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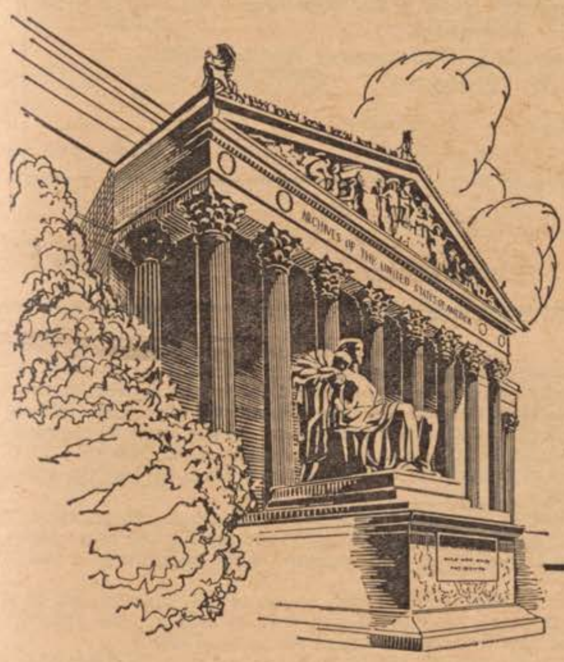
Agencies in this issue—

Agriculture Department
Air Force Department
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Consumer and Marketing Service
Federal Aviation Administration
Federal Communications Commission
Federal Power Commission
Food and Drug Administration
Foreign Direct Investments Office
Indian Affairs Bureau
Interagency Textile Administrative Committee
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Post Office Department
Securities and Exchange Commission
Tariff Commission

Detailed list of Contents appears inside.



How To Find U.S. Statutes and United States Code Citations

[Revised Edition—1965]

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

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

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Contents

List of CFR Parts Affected

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, 1968, and specifies how they are affected.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 353—RESTORATION AFTER MILITARY DUTY

Rights of Temporary and Indefinite Employees Performing Military Duty

Correction

In F.R. Doc. 68–539, appearing at page 529 of the issue for Tuesday, January 16, 1968, § 353.801(a) should read as follows:

§ 353.801 Rights of temporary and indefinite employees performing military duty.

(a) *General.* Subject to the exceptions set forth in paragraph (b) of this section:

(1) An employee (i) serving in a position in the competitive service under a temporary appointment pending establishment of a register under § 316.201 of this chapter (other than an employee serving in the postal field service, or in GS–16, GS–17, or GS–18), or (ii) serving in a position in the competitive service in the postal field service under a temporary appointment without a definite time limitation (other than an employee serving in a position of postmaster or rural carrier), (referred to in this subpart as a temporary employee); and

(2) An employee serving in a position in the competitive service under an indefinite appointment made under the indefinite appointment system (referred to in this subpart as an indefinite employee);

are entitled to rights equivalent to those provided for employees covered by section 9 (b) and (g) of the Act, and Subparts A through G of this part apply to a temporary or an indefinite employee.

Title 7—AGRICULTURE

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

[947.325 Amdt. 2]

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 114 and Order No. 947, both as amended (7 CFR Part 947), regulating the handling of Irish potatoes grown in the production area defined therein, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the Oregon-California Potato Committee, established pursuant to the said marketing agreement and order, it is hereby found that the amendment to the limitation of shipments hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the committee's recommendation has been made available to producers and handlers in the production area, (4) this amendment will permit potato producers to receive benefits from the potato diversion program and (5) it should be made effective as soon as possible to allow producers in Districts 1, 2, and 4 maximum time to participate in the program.

Order, as amended. The introductory paragraph, and paragraph (a), of § 947.325 (32 F.R. 10429, 13755) are amended to read as follows:

§ 947.325 Limitation of shipments.

During the period January 24, 1968, through June 30, 1968, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c), (d), (e), (f), and (g) of this section, as applicable.

(a) *Grade and size requirements.* (1) Potatoes grown in Districts No. 1, 2, or 4:

(i) *Round varieties.* U.S. No. 1, or better grade, 2 inches minimum diameter.

