED ON GREAT LAKES TANK AND CARGO VESSELS

Notice of Proposed Rule Making and Public Hearing

1. Following a recent disaster on the Great Lakes, where a cargo vessel sank in a storm and all but one seaman was lost, a review of the marine safety regulations revealed two areas of weakness in the present requirements. One of these deficiency areas concerns the electrical power for the radiotelephone. The severance of radiotelephone power when the vessel broke in two whereby the ability to call for help or to notify others of a disaster by a timely means was eliminated. The other deficiency area was the apparent inadequate protection from exposure to the elements when and if seamen embark in lifeboats, liferafts, or lifefloats. Because these deficiencies were found after a serious casualty had occurred, it is considered necessary that immediate actions be undertaken to provide corrective actions to remove these deficiency areas and to prescribe changes in the marine safety regulations.

2. The Merchant Marine Council will hold a public hearing on Monday, December 4, 1967, commencing at 9:30 a.m. in the Departmental Auditorium, between 12th and 14th Streets on Constitution Avenue NW., Washington, D.C., for the purpose of receiving comments, views, and data on proposed changes in the navigation and vessel inspection rules and regulations. The first 12 items, designated Items PH 20-67 to PH 31-67, inclusive, are described in detail in the Merchant Marine Council Public Hearing Agenda (CG-249), dated December 4, 1967, and described in general terms in a notice of proposed rule making designated CGFR 67-38 dated September 5, 1967, and published in the FEDERAL REGISTER. The 13th item designated Item PH 32-67, is described in detail in the Merchant Marine Council Public Hearing Agenda (CG-249), Volume II, regarding "Great Lakes Pilotage Regulations and Uniform System of Accounts," and in a notice of proposed rule making designated CGFR 67-69 dated September 25, 1967, and published in the FEDERAL REGISTER (32 F.R. 13668).

3. Comments on the proposed regulations set forth herein are invited. Written comments containing constructive criticisms, suggestions, or views are welcomed. However, acknowledgment of the comments received or reasons why the suggested changes were or were not adopted cannot be furnished since personnel are not available to handle the necessary correspondence involved. The public hearing held by the Merchant Marine Council is informal and intended to obtain views and information from those who will be directly affected by the proposals under consideration. Each oral or written comment is considered and evaluated. The items are normally considered in the sequence placed on the agenda, and as comments are completed on one item, the Council then considers the next item. Written comments received prior to the public hearing are made a part of the public hearing record, and will not be read at the public hearing since the Merchant Marine Council Public Hearing is not an adversary proceeding. If it is believed the comment, view, or suggestion clarifies or improves a proposed regulation or amendment, such proposal is changed accordingly and, after adoption by the Commandant, U.S. Coast Guard, the regulations as revised are published in the FEDERAL REGISTER. If a proposal under consideration is not accepted by the Commandant, the proposal is rejected or withdrawn.

4. Each person or organization who desires to submit comments, data, or views in connection with the proposed regulations set forth herein should submit them in triplicate so that they will be received by the Commandant (CMC), U.S. Coast Guard Headquarters, Washington, D.C. 20591, prior to December 2, 1967. Comments, data, or views may be presented orally or in writing at the public hearing before the Merchant Marine Council on December 4, 1967. In order to insure consideration of written

comments and to facilitate checking and recording, it is essential that each comment regarding a section or paragraph of the proposed regulations be submitted on Form CG–3287, showing the section number (if any), the subject, the proposed change, the reason or basis, and the name, business firm or organization (if any), and the address of the submitter. A small quantity of Form CG–3287 is attached to the printed copies of this document, which will be mailed direct to interested parties. Additional copies of Form CG–3287 may be reproduced by typewriter or otherwise.

ITEM PH 33–67—PERSONNEL EXPOSURE PROTECTION IN LIFESAVING EQUIPMENT ON GREAT LAKES TANK AND CARGO VESSELS

5. Provisions for providing personnel exposure protection in lifesaving equipment on Great Lakes tank and cargo vessels is considered to be of great assistance to a person who must abandon ship, especially in the wintertime. On the Great Lakes during this season of the year the temperature often drops below zero Fahrenheit. Under normal winter conditions a man on a liferaft or in a lifeboat cannot survive in cold weather for any length of time without some type of protection from the elements. The purpose of the following proposed regulations changes to 46 CFR 33.05–20 (c) and (d) for tank vessels and to Table 94.10–40(a) in 46 CFR 94.10–40(a) for cargo vessels is to eliminate the rigid type liferafts on certain Great Lakes vessels, as well as to require inflatable liferafts having built-in protective covers for personnel protection from the elements. It is intended to have these proposals apply to both existing and new Great Lakes tank and cargo vessels, and to permit compliance with the proposals in lieu of present requirements as soon as these proposals are published as regulations; however, the proposed effective date for full compliance with these proposals is March 1, 1968, or the date the vessel starts operation in its 1968 season, whichever occurs first.

SUBCHAPTER D—TANK VESSELS

PART 33—LIFESAVING EQUIPMENT

Subpart 33.05—Lifeboats, Liferafts, and Buoyant Apparatus Required

6. It is proposed to amend § 33.05–20 (c) and (d) to read as follows:

§ 33.05–20 Lifeboats and liferafts for tank vessels: Great Lakes—TB/L.

* * * * *

(c) All tankships of 300 gross tons and over, operating on the waters of the Great Lakes, shall carry in addition to the lifeboats required by paragraph (a) of this section, approved inflatable liferafts of such aggregate capacity to accommodate all of the persons on board: *Provided*, That such tankships, which are equipped with lifeboats in accordance with § 33.05–1, shall carry additional approved inflatable liferafts for not less than 50 percent of the persons carried. Such tankship, when it has crew, berthing and/or working spaces which are widely separated, shall have at least two approved inflatable liferafts. The capacity and location shall be to the satisfaction of the Officer in Charge, Marine Inspection.

(d) Inflatable liferafts may be substituted for lifeboats on certain vessels in accordance with Subpart 33.07.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 481, 50 U.S.C. 198, 49 U.S.C. 1655(b)(1); E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606)

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

PART 94—LIFESAVING EQUIPMENT

Subpart 94.10—Lifeboats, Liferafts, Buoyant Apparatus, and Rescue Boats

7. It is proposed to amend Table 94.10–40(a) in § 94.10–40(a) (repeated for informational purposes) to read as follows:

§ 94.10–40 Requirements for vessels in Great Lakes; lakes, bays, and sounds; or river service other than fireboats, wrecking and fishing vessels, pilot boats, and yachts.

(a) All vessels, except those on an international voyage, shall be provided with lifeboats and liferafts as required by Table 94.10–40(a).

TABLE 94.10–40(a)—LIFEBOATS AND LIFERAFTS REQUIRED ON VESSELS IN GREAT LAKES; LAKES, BAYS, AND SOUNDS, AND RIVER SERVICE OTHER THAN FIREBOATS, WRECKING AND FISHING VESSELS, PILOT BOATS, AND YACHTS

	Great Lakes			Lakes, bays, and sounds		Rivers	
	Vessels carrying cargo and other vessels of 300 gross tons and over	Other vessels: 50 gross tons and over, but less than 300 gross tons	Other vessels: Under 50 gross tons	50 gross tons and over	Under 50 gross tons	50 gross tons and over	Under 50 gross tons
Percentage of persons to be accommodated.	200	100	100	100	100	At least one suitable boat with lines attached and supplied with oars.[1]	Only lifeboats or liferafts as in the judgment of Officer in Charge, Marine Inspection, are necessary.[1]
Percentage of required equipment in lifeboats.	[1] 100	[1 2] 50	Either lifeboats or liferafts.[1]	50 [1 2]	Either lifeboats or liferafts.[1]	do	Do.
Percentage of required equipment which may be in Type A or Type B liferafts.	None	None	do	50 in either Type A, B, or inflatable liferafts.	do	None	None.
Percentage of required equipment in inflatable liferafts.	[3] 100	50	do	do	do	do	Do.

[1] Vessels navigating waters where the average depth of the channel does not exceed 3 feet shall not be required to be equipped with boats.

[2] Harbor towing vessels of less than 150 gross tons may substitute one or more liferafts of Type A or Type B for the lifeboats required if the lifeboats interfere with the practical operation of the vessel and the substitution may be made with safety in the opinion of the Officer in Charge, Marine Inspection.

[3] Every vessel of 300 gross tons and over, when having crew, berthing and/or working spaces widely separated, shall have at least two approved inflatable liferafts. The capacity and location shall be to the satisfaction of the Officer in Charge, Marine Inspection.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 50 U.S.C. 198, 49 U.S.C. 1655(b)(1); E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606)

ITEM PH 34–67—EMERGENCY ELECTRICAL POWER FOR RADIOTELEPHONE ON GREAT LAKES TANK AND CARGO VESSELS

8. With respect to emergency electrical power on Great Lakes tank and cargo vessels, the recent casualty on the Great Lakes highlighted the fact that, if a vessel breaks in two, the electrical source of power may be disrupted and therefore the radiotelephone no longer may be available for use in calling for help or notifying others that a serious disaster had occurred. It is felt that an emergency source of power should be provided in the vicinity of the radiotelephone. Then, if a vessel is involved in a casualty, such as breaking in two, or a collision involving the amidship area, or a fire amidships, it may be reasonably assured that power will be available for personnel to use the radiotelephone. This proposal has been informally discussed with the appropriate Canadian authorities and the Federal Communications Commission. The purpose of the proposed regulation below

designated 46 CFR 112.05-7 is to require a separate source of power for the radio installation in the vicinity of the pilothouse on Great Lakes tank and cargo vessels of 500 gross tons and over. It is intended to have this proposal effective on publication and applicable to both existing and new Great Lakes tank and cargo vessels on and after March 1, 1968, or the date the vessel starts operation in its 1968 season.

SUBCHAPTER J—ELECTRICAL ENGINEERING

PART 112—EMERGENCY LIGHTING AND POWER SYSTEM

Subpart 112.05—General Requirements

9. It is proposed to insert in the electrical engineering regulations a new § 112.05-7 reading as follows:

§ 112.05-7 Emergency source of power for radiotelephone.

(a) For the purpose of paragraph (b) of this section, the phrase "Great Lakes agreement," means "The Agreement for the Promotion of Safety on the Great Lakes by Means of Radio" and the regulations referred to therein, made by and between the Governments of the United States and Canada, which came into force on November 13, 1954.

(b) Great Lakes freight vessels of 500 gross tons and over and tankships of 500 gross tons and over, having the pilothouse widely separated from the machinery spaces, shall have an emergency source of power in the vicinity of the pilothouse to operate the radiotelephone required by the Great Lakes agreement. This source of emergency power shall be independent of any other source of electrical power on the vessel and shall be located on the level of the main pilothouse or at least one deck above the vessel's main deck. The emergency power supply shall also be used as the source of energy for the electric light which illuminates the operating controls of the radiotelephone installation at the principal operating position so that the radiotelephone may be effectively used in time of emergency or distress.

(c) If storage batteries are used to provide the emergency power supply, such batteries shall have sufficient capacity to operate the transmitter and receiver for at least 4 hours continuously under normal working conditions. Means shall be provided for adequately charging such batteries.

(d) In any case where it is shown to the satisfaction of the Commandant that the use of alternate equipment, apparatus, or arrangement will insure a degree of safety consistent with the minimum standards set forth in this section, the Commandant may permit the use of such equipment, apparatus, or arrangement.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 367, 1333, 390b, 50 U.S.C. 198, 49 U.S.C. 1655(b)(1); E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(2), 32 F.R. 5606)

Dated: November 15, 1967.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard, Acting Commandant.

[F.R. Doc. 67-13616; Filed, Nov. 16, 1967; 8:51 a.m.]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket 67-EA-94]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Windsor Locks, Conn., and East Hartford, Conn., control zones and Hartford, Conn., transition area.

Recent changes to the VOR and ADF instrument approach procedures to Rentschler Field require alteration of the East Hartford, Conn., control zone and Hartford Conn., transition area. A further review of the terminal area of Hartford, Conn., also establishes a need to revise and refine the description of the Windsor Locks, Conn., control zone.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, J. F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such 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 official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Hartford, Conn., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the East Hartford, Conn., control zone description "41°45'08'' N., 72°37'21'' W." and insert in lieu thereof "41°45'10'' N., 72°37'25'' W."; delete the phrase "line bearing 191°" and insert in lieu thereof "182° bearing"; following the phrase "7 miles south of the RBN" delete the period and add the phrase "and within 2 miles each side of the Hartford VOR 327° radial extending from the 5-mile radius zone to the VOR."

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the Windsor Locks, Conn., control zone description "41°56'24'' N., 72°41'10'' W." and "41°54'56'' N., 72°46'39'' W." and substitute in lieu thereof "41°56'25'' N., 72°41'05'' W." and "41°55'00'' N., 72°46'35'' W." respectively; delete the phrase "6 miles south of the OM;" and insert in lieu thereof "6 miles southwest of the OM;" delete all after and including the phrase "within 2 miles each side of the airport ILS localizer northeast" and insert in lieu thereof "within 2 miles each side of the centerline of Runway 6 extended from the 5-mile radius zone to 5 miles from the end of the runway; within 2 miles each side of the centerline of Runway 1 extended from the 5-mile radius zone to 6 miles from the end of the runway."

3. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the 700-foot floor description of the Hartford, Conn., transition area and insert in lieu thereof the following: "That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 41°56'25'' N., 72°41'05'' W., of Bradley International Airport, Windsor Locks, Conn.; within 2 miles each side of the Bradley International Airport ILS localizer southwest course extending from the 9-mile radius area to 12 miles southwest of the OM; within a 9-mile radius of the center, 41°45'10'' N., 72°37'25'' W., of Rentschler Field, East Hartford, Conn.; within 2 miles each side of a 130° bearing from the Hartford RBN extending from the RBN to 8 miles southeast of the RBN; within 2 miles each side of the centerline of Runway 4 extended 10 miles from the end of the runway; within 2 miles each side of the centerline of Runway 22 extended 10 miles from the end of the runway; within 2 miles each side of the Hartford VOR 154° radial extending from the 9-mile radius area to 8 miles southeast of the VOR; within 2 miles each side of the Hartford VOR 130° and 310° radials extending from the 9-mile radius area to 6 miles southeast of the VOR; and within 5 miles northwest and 5 miles southeast of the Hartford VOR

223° radial extending from the VOR to a point 15 miles southwest."

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

Issued in Jamaica, N.Y., on November 1, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-13537; Filed, Nov. 16, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SO-104]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration and Revocation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Charleston, S.C., control zone and transition area, and revoke the John's Island, S.C., 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, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. 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 amendments. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such 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 Charleston control zone, described in § 71.171 (32 F.R. 2071), would be altered by deleting "* * * within 2 miles each side of the Charleston VORTAC 140° radial, extending from the 5-mile radius zone to 6 miles southeast of the VORTAC * * *"

The Charleston transition area, described in § 71.181 (32 F.R. 2148), would be altered by redesignating the 700-foot portion as:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Charleston AFB/Municipal Airport (lat. 32°53'55" N., long. 80°02'20" W.); within an 8-mile radius of John's Island Airport (lat. 32°42'00" N., long. 80°00'00" W.); within 8 miles southwest and 5 miles northeast of the Charleston ILS localizer northwest course, extending from the 8-mile radius area to 12 miles northwest of the LOM; within 8 miles southwest and 5 miles northeast of the Charleston VORTAC 332° radial, extending from the 8-mile radius area to 12 miles northwest of the VORTAC; within 2 miles each side of the Charleston VORTAC 140° radial, extending from the 8-mile radius area to 10.5 miles southeast of the VORTAC.

The John's Island transition area, described in § 71.181 (32 F.R. 2148 and 3766), would be revoked and incorporated into the Charleston transition area.

The U.S. Air Force has proposed changes to their instrument approach procedures for Charleston AFB/Municipal Airport to conform with the new standards applicable to terminal instrument procedures. These changes will permit revocation of the control zone extension predicated on the Charleston VORTAC 140° radial, but will require the designation of a transition area extension with a floor of 700 feet above the surface along the Charleston VORTAC 140° radial. Additionally, a review of IFR aircraft operations, which includes the larger type turbojet aircraft, shows there is a requirement to increase the basic 700-foot transition area radius to 8 miles.

These proposed amendments take into account the foregoing items and would provide the controlled airspace required for the protection of IFR operations in the Charleston terminal area.

The incorporating of John's Island transition area into the Charleston transition area is proposed in the interest of chart clarity and economy.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

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

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

JAMES S. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-13538; Filed, Nov. 16, 1967; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[RM 364.12]

UNITED AIR LINES

Notice of Application for Recordation of Trade Name

NOVEMBER 8, 1967.

Application has been filed pursuant to § 11.16, Customs Regulations (19 CFR 11.16), for recordation under section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124) of the trade name United Air Lines used by United Air Lines, Inc., a Delaware corporation, Post Office Box 66100, O'Hare International Airport, Chicago, Ill. 60666.

The application states that the trade name is applied to flight bags, utility bags, tote bags, coin purses, garment valets, and other accessory bags and novelty items used in connection with, and connotative of, air travel. The application states further that no foreign person, partnership, association, or corporation is now authorized to use the trade name sought to be recorded. Appropriate accompanying papers were submitted with the application.

Before final action is taken on the application, consideration will be given to any relevant data, views, or arguments submitted in writing by any person in opposition to the recordation of this trade name. Any such submission should be addressed to the Commissioner of Customs, Washington, D.C. 20226, in time to be received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

Notice of the action taken on the application for recordation of the trade name will be published in the FEDERAL REGISTER.

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

[F.R. Doc. 67-13565; Filed, Nov. 16, 1967; 8:50 a.m.]