(ii) *Long varieties.* U.S. No. 2, or better grade, 6 ounces minimum weight: *Provided*, that any such potatoes that grade not less than U.S. No. 1 may be handled if they are of 2 inches minimum diameter or 4 ounces minimum weight.

(iii) *Cleanliness.* All varieties at least "fairly clean."

(2) Potatoes grown in District No. 3:

(i) *Grade.* All varieties—U.S. No. 2, or better, grade.

(ii) *Size.* (*a*) Round varieties—2 inches minimum diameter.

(*b*) All other varieties—2 inches minimum diameter or 4 ounces minimum weight.

* * * * *

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

Dated January 19, 1968, to become effective January 24, 1968.

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

[F.R. Doc. 68–898; Filed, Jan. 22, 1968; 8:49 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Assessments

KLAMATH INDIAN IRRIGATION PROJECT, OREGON

On September 23, 1967, there was published in the daily issue of the FEDERAL REGISTER, Volume 32, Number 185, Page 13417, Notice of Intention to amend § 221.47, Subchapter T, Chapter I of the Code of Federal Regulations Title 25. This section deals with the operation and maintenance on assessable lands under the Klamath Indian Irrigation Project, Oregon. Interested persons were thereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or argument in writing to Dale M. Baldwin, Area Director, within 30 days from the date of publication of the notice. One written comment, unsupported by factual data, was received from the Board of Directors of the Modoc Point Irrigation District. After giving due consideration to this comment, it was determined that sufficient justification existed for the proposed rate increase modified to recognize the operation and maintenance funds furnished by the Board of Directors of the Modoc Point Irrigation District in January 1968 and, accordingly, § 221.47 of Title 25, Code of Federal Regulations, Chapter I, Subchapter T, is amended as follows:

§ 221.47 Assessments.

(a) The rate of assessment of operation and maintenance charges on irrigable land of the Modoc Point Unit to which water can be delivered is hereby fixed at $7 per acre per annum for the calendar year 1968, and subsequent years, until further notice.

(b) The rate of assessment of operation and maintenance charges on land under the Sand Creek Unit shall remain at $3 per acre per annum until further notice.

DALE M. BALDWIN,
Area Director.

[F.R. Doc. 68–820; Filed, Jan. 22, 1968; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8658; Amdt. 577]

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 § 97.11 of Subpart B to establish low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

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-dn	300-1	300-1	NA
				C-dn	1000-2	1000-2	NA
				A-dn	NA	NA	NA

Shuttle: Vance VOR Holding Fix, 243° Outbnd, 063° Inbnd, 1900'.
Minimum altitude over facility on final approach crs, 1900'.
Crs and distance, facility to airport, 063°—13.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 10 miles after passing VAN VOR, climb to 1900', left turn, returning direct to VAN VOR.
NOTE: No weather reporting. Use Charleston, S.C., altimeter setting.
MSA within 25 miles of facility: 000°-180°—1400'; 180°-360°—1700'.

City, Manning; State, S.C.; Airport name, Clarendon County; Elev., 103'; Fac. Class., L-BVOR; Ident., VAN; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 10 Feb. 68

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
OKK VOR	MZZ VOR	Direct	2400	T-dn	300-1	300-1	200-½
OKK VOR	Sweet Int	Direct	2400	C-dn*	400-1	500-1	500-1½
Sweet Int	Show Int (final)	Direct	1900	S-dn-15*	400-1	400-1	400-1
				A-dn*	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 2400' within 10 miles of VOR.
Minimum altitude over Show Int on final approach crs, 1900'.
Crs and distance, Show Int to VOR, 140°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2400' on MZZ VOR R 140° within 10 miles and return to VOR.
NOTES: (1) Dual VOR receivers required. (2) Use Bunker Hill AFB altimeter setting when control zone not effective.
CAUTION: High-tension powerline 1 mile N of airport.
*These minimums apply at all times with approved weather reporting service. Circling and straight-in minimums raised 100' and alternate minimums not authorized when control zone not effective.
MSA within 25 miles of facility: 090°-180°—2500'; 180°-090°—2300'.

City, Marion; State, Ind.; Airport name, Marion Municipal; Elev., 858'; Fac. Class., BVOR; Ident., MZZ; Procedure No. VOR Runway 15, Amdt. Orig.; Eff. date, 10 Feb. 68

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
OKK VOR	MZZ VOR	Direct	2400	T-dn	300-1	300-1	200-½
MIE VOR	Summit Int	Direct	2500	C-dn*	400-1	500-1	500-1½
Summit Int	Melvin Int (final)	Direct	1900	S-dn-33*	400-1	400-1	400-1
				A-dn*	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 155° Outbnd, 335° Inbnd, 2400' within 10 miles of VOR.
Minimum altitude over Melvin Int on final approach crs, 1900'.
Crs and distance, Melvin Int to VOR, 335°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MZZ VOR, climb to 2400' on MZZ VOR R 335° within 10 miles and return to VOR.
NOTES: (1) Dual VOR receivers required. (2) Use Bunker Hill AFB altimeter setting when control zone not effective.
CAUTION: High-tension powerline 1 mile N of airport.
*These minimums apply at all times with approved weather reporting service. Circling and straight-in minimums raised 100' and alternate minimums not authorized when control zone not effective.
MSA within 25 miles of facility: 090°-180°—2500'; 180°-090°—2300'.

City, Marion; State, Ind.; Airport name, Marion Municipal; Elev., 858'; Fac. Class., BVOR; Ident., MZZ; Procedure No. VOR Runway 33, Amdt. Orig. Eff. date, 10 Feb. 68

2. By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

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
API VOR	LOM	Direct	2500	T-dn	300-1	300-1	200-½
Surf Int	LOM	Direct	2500	C-dn	500-1	500-1	500-1½
Big Run Int	LOM	Direct	2500	S-dn-13 R/L	500-1	500-1	500-1
MX RBn	LOM	Direct	2500	A-dn	800-2	800-2	800-2
Griffith Int	MX RBn	Direct	2500				

Radar available.
Procedure turn W side of crs, 312° Outbnd, 132° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 2200′.
Crs and distance, facility to airport, 132°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing LOM, make right turn, climb to 2300′ and proceed to Peotone VOR Inbnd on R 001°.
MSA within 25 miles of facility: 000°-090°—2600′; 090°-180°—2100′; 180°-270°—2400′; 270°-360°—2600′.

City, Chicago; State, Ill.; Airport name, Chicago-Midway; Elev., 619′; Fac. Class., LOM; Ident., MD; Procedure No. NDB(ADF) Runways 13 L/R, Amdt. 24; Eff. date; 10 Feb. 68; Sup. Amdt. No. 23; Dated, 27 Jan. 68

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-dn	300-1	300-1	200-½
				C-d	500-1	500-1	500-1½
				C-n	500-2	500-2	500-2
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 270° Outbnd, 090° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2600′.
Crs and distance, facility to airport, 090°—7.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.8 miles after passing DCU VOR, turn right, climb to 2600′, return direct to DCU VOR. Hold W R 270°, Inbnd, 090°, right turns, 1 minute or, when directed by ATC, turn right, climb to 2600′, proceed out S crs HSV ILS to Bluff Int, enter holding pattern.
MSA within 25 miles of facility: 000°-090°—3100′; 090°-180°—3100′; 180°-270°—2300′; 270°-360°—2000′.

City, Huntsville; State, Ala.; Airport name, Huntsville-Madison County; Elev., 628′; Fac. Class., VOR; Ident., DCU; Procedure No. VOR-1, Amdt. 1; Eff. date, 10 Feb. 68; Sup. Amdt. No. Orig.; Dated, 11 Nov. 67

OKK VOR	MZZ VOR	Direct	2400	T-dn	300-1	300-1	200-½
				C-dn*	400-1	500-1	500-1½
				S-dn-4*	400-1	400-1	400-1
				A-dn*	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 211° Outbnd, 031° Inbnd, 2400′ within 10 miles.
Minimum altitude over VOR on final approach crs, #1258′ (#1358′ when control zone not effective).
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, make climbing left turn to 2400′ within 10 miles, return to MZZ VOR.
NOTE: Use Bunker Hill AFB altimeter setting when control zone not effective.
CAUTION: High-tension powerline 1 mile N of airport.
*These minimums apply at all times with approved weather reporting service. Circling and straight-in minimums raised 100′ and alternate minimums not authorized when control zone not effective.
MSA within 25 miles of facility: 090°-180°—2500′; 180°-090°—2300′.