POST OFFICE DEPARTMENT

PERMIT IMPRINTS

Preparation During Pendency of Postage Rate Bill

Mailers who are finding it necessary to order envelopes bearing permit imprints, have inquired concerning the amount of postage to show in view of pending postage rate legislation.

For a temporary period until final action is taken on this legislation, the requirement in § 144.4 of Title 39, Code of Federal Regulations, for showing specific per piece amounts of postage in first- and third-class permit imprints being printed are waived.

For first-class and bulk third-class mailing pieces, the imprints may be printed as shown in § 144.4 (a), (c), and (d) of Title 39, Code of Federal Regulations with the amounts omitted. For third-class single piece rate mail, in lieu of the amount as illustrated in § 144.4(b) of Title 39, Code of Federal Regulations, the words "Third-Class Piece Rate" may be substituted.

These exceptions are only effective until final action is taken on the pending postage rate legislation. Imprints prepared during this time will be accepted until used but mailers should limit the quantities printed during this temporary period.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

NOVEMBER 14, 1967.

[F.R. Doc. 67-13548; Filed, Nov. 16, 1967; 8:49 a.m.]

UNIFORM QUALITY CONTROL PROGRAM

Notice of New Surcoat and Culottes for Female Letter Carriers and Female Special Delivery Messengers

The Post Office Uniform Quality Control Office, U.S. Army Natick Laboratories, has developed and designed a new surcoat and culottes for female letter carriers and female special delivery messengers. Requirements covering these items and the effective date for wear and reimbursement are specified below:

I. *Uniform items.* Only authorized and specified fabrics in color Post Office Blue 5000 shall be used in the manufacture of the new surcoat and culottes.

A. *Surcoat.* PODUQC—No. 41.

1. *Sleeve Braid.* The color of sleeve braid shall be Post Office Maroon 5004.

2. *Length.* The surcoat shall be three-quarter length and shall be worn as the winter uniform garment.

3. *Insignia.* The approved Post Office Department embroidered circular insignia shall be worn on the upper part of the outer half of the left sleeve, 1½ inches below top of shoulder sleeve seam, above which will be an embroidered arc tab designating craft of the wearer. The arc tab will be worn closely abutting the top of the circular insignia.

B. *Culottes.* PODUQC—No. 40.

1. *Length.* This garment shall be skirt length, in accordance with local standards.

2. *Braid.* Shall have an approved nylon flat braid extending the full length of each side seam in the Post Office Maroon 5004.

II. Effective December 1, 1967, items manufactured in accordance with the above specifications are authorized for wear. Reimbursement is authorized for purchases made on and after December 1, 1967.

III. *Quality control provisions.* Employees are reminded that the quality control certificate number must be used on a label attached to each garment indicating that the garment has been manufactured in accordance with the above specifications.

IV. *Trousers.* Effective immediately hip reinforcement patches shall not be used on the front and back of Carrier and Special Delivery Messenger summer trousers made of the following authorized fabrics:

a. 8.5–9 oz., polyester/cotton, tropical, fabric.

b. 8.5–9 oz., polyester/acrylic, tropical, fabric.

c. 8.5–9 oz., polyester/acrylic/mohair, tropical, fabric.

Carrier and Messenger trousers made of all other authorized fabrics shall have hip reinforcement patches as specified in Specification Post Office Department Uniform Quality Control—No. 30.

(5 U.S.C. 301, 31 U.S.C. 686, 39 U.S.C. 501, 3116)

TIMOTHY J. MAY,
General Counsel.

NOVEMBER 14, 1967.

[F.R. Doc. 67-13549; Filed, Nov. 16, 1967; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

RALPH F. BOVIER

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) No change.
(2) Add United States National Bank, Johnstown, Pa.
(3) No change.
(4) No change.

This statement is made as of November 1, 1967.

Dated: November 1, 1967.

RALPH F. BOVIER.

[F.R. Doc. 67-13517; Filed, Nov. 16, 1967; 8:47 a.m.]

WILLIAM ANGUS DAVIS

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

This statement is made as of November 7, 1967.

Dated: November 7, 1967.

WILLIAM ANGUS DAVIS.

[F.R. Doc. 67-13518; Filed, Nov. 16, 1967; 8:47 a.m.]

FRANKLIN STUART FEHR

Statement of Changes in Financial Interests

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

(1) No change.
(2) Metropolitan Edison Co.—3.8 percent—Preferred—3 Shares, First National Bank of Bernville—Common—4 Shares, N.Y. State Electric & Gas Corp.—Common—8 Shares, General Public Utilities Corp.—Common—88 Shares.
(3) No change.
(4) No change.

This statement is made as of November 3, 1967.

Dated: November 3, 1967.

F. STUART FEHR.

[F.R. Doc. 67-13519; Filed, Nov. 16, 1967; 8:47 a.m.]

DONALD B. GREGG

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

This statement is made as of October 14, 1967.

Dated: November 1, 1967.

DONALD B. GREGG.

[F.R. Doc. 67-13520; Filed, Nov. 16, 1967; 8:47 a.m.]

WILLIAM C. PORTER, 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) No change.
(2) Add Public Service Co. of Colorado, Pacific Power & Light Co., Black Hills Power & Light Co., Montana Power Co.
(3) No change.
(4) No change.

This statement is made as of November 1, 1967.

Dated: November 7, 1967.

W. C. PORTER, Jr.

[F.R. Doc. 67-13521; Filed, Nov. 16, 1967; 8:47 a.m.]

GEORGE LESTER WILKINS

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

This statement is made as of November 3, 1967.

Dated: November 3, 1967.

GEO. L. WILKINS.

[F.R. Doc. 67-13522; Filed, Nov. 16, 1967; 8:47 a.m.]

SETH N. WITTS

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) No change.
(2) (a) Deletions: Harley-Davidson Motor Co., (b) Additions: none.
(3) No change.
(4) No change.

This statement is made as of November 7, 1967.

Dated: November 7, 1967.

SETH N. WITTS.

[F.R. Doc. 67-13523; Filed, Nov. 16, 1967; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

INDIANA

Designation of Areas for Emergency Loans

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

INDIANA

Carroll.	Madison.
Clinton.	Randolph.
Delaware.	Shelby.
Hancock.	White.
Johnson.	

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 14th day of November 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-13554; Filed, Nov. 16, 1967; 8:50 a.m.]

TEXAS

Designation of Area for Emergency Loans

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

TEXAS

Ellis.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county 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 14th day of November 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-13555; Filed, Nov. 16, 1967; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

BAYLOR UNIVERSITY MEDICAL CENTER

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68–00025–33–46040. Applicant: Baylor University Medical Center, 3500 Gaston Avenue, Dallas, Tex. 75246. Article: Electron Microscope Philips Model EM 75–C with sensitimer. Manufacturer: Philips Electronics Corp., The Netherlands. Intended use of article: Applicant states:

> Teaching and research in the area of Electron Microscopy in Surgical Pathology and especially in kidney and muscle biopsy and tumor diagnoses.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: Applicant requires an electron microscope which incorporates characteristics that make it suitable for initial orientation of students into the field of electron microscopy. The foreign article is air-cooled and can be operated on the conventional 110-volt circuit. This allows the foreign article to be easily transferred from one laboratory to another, as required in a particular course of instruction. The only known domestic electron microscope is the Model EMU–4 manufactured by the Radio Corporation of America (RCA), which is a complex instrument that requires a fixed installation for its operation. The foreign article employs a simple design and has a viewing screen with multiple ports for simultaneous viewing by several persons. This characteristic is not provided in the domestic instrument.

For the foregoing reasons, we find that the RCA Model EMU–4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–13494; Filed, Nov. 16, 1967; 8:45 a.m.]

DUKE UNIVERSITY MEDICAL CENTER

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00146–33–46040. Applicant: Duke University Medical Center, Durham, N.C. 27706. Article: Electron Microscope, Model EM–300. Manufacturer: N. V. Philips, Holland. Intended use of article: Applicant states:

> Highest possible resolution electron microscopic studies of thin sections of nerve tissue, negative stained preparations of cell membrane fractions and macromolecules.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article has a guaranteed resolution of 5 Angstroms. The only known comparable domestic instrument, the Model EMU–4 electron microscope manufactured by the Radio Corporation of America (RCA), has a guaranteed resolution of 8 Angstroms. (The lower the numerical rating in terms of Angstrom units, the better the resolution.) For the purposes for which the foreign article is intended to be used, we find the difference in resolution to be pertinent. (2) The foreign article provides five accelerating voltages, 20, 40, 60, 80, and 100 kilovolts, whereas the Model EMU–4 provides only two accelerating voltages, 50 and 100 kilovolts. It has been experimentally established that the lower accelerating voltage of the foreign article affords optimum contrast for unstained specimens and that the voltages intermediate between 50 and 100 kilovolts afford the optimum contrast for negatively stained specimens.

For the foregoing reasons, we find that the EMU–4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–13495; Filed, Nov. 16, 1967; 8:45 a.m.]

FRESNO STATE COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00105–01–77030. Applicant: Fresno State College, Department of Chemistry, Cedar and Shaw, Fresno, Calif. 93726. Article: Nuclear Magnetic Resonance Spectrograph, Model R–20. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: Applicant states:

> * * * the instrument will be used primarily as a teaching tool in such courses as instrumental methods of analysis, qualitative organic analysis and the undergraduate course called independent study which represents an introduction to chemical research. Basically, the research in the Chemistry Department is at the Master's level and the use of the instrument for research purposes will be incidental to its use for classroom instruction.

Comments: Comments were received from one domestic manufacturer, Varian Associates, which states inter alia that "a NMR spectrometer of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States." (Letter from Varian dated July 18, 1967.) Decision: Application denied. An instrument of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: Comparisons of the pertinent characteristics and pertinent specifications of the foreign instrument with the similar pertinent characteristics and pertinent specifications of the domestic instrument show that at least one domestic instrument (the Varian Model HA–60IL) possesses all of the pertinent characteristics and pertinent specifications of the foreign instrument. It has been found, furthermore, that the domestic instrument is being used in the United States for purposes similar to those of the intended uses of the foreign instrument.

While it is true that the foreign article neither requires as many utility connections nor consumes as much power for the magnet component as the domestic article, these factors are operating characteristics that do not relate to performance, and, therefore, are regarded as conveniences rather than pertinent characteristics as the term is defined in applicable regulations (15 CFR 602.1 (b)(7)). The domestic article does, however, meet in all respects the requirements set forth in the applicant's original purchase specifications. (See attachment to letter from applicant dated June 19, 1967.) Moreover, the National Bureau of Standards concurs in this finding, stating that "The applicant's written requirements can be met in every particular by the domestic article." (See Memorandum dated Aug. 4, 1967.)

Accordingly, we find that the domestic instrument, which is being manufactured in the United States, is of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13496; Filed, Nov. 16, 1967; 8:45 a.m.]

MARGARET SANGER RESEARCH BUREAU

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No.: 67-00157-33-90000. Applicant: Margaret Sanger Research Bureau, 17 West 16th Street, New York, N.Y. 10011. Article: Beolocator, Type SW 64 complete with probe, probe cable, and nonmetallic wound retractors. Manufacturer: Simonsen & Weels Eftf., Denmark. Intended use of article: Applicant states: "Studies of the intrauterine contraceptive device." Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a small battery-operated portable unit that is designed to locate stones in kidneys or choledocus according to sonic principles. The unit must have sufficiently delicate sound amplifying and distinguishing capabilities to permit differentiating between sounds which characterize stones in the kidneys or choledocus from other sounds.

The Department of Commerce knows of no instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13497; Filed, Nov. 16, 1967; 8:45 a.m.]

AMES RESEARCH CENTER (NASA)

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00009-33-46040. Applicant: National Aeronautics and Space Administration (NASA), Ames Research Center LVX-N-236-3, Moffett Field, Calif. 94035. Article: Electron Microscope EM-300-3, Type PW-6001/00; Anticontamination Device Type PW 6526/00; 70-mm. film holder. Manufacturer: N. V. Philips, The Netherlands. Intended use of article: Applicant states: "This laboratory has been designated to do the ultrastructure research on the Lunar return samples * * *" The applicant states further that the limited amount of material must be examined quickly to obtain the maximum amount of information retrieval from the specimens and make further measurements in a spectrometer to obtain X-ray data on the organic and inorganic constituents. The structure of Bioadhesives will be examined. Better methods for detecting iron in the blood to prevent edema and other degradations will be investigated. Knowledge of the radiation effects on the fractioned myelin components of nerves will be studied. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article provides a guaranteed resolution of 5 Angstroms. The Model EMU-4 electron microscope manufactured by Radio Corporation of America (RCA), provides a guaranteed resolution of 8 Angstroms. (The lower the numerical rating in terms of Angstroms, the better the resolving power.) For the purposes for which the foreign article is intended to be used, we find the difference in resolving power to be significant. (2) The foreign article provides five accelerating voltages, 20, 40, 60, 80, and 100 kilovolts, whereas the Model EMU-4 provides only two accelerating voltages, 50 and 100 kilovolts. It has been experimentally established that the lower accelerating voltage (20 kilovolts) provides optimum contrast for unstained ultrathin specimens and that the voltages intermediate between 50 and 100 kilovolts provide optimum contrast for negatively stained specimens. We therefore find that the additional accelerating voltages provided by the foreign article are pertinent to the purposes for which the foreign article is intended to be used.

For the foregoing reasons we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13498; Filed, Nov. 16, 1967; 8:45 a.m.]

RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00049-33-46040. Applicant: Research Foundation of the State University of New York, 3435 Main Street, Buffalo, N.Y. 14214. Article: Ultra High Resolution Electron Microscope. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The instrument is to be used in current research projects in three areas: (1) Macromolecular and biological specimen staining, developmental methodology; (2) determination of organization of macromolecules in supramacromolecular assemblies and paracrystalline arrays; and (3) study of ultrastructure of cells and cellular organelles. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article has a guaranteed resolution of 5 Angstroms. The only known comparable domestic instrument, the Model EMU-4 electron microscope manufactured by the Radio Corporation of America (RCA), has a guaranteed resolution of 8 Angstroms. (The lower the numerical rating in terms of Angstroms, the better the resolution.) The difference in the resolving capabilities of the foreign article and the RCA Model EMU-4 is pertinent to the purposes for which the foreign article is intended to be used. (2) The foreign article provides four accelerating voltages, 25, 50, 75, and 100 kilovolts, whereas the RCA Model EMU-4 provides only two accelerating voltages, 50 and 100 kilovolts. It has been experimentally established that the lower accelerating voltage (25 kilovolts) provides optimum contrast for unstained specimens and that the accelerating voltage intermediate between 50 and 100 kilovolts provides optimum contrast for negatively stained specimens.

For the foregoing reasons, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13499; Filed, Nov. 16, 1967; 8:45 a.m.]

STATE UNIVERSITY OF NEW YORK AT BUFFALO

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00089-33-46040. Applicant: State University of New York at Buffalo, 343[illegible] Main Street, Buffalo, N.Y. 14214. Article: Electron Microscope, Model HU 11-C, and component parts. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be employed in the following research programs: Fine structure and cytochemistry of pollen tubes; differentiation of chloroplasts; supramolecular organization of cells; and protein biosynthesis. Comments: Comments were received from one domestic manufacturer, Radio Corporation of America (RCA). These were received after the period for comments on this application had expired. Therefore, pursuant to § 602.5(a) of the regulations cited above, these comments have been treated as an offer to provide additional information to the extent that they contain factual information, as contrasted with arguments, explanations, or recommendations. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reason: The foreign article offers a guaranteed resolution of 5 Angstroms by the Fresnel fringe test (specifications for Hitachi Model HU 11-C Electron Microscope, attached to application), whereas the RCA Model EMU-4 offers a guaranteed resolution of 8 Angstroms (specifications for RCA Model EMU-4 Electron Microscope, attached to comments of RCA cited above). (The smaller the numerical rating in terms of Angstroms, the better the resolution.) The National Bureau of Standards (NBS) (memorandum dated Aug. 10, 1967) advises that the difference between 5 Angstroms and 8 Angstroms is very significant in connection with the purpose of the applicant to compare euchromatic and heterochromatic chromosome sets and, therefore, the 5 Angstrom resolution of the foreign article is a pertinent characteristic. The Department of Health, Education, and Welfare (HEW) (memorandum dated July 27, 1967) also advises that the purposes for which the applicant intends to use the article "requires an electron microscope of the highest available resolution."

For the foregoing reasons, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13500; Filed, Nov. 16, 1967; 8:45 a.m.]

UNIVERSITY OF CHICAGO

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00118-00-46040. Applicant: The University of Chicago, 5801 South Ellis Avenue, Chicago, Ill. 60637. Article: Special objective lens power supply and control panel for HU-200 objective lens and special HU-200 (200KV) objective-intermediate lens assembly, objective and field limiting aperture assembly, objective stigmator specimen stage control aims and etc. Manufacturer: Hitachi Ltd., Japan. Intended use of article: Applicant states: "They are necessary for experimentation with biological specimens, perfecting high resolution techniques, at cryogenic temperatures." Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The application relates to specially designed accessories for use with a Model HU-200 electron microscope which was manufactured in Japan. The only known source for such accessories is the manufacturer of the HU-200 electron microscope. The Department of Commerce knows of no comparable accessories that will fit the HU-200 electron microscope, which are being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13501; Filed, Nov. 16, 1967; 8:45 a.m.]

UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL SCHOOL AT DALLAS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00094-33-90000. Applicant: University of Texas Southwestern Medical School at Dallas, 5323 Harry Hines Boulevard, Dallas, Tex. 75235. Article: Micromanipulator, Eccles-Type, Model ME-7; Stereotaxic Instrument, Eccles-Type, Model SE-4 and Ball Joint B-2 Type 12 mm. Manufacturer: Narishigo Scientific Instrument Laboratory, Japan. Intended use of article: Applicant states:

> The article will be used for neurophysiological investigations of the mammalian spinal cord. The micromanipulator will be employed to introduce fine microelectrodes into the spinal cord to record the electrical activities of single neurons. The animal frame will be used to mount the animal in a manner which maximizes the stability of the animal to permit such records to be made.