City, Marion; State, Ind.; Airport name, Marion Municipal; Elev., 858′; Fac. Class., BVOR; Ident., MZZ; Procedure No. VOR Runway 4, Amdt. 3; Eff. date, 10 Feb. 68; Sup. Amdt. No. Ter VOR-4, Amdt. 2; Dated, 7 Aug. 65

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

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
OKK VOR	MZZ VOR	Direct	2400	T-dn	300-1	300-1	200-½
				C-dn#	600-1	600-1	600-1½
				S-dn-22#	600-1	600-1	600-1
				A-dn#	800-2	800-2	800-2
				Dual VOR minima:			
				C-dn#	400-1	500-1	500-1½
				S-dn-22#	400-1	400-1	400-1

Radar available.
Procedure turn S side of crs, 042° Outbnd, 222° Inbnd, 2400′ within 10 miles of MZZ VOR.
Minimum altitude over Jones Int on final approach crs, #1458′ (#1558′ when control zone not effective).
Crs and distance, Jones Int to VOR 222°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, make climbing left turn to 2400′ within 10 miles and return to MZZ VOR.
NOTE: Use Bunker Hill AFB altimeter setting when control zone not effective.
CAUTION: High-tension powerline 1 mile N of airport.
#These minimums apply at all times with approved weather reporting service. Circling and straight-in minimums are raised 100′ and alternate minimums not authorized when control zone not effective.
MSA within 25 miles of facility: 090°-180°—2500′; 180°-090°—2300′.

City, Marion; State, Ind.; Airport name, Marion Municipal; Elev., 858′; Fac. Class., BVOR; Ident., MZZ; Procedure No. VOR Runway 22, Amdt. 6; Eff. date, 10 Feb. 68; Sup. Amdt. No. TerVOR-22, Amdt. 5; Dated, 9 Oct. 65

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
BIB VOR	MTO VOR	Direct	2500	T-dn	300-1	300-1	200-½
Arcola Int	MTO VOR	Direct	2400	C-dn*	500-1	500-1	500-1½
Casey Int	MTO VOR	Direct	2500	S-dn-6*	500-1	500-1	500-1
				A-dn*	800-2	800-2	800-2
				Minimums with Dual VOR receivers:			
				C-dn*	400-1	500-1	500-1½
				S-dn-6*	400-1	400-1	400-1

Procedure turn E side of crs, 226° Outbnd, 046° Inbn ', 2000′ within 10 miles.
Minimum altitude over Etna Int on final approach crs, #1221′ (#1421′ when control zone not effective).
Crs and distance, Etna Int to airport, 046°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR, climb to 2300′. Northeast bound on R 046° within 10 miles, turn left and return to VOR. Hold SW of VOR on R 226, 046° Inbnd, left turns.
NOTES: (1) Use Vandalia, Ill., altimeter setting when control zone not effective. (2) Circling and straight-in ceiling minimums are raised 200 feet and alternate minimums not authorized when control zone not effective.
*These minimums apply at all times for those air carriers with approved weather reporting service.
MSA within 25 miles of facility: 000°-180°—2300′; 180°-360°—2100′.