Comments: Comments were received from one domestic manufacturer, Brinkmann Instruments, Inc. (Brinkmann). However, these did not conform to § 602.4(c) of cited regulations in the following respects: (1) The comments did not identify the domestic instrument or apparatus considered to be of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used; (2) the comments failed to explain why one or more of the instruments manufactured by Brinkmann is scientifically equivalent to the foreign article for the purposes for which such article is intended to be used; and (3) Brinkmann did not furnish the applicant with a copy of the comments, as provided for in headnote to the Notice of Applications for Duty-Free Entry of Scientific Articles (32 F.R. 8391). (See letter from applicant dated Sept. 19, 1967.) Therefore such comments will not be considered in connection with this decision even as additional knowledge because they do not contain factual information as contrasted with arguments or recommendations. (§ 602.5(a) of cited regulations.) Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: We are advised by the Department of Health, Education, and Welfare (HEW) that integrated design, rugged construction for stability, and the capability for complete micro-manipulation flexibility are pertinent characteristics within the context of the purposes for which the foreign article is intended to be used. HEW further advises that the closest comparable domestic apparatus is less suited for the work planned by the applicant. (Memorandum from HEW dated Aug. 2, 1967.)

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13502; Filed, Nov. 16, 1967; 8:45 a.m.]

UNIVERSITY OF WASHINGTON MEDICAL SCHOOL ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00169-33-46040. Applicant: University of Washington Medical School, Department of Pathology, Seattle, Wash. 98105. Article: Electron Microscope, Model EM6-B, and Anticontamination Device. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used in research projects that include studies of anyloid fibers, morphologic variations of elementary particles of mitochondrial membranes renal ultrastructure, various disease tissue and experimentally altered tissues. Application received by Commissioner of Customs: October 6, 1967.

Docket No. 68-00170-70-46040. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: Norelco Electron Microscope EM100 C. Manufacturer: N. V. Philips Electronics, The Netherlands. Intended use of article: This instrument will be used to teach students the use and principles of electron microscopy. Application received by Commissioner of Customs: October 6, 1967.

Docket No. 68-00171-01-77030. Applicant: University of Massachusetts, Department of Chemistry, Amherst, Mass. 01002. Article: Nuclear Magnetic Resonance Spectrometer, Model R20, with proton-proton spin decoupler, variable temperature accessory. Manufacturer: Hitachi, Ltd., Japan. Intended use of Article: (1) Teaching laboratory instrumental analysis to undergraduate and graduate students. (2) Research in structure of organic materials via their proton resonance and in polymer studies. Application received by Commissioner of Customs: October 6, 1967.

Docket No. 68-00172-33-46040. Applicant: Holy Cross Hospital, 2701 West 68th Street, Chicago, Ill. 60629. Article: Electron Miscroscope EM 9A with accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: Research projects of pathology staff, teaching medical students, interns, and residents in oncology. Application received by Commissioner of Customs: October 9, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13503; Filed, Nov. 16, 1967; 8:46 a.m.]

UNIVERSITY OF CALIFORNIA ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00173-75-65600. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, N. Mex. 87544. Article: 750-Kilovolt High Voltage Power Supply. Manufacturer: Emile Haefely Company, Ltd., Switzerland. Intended use of article: Applicant states:

> The direct current high voltage power supply will be used as the preinjector which will provide 750 kev particles (protons) available to a 200 mev linear accelerator. This accelerator will accelerate these particles and inject them into a 30 bev synchrotron ring.

Application received by Commissioner of Customs: October 9, 1967.

Docket No. 68-00174-33-46040. Applicant: University of California, Department of Bacteriology, 405 Hilgard Avenue, Los Angeles, Calif. 90024. Article: Electron Microscope, Elmiskop IA with accessories. Manufacturer: Siemens and Halske Aktiengesellschaft, West Germany. Intended use of article: Examination of biological specimens, particularly bacteria and viruses, in following areas:

1. Bacteriophage structure and its genetic control.
2. Chlorophyll syntheses and formation of chromatophore structures.
3. Formation of bacterial flagella.
4. Structure and purification of Bacillus subtilis bacteriophages.

Application received by Commissioner of Customs: October 9, 1967.

Docket No. 68-00176-33-46040. Applicant: University of Virginia, School of Medicine, Charlottesville, Va. 22903. Article: Electron Microscope, EM-300 with accessories. Manufacturer: N. V. Philips Gloeilampenfabrieken, The Netherlands. Intended use of article: The instrument will be used to study structural alterations of unit membranes surrounding rat liver cells, that have been altered for investigation. Application received by Commissioner of Customs: October 9, 1967.

Docket No. 68-00175-33-46040. Applicant: University of Alabama, Purchasing Department, University, Ala. 35486. Article: Electron Microscope EM 9A and accessories. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The instrument is to be used for both teaching and research of morphogenesis in algae and bacteria. Application received by Commissioner of Customs: October 9, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13504; Filed, Nov. 16, 1967; 8:46 a.m.]

FLORIDA STATE UNIVERSITY ET AL

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00065-80-43600. Applicant: Florida State University, Purchasing Department, Tallahassee, Fla. 32306. Article: Harmonic Analyzer, Mader-Ott, Model No. 212 A PETEX. Manufacturer: A. Ott Instrument Co., West Germany. Intended use of article: The article will be used for instruction of graduate and senior undergraduate students of the University. Application received by Commissioner of Customs: August 9, 1967.

Docket No. 68-00168-65-46040. Applicant: Georgia Institute of Technology, 225 North Avenue NW., Atlanta, Ga. 30332. Article: Electron Microscope, model Elmiskop IA. Manufacturer: Siemens AG, West Germany. Intended use of article: Applicant states:

> The electron microscope with its accessories will be used by the applicant primarily for scientific research and to a limited degree for teaching purposes. The instrument will be applied for investigations in the fields of metallurgy, mineralogy and plastic chemistry.

Application received by Commissioner of Customs: October 6, 1967.

Docket No. 68-00166-75-65600. Applicant: Brookhaven National Laboratory, Associated Universities, Inc., Upton, Long Island, N.Y. 11973. Article: 800-Kilovolt Direct Current High Voltage Power Supply. Manufacturer: Emile Haefely Co., Ltd., Switzerland. Intended use of article: Applicant states:

> The direct current high voltage power supply will be used as the preinjector which will provide 750 kev particles (protons) available to a 200 mev linear accelerator. This accelerator will accelerate these particles and inject them into a 30 bev synchrotron ring.

Application received by Commissioner of Customs: October 4, 1967.

Docket No. 68-00167-33-46040. Applicant: University of Colorado Medical Center, 200 East Ninth Avenue, Denver, Colo. 80220. Article: Electron Microscope Norelco EM-300 and specimen decontamination device. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article:

1. Basic research in following areas:

a. Fine structure and function of photoreceptors.

b. Fine structure of contractile proteins of muscle.

c. Fine structure of pigments.

d. Viral replication studies.

2. Teaching and training of medical and graduate students, graduate student dissertation research.

Application received by Commissioner of Customs: October 5, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13505; Filed, Nov. 16, 1967; 8:46 a.m.]

CORNELL UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00112-33-46040. Applicant: Cornell University, Ithaca, N.Y. 14850. Article: Norelco Electron Microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: Applicant states:

> The instrument is to be used for several purposes. The primary one being biological research * * * The research involves (1) developing and applying techniques for ultrahigh resolution autoradiography; (2) the ultrastructure of biomolecular materials at ultimate resolution; and (3) using the instrument in conjunction with a program to develop new electron microscopes of even higher resolution than now commercially available.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article provides a guaranteed resolution of 5 Angstroms (Specification sheet for Norelco EM 300 Electron Microscope attached to application), whereas the only domestic instrument, the Radio Corporation of America (RCA) Model EMU-4, provides a guaranteed resolution of 8 Angstroms. (The lower the numerical rating in terms of Angstroms, the better the resolving power). The National Bureau of Standards (NBS) advised in a related comparative review of electron microscopes intended for a similar application (Docket No. 67-00036-33-46040) (memorandum dated July 10, 1967), that the difference between 5 and 8 Angstroms is very significant in view of the purposes for which the foreign article is intended to be used. (2) The internal configuration of the foreign instrument with respect to objective lense focal length and resultant spherical aberration coefficient as well as the chromatic aberration coefficient are pertinent characteristics to development of higher resolution. (3) The Department of Health, Education, and Welfare (HEW) advised in a memorandum dated August 14, 1967, that "the planned biological research studies at Cornell University involving ultrahigh resolution autoradiography, the ultrastructure of biomolecular materials at ultimate resolution and a program to advance the state of the art with regard to resolution beyond existing practice, establishes resolution and all design features that promote resolution and contrast as pertinent characteristics."

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13506; Filed, Nov. 16, 1967; 8:46 a.m.]

CHILDREN'S HOSPITAL RESEARCH FOUNDATION

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00152-33-46040. Applicant: Children's Hospital Research Foundation, Elland and Bethesda Avenues, Cincinnati, Ohio 45229. Article: Norelco Electron Microscope, Model EM 300. Manufacturer: Philips Electronics and Pharmaceutical Industries Corp., The Netherlands. Intended use of article: This instrument will be used in biological research and teaching. Specific research projects include the following:

(a) The nature of the structural lesion in the glycogen storage disease;

(b) Studies on the structure of the kidney glomerular basement membrane;

(c) Development of methods of tracing albumin in intestinal tissues; and

(d) Research of negatively stained viral suspensions.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article offers a guaranteed resolution of 5 Angstroms (Specifications for Norelco EM 300, attached to application), whereas the only known domestic electron microscope, the Model EMU-4 manufactured by Radio Corporation of America (RCA) offers a guaranteed resolution of 8 Angstroms (Specifications for RCA Model EMU-4, attached to application). (The lower the numerical rating in terms of Angstroms, the better the resolution.) The Department of Health, Education, and Welfare (HEW) (memorandum dated Aug. 17, 1967) advised that maximum attainable resolution is a pertinent characteristic, in view of the purposes for which the foreign article is intended to be used. (2) The foreign article offers five accelerating voltages, 20, 40, 60, 80, and 100 kilovolts, whereas the RCA Model EMU-4 offers only two accelerating voltages, 50 and 100 kilovolts. In this regard, HEW advised that operation below 50 kilovolt acceleration voltage is necessary for good contrast at both low and high magnification. Moreover, HEW advised that the difference between the foreign article and RCA Model EMU-4 with respect to magnification range (300-500,000 times for the foreign article and 400-70,000 times for the RCA Model EMU-4 without breaking the vacuum), is also pertinent to the purposes for which the foreign article is intended to be used.

For the foregoing reasons, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13507; Filed, Nov. 16, 1967; 8:46 a.m.]

OHIO STATE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00101-33-46500. Applicant: The Ohio State University, 190 North Oval Drive, Columbus, Ohio 43210. Article: Ultramicrotome Reichert Model Om U2. Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: Applicant states:

> The Reichert Om U2 Ultramicrotome will be used as an integral part of a biological-medical research program involving electron microscopy of blood and blood-forming organs in health and disease * * *. Research projects in which this instrument will become immediately involved include:
>
> A. Electron microscopy and electron microscopic histochemistry of the cytoplasmic lysosomal granules in cells of the bone marrow in man, rabbit and cat.
>
> B. Electron microscopy of the lymphocytic cells of the lymph nodes during embryonic-fetal development.
>
> C. Submicroscopic studies of the developing erythrocytic cells as related to their cellular origin and specialization during maturation.
>
> D. Electron microscopy of the embryonic thymus.
>
> E. A study of unusual plasma cells in a patient with plasma cell leukemia.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article provides a thermal feed for ultrathin sections as well as a mechanical feed for thicker sections. (See specifications for Reichert Ultra Microtome "Om U2" attached to application.) The only known comparable domestic instrument is the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall), which provides a mechanical feed only for cutting sections of all thicknesses. (See catalogue (1966) for Sorvall "Porter-Blum" MT-1 and MT-2 Ultra Microtomes, Ivan Sorvall, Inc., Norwalk, Conn.) In the case of Docket No. 67-00024-33-46500, which is related to a similar foreign article, we were advised by the Department of Health, Education, and Welfare (HEW) that both theoretically and in actual practice, the thermal advance mechanism gives superior performance over the mechanical advance method of cutting thin sections. Inherent in a mechanical advance which incorporates a system of gears is backlash and slippage no matter how slight. Thus, there is bound to be greater variation in section thickness with mechanical advance than with thermal advance when both are functioning at their best. (See memorandum from HEW dated June 26, 1967, contained in record of Docket No. 67-00024-33-46500.) In another case (Docket No. 67-00052-33-46500) which also relates to a similar foreign article, HEW advised that reproducibility of thickness of each section cut for examination under an electron microscope is substantially greater when thermal advance microtomes are used than when the advance is achieved through purely mechanical devices. (See memorandum from HEW dated July 26, 1967, contained in record of Docket No. 67-00052-33-46500.) The capability of an ultramicrotome to reproduce consecutive sections with consistent accuracy and uniformity is pertinent to the purposes for which the foreign article is intended to be used. (2) The thin-sectioning capability of an ultramicrotome is expressed in terms of the thinnest section that it can produce. This capability is pertinent because the thinner the section, the more it is possible to take full advantage of the resolving power and other capabilities of the electron microscope for which the specimen is being prepared. The foreign article has a specified thin-sectioning capability of at least 1 Angstrom. (See catalogue (1966) for Reichert Model "Om U2" Ultra Microtome, C. Reichert Optische Werke A.G., Austria.) The specified thin-sectioning capability for the Sorvall Model MT-2 is 100 Angstroms (page 11 of catalogue for Sorvall Model MT-2 cited above).

For the foregoing reasons, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13508; Filed, Nov. 16, 1967; 8:46 a.m.]

PURDUE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00030-33-77040. Applicant: Purdue University, Purchasing Department, Lafayette, Ind. 47907. Article: Mass Spectrometer, Hitachi Perkin-Elmer Model RM H2 with ancillary equipment. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: Applicant states: "This instrument will be used for advanced research and analysis of complex organic compounds. * * * Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: the foreign article provides a resolving power of 100,000 at a 10 percent valley definition when a mass range of 30 to 900 mass units is scanned in 120 seconds. We know of no domestic instruments which provide a resolving power higher than 30,000 at a 10 percent valley definition at any scan speed. We are advised by the Department of Health, Education, and Welfare (memorandum dated Sept. 28, 1967) that the foreign article represents an advance in the state of the art of mass spectrometry and that the additional resolving capability of the foreign article at the specified scanning speed is pertinent to the purposes for which such article is intended to be used. We note that none of the domestic manufacturers contacted offered to furnish an instrument which met these specifications (applicant's reply to Question 10). We therefore find that none of these domestic manufacturers had available at the time the applicant placed its order for the foreign article, an instrument or apparatus of equivalent scientific value to such article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13509; Filed, Nov. 16, 1967; 8:46 a.m.]

UNIVERSITY OF MASSACHUSETTS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00102-33-46500. Applicant: University of Massachusetts, Amherst, Mass. 01002. Article: Microtome, Reichert Thermal Advance Ultra Microtome, Model SIDEA ("Om U2"). Manufacturer: C. Reichert Optische Werke A.G. Austria. Intended use of article: Applicant states: "Prepare ultrathin sections of plant tissues for electron microscopy—as part of a study of embryogenesis." Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article provides a thermal feed for ultrathin sections as well as a mechanical feed for thicker sections. (See specifications for Reichert Ultra Microtome "Om U2" attached to application.) The only known comparable domestic instrument is the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall), which provides a mechanical feed only for cutting sections of all thicknesses. (See catalogue (1966) for Sorvall "Porter-Blum" MT-1 and MT-2 Ultra Microtomes, Ivan Sorvall, Inc., Norwalk, Conn.) In the case of Docket No. 67-00024-33-46500, which is related to a similar foreign article, we were advised by the Department of Health, Education, and Welfare (HEW) that both theoretically and in actual practice, the thermal advance mechanism gives superior performance over the mechanical advance method of cutting thin sections. Inherent in a mechanical advance which incorporates a system of gears is backlash and slippage no matter how slight. Thus, there is bound to be greater variation in section thickness with mechanical advance than with thermal advance when both are functioning at their best. (See memorandum from HEW dated June 26, 1967, contained in record of Docket No. 67-00024-33-46500.) In another case (Docket No. 67-00052-33-46500) which also relates to a similar foreign article, HEW advised that reproducibility of thickness of each section cut for examination under an electron microscope is substantially greater when thermal advance microtomes are used than when the advance is achieved through purely mechanical devices. (See memorandum from HEW dated July 26, 1967, contained in record of Docket No. 67-00052-33-46500.) The capability of an ultramicrotome to reproduce consecutive sections with consistent accuracy and uniformity is pertinent to the purposes for which the foreign article is intended to be used. (2) The thin-sectioning capability of an ultramicrotome is expressed in terms of the thinnest section that it can produce. This capability is pertinent because the thinner the section, the more it is possible to take full advantage of the resolving power and other capabilities of the electron microscope for which the specimen is being prepared. The foreign article has a specified thin-sectioning capability of at least 1 Angstrom. (See catalogue (1966) for Reichert Model "Om U2" Ultra Microtome, C. Reichert Optische Werke A.G., Austria.) The specified thin-sectioning capability for the Sorvall Model MT-2 is 100 Angstroms (page 11 of catalogue for Sorvall Model MT-2 cited above).

For the foregoing reasons, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-13510; Filed, Nov. 16, 1967; 8:46 a.m.]

Maritime Administration

C4 TROOPSHIPS

Notice of Availability for Conversion and Restoration for Commercial Operation

Pursuant to the Ship Exchange Act (section 510(i) of the Merchant Marine Act, 1936), as added by Public Law 86-575 and amended by Public Law 89-254, 46 U.S.C. 1160(i), four C4 troopships owned by the United States of America, represented by the Secretary of Commerce, acting through the Maritime Administrator, are available to unsubsidized American steamship operators in exchange for their older and less efficient ships in accordance with the terms herein stated. Other disposition: This notice of availability of the ships for exchange under the Ship Exchange Act shall not preclude the Maritime Administrator from pursuing such other disposition of the ships as he may deem to be in the best interest of the United States. As required by the Ship Exchange Act, approval of the Defense Department has been received for trade-out of these ships.

(a) *Basis for assignment.* Exchange of these ships will be made in accordance with the provisions of the Ship Exchange Act and of General Order 92 (46 CFR Part 375) as published in the FEDERAL REGISTER issue of March 1, 1962 (27 F.R. 2011). However, for the purpose of making assignments of the ships among the applicants, applications will be closely evaluated to determine the type of conversion and resulting efficiency of the ships, including suitability of the ship for military or national defense use and the extent of upgrading of the American Merchant Marine; the applicant's operating ability; the applicant's financial responsibility; and other factors having a bearing on the intent of the Ship Exchange Act. Preference will be given to those operators which file applications to acquire the ships for conversion to general purpose cargo ships, containerships and tankers.

(b) *Valuation.* The basis for valuation of the traded-in and traded-out vessels will be the same as previously used in the case of the C4 troopships as announced in the FEDERAL REGISTER issues of February 1, 1964 (29 F.R. 1665, 1667), April 14, 1964 (29 F.R. 5092), June 11, 1964 (29 F.R. 7520), and August 3, 1966 (31 F.R. 10425).

(c) *Applications.* Applications for the exchange of ships shall be submitted to the Chief, Office of Property and Supply, Maritime Administration, Washington, D.C. 20235, on Form MA-182. To assist the Maritime Administration in arriving at a proper determination of the ship assignments, applicants shall furnish with their applications the following information in the order listed:

(1) A statement of the applicant's ship operating ability and experience, including the number and types of American flag ships presently owned and operated by the applicant and the trades in which operated.

(2) Names, official numbers, and types of ships to be traded-in.

(3) Financial resources available to the applicant and proposed method of financing.

(4) Outline plans and description of the proposed ship conversions and, in the case of a containership, the dimensions of the containers to be used and the number to be carried. There shall also be included a description of the ship's cargo handling capability.

(5) Bale cubic and deadweight capacity after conversion.

(6) Estimated speed in knots after conversion.

(7) Proposed manning schedule.

(8) Estimated costs of proposed conversion and restoration for commercial operation.

(9) Description of proposed commercial trade of traded-out ship.

(10) Pro forma statement of anticipated operating results for operation in proposed commercial trade.

Applications must be received on or before December 8, 1967.

(d) *Ships available.* The C4's available for assignment are:

Name	*Reserve fleet*
GENERAL C. C. BALLOU	Beaumont.
GENERAL STEWART HEINTZELMAN	Do.
GENERAL W. G. HAAN	Do.
GENERAL W. C. LANGFITT	James River.

The principal characteristics of the C4 troopships are:

Length overall—522'10";
Beam—71'6";
Speed—17 knots;
Deadweight tonnage—approximately 15,000.

The notice of availability of twenty-five C4 troopships published in the FEDERAL REGISTER of August 3, 1966 (21 F.R. 10425), is canceled and superseded by this notice as to the four C4 troopships named above.

The Notice of Allocation of fifteen C4 Troopships published in the FEDERAL REGISTER of November 30, 1966 (31 F.R. 15027), is amended by deleting therefrom the allocations therein shown of the C4 troopships named above, as those allocations have heretofore been canceled.

By Order of the Acting Maritime Administrator.

Dated: November 10, 1967.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 67-13488, Filed, Nov. 16, 1967; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ALLIED CHEMICAL CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0659) has been filed by the Allied Chemical Corp., Agricultural Division, 40 Rector Street, New York, N.Y. 10006, proposing an exemption from the requirements of a tolerance for residues of the insecticide dodecachlorooctahydro-1,3,4-metheno-2H-cyclobuta [cd]pentalene in or on raw agricultural commodities.

The analytical method proposed for determining residues of the insecticide is a microcoulometric gas chromatographic technique.

Dated: November 8, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-13556; Filed, Nov. 16, 1967; 8:50 a.m.]

AMERICAN CYANAMID CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8B2231) has been filed by American Cyanamid Co., Wayne, N.J. 07470, proposing an amendment to § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* to provide for the safe use of disodium *N*-octadecylsulfosuccinamate as an emulsifier in resin latex coatings for paper and paperboard for use in contact with aqueous and fatty foods.

Dated: November 8, 1967.

J. K. KIRK,
Acting Commissioner for Compliance.

[F.R. Doc. 67-13557; Filed, Nov. 16, 1967; 8:50 a.m.]

CHEMAGRO CORP.

Notice of Filing of Pesticide and Food Additive Petitions

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348(b)(5)), notice is given that a petition (PP 8F0653) has been filed by the Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo. 64120, proposing the establishment of tolerances for residues of the insecticide O,O-diethyl S-[4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl] phosphorodithioate in or on the raw agricultural commodities cottonseed and potatoes at 0.1 part per million and soybeans at 0.02 part per million.

Notice is also given that the Chemagro Corp. has filed a related petition (FAP 8H2229) proposing the establishment of a food additive tolerance of 0.1 part per million for residues of the insecticide in soybean oil.

The analytical methods proposed for determining residues of the insecticide are: (1) A colorimetric technique based on alkaline hydrolysis of residues to anthranilic acid which acid is then determined colorimetrically by diazotization and coupling with N-(1-naphthyl) ethylenediamine dihydrochloride; and (2) a gas chromatographic technique with a thermionic emission flame detector.

Dated: November 8, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-13558; Filed, Nov. 16, 1967; 8:50 a.m.]

E. I. DU PONT DE NEMOURS & CO.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0657) has been filed by E. I. du Pont de Nemours and Co., Wilmington, Del. 19898, proposing the establishment of tolerances for total residues of the fungicide chloroneb (1,4-dichloro-2,5-dimethoxybenzene) and its metabolite 2,5-dichloro-4-methoxyphenol, calculated as chloroneb, in or on the raw agricultural commodities: Cotton forage and vines (forage) of beans and soybeans at 2 parts per million; and beans, cottonseed, soybeans, and sugar beets (roots and tops) at 0.1 part per million.

The analytical method proposed for determining total residues of the fungicide and its metabolite is the microcoulometric gas chromatographic technique of H. L. Pease, "Journal of Agricultural and Food Chemistry," vol. 15, pp. 917-19 (1967).

Dated: November 8, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-13559; Filed, Nov. 16, 1967; 8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-220]

NIAGARA MOHAWK POWER CORP.

Notice of Issuance of Order Extending Latest Completion Date of Provisional Construction Permit

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued an order extending to August 1, 1968, the latest completion date specified in Provisional Construction Permit No. CPPR-16 which authorizes Niagara Mohawk Power Corp. to construct a boiling water nuclear reactor on the applicant's site at Nine Mile Point on the shore of Lake Ontario in the town of Scriba, N.Y.

Copies of the Commission's order and the application for extension filed by Niagara Mohawk Power Corp. are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 9th day of November 1967.

For the Atomic Energy Commission.

MARVIN M. MANN,
Acting Director, Division of Reactor Licensing.

[F.R. Doc. 67-13493; Filed, Nov. 16, 1967; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19202]

AMERICANA DE AVIACION, S.A.

Notice of Prehearing Conference

Application for a foreign air carrier permit to engage in the transportation of property and mail between the terminal point of Guayaquil in Ecuador, intermediate points at Quito, Ecuador, and Panama City, Panama, and the terminal point Miami, Fla.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on November 30, 1967, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., November 13, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-13550; Filed, Nov. 16, 1967; 8:49 a.m.]

[Docket No. 19063]

DEUTSCHE LUFTHANSA AKTIENGESELLSCHAFT (LUFTHANSA GERMAN AIRLINES)

Notice of Hearing

Notice is hereby given, pursuant to provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on December 4, 1967, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., November 13, 1967.

[SEAL] LESLIE G. DONAHUE,
Hearing Examiner.

[F.R. Doc. 67-13551; Filed, Nov. 16, 1967; 8:49 a.m.]

[Docket No. 19056; Order E-25964]

READING AVIATION SERVICE, INC.

Order To Show Cause

Issued under delegated authority November 13, 1967.

By petition, filed on September 29, 1967, Reading Aviation Service, Inc., requests the Board to establish a final service mail rate of 55 cents per aircraft mile for the transportation of mail by aircraft between Scranton, Pa., and Philadelphia.

Petitioner is currently engaged in business as an air taxi under Part 298 of the Board's economic regulations. Petitioner will utilize Twin Beech and deHaviland Dove type aircraft in the proposed service, and believes the rate proposed constitutes a fair and reasonable final service mail rate for this service. In its answer, filed October 9, 1967, the Post Office supported Reading Aviation's petition, and stated it believed the proposed rate represents a fair and reasonable rate for the services which petitioner will perform.

By Order E-25950, November 9, 1967, in this Docket, the Board determined to permit petitioner to provide the proposed air transportation of mail for the period terminating June 30, 1969. Since no mail rate is presently in effect for this carrier in these markets, it is necessary to fix and determine the fair and reasonable rate of compensation to be paid to Reading Aviation Service, Inc., by the Postmaster General for the air transportation of mail.

Under the circumstances, the Board finds it in the public interest to fix and determine the fair and reasonable rate of compensation to be paid to Reading Aviation Service, Inc., by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the petition and other matters officially noticed, the Board proposes to issue an order[1] to include the following findings and conclusions:

1. That the fair and reasonable final service mail rate to be paid to Reading Aviation Service, Inc., pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Scranton, Pa., and Philadelphia, Pa., shall be 55 cents per aircraft mile;

2. The final service mail rate here fixed and determined is to be paid in its entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302 and 14 CFR 385.14(f):

It is ordered, That:

1. All interested persons and particularly Reading Aviation Service, Inc., the Postmaster General, Allegheny Airlines, Inc., Eastern Air Lines, Inc., and Trans World Airlines, Inc., are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above, as the fair and reasonable rate of compensation to be paid to Reading Aviation Service, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rate or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after the date of service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and an answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Reading Aviation Service, Inc., the Postmaster General, Allegheny Airlines, Inc., Eastern Air Lines, Inc., and Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-13552; Filed, Nov. 16, 1967; 8:49 a.m.]

[1] As this Order To Show Cause does not constitute a final action and merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR, Part 385). The provisions of that part dealing with petitions for Board review will be applicable to any final action which may be taken by the staff in this matter under authority delegated in § 385.14(g).

[Docket No. 18141]

SCANDINAVIAN AIRLINES SYSTEM ENFORCEMENT PROCEEDING

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the public hearing in the above-entitled proceeding heretofore assigned to be held on December 5, 1967, is hereby postponed and is now assigned to be held before the undersigned Examiner on January 23, 1968, at 10 a.m., e.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., November 13, 1967.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 67-13553; Filed, Nov. 16, 1967; 8:49 a.m.]

CIVIL SERVICE COMMISSION

NOTICE OF GRANT OF AUTHORITY TO MAKE NONCAREER EXECUTIVE ASSIGNMENTS

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the departments and agencies in the executive branch to fill by noncareer executive assignment those excepted positions in grades GS-16, GS-17, and GS-18 removed from Schedule C of Civil Service Rule VI (5 CFR 6.2) by 5 CFR 213.3301a effective November 17, 1967.[1]

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

[F.R. Doc. 67-13608; Filed, Nov. 16, 1967; 8:51 a.m.]

[1] See F.R. Doc. 67-13607, in Rules and Regulations Section, *supra*.

FEDERAL MARITIME COMMISSION

AMERICAN WEST AFRICAN FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. John K. Cunningham, Chairman, American West African Freight Conference, 67 Broad Street, New York, N.Y. 10004.

Agreement 7680-23, among the member lines to the American West African Freight Conference, amends the basic agreement by deleting Article 2 thereof and substituting therefor a new article which sets forth the rights and obligations of the member lines in their representation directly or indirectly of nonconference vessels transporting cargo in the conference trade and stipulates the conditions under which the member lines may bareboat or time-charter vessels to wholly independent companies.

Dated: November 14, 1967.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 67-13560; Filed, Nov. 16, 1967; 8:50 a.m.]

HOLLAND-AMERICA LINE AND NORWEGIAN-AMERICA LINE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. A. A. van L. Maas, General Manager, Holland-America Line, Pier 40 North River, New York, N.Y. 10014.

Agreement No. T-2096 between Holland-America Line (Holland-America) and Norwegian-America Line (Norwegian-America) provides for a 5-year sublease of space by Norwegian-America at Pier 40, North River, New York, N.Y. Norwegian-America agrees to use Pier 40 for all of its passenger vessels and to use Holland-America's stevedore-designee. Charges for use of the pier are set forth in the agreement.

Dated: November 14, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13561; Filed, Nov. 16, 1967; 8:50 a.m.]

NIAGARA FRONTIER PORT AUTHORITY AND BUFFALO OVERSEAS TERMINALS, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. James E. Kelly, General Counsel, Niagara Frontier Port Authority, 1700 City Hall, Buffalo, N.Y. 14202.

Agreement No. T-2095 between the Niagara Frontier Port Authority (Authority) and Buffalo Overseas Terminals, Inc. (Terminals) is a 5-year lease of certain warehouse and dock facilities to be operated as a public marine terminal. Terminals will furnish all labor and services, including stevedoring. Authority will receive all dockage, demurrage and storage charges and, in addition, Terminals will pay $1.25 per ton top wharfage with a guaranteed minimum payment on 30,000 tons. Rates to be charged by Terminals are subject to approval by the Authority.

Dated: November 14, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13562; Filed, Nov. 16, 1967; 8:50 a.m.]

SOUTH ATLANTIC & CARIBBEAN LINE, INC., AND SACAL, V.I., INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. John Mason, Ragan & Mason, 900 17th Street NW., Washington, D.C. 20006.

Agreement 9673, between South Atlantic & Caribbean Line, Inc., and Sacal, V.I., Inc., establishes a through billing arrangement between ports in Florida and ports in the Greater and Lesser Antilles and on the North Coast of South America with transshipment at San Juan or other ports in Puerto Rico in accordance with terms and conditions set forth in the agreement.

Dated: November 14, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-13563; Filed, Nov. 16, 1967; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3685, etc.]

BRAVO OIL CO.

Findings and Order

NOVEMBER 7, 1967.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, dismissing applications, cancelling docket numbers, permitting and approving abandonment of service, terminating certificates, substituting respondents, redesignating proceedings, accepting agreement and undertaking for filing and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or deplete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

Coastal States Gas Producing Co., Applicant in Docket No. G-18041, proposes to continue the sales of natural gas heretofore authorized in said docket to be made pursuant to Peake Petroleum Co. FPC Gas Rate Schedule Nos. 1 and 2. The presently effective rates under said rate schedules are in effect subject to refund in Docket No. RI65-615. Prior increased rates were collected under said rate schedules for locked-in periods subject to refund in Docket Nos. RI65-94, RI64-117, and RI62-406. Applicant has filed a motion to be substituted as respondent in said proceedings together with an agreement and undertaking to assure the refund of all amounts collected in excess of the amounts determined to be just and reasonable in said proceedings. Therefore, Applicant will be substituted in lieu of Peake Petroleum Co. as respondent, the proceedings will be redesignated accordingly, and the agreement and undertaking will be accepted for filing.

Occidental Petroleum Corp. (Operator) et al., Applicant in Docket No. CI61-259, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to McWood Corp. (Operator) et al., FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as that of Applicant. McWood Corp. has filed for an increase in rate under said rate schedule which increase has been suspended and has not been made effective. Therefore, Applicant will be substituted as respondent in said proceeding and the proceeding will be redesignated accordingly.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, a petition to intervene by Long Island Lighting Co. and a notice of intervention by The Public Service Commission of the State of New York were filed in Docket No. CI63-1388, in the matter of the application filed on February 21, 1966, in said docket. The petition to intervene and the notice of intervention have been withdrawn, and no other petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on November 2, 1967, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the applications filed in Docket Nos. G-13943 and G-14225 on January 10, 1967 and June 7, 1967, respectively, should be dismissed as moot.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket Nos. CI61-655, CI61-929, CI62-487, and CI68-151 should be cancelled and that the applications filed herein should be processed as petitions to amend the certificates heretofore issued in Docket Nos. G-17851, CI60-181, CI61-1704, and CI62-909, respectively.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-3685, G-3686, G-3687, G-3688, G-15800, G-17851, G-18041, CI60-181, CI60-648, CI61-259, CI61-1704, CI62-249, CI62-909, CI63-548, CI63-1128, CI65-617, and CI66-1297 should be amended as hereinafter ordered and conditioned.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificate heretofore issued in Docket No. CI63-1388 should be amended to authorize the sale of natural gas from acreage acquired from Applicant in Docket No. CI63-1526, and that the certificate in Docket No. CI63-1526 should be terminated.

(9) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments hereinafter permitted and approved should be terminated.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the name of the respondent in the proceeding pending in Docket No. RI66-122 should be changed from Rio Bravo Oil Co. to Bravo Oil Co., and that the proceeding should be redesignated accordingly.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Coastal States Gas Producing Co. should be substituted in lieu of Peake Petroleum Co. as respondent in the proceedings pending in Docket Nos. RI62-406, RI64-117, RI65-94, and RI65-615, that said proceedings should be redesignated accordingly, and that the agreement and undertaking submitted by Coastal States Gas Producing Co. in said proceedings should be accepted for filing.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Occidental Petroleum Corp. (Operator) et al., should be substituted in lieu of McWood Corp. (Operator) et al., as respondent in the proceeding pending in Docket No. RI66-374 and that said proceeding should be redesignated accordingly.

(14) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as hereinafter ordered.

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved inply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d)(3) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable date as indicated by footnote 23 in the attached tabulation.

(E) A certificate is issued herein in Docket No. CI68-181 authorizing Applicant to continue the sale of natural gas which was initiated without prior Commission authorization.

(F) The certificate issued herein in Docket No. CI68-62 is subject to the following conditions:

(1) The initial rate shall not exceed 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, plus B.t.u. adjustment; however,

(2) In the event the Commission, by amendment of its policy statement No. 61-1, adjusts the boundary between the Panhandle area and the "Other" Oklahoma area so as to increase the initial wellhead price for new gas in the area

of the sale involved herein, Applicant may thereupon substitute the new rate reflecting the amount of such increase, and thereafter collect the new rate prospectively in lieu of the initial rate herein required.

(G) The applications filed in Docket Nos. G-13943 and G-14225, on January 10, 1967 and June 7, 1967, respectively, are dismissed as moot.

(H) Docket Nos. CI61-655, CI61-929, CI62-487, and CI68-151 are canceled.

(I) The certificates heretofore issued in Docket Nos. G-17851, CI60-181, CI61-1704, CI63-548, and CI66-1297 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations pursuant to the rate schedule supplements as indicated in the tabulation herein.

(J) The certificate heretofore issued in Docket No. G-15800 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI66-1297.

(K) Applicant in Docket No. CI66-1297 shall file a supplement to its FPC Gas Rate Schedule No. 6, waiving the 1 cent per Mcf minimum guarantee for liquids as was required of the predecessor in the Sunray DX Oil Co. settlement order issued January 29, 1965, in Docket Nos. G-6822 et al.

(L) The certificate heretofore issued in Docket No. CI63-1388 is amended to authorize the sale of natural gas from acreage acquired from Applicant in Docket No. CI63-1526, and the certificate in Docket No. CI63-1526 is terminated.

(M) The certificates heretofore issued in Docket Nos. G-18041, CI60-648, CI61-259, CI62-249, CI62-909, CI63-1128, and CI65-617 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(N) The acceptance for filing of the related rate filing in Docket No. CI65-617 is contingent upon Applicant's filing three copies of a revised billing statement reflecting the price of 13.5 cents per Mcf at 15.025 p.s.i.a. as required by the regulations under the Natural Gas Act.

(O) The certificates heretofore issued in Docket Nos. G-3685, G-3686, G-3687, and G-3688 are amended to reflect the change in corporate name from Rio Bravo Oil Co. to Bravo Oil Co., and the related rate schedules and the proceeding pending in Docket No. RI66-122 are redesignated accordingly. Applicant shall charge and collect rates of 8.890883 and 14 cents per Mcf at 14.65 p.s.i.a. pursuant to its FPC Gas Rate Schedule Nos. 1[1] and 3,[2] respectively, and shall file billing statements reflecting such rates as required by the regulations under the Natural Gas Act.

(P) The acceptance for filing of the related rate filings in Docket Nos. G-3687 and G-3688 is contingent upon Applicant's filing three copies of a billing statement for each rate schedule as required by the regulations under the Natural Gas Act.

(Q) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein are granted.

(R) The certificates heretofore issued in Docket Nos. CI63-99 and CI65-744 are terminated.

(S) Coastal States Gas Producing Co. is substituted in lieu of Peake Petroleum Co. as respondent in the proceedings pending in Docket Nos. RI62-406, RI64-117, RI65-94, and RI65-615; said proceedings are redesignated accordingly;[3] and the agreement and undertaking submitted by Coastal States Gas Producing Co. in said proceedings is accepted for filing.

(T) Coastal States Gas Producing Co. shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreement and undertaking filed by it in Docket Nos. RI62-406, RI64-117, RI65-94, and RI65-615 shall remain in full force and effect until discharged by the Commission.

(U) Occidental Petroleum Corp. (Operator) et al., is substituted in lieu of McWood Corp. (Operator) et al., as respondent in the proceeding pending in Docket No. RI66-374 and said proceeding is redesignated accordingly.[4]

(V) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

---

[1] Applicant erroneously stated that its presently effective rate is 9.110193 cents per Mcf at 14.65 p.s.i.a.

[2] Applicant erroneously stated that its presently effective rate is 15.486 cents per Mcf at 14.65 p.s.i.a. This rate is suspended in Docket No. RI66-122. If Applicant desires to charge and collect the 15.486-cent rate, it should file a motion to this effect as required by section 4 of the Natural Gas Act and the regulations thereunder.

[3] Coastal States Gas Producing Co.

[4] Occidental Petroleum Corp. (Operator) et al.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
G-3685 8-28-67 [4]	do	Transcontinental Gas Pipe Line Corp., La Gloria Field, Jim Wells County, Tex.	Rio Bravo Oil Co., FPC GRS No. 1.	1	
			Supplement Nos. 1-13	1	1-13
			Notice of name change 8-10-67.[3] Effective date: 8-11-65		
G-3686 8-28-67 [4]	do	United Gas Pipe Line Co., North Pettus, et al. Fields, Bee and Goliad Counties, Tex.	Rio Bravo Oil Co., FPC GRS No. 3.	3	
			Supplement Nos. 1-12	3	1-12
			Notice of name change 8-10-67.[3] Effective date: 8-11-65		
G-3687 8-28-67 [4]	do	Natural Gas Pipeline Co. of America, La Gloria Field, Jim Wells County, Tex.	Rio Bravo Oil Co., FPC GRS No. 4.	4	
			Supplement Nos. 1-6	4	1-6
			Notice of name change 8-10-67.[3] Effective date: 8-11-65		
G-3688 8-28-67 [4]	do	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Edinburg Field, Hidalgo County, Tex.	Rio Bravo Oil Co., FPC GRS No. 2.	2	
			Supplement Nos. 1-5	2	1-5
			Notice of name change 8-10-67.[3] Effective date: 8-11-65		
G-13943 D 1-10-67 [4]	Mobil Oil Corp	United Gas Pipe Line Co., North Indian Hill, Montgomery County, Tex.	Notice of partial cancellation 1-5-67.[3]	(7)	
G-14225 [5] D 6-7-67	do	United Fuel Gas Co., Thornwell Field, Jefferson Davis Parish, La.	Assignment 5-19-67 [6] Effective date: 7-8-67	141	9
G-18041 E 8-28-67	Coastal States Gas Producing Co. (successor to Peake Petroleum Co.).	Consolidated Gas Supply Corp., Various Districts in Boone, Raleigh, and Wyoming Counties, W. Va.	Peake Petroleum Co., FPC GRS No. 1.	68	
			Supplement Nos. 1-12	68	1-12
			Notice of succession 4-13-67.		
			Assignment 3-20-67 [10] Effective date: 3-1-67	68	13
		Consolidated Gas Supply Corp., Various Districts in Logan and Wyoming Counties, W. Va.	Peake Petroleum Co., FPC GRS No. 2.	69	
			Supplement Nos. 1-9	69	1-9
			Notice of succession 4-13-67.		
			Assignment 3-20-67 [10] Effective date: 3-1-67	69	10

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

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
		Columbian Fuel Corp., Jefferson District, Nicolas County, W. Va.	Peake Petroleum Co., FPC GRS No. 3.	70	
			Supplement Nos. 1-2	70	1-2
			Notice of succession 4-13-67.		
			Assignment 3-20-67 [19]	70	3
			Effective date: 3-1-67.		
		United Fuel Gas Co., Scott District, Putnam County, W. Va.	Peake Petroleum Co., FPC GRS No. 5.	71	
			Supplement Nos. 1-5	71	1-5
			Notice of succession 4-13-67.		
			Assignment 3-20-67 [19]	71	6
			Effective date: 3-1-67.		
CI60-102 (G-4839) [11] A 1-29-60	C. E. Ridenour d.b.a. Ridenour Oil & Gas Co. (Operator), et al. (successor to Neil C. Mathews, et al.).	The Ohio Fuel Gas Co., Chester Township, Meigs County, Ohio.	Neil C. Mathews et al., FPC GRS No. 3.	1	
			Supplement Nos. 1-2	1	1-2
			Notice of succession (undated).		
			Notice of change 1-28-60.	1	3
			Assignment 11-23-59.	1	4
			Supplemental agreement 4-5-60.[12]	1	5
CI60-648 E 7-28-67	Dresser Industries, Inc. (successor to Magnet Cove Barium Corp.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.[13]	Magnet Cove Barium Corp., FPC GRS No. 1.	1	
			Supplement Nos. 1-3	1	1-3
			Notice of succession 7-26-67.		
			Certificate 10-3-66 [14]	1	4
			Effective date: 11-1-66.		
CI61-259 E 6-20-67	Occidental Petroleum Corp. (Operator), et al. (successor to McWood Corp. (Operator), et al.).	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Laguna Madre Field, Kenedy County, Tex.	McWood Corporation (Operator) et al., FPC GRS No. 1.	12	
			Supplement Nos. 1-3	12	1-3
			Notice of succession (undated).		
			Assignment 3-1-67 [15]	12	4
			Effective date 3-1-67		
CI-61-655 (G-17851) C 10-27-60 [16]	Graham-Michaelis Drilling Co. (Operator) et al.	Colorado Interstate Gas Co., Hugoton Field, Stanton and Hamilton Counties, Kans.	Supplemental agreement 9-14-60.	30	1
CI61-865 A 12-5-60	Anadarko Production Co.	Northern Natural Gas Co., Perryton (Lower Morrow) Field, Ochiltree County, Tex.	Contract 9-26-60	33	
CI61-929 (CI60-181)[17] C 12-19-60	Rock Island Oil & Refining Co., Inc.	Cities Service Gas Co., Hugoton Field, Seward County, Kans.	Supplemental agreement 12-2-60.	9	1
CI62-249 E 8-28-67	Coastal States Gas Producing Co. (successor to Peake Petroleum Co.).	United Fuel Gas Co., Stafford District, Mingo County, W. Va.	Peake Petroleum Co., FPC GRS No. 7.	72	
			Notice of succession 4-13-67.		
			Assignment 3-20-67 [18]		
			Effective date: 3-1-67	72	1
CI62-487 (CI61-1704) C 11-6-61 [17]	N. Bruce and Curtis E. Calder, Jr., d. b. a. Horizon Oil & Gas Co.	Northern Natural Gas Co., Hansford Field, Hansford and Ochiltree Counties, Tex.	Supplemental agreement 10-20-61.	16	1
CI63-548 D 8-29-67	Phillips Petroleum Co. (Operator) et al. (partial abandonment).	Northern Natural Gas Co., Anadarko Basin Area, Beaver County, Okla.	Notice of partial cancellation 8-25-67.[19][20][21]	389	8
CI63-1128 E 8-28-67	Coastal States Gas Producing Co. (successor to Peake Petroleum Co.).	Consolidated Gas Supply Corp., Crook District, Boone County, W. Va.	Peake Petroleum Co., FPC GRS No. 9.	73	
			Notice of succession 4-13-67.		
			Assignment 3-29-67 [18]	73	1
			Effective date: 3-1-67		
CI63-1388 (CI63-1326) C 2-21-66	La Gloria Oil and Gas Co.	United Fuel Gas Co., Valentine Field, Lafourche Parish, La.	Assignment 1-1-64 [22][23]	17	1
			Effective date: 1-1-64		
CI65-617 E 6-20-67	Occidental Petroleum Corp. (successor to McWood Corp. (Operator) et al.).	Texas Eastern Transmission Corp., Spider Field, De Soto Parish, La.	McWood Corp. (Operator) et al., FPC GRS No. 6.	14	
			Supplement Nos. 1-3	14	1-3
			Notice of succession (undated).		
			Assignment 3-17-67 [15]	14	4
			Effective date: 3-1-67		
F CI66-1297 (G-15800) C 8-14-67	Thomas A. Dugan (successor to Sunray DX Oil Co.).	El Paso Natural Gas Co., Twin Mounds Area, San Juan County, N. Mex.[25]	Assignment 2-15-67 [24]	6	4
			Effective date: 2-1-67		
CI68-62 A 7-19-67 [25]	Humble Oil & Refining Co.	Panhandle Eastern Pipe Line Co., North Greensburg Field, Woods County, Okla.	Contract 7-3-67	431	
			Compliance 8-17-67 [26][27]	431	1
CI68-108 A 7-31-67 [25]	C. C. Harter, Jr., et al.	Humble Gas Transmission Co., Hatch Bend Field and North Richland Area, Richland Parish, La.	Contract 7-20-67	1	
			Letter agreement 8-7-67.[28]	1	1
CI68-133 A 8-7-67 [25]	Graham-Michaelis Drilling Co. (Operator) et al.	Northern Natural Gas Co., Chunn Upper Morrow Field, Ochiltree County, Tex.	Contract 7-7-67 [26]	82	
CI68-128 A 8-7-67 [25]	Crystal Oil & Land Co. (Operator) et al.	Texas Eastern Transmission Corp., Ruston Field, Lincoln Parish, La.	Contract 7-21-67 [29]	21	
CI68-151 (CI62-909) E 8-10-67 [30]	Bradley H. Keyes et al. (successor to George E. Willett).	El Paso Natural Gas Co., Aztec Pictured-Cliffs Field, San Juan County, N. Mex.	George E. Willett, FPC GRS No. 1.	4	
			Supplement No. 1	4	1
			Notice of succession 8-8-67.		
			Assignment 9-1-67 [29]	4	2
			Effective date: 6-20-67		
CI68-181 A 8-21-67 [25][30]	Claude R. Lambe	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Contract 4-3-65 [26]	2	
CI68-211 (CI65-744) B 8-28-67	Monroe Gas System, Inc. (Agent and Operator) et al.	Southern Natural Gas Co., Monroe Field, Morehouse and Ouachita Parishes, La.	Notice of cancellation 8-22-67.[30][31]	1	3
CI68-225 (CI63-99) B 8-30-67	Southern Triangle Oil Co., Inc.	Consolidated Gas Supply Corp., New Milton District, Doddridge County, W. Va.	Notice of cancellation 8-29-67 [25][31]	7	1
CI68-227 A 8-31-67 [25]	Continental Oil Co.	El Paso Natural Gas Co., Blanco Field, San Juan County, N. Mex.	Contract 8-21-67 [14]	334	
CI68-231 A 9-1-67 [25]	Beard Oil Company	Northern Natural Gas Co., acreage in Harper County, Okla.	Contract 7-28-67 [26]	6	
CI68-232 A 9-1-67 [25]	Thomas C. Buchanan	Trunkline Gas Co., West Olla Field, La Salle Parish, La.	Contract 8-1-67 [26]	1	
CI68-235 A 8-25-67 [25]	Joseph B. Gould	El Paso Natural Gas Co., Otero Chacra Field, Rio Arriba County, N. Mex.	Contract 8-15-67 [26][32]	2	

See footnotes at end of table.

[1] Omitted

[2] Omitted.

[3] Omitted.

[4] Amendment to the certificate filed to reflect the change in corporate name.

[5] Reflects change in corporate name from Rio Bravo Oil Co. to Bravo Oil Co.

[6] Application to amend certificate to reflect deletion of acreage assigned by instrument dated Oct. 21, 1966, to CRA, Inc., by Commission orders issued May 16, 1967, in Docket Nos. G-10630 et al. and Aug. 22, 1967, in Docket Nos. G-5382 et al., Mobil's certificate was amended to reflect deletion of this acreage. Filing previously returned to Mobil as being unnecessary, however, Mobil has returned it requesting that it be retained in the Commission files; therefore the application to amend will be dismissed as moot.

[7] Assignment dated Oct. 21, 1966 accepted as Supp. No. 5 to Mobil Oil Corp. FPC GRS No. 139 by Commission

order issued Aug. 22, 1967, in Docket Nos. G-8392 et al. Notice of partial cancellation made an exhibit to this supplement.

[8] The order issuing a certificate to Edgewater Oil Co., Inc., in Docket No. CI67-1765 amended Mobil's certificate in Docket No. G-14235; therefore, only the rate filing is being accepted for filing by this order and the application to amend filed on June 7, 1967, will be dismissed as moot.

[9] Transfers acreage from Mobil Oil Corp. to Edgewater, except for the Main Marginulina Howel Sand in The Marginulina Howel Sand Unit "R" and The Miogypsinoides Sand in The Miogypsinoids Reservoir "C" Sand Unit "A". Mobile has retained a one-eighth override in assigned acreage except for the second Marg. Sand Unit "W" in which it retained a one thirty-second override. (Contains notice of partial cancellation of rate schedule dated June 6, 1967, as exhibit).

[10] From Peake Petroleum Co. to Coastal States Gas Producing Co.

[11] Predecessor's certificate in Docket No. G-4859 was dismissed.

[12] Provides for acreage dedicated under contract comprising Neil C. Mathews et al. FPC GRS No. 2 to be rededicated to contract comprising C. E. Ridenour d.b.a. Ridenour Oil & Gas Co. (Operator), et al., FPC GRS No. 1, previously accepted for filing.

[13] Gas produced from formations down to and including the Pictured Cliffs Formation only.

[14] Instrument effecting merger of Magnet Cove Barium Corp. into Dresser Industries, Inc.

[15] Assigns acreage from McWood Corp. to Occidental Petroleum Corp.

[16] Application erroneously assigned Docket No. CI61-655 will be treated as a petition to amend the certificate in Docket No. G-17851 and Docket No. CI61-655 will be canceled.

[17] Applications erroneously assigned Docket Nos. CI61-929 and CI62-487 will be treated as petitions to amend the certificates issued in Docket Nos. CI60-181 and CI61-1704, respectively, and Docket Nos. CI61-929 and CI62-487 will be canceled.

[18] Includes amendatory agreements between Applicant and buyer deleting all of Applicant's interest in S½NW¼, N½SW¼ sec. 12 T. 1 N., R. 25 E. and sec. 34 T. 2 N., R. 25 E.

[19] Wells are no longer capable of delivering gas against buyer's prevailing line pressure.

[20] Effective date: Date of this order.

[21] Conveys interest from Callery Properties, Inc., in Docket No. CI63-1526 to La Gloria Oil & Gas Co. The certificate in Docket No. CI63-1526 will be terminated.

[22] Supersedes Callery Properties, Inc., FPC GRS No. 10. Contract identical to Callery's FPC GRS No. 10 which covers assigned acreage only.

[23] Jan. 1, 1970, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.

[24] Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).

[25] Production from formations below the base of the Pictured Cliffs down to the base of the Dakota Formation.

[26] Partial assignment from Sunray DX Oil Co. to Thomas A. Dugan; adds acreage previously dedicated to Sunray's FPC GRS No. 161.

[27] Complies with temporary certificate issued Aug. 15, 1967. Basic contract provides for 17 cents, but Applicant has indicated a willingness to accept a permanent certificate at 15 cents.

[28] Application erroneously assigned Docket No. CI68-151 will be treated as a petition to amend the certificate issued in Docket No. CI62-909 and Docket No. CI68-151 will be canceled.

[29] Instrument filed Sept. 15, 1967, to correct original assignment filed Aug. 10, 1967, which transfers property from Willett to Keyes et al. (Production from formations down to and including the Pictured Cliffs).

[30] Sale being rendered without prior Commission authorization.

[31] Source of gas depleted.

[32] Production of gas no longer economically feasible.

[33] Covers the interval from the base of the Pictured Cliffs Formation to a depth of 3,550 feet.

[F.R. Doc. 67-13376; Filed, Nov. 16, 1967; 8:45 a.m.]

[Docket No. RI60-9, etc.]

L. R. FRENCH, JR. ET AL.

Order Making Successors Co-respondents, Redesignating Proceedings, and Requiring Filing of Agreements and Undertakings

NOVEMBER 9, 1967.

L. R. French, Jr. (Operator) et al., and MWJ Producing Co. (Operator) Agent, Docket No. RI60-9; Van Norman Oil Co. and American Petrofina Company of Texas, Docket No. RI61-384; Graham-Michaelis Drilling Co. and Etchieson & Gross Associates (Operator) et al., Docket No. RI66-104.

By order issued September 12, 1967, in Docket No. G-4804 et al., the Commission amended the orders issuing certificates of public convenience and necessity in Docket Nos. G-15113 and CI64-1351 by authorizing Etchieson & Gross Associates (Operator) et al., and American Petrofina Company of Texas, respectively, to continue sales of natural gas theretofore authorized in said dockets to be made pursuant to Graham-Michaelis Drilling Co. FPC Gas Rate Schedule No. 21 and Van Norman Oil Co. FPC Gas Rate Schedule No. 1, respectively. By order issued September 19, 1967, in Docket No. G-6170 et al., the Commission amended the order issuing a certificate of public convenience and necessity in Docket No. G-15992 by authorizing MWJ Producing Co. (Operator) Agent, to continue the sale of natural gas theretofore authorized in said docket to be made pursuant to L. R. French, Jr. (Operator) et al., FPC Gas Rate Schedule No. 3. In each case the predecessor's FPC gas rate schedule was redesignated as that of the successor. The presently effective rates under said rate schedules are in effect subject to refund. Therefore, the successors will be made co-respondents in their predecessors' rate proceedings; said proceedings will be redesignated accordingly; and the successors will be required to file agreements and undertaking to assure the refunds of any amounts collected by them in excess of the amounts determined to be just and reasonable in said proceedings.

The Commission finds:

It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the successors should be made co-respondents in their predecessors rate proceedings, that said proceedings should be redesignated accordingly, and that the successors should be required to file agreements and undertakings.

The Commission orders:

(A) The successors are made co-respondents in their predecessors' rate proceedings and the proceedings are redesignated accordingly:

Rate Docket No.	Certificate Docket No.	Successor's FPC gas rate schedule	Predecessor's FPC gas rate schedule
RI60-9	G-15992	MWJ Producing Co. (Operator) agent, FPC Gas Rate Schedule No. 12.	L. R. French, Jr. (Operator) et al., FPC Gas Rate Schedule No. 3.
RI61-384	CI64-1351	American Petrofina Co. of Texas, FPC Gas Rate Schedule No. 79.	Van Norman Oil Co., FPC Gas Rate Schedule No. 1.
RI66-104	G-15113	Etchieson & Gross Associates (Operator) et al., FPC Gas Rate Schedule No. 3.	Graham-Michaelis Drilling Co., FPC Gas Rate Schedule No. 21.

(B) Within 30 days from the issuance of this order, each successor shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in its predecessor's rate proceeding to assure the refund of any amounts collected by the successor, together with interest at the rate of seven percent per annum, in excess of the amounts determined to be just and reasonable in said proceedings. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreements and undertakings shall be deemed to have been accepted for filing.

(C) Each successor in interest shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreements and undertakings filed by the successors shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

Suggested agreement and undertaking:

(Name of Respondent ....) —

[Docket No. ......]

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF § 154.102 OF COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agrees and undertakes to comply with the refunding and reporting provisions of § 154.102 of the Commission's regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. ....., and has caused this agreement and undertaking to be executed and sealed in its name by a duly authorized officer this ...... day of ...., 196...

(Name of Respondent)

By ....

Attest:

....

[F.R. Doc. 67-13513; Filed, Nov. 16, 1967; 8:46 a.m.]

[Docket Nos. CP68-130—CP68-132]

JUAREZ GAS TRANSPORTATION CO., INC.

Notice of Application; Correction

NOVEMBER 8, 1967.

In the notice of application issued October 23, 1967, and published in the FEDERAL REGISTER October 27, 1967 (F.R. Doc. 67-12696, 32 F.R. 14909), Docket Nos. CP68-130 et al., page 14909, paragraph 2, line 1 should read as follows: "The proposal in the above-listed applications is submitted as a mutually exclusive * * *".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-13512; Filed, Nov. 16, 1967; 8:46 a.m.]

[Project 1432]

KADIAK FISHERIES CO.

Notice of Application for License for Constructed Project

NOVEMBER 9, 1967.

Public notice is hereby given that application for license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Kadiak Fisheries Co. (correspondence to: Kadiak Fisheries Co., 1826 Exchange Building, Seattle, Wash. 98104) for a license for constructed Project No. 1432, located on an unnamed creek, a tributary to Dry Spruce Bay in Kodiak Recording District, Alaska, affecting lands of the United States within Kodiak National Wildlife Refuge.

The existing project consists: (1) A 12-acre reservoir and a 2-acre forebay formed by raising natural ponds about 6 feet by means of two 12-foot high timber dams; (2) two ditches, one 850 feet long and the other 950 feet long diverting water to the reservoirs; (3) a 12-inch pipe line 6,762 feet long; (4) a powerhouse at Applicant's cannery, containing a 24-inch water wheel of 100 horsepower connected to a 75 kw generator; and (5) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is December 26, 1967. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-13513; Filed, Nov. 16, 1967; 8:46 a.m.]

[Docket No. CP68-143]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

Notice of Application

NOVEMBER 8, 1967.

Take notice that on October 30, 1967, Kansas-Nebraska Natural Gas Co., Inc. (Applicant), Hastings, Nebr. 68901, filed in Docket No. CP68-143 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act and § 157.7(b) of the regulations under the Act for a certificate of public convenience and necessity authorizing the construction and operation of various gas-purchase facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct during the calendar year 1968 and operate various and routine facilities to enable it to take into its transmission system natural gas produced from new sources in areas adjacent to its present pipeline system as such natural gas becomes available.

The total estimated cost of the proposed facilities is $1 million, which cost will be met out of current working capital. The cost of any single facility will not exceed $250,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before December 1, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-13514; Filed, Nov. 16, 1967; 8:46 a.m.]

[Docket Nos. CI61-1143, RI65-475]

SHELL OIL CO. ET AL.

Order Amending Order

NOVEMBER 9, 1967.

Shell Oil Co. (Operator) et al., Docket No. CI61-1143; Shell Oil Co. (Operator) et al., Cabot Corp. (SW) (Operator) et al., Herman Geo. Kaiser (Operator) et al., Phillips Petroleum Co., V. F. Neuhaus and R. E. Hubbard (Operator) et al., Docket No. RI65-475.

Order amending order issuing certificate of public convenience and necessity, amending order instituting rate proceeding, redesignating FPC gas rate schedule, and redesignating proceeding.

One June 21, 1966, Shell Oil Co. (Petitioner) filed in Docket No. CI61-1143 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing Petitioner to sell natural gas from the interests of certain nonoperator co-owners [1] of the Jarrett "R" Sand Unit, Siloam Field, Clay County, Miss., to Texas Eastern Transmission Corp., at a total initial rate of 21.6186 cents per Mcf [2] at 15.025 p.s.i.a., all as more fully set forth in the petition to amend.

Petitioner proposes to sell gas from the interests of its co-owners pursuant to its FPC Gas Rate Schedule No. 246. Petitioner has submitted letters from its co-owners authorizing Petitioner to make the subject filing, and the letters have been made an exhibit to the rate schedule. The presently effective rate under the subject rate schedule is in effect subject to the refund in Docket No. RI65-475,[3] and sales by Petitioner from the interests of its coowners will be subject to said proceedings.

The Commission's staff has reveiwed the petition to amend and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice a petition for leave to intervene was filed by Long Island Lighting Co. Long Island Lighting Co. has advised the Commission that it does not object to the authorization of the subject sales at the rate in effect subject to refund in Petitioner's rate proceeding. No protests, notices of intervention or further petitions for leave to intervene have been received.

The Commission finds:

It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the order issuing a certificate in Docket No. CI61-1143 should be amended as hereinafter ordered and that the related FPC gas rate schedule and rate proceeding should be redesignated accordingly.

The Commission orders:

(A) The order issuing a certificate of public convenience and necessity in Docket No. CI61-1143 to Petitioner is amended by authorizing Petitioner to sell and deliver natural gas from the interests of co-owners as proposed herein, and in all other respects said order shall remain in full force and effect.

(B) Shell Oil Co. FPC Gas Rate Schedule No. 246 is redesignated as Shell Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 246.

(C) The sales from the interests of co-owners authorized in paragraph (A) above are subject to the proceedings in Docket No. RI65-475, and the proceeding

[1] Texaco, Inc., R. J. Whelan Estate, Wilbur H. Knight, J. Clyde Tomlinson, and W. Ridley Wheeler Estate.

[2] Including 0.6188 cent per Mcf tax reimbursement and subject to 1 cent per Mcf deduction by the buyer until the cost of the buyer's lateral facilities are recouped.

[3] Consolidated in the proceeding in Docket No. AR67-1 et al.

in said docket is redesignated accordingly.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary*.

[F.R. Doc. 67-13515; Filed, Nov. 16, 1967; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4555]

CENTRAL POWER AND LIGHT CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

NOVEMBER 13, 1967.

Notice is hereby given that Central Power and Light Co. ("CP&L"), 120 North Chaparral Street, Corpus Christi, Tex. 78403, an electric utility subsidiary company of Central and South West Corp., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rules 23 and 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

CP&L proposes to issue and sell, pursuant to the competitive bidding requirements of Rule 50, $28 million principal amount of first mortgage bonds, Series J, ______ percent, due January 1, 1998. The interest rate (which shall be a multiple of one-eighth of 1 percent and the price, exclusive of accrued interest, to be paid to CP&L for the bonds (which shall be not less than 99 percent nor more than 102¾ percent of the principal amount of the bonds) will be determined by the competitive bidding. The bonds will be issued under the first mortgage dated November 1, 1943, between CP&L and The First National Bank of Chicago and Robert L. Grinnell, as trustees, as heretofore supplemented and as to be further supplemented by a supplemental indenture to be dated January 1, 1968.

The net proceeds from the sale of the bonds will be used to finance the construction program of CP&L (including repayment of $7,400,000 of bank loans incurred therefor). Construction expenditures for the calendar year 1968 are presently estimated at $33 million.

It is stated that the fees and expenses to be incurred in connection with the issue and sale of the bonds are estimated at $56,000, including accountants' fees of $3,000 and counsel fees of $10,000. The fees of counsel for the underwriters, to be paid by the successful bidders, are estimated at not to exceed $9,000. It is further stated that no State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than December 8, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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. 67-13528; Filed, Nov. 16, 1967; 8:48 a.m.]

[812-2201]

STANDARD SHARES, INC., AND PITTSBURGH RAILWAYS CO.

Notice of Filing of Application for Order Exempting Proposed Transactions

NOVEMBER 13, 1967.

Notice is hereby given that Standard Shares, Inc. ("Standard"), 60 Broad Street, New York, N.Y. 10004, a registered closed-end, nondiversified management investment company, and its subsidiary, Pittsburgh Railways Co. ("Pittsburgh"), 121 Seventh Street, Pittsburgh 30, Pa., a diversified operating company, engaged in the businesses of aerosol and other contract packaging, the manufacture of aerosol valves and of burglar and fire alarm devices, and the publication of industrial magazines (hereinafter collectively called "Applicants") have filed an application pursuant to sections 6(c), 17(b) and Rule 17d-1 of the Investment Company Act of 1940 ("Act") for an order exempting proposed transactions from the provisions of section 17(a)(2) and 17(d) of the Act and Rule 17d-1 promulgated thereunder. All interested persons are referred to the application on file with the Commission for a full statement of the representations made therein, which are summarized below.

Section 17(a)(2) of the Act, as here pertinent, provides that it shall be unlawful for an affiliated person (Pittsburgh) of a registered investment company knowingly to purchase from such registered company, any security or other property (except securities of which the seller is the issuer), unless the Commission upon application grants an exemption from such prohibitions pursuant to section 17(b) of the Act after finding that the terms of the proposed transaction are reasonable and fair and do not involve overreaching and that the proposed tranaction is consistent with the policy of the registered investment company and with the general purposes of the Act.

Pittsburgh proposes to split its common stock two-for-one resulting in approximately 2,505,732 common shares at 50 cents par value. In addition, Pittsburgh proposes to create a Class B common stock for issuance of up to 1,200,000 shares in exchange for the new common shares. Pittsburgh's stockholders will have the opportunity to exchange all or part of their common for B common on a share-for-share basis. The two classes of stock will be identical except that: (a) The common will have a cash dividend preference of $1.25 per share annually, and the Class B common will share equally in any cash dividend paid in excess of that amount; (b) in lieu of the cash dividend preference, the Class B common will be convertible into the common at increasing rates over a period of 15 years, at the end of which the conversion right will entitle the Class B common to be converted into 1.60 shares of common; and (c) in any year when less than $1.25 cash dividend is paid, that year's conversion right will be proportionately reduced.

Standard proposes to tender all of its common stock holdings of Pittsburgh, approximately 41 percent of the outstanding common, for Class B common stock. In 1966, Standard received an amount equal to 16.8 percent of its total income from Pittsburgh.

Four directors of Standard, who by virtue of such office are affiliates of Standard, also own Pittsburgh common stock and propose to exchange all or a portion of it for Class B common stock. Section 17(d) of the Act and Rule 17d-1 thereunder, as here pertinent, prohibit an affiliated person of a registered investment company from effecting any transaction in which such registered company is a joint or joint and several participant unless an application regarding such joint participation has been granted by the Commission. Rule 17d-1 provides that in passing upon an application, the Commission will consider whether the participation of the registered company in the joint enterprise on the basis proposed is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

The application states that Pittsburgh plans to expand its existing facilities and operations and to acquire new businesses in related and unrelated fields. It further states that Pittsburgh believes that because of its future plans, it would not be advisable to pay cash dividends on its common stock commensurate with its earnings. The proposed transaction allows the Pittsburgh stockholders who desire to do so to obtain a substantial cash dividend preference and at the same time allows other Pittsburgh stockholders to hold a Class B common stock, convertible back into common stock, which in lieu of the cash dividend preference, will have an annual increasing conversion right, within stated limitations.

The application states that Standard believes that the proposed exchange will be beneficial to Standard and its stockholders in that it will enable Standard to participate in the anticipated growth of Pittsburgh under that company's contemplated program for expansion. It also states that the exchange is expected to have advantageous tax effects for Standard, since the reduction in future cash income from Pittsburgh will, it is believed, minimize corporate income taxes to Standard; and, in addition, will extend possibly by 2 years the period for utilization by Standard of an unrealized loss on Duquesne Light Co. common stock owned by it. This would enable Standard to extend the period during which it may make distributions of capital to its common stockholders. The application also states that the proposed exchange is consistent with Standard's investment policy which permits investments for long-term capital gain.

Section 6(c) of the Act provides that the Commission, by order upon application, may exempt any person, security or transaction from any provision of the Act or from 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 November 30, 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 Applicants at the addresses 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. 67-13529; Filed, Nov. 16, 1967; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as indicated.

Apparel industry learner regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Anderson Brothers, Inc., Danville, Va.; 10-31-67 to 10-30-68; 10 learners (coveralls, pants, and shirts).

Auburntown Industries, Auburntown, Tenn.; 10-31-67 to 10-30-68 (men's and boys' pants).

Blue Ridge Shirt Manufacturing Co., Fayetteville, Tenn.; 10-31-67 to 10-30-68 (men's and boys' sport shirts).

Boonville Manufacturing Corp., Boonville, Ind.; 11-1-67 to 10-31-68 (men's woven pajamas).

Burgaw Manufacturing Co., Burgaw, N.C.; 10-27-67 to 10-26-68 (women's dresses).

Carbondale Children's Dress Co., Carbondale, Pa.; 11-1-67 to 10-31-68 (children's and girls' dresses and play suits).

The Carthage Corp., Carthage, Miss.; 11-1-67 to 10-31-68 (men's and boys' pants).

Carthage Shirt Corp., Carthage, Tenn.; 11-3-67 to 11-2-68 (men's and boys' sport and dress shirts).

Connellsville Sportswear Co., Connellsville, Pa.; 11-2-67 to 11-1-68 (men's and boys' trousers).

Cowden-Mount Sterling Co., Mount Sterling, Ky.; 10-26-67 to 10-25-68 (men's work clothing).

The Dantan Co., Inc., Dumas, Ark.; 10-18-67 to 10-17-68 (house dresses and jamaicas).

Daut Manufacturing Co., Red Hill, Pa.; 11-3-67 to 11-2-68 (children's dresses).

Dover Mills, Inc., Pisgah, Ala.; 10-30-67 to 10-29-68 (children's knit shirts).

Elder Manufacturing Co., Webb City, Mo.; 10-31-67 to 10-30-68 (boys' shirts).

E-Town Sportswear Corp., Elizabethtown, Ky.; 10-27-67 to 10-26-68 (men's slacks).

Freeland Shirt Co., Inc., Freeland, Pa.; 11-4-67 to 11-3-68 (men's outerwear jackets).

Key Work Clothes, Inc., Fort Scott, Kans.; 10-31-67 to 10-30-68 (work clothing).

Key Work Clothes of Missouri, Nevada, Mo.; 11-1-67 to 10-31-68 (men's work pants and shirts).

Knickerbocker Manufacturing Corp., West Point, Miss.; 11-9-67 to 11-8-68 (men's woven sleepwear).

Lansford Apparel Co., Lansford, Pa.; 10-31-67 to 10-30-68 (children's dresses).

Luverne Slacks Co., Inc., Luverne, Ala.; 11-1-67 to 10-31-68 (men's slacks).

Macon Garment Co., Red Boiling Springs, Tenn.; 10-30-67 to 10-29-68 (men's and boys' pants).

Milan Shirt Manufacturing Co., Milan, Tenn.; 11-4-67 to 11-3-68 (work shirts).

Nino Sportswear, Inc., Scranton, Pa.; 10-24-67 to 10-23-68 (boys' trousers).

Penn Children's Dress Co., Mayfield, Pa.; 10-26-67 to 10-25-68 (children's and girls' dresses).

Ringer Co., Staples, Minn.; 10-30-67 to 10-29-68 (men's shirts).

Rob Roy Co., Inc., Cambridge, Md.; 11-1-67 to 10-31-68 (boys' shirts).

Sagamore Manufacturing Co., Fall River, Mass.; 10-18-67 to 10-17-68 (men's dress shirts).

Salant & Salant, Inc., Lexington, Tenn.; 11-9-67 to 11-8-68 (boys' sport shirts).

Salant & Salant, Inc., Lexington, Tenn.; 11-6-67 to 11-5-68 (men's and boys' slacks).

Salant & Salant, Inc., Parsons, Tenn.; 11-8-67 to 11-7-68 (men's work pants and boys' cotton pants).

Shane Uniform Co., Inc., Evansville, Ind.; 11-6-67 to 11-5-68 (washable service apparel).

Shelburne Shirt Co., Inc., Fall River, Mass.; 11-1-67 to 10-31-68 (men's dress shirts).

W. E. Stephens Manufacturing Co., Inc., Carthage, Tenn.; 10-27-67 to 10-26-68; 10 learners (men's and boys' dungarees).

Levi Strauss & Co., San Angelo, Tex.; 10-17-67 to 10-16-68 (men's casual slacks).

Levi Strauss & Co., Blackstone, Va.; 10-21-67 to 10-20-68 (men's and boys' pants).

Sustan Garments, Inc., Winnsboro, La.; 11-1-67 to 10-31-68 (men's and boys' trousers).

Thorngate, Ltd., Rector, Ark.; 10-28-67 to 10-27-68 (men's trousers).

Tracy City Manufacturing Co., Tracy City, Tenn.; 10-17-67 to 10-16-68 (men's and boys' shirts).

Triple A Trouser Manufacturing Co., Inc., Scranton, Pa.; 11-1-67 to 10-31-68 (boys' trousers).

Washington Overall Manufacturing Co., Scottsville, Ky.; 10-26-67 to 10-25-68 (men's and boys' trousers).

The following plant expansion certificates were issued authorizing the number of learners indicated.

Bowie Manufacturing Co., Bowie, Tex.; 10-23-67 to 4-22-68; 50 learners (men's and boys' trousers).

Ringer Co., Staples, Minn.; 10-30-67 to 4-29-68; 85 learners (men's shirts).

Glove industry learner regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Mountain City Glove Co., Inc., Mountain City, Tenn.; 10-28-67 to 10-27-68; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Mountain City Glove Co., Inc., Mountain City, Tenn.; 10-28-67 to 4-27-68; 10 learners for plant expansion purposes (work gloves).

Hosiery industry learner regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Kosciusko Hosiery Mills, Kosciusko, Miss.; 10-26-67 to 10-25-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Union Manufacturing Co., Union Point, Ga.; 10-27-67 to 10-26-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

V. I. Prewett & Son, Inc., Fort Payne, Ala.; 10-24-67 to 10-23-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Wayne Knitting Mills, Humboldt, Tenn.; 10-31-67 to 10-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned, seamless).

Wyatt Knitting Co., Sanford, N.C.; 11-1-67 to 10-31-68; 5 learners for normal labor turnover purposes (full-fashioned, seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35 as amended).

Boonville Manufacturing Corp., Boonville, Ind.; 11-1-67 to 10-31-68; 5 learners for normal labor turnover purposes in the manufacture of men's woven underwear (men's woven underwear).

Cullman Lingerie Corp., Cullman, Ala.; 10-31-67 to 10-30-68; 5 percent of the total number of factory production workers for normal labor turnoyer purposes (ladies' lingerie and sleepwear).

Dri-Set, Inc., Graysville, Tenn.; 11-9-67 to 11-8-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (infants' sleeping wear).

Haleyville Textile Mills, Inc., Haleyville, Ala.; 10-31-67 to 10-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie and sleepwear).

Knickerbocker Manufacturing Corp., West Point, Miss.; 11-9-67 to 11-8-68; 5 percent of the total number of factory production workers engaged in the production of men's woven underwear for normal labor turnover purposes (men's woven underwear).

Sherman Underwear Mills, Inc., Hawley, Pa.; 11-5-67 to 11-4-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's panties).

Union Underwear Co., Inc., Campbellsville, Ky.; 10-31-67 to 10-30-68; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' underwear).

Regulations applicable to the employment of learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico and the Virgin Islands to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Casa Savoia, Inc., Lajas, P.R.; 10-20-67 to 10-19-68; 13 learners for normal labor turnover purposes in the occupation of sewing machine operating—machine embroidery, for a learning period of 320 hours at the rate of 84 cents an hour (machine embroidery on ladies' underwear).

Coamo Glove Corp., Coamo, P.R.; 9-15-67 to 3-14-68; 41 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 90 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours (ladies' nylon dress gloves).

Guantes de Ponce, Inc., Ponce, P.R.; 10-9-67 to 10-8-68; 12 learners for normal labor turnover purposes in the occupation of machine stitching, for a learning period of 480 hours at the rates of 90 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours (fabric and leather gloves).

Mayaguez Contracting Corp., Mayaguez, P.R.; 10-6-67 to 4-5-68; 57 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.03 an hour (girdles).

Perfect Bra Co. of P.R., Inc., Plant No. 1, Caguas, P.R.; 10-9-67 to 10-8-68; 27 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.03 an hour (brassieres).

Perfect Bra Co. of P.R., Inc., Plant No. 2, Aguas Buenas, P.R.; 10-17-67 to 4-16-68; 50 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of $1.03 an hour (brassieres).

Puritana Manufacturing Corp., Aguas Buenas, P.R.; 10-20-67 to 4-19-68; 65 learners for plant expansion purposes in the occupations of: (1) Knitting, for a learning period of 480 hours at the rates of 98 cents an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours, and (2) machine stitching, pressing, each for a learning period of 320 hours at the rates of 98 cents an hour for the first 160 hours and $1.15 an hour for the remaining 160 hours (full-fashioned sweaters and shirts).

Quality Products Co., Inc., St. Thomas, V.I.; 7-17-67 to 7-16-68; 10 learners for normal labor turnover purposes in the occupation of watch assembling, for a learning period of 480 hours at the rates of $1.23 an hour for the first 240 hours and $1.29 an hour for the remaining 240 hours.

The following student-worker certificates were issued pursuant to the regulations applicable to the employment of student-workers (29 CFR 527.1 to 527.9). The effective and expiration dates, occupations, wage rates (these rates increase by 15 cents per hour effective February 1, 1968), number of student-workers, and learning periods for the certificates issued under Part 527 are as indicated below:

Adelphian Academy, Holly, Mich.; 9-1-67 to 8-31-68; authorizing the employment of 60 student-workers in the woodworking industry (manufacturing trellises, picnic tables, bird houses, etc.) in the occupations of woodworking machine operator, assembler, and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 240 hours at the rates of $1.25 an hour for the first 120 hours and $1.30 an hour for the remaining 120 hours.

Andrew University, Berrien Springs, Mich.; 9-1-67 to 8-31-68; authorizing the employment of: (1) 70 student-workers in the bookbinding industry in the occupations of bookbinder, bindery worker, and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; (2) 20 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours; (3) 105 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher, and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; and (4) 12 student-workers in the clerical occupations of bookkeeper, stenographer, and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.25 an hour for the first 240 hours and $1.30 an hour for the remaining 240 hours.

Atlantic Union College, South Lancaster, Mass.; 9-1-67 to 8-31-68; authorizing the employment of: (1) 15 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours; (2) 45 student-workers in the bookbinding industry in the occupations of bookbinder, bindery worker, and related skilled and semiskilled occupations, for a learning period or 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; and (3) 40 student-workers in the broom manufacturing industry in the occupations of broommaker, stitcher, sorter, winder, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.25 an hour for the first 180 hours and $1.30 an hour for the remaining 180 hours.

Campion Academy, Loveland, Colo.; 9-1-67 to 8-31-68; authorizing the employment of 35 student-workers in the broom manufacturing industry in the occupations of broommaker, stitcher, sorter, mopmaker and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.25 an hour for the first 180 hours and $1.30 an hour for the remaining 180 hours.

Cedar Lake Academy, Cedar Lake, Mich.; 9-1-67 to 8-31-68; authorizing the employment of 30 student-workers in the furniture manufacturing industry (redwood-outdoor) in the occupations of woodworking machine operator, assembler, and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours.

Enterprise Academy, Enterprise, Kans.; 9-1-67 to 8-31-68; authorizing the employment of 12 student-workers in the printing industry in the occupations of compositor, pressman, linotype operator, bindery worker and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours.

Forest Lake Academy, Maitland, Fla.; 9-1-67 to 8-31-68; authorizing the employment of 60 student-workers in the bookbindery industry in the occupations of bookbinder, bindery worker, sewer, trimmer, backer, cutter, casemaker and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours.

Hawaiian Mission Academy, Honolulu, Hawaii; 9-1-67 to 8-31-68; authorizing the employment of: (1) 5 student-workers in the printing industry in the occupations of compositor, pressman, bindery worker and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours; and (2) 1 student-worker in the clerical occupations of typist, bookkeeper, and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.25 an hour for the first 240 hours and $1.30 an hour for the remaining 240 hours.

Maplewood Academy, Hutchinson, Minn.; 9-1-67 to 8-31-68; authorizing the employment of: (1) 45-student-workers in the bookbindery industry in the occupations of bookbinder, bindery worker and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; (2) 45 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; and (3) 4 student-workers in the clerical occupations of typist, record keeper and related skilled and semiskilled occupations in the office, for a learning period of 480 hours at the rates of $1.25 an hour for the first 240 hours and $1.30 an hour for the remaining 240 hours.

Newbury Park Academy, Newbury Park, Calif.; 9-1-67 to 8-31-68; authorizing the employment of 40 student-workers in the broom manufacturing industry in the occupations of broommaker, sorter, seeder, winder, stitcher, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.25 an hour for the first 180 hours and $1.30 an hour for the remaining 180 hours.

Oak Park Academy, Nevada, Iowa; 9-1-67 to 8-31-68; authorizing the employment of: (1) 8 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours; and (2) 10 student-workers in the broom manufacturing industry in the occupations of broommaker, stitcher, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.25 an hour for the first 180 hours and $1.30 an hour for the remaining 180 hours.

Rio Lindo Academy, Healdsburg, Calif.; 9-11-67 to 8-31-68; authorizing the employment of 45 student-workers in the broom manufacturing industry in the occupations of broomcorn sorting and other related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.25 an hour for the first 180 hours and $1.30 an hour for the remaining 180 hours.

Sandia View Academy, Sandoval, N. Mex.; 9-1-67 to 8-31-68; authorizing the employment of 25 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher, and related skilled and semiskilled occupations including incidental clerical work in shop, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours.

Shenandoah Valley Academy, New Market, Va.; 9-1-67 to 8-31-68; authorizing the employment of 20 student-workers in the bookbinding industry in the occupations of bookbinder, bindery worker, sewer, trimmer, backer cutter, casemaker, letterer, and related skilled and semiskilled occupations including incidental clerical work in shop, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours.

Southern Missionary College, Collegedale, Tenn.; 9-1-67 to 8-31-68; authorizing the employment of: (1) 60 student-workers in the bookbinding industry in the occupations of bookbinder, sewer, casemaker, and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; (2) 30 student-workers in the broom manufacturing industry in the occupations of winder, sorter, stitcher, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.25 an hour for the first 180 hours and $1.30 an hour for the remaining 180 hours; (3) eight student-workers in the clerical occupations of typist, filer, stenographer, and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.25 an hour for the first 240 hours and $1.30 an hour for the remaining 240 hours; and (4) 35 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours.

Southwestern Union College, Keene, Tex.; 9-1-67 to 8-31-68; authorizing the employment of: (1) Six student-workers in the printing industry in the occupations of compositor, pressman, bindery worker, camera, and plateroom technician and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours; and (2) two student-workers in the clerical occupations of typist, filer, bookkeeper, stenographer, timekeeper, and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.25 an hour for the first 240 hours and $1.30 an hour for the remaining 240 hours.

Sunnydale Academy, Centralia, Mo.; 9-1-67 to 8-31-68; authorizing the employment of nine student-workers in the food manufacturing industry in the occupations of food manufacturing; skilled and semiskilled occupations, for a learning period of 300 hours at the rates of $1.25 an hour for the first 150 hours and $1.30 an hour for the remaining 150 hours.

Thunderbird Academy, Scottsdale, Ariz.; 9-1-67 to 8-31-68; authorizing the employment of 95 student-workers in the woodworking (manufacturing furniture) industry in the occupations of woodworking machine operator, assembler, furniture finisher and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours.

Union College, Lincoln, Nebr.; 9-1-67 to 8-31-68; authorizing the employment of: (1) 8 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours; (2) 15 student-workers in the bookbinding industry in the occupations of bookbinder, bindery worker, and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; (3) 20 student-workers in the furniture manufacturing industry in the occupations of woodworking machine operator, assembler, finisher, and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours; (4) 10 student-workers in the clerical occupations of bookkeeper, business machine operator, and related skilled and semiskilled occupations, for a learning period of 480 hours at the rates of $1.25 an hour for the first 240 hours and $1.30 an hour for the remaining 240 hours; and (5) 8 student-workers in the broom manufacturing industry in the occupations of broommaker, stitcher, and related skilled and semiskilled occupations, for a learning period of 360 hours at the rates of $1.25 an hour for the first 180 hours and $1.30 an hour for the remaining 180 hours.

Walla Walla College, College Place, Wash.; authorizing the employment of: (1) 10 student-workers in the printing industry in the occupations of compositor, pressman and related skilled and semiskilled occupations, for a learning period of 1,000 hours at the rates of $1.25 an hour for the first 500 hours and $1.30 an hour for the remaining 500 hours; and (2) 30 student-workers in the bookbinding industry in the occupations of bookbinding, bindery worker and related skilled and semiskilled occupations, for a learning period of 600 hours at the rates of $1.25 an hour for the first 300 hours and $1.30 an hour for the remaining 300 hours.

The student-worker certificates were issued upon the applicant's representations and supporting material fulfilling the statutory requirements for the issuance of such certificates, as interpreted and applied by Part 527.

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 3d day of November 1967.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 67-13526; Filed, Nov. 16, 1967; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

November 14, 1967.

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

Long-and-Short Haul

FSA No. 41171—*Newsprint paper from Sheldon, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-9028), for interested rail carriers. Rates on newsprint paper, in carloads, from Sheldon, Tex., to points in Illinois Freight Association, southern, southwestern, and western trunkline territories.

Grounds for relief—Market competition.

Tariffs—Supplements 18 and 11 to Southwestern Freight Bureau, agent, tariffs ICC 4716 and 4725, respectively.

By the Commission.

[seal] H. Neil Garson, *Secretary.*

[F.R. Doc. 67-13544; Filed, Nov. 16, 1967; 8:49 a.m.]

[Notice 1124]

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

November 13, 1967.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act, and certain other proceedings with respect thereto. (49 CFR 1.240).

Motor Carriers of Property

No. MC-F-9941. Authority sought for merger into MASTEN TRANSPORTATION, INC., Rehoboth Boulevard, Milford, Del., of the operating rights and property of BINGHAMTON WAREHOUSE & TERMINAL, INC., Rehoboth Boulevard, Milford, Del., and for acquisition by L. J. LISHON, JR., EVELYN M. LISHON, both of Andover Road, Newtown Square, Pa., L. J. LISHON, III, Wisseman Avenue, Milford, Del., and DIANE LISHON BIDDLE, Mountain View Road, Berwyn, Pa., of control of such rights and property through the transaction. Applicants' attorney: Jack R. Turney, Jr., 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Operation rights sought to be merged: (A) *General commodites,* excepting, among others, household goods and commodities in bulk, as a *common carrier,* over regular routes, between Syracuse, N.Y., and Hanover, Pa., between Endicott, N.Y., and Binghamton, N.Y., between Lancaster, Pa., and Harrisburg, Pa., between Lancaster, Pa., and York, Pa., serving certain intermediate and off-route points; between Syracuse, N.Y., and Chenango Forks, N.Y., between Tunkhannock, Pa., and junction Pennsylvania Highway 92 and U.S. Highway 11, between Manchester, Md., to Reisterstown, Md., serving no intermediate points; between Williamsport, Pa., and New York, N.Y., serving certain intermediate and off-route points; between Sunbury, Pa., and Lewistown, Pa., between Pottsville, Pa., and Millersburg, Pa., between Frackville, Pa., and Hazleton, Pa., serving all intermediate points; between Pottsville, Pa., and Hazleton, Pa., serving all intermediate points, and the off-route points of Weatherly and Freeland, Pa., between Berwick, Pa., and Northumberland, Pa., serving all intermediate points, between Cortland, N.Y., and Binghamton, N.Y., serving no intermediate points, but serving the off-route points of Homer and McGraw, N.Y.; between Harrisburg, Pa., and Baltimore, Md., between Nicholson, Pa., and W. Pittston, Pa., between Endicott, N.Y., and Binghamton, N.Y., between Lemoyne, Pa., and Hershey, Pa., serving no intermediate points; between Baltimore, Md., and Alexandria Va., serving all intermediate points and off-route points in Maryland and Virginia within 5 miles of the District of Columbia, and points within 6 miles of Baltimore, two alternate routes for operating convenience only;

(B) *General commodities,* except those of unusual value, classes A and B explosives, livestock, alcoholic liquors, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Reading, Pa., and Baltimore, Md., serving no intermediate points; *general commodities,* excepting, among others, household goods and commodities in bulk, between New York, N.Y., and Reading, Pa., between Reading, Pa., and Hanover, Pa., between Reading, Pa., and Harrisburg, Pa., serving all intermediate and certain off-route points; between Reading, Pa., and Sunbury, Pa., between Tamaqua, Pa., and Hometown, Pa., between Pottsville, Pa., and Millersburg, Pa., between Lancaster, Pa., and Harrisburg, Pa., between Reading, Pa., and Phoenixville, Pa., between Allentown, Pa., and Mauch Chunk, Pa., between Sunbury, Pa., and Harrisburg, Pa., between Ashland, Pa., and Pottsville, Pa., between Easton, Pa., and Bangor, Pa., between Allentown, Pa., and Souderton, Pa., serving all intermediate points; three alternate routes for operating convenience only; *general commodities,* excepting, among others, household goods and commodities in bulk, over irregular routes, between certain specified points in Pennsylvania, with restriction; (C) *general commodities,* between Butler, N.J., and certain specified points in New Jersey, on the one hand, and, on the other, New York, N.Y.; and *wearing apparel, wearing apparel materials,* and *tablecloths,* between Pottsville, Pa., and points within 30 miles thereof, on the one hand, and, on the other, Baltimore, Md., and Washington, D.C.; with restriction. MASTEN TRANSPORTATION, INC., is authorized to operate as a *common carrier* in Maryland, Delaware, New Jersey, Pennsylvania, New York, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). Note: MASTEN TRANSPORTATION, INC., controls BINGHAMTON WAREHOUSE & TERMINAL, INC., through ownership of capital stock pursuant to authority granted in MC-F-8681, by order, Finance Board No. 1, dated September 1, 1964.

By the Commission.

[seal] H. Neil Garson, *Secretary.*

[F.R. Doc. 67-13545; Filed, Nov. 16, 1967; 8:49 a.m.]

[Notice 52]

MOTOR CARRIER TRANSFER PROCEEDINGS

November 14, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

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

No. MC-FC-69932. By order of October 30, 1967, the Transfer Board approved the transfer to Warn Bros., Inc., doing business as Crescent Truck Lines, San Leandro, Calif., of certificates Nos. MC-48205 and MC-48205 (Sub-No. 1), and certificate of registration No. MC-48205 (Sub-No. 5), issued October 19, 1966, to West Coast Fast Freight, a corporation, Oakland, Calif., authorizing (1) under the certificates, transportation of general commodities, canned goods, fruit juices, citrus fruit, machinery, fertilizer, gasoline, borax, soda ash, potash, flour, lumber, sheet steel, pipe, pig iron, paper, blacksmith coal, peat moss, piling, coke, conduit, and orange juice; and (2) under the certificate of registration, transportation in interstate and foreign commerce pursuant to certificate of public convenience and necessity granted in Decision No. 58026, dated February 17, 1959, as amended by Decision No. 60611, dated August 23, 1960, and Decision No. 69100, dated May 18, 1965, by the Public Utilities Commission of the State of California. Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif. 94104, attorney for applicants.

No. MC-FC-69944. By order of October 30, 1967, the Transfer Board approved the transfer to Fullington Auto Bus Co., Inc., Clearfield, Pa., of certificate No. MC-110022, issued December 20, 1949, to Ralph B. Potter, Samuel D. Potter, and Mabel E. Potter, a partnership, doing business as Potter's Bus Line, Mifflintown, Pa., and authorizing the transportation of: Passengers and their baggage, restricted to traffic originating at the point and in the territory indicated, in charter operations, from Lewistown, Pa., and points within 35 miles thereof, to points in Maryland, Washington, D.C., and Mount Vernon, Va., and return. Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101, attorney for applicants.

No. MC-FC-69952. By order of October 30, 1967, the Transfer Board approved the transfer to Bertsch Trucking, Inc., Hillsboro, N. Dak., of the operating rights in permit No. MC-123544 (Sub-No. 1), issued March 10, 1965, to Otto Bertsch, Hillsboro, N. Dak., authorizing the transportation, over irregular routes, of farm machinery and implements and parts thereof, from ports of entry on the United States-Canada boundary lines at Neche and Pembina, N. Dak., and Noyes, Minn., to points in Colorado, Minnesota, Montana, North Dakota, Oklahoma, Oregon, South Dakota, and Wyoming, with certain restrictions. William S. Rosen, 400 Minnesota Building, St. Paul, Minn. 55101, attorney for applicants.

No. MC-FC-69954. By order of October 30, 1967, the Transfer Board approved the transfer to G. W. Conner, doing business as Conner Buslines, Poplar Bluff, Mo., of the operating rights in certificate No. MC-113137, issued October 30, 1956, to Earl L. Kingery, doing business as Poplar Bluff-Willow Springs Bus Line, Poplar Bluff, Mo., authorizing the transportation, over a regular route, of passengers and their baggage, and newspapers in the same vehicle with passengers, between Poplar Bluff, Mo., and Willow Springs, Mo., serving all intermediate points. Thomas P. Rose, Jefferson Building, Jefferson City, Mo. 65101, attorney for applicants.

No. MC-FC-69953. By order of October 30, 1967, the Transfer Board approved the transfer to the Murtha Enterprises, Inc., doing business as W. F. Clark Fuel & Trucking Co., Inc., Naugatuck, Conn., of the certificate of registration in No. MC-97012 (Sub-No. 1), issued November 5, 1964, to W. F. Clark Fuel & Trucking Co., Inc., Naugatuck, Conn., evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of Connecticut, corresponding in scope to the service authorized by motor common carrier certificate C-207, dated May 10, 1948, as transferred August 26, 1948, and as amended and reissued November 30, 1960, by the Public Utilities Commission of the State of Connecticut. Donald J. Zehnder, 276 Church Street, Naugatuck, Conn. 06770, attorney for applicants.

No. MC-FC-69959. By order of October 30, 1967, the Transfer Board approved the transfer to Lyles Trucking Co., Inc., Artesia, Calif., of certificate of registration No. MC-120097 (Sub-No. 1), issued April 29, 1965, to Wilbur C. Winegar and Wilbur C. Winegar, Administrator, Estate of Myrtle P. Winegar, doing business as C. M. Winegar Trucking Co., Bell, Calif., and evidencing a right of the holder to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in Decision No. 56440, dated April 1, 1958, issued by the Public Utilities Commission of California. Carl H. Fritze, 1010 Wilshire Boulevard, Los Angeles, Calif. 90017, Attorney for applicants.

No. MC-FC-69978. By order of October 30, 1967, the Transfer Board approved the transfer to Ronald Dale Smith, doing business as Appleton City Truck Line, 105 East Fourth Street, Appleton City, Mo. 64724, of the operating rights in certificate No. MC-59437, issued April 27, 1965, to Willard Borum, doing business as Appleton City Truck Line (above address), authorizing the transportation of: General commodities, with the usual exceptions, between specified points in Missouri, and Kansas, and, household goods, between points in Missouri, Kansas, and Iowa.

No. MC-FC-69979. By order of October 30, 1967, the Transfer Board approved the transfer to Reay-Marshall Transfer & Storage, Inc., Douglas, Ariz., of certificate of registration No. MC-97484 (Sub-No. 1), issued June 1, 1965, to W. Reay and A. B. Crenshaw, doing business as Reay Transfer & Storage, Douglas, Ariz., authorizing the transportation in interstate or foreign commerce, of: Freight and baggage in Douglas, Ariz., and vicinity, and livestock, within the State. Daniel E. Moore, 125 Bisbee Road, Bisbee, Ariz. 85603, attorney for applicants.

No. MC-FC-69983. By order of October 30, 1967, the Transfer Board approved the transfer to Torrey Delivery, Inc., Silver Creek, N.Y., of certificate of registration No. MC-56641 (Sub-No. 1), issued October 30, 1963, to Raymond C. Torrey, doing business as Torrey Delivery, Silver Creek, N.Y., authorizing the transportation, in interstate or foreign commerce, of: General commodities between points in New York. Stephen Heisley, 529 Transportation Building, Washington, D.C. 20006, attorney for applicants.

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

[F.R. Doc. 67-13546; Filed, Nov. 16, 1967; 8:49 a.m.]

[Disaster Order 12]

TEXAS

Transportation of Hay at Reduced Prices

In the matter of relief under sections 20(11) and 22 of the Interstate Commerce Act.

Present: Paul J. Tierney, Vice Chairman, to whom the above-entitled matter has been assigned for action thereon.

It appearing, that by reason of conditions existing due to extensive damage to feed supplies recently caused by Hurricane Beulah in certain portions of the State of Texas, herein referred to as the disaster area, the Secretary of the U.S. Department of Agriculture has requested the Commission to enter an order under sections 20(11) and 22 of the Interstate Commerce Act, authorizing railroads subject to the Commission's jurisdiction to transport hay to the disaster area at reduced rates which are also subject to carriers' limitation of liability:

It is ordered, That carriers by railroad participating in the transportation of hay to the counties of Cameron and Hidalgo, located in the State of Texas, referred to herein as the disaster area, be, and they are hereby authorized under section 22 of the Interstate Commerce Act to establish and maintain until March 31, 1968, reduced rates for such transportation, the rates to be published and filed in the manner prescribed in section 6 of the Interstate Commerce Act except that they may be effective 1 day after publication and filing instead of thirty.

It is further ordered, That, subject to the conditions in the succeeding paragraphs hereof, the use of reduced rates established by authority of this order may be conditioned upon the release by the shipper of the value of the commodity, which released value, in its relation to the invoice value of the property at time of shipment, shall be the same percentage relation which the reduced rates bear to the rates which otherwise would apply.

It is further ordered, That, tariffs containing released rates filed under authority of this order shall show in connection with such rates the following notation:

The released value must be entered on shipping order and bill of lading in the following form:

> The agreed or declared value of the property is hereby specifically stated by the shipper to be not in excess of ______ of the invoice value of the property herein described.

If the shipper fails or declines to execute the above statement, shipments will not be accepted for transportation at the rates subject hereto. Rates published elsewhere in other tariffs lawfully filed with the Interstate Commerce Commission will apply in such a case. Rates herein published on released value have been authorized by the Interstate Commerce Commission in Disaster Order No. 12 of November 9, 1967.

It is further ordered, That, during the period in which any reduced rates authorized by this order are effective the carriers may, notwithstanding the provisions of section 4 of the Interstate Commerce Act, maintain higher rates to directly intermediate points and maintain through rates in excess of the aggregate of intermediate rates over the same routes if one or more of the factors of such aggregate of intermediate rates is a reduced rate established under the authority of this order.

It is further ordered, That the class of persons entitled to such reduced rates is hereby defined as persons designated as being in distress and in need of relief by the U.S. Department of Agriculture or by such State agents or agencies as may in turn be designated by the U.S. Department of Agriculture to assist in relieving the distress caused by the hurricane.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association—Eastern Railroads, New York, N.Y., the Chairman of the Southern Freight Association, Atlanta, Ga., the Chairman of the Executive Committee, Western Railroad Traffic Association, Chicago, Ill., the Vice President and Director, Bureau of Railway Economics, Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

This order does not constitute authority for the establishment of rates or charges on any description of traffic other than as herein specifically indicated.

Dated at Washington, D.C., this 9th day of November, A.D. 1967.

By the Commission, Vice Chairman Paul J. Tierney.

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

[F.R. Doc. 67-13547; Filed, Nov. 16, 1967; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—NOVEMBER

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 November.

3 CFR

Page

PROCLAMATIONS:
- 3279 (modified by Proc. 3820) 15701
- 3290 (see Proc. 3820) 15701
- 3328 (see Proc. 3820) 15701
- 3386 (see Proc. 3820) 15701
- 3389 (see Proc. 3820) 15701
- 3509 (see Proc. 3820) 15701
- 3531 (see Proc. 3820) 15701
- 3541 (see Proc. 3820) 15701
- 3693 (see Proc. 3820) 15701
- 3694 (terminated in part by Proc. 3818) 15467
- 3712 (terminated in part by Proc. 3818) 15467
- 3744 (terminated in part by Proc. 3818) 15467
- 3779 (see Proc. 3820) 15701
- 3794 (see Proc. 3820) 15701
- 3818 15467
- 3819 15667
- 3820 15701

EXECUTIVE ORDERS:
- 2295 (modified by PLO 4313) 15429
- 4702 (revoked in part by PLO 4315) 15482
- 8652 (revoked in part by PLO 4317) 15482
- 10530 (see EO 11378) 15237
- 10682 (see EO 11378) 15237
- 10807 (amended by EO 11381) 15629
- 10903 (amended by EO 11380) 15627
- 11034 (amended by EO 11380) 15627
- 11378 15237
- 11379 15625
- 11380 15627
- 11381 15629

5 CFR

- 213 15703, 15805
- 305 15805
- 713 15631
- 754 15805

7 CFR

- 51 15066, 15073
- 319 15577
- 401 15703, 15704
- 711 15704
- 717 15705
- 729 15149
- 730 15076
- 907 15805
- 910 15430, 15524, 15631
- 912 15430, 15632, 15806
- 913 15430

7 CFR—Continued

Page

- 915 15669
- 945 15577
- 947 15705
- 982 15669
- 984 15388
- 991 15670, 15705
- 1001 15076
- 1015 15090
- 1067 15093
- 1120 15388
- 1125 15706
- 1126 15388
- 1132 15389
- 1137 15431
- 1421 15632, 15706
- 1464 15633

PROPOSED RULES:
- 51 15435
- 723 15546
- 814 15835
- 822 15393
- 891 15393
- 892 15393
- 905 15116
- 906 15394
- 907 15488
- 908 15394
- 912 15436
- 913 15395
- 959 15177
- 989 15488
- 1049 15489
- 1064 15490
- 1090 15437
- 1125 15178
- 1131 15588

8 CFR

- 103 15469
- 212 15469
- 238 15469

9 CFR

- 76 15240
- 78 15577
- 92 15707
- 131 15469

10 CFR

PROPOSED RULES:
- 20 15432, 15762

12 CFR

- 1 15544
- 219 15389
- 556 15707, 15747
- 563 15634
- 571 15708

12 CFR—Continued

Page

PROPOSED RULES:
- 545 15763

13 CFR

- 101 15806
- 106 15065
- 108 15149
- 120 15634
- 122 15635

PROPOSED RULES:
- 107 15399
- 121 15184

14 CFR

- 21 15472
- 39 15094, 15153, 15154, 15390, 15421, 15472, 15523, 15579, 15635, 15808
- 71 15094, 15095, 15154, 15523, 15524, 15579, 15635, 15636, 15809, 15810
- 73 15096
- 75 15636
- 91 15422, 15708
- 97 15423, 15473, 15580, 15811
- 141 15583
- 145 15670
- 157 15818
- 207 15096
- 208 15097
- 241 15098

PROPOSED RULES:
- 27 15676
- 29 15676
- 39 15490, 15491, 15588
- 71 15117–15121, 15491–15493, 15546–15548, 15588, 15589, 15712, 15837, 15838
- 93 15589
- 121 15676
- 202 15676
- 203 15676

15 CFR

- 0 15222
- 13 15818
- 70 15154
- 204 15104, 15391
- 230 15105, 15636

16 CFR

- 13 15105–15107, 15470, 15748–15750
- 14 15525
- 15 15470
- 17 15540
- 228 15525
- 229 15529