City, Mattoon-Charleston; State, Ill.; Airport name, Coles County Municipal; Elev., 721′; Fac. Class., T-BVOR; Ident., MTO; Procedure No. VOR Runway 6, Amdt. 3; Eff. date, 10 Feb. 68; Sup. Amdt. No. 2; Dated, 12 Aug. 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
				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-23	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				Byron Int or 4-mile DME minimums:			
				C-dn	400-1	500-1	500-1½
				S-dn-23	400-1	400-1	400-1

Radar available.
Procedure turn W side of crs, 038° Outbnd, 218° Inbnd, 2000′ within 10 miles.
Minimum altitude over Byron Int/4-mile DME Fix on final approach crs, 935′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over RDU VOR, climb to 2000′ on R 218° or, when directed by ATC, turn right, climb to 2400′ on R 309° both within 15 miles.
MSA within 25 miles of facility: 000°-090°—1800′; 090°-180°—2900′; 180°-360°—2600′.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435′; Fac. Class., H-BVORTAC; Ident., RDU; Procedure No. VOR Runway 23, Amdt. 6; Eff. date, 10 Feb. 68; Sup. Amdt. No. 5; Dated, 30 Dec. 67

3. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

College Station, Tex.—Easterwood Field, VOR 1, Amdt. 6, 8 Oct. 66 (established under Subpart C).
Fayetteville, Ark.—Fayetteville Municipal/Drake Filed, VOR 2, Amdt. 4, 16 Apr. 66 (established under Subpart C).
West Palm Beach, Fla.—Palm Beach International, ADF 1, Amdt. 5, 19 Nov. 66 (established under Subpart C).
Wildwood, N.J.—Cape May County, VOR 1, Amdt. 3, 21 Mar. 64 (established under Subpart C).

4. By amending § 97.15 of Subpart B to amend very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

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			
					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
PSK VORTAC	11-mile DME Fix, R 067° (final)	Direct	3500	T-dn C-dn S-d-8 A-dn	300-1 900-1½ 900-1½ NA	300-1 900-1½ 900-1½ NA	NA NA NA NA

Procedure turn S side of crs, 247° Outbnd, 067° Inbnd, 4500′ within 10 miles of R 067°, 11-mile DME Fix.
Minimum altitude over 11-mile DME Fix, R 067° on final approach crs, 3500′.
Crs and distance, 11-mile DME Fix, R 067° to airport, 067°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at the 15-mile DME Fix, R 067°, make a left-climbing turn to 5100′. Return to PSK VORTAC via R 067°; hold SW 1-minute right turns, 031° Inbnd.
NOTE: Use Roanoke, Va., altimeter setting.
CAUTION: Mountainous terrain higher than airport in all directions.
MSA within 25 miles of facility: 000°-090°—5400′; 090°-180°—5000′; 180°-270°—5000′; 270°-360°—5100′.

City, Blacksburg; State, Va.; Airport name, VPI; Elev., 2134′; Fac. Class., H-BVORTAC; Ident., PSK; Procedure No. VOR/DME Runway 8, Amdt. 1; Eff. date, 10 Feb. 68; Sup. Amdt. No. Orig.; Dated, 9 Sept. 67

5. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

West Palm Beach, Fla.—Palm Beach International, VOR/DME No. 1, Amdt. 1, 6 Jan. 66 (established under Subpart C).

6. By amending § 97.17 of Subpart B to amend instrument landing system (ILS) procedures as follows:

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		
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
RDU LOM	RDU NDB	Direct	2000	T-dn	300-1	300-1	200-½
RDU VOR	RDU NDB	Direct	2000	C-dn	400-1	500-1	500-1½
Wendell Int	RDU NDB	Direct	2000	S-dn-23	400-1	400-1	400-1
Chapel Hill Int	RDU NDB	Direct	2100	A-dn	800-2	800-2	800-2
Durham Int	RDU NDB	Direct	2000				
Franklinton Int	RDU NDB	Direct	2000				
Zebulon Int	RDU NDB	Direct	2000				

Radar available.
Procedure turn N side of crs, 049° Outbnd, 229° Inbnd, 2000′ within 10 miles of RDU NDB.
Minimum altitude over RDU NDB on final approach crs, 1500′.
Crs and distance, RDU NDB to airport, 229°—4 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing RDU NDB, climb to 2000′ on SW crs ILS (229°) within 15 miles, or when directed by ATC, turn right, climb to 2000′ on R 309°, RDU VOR within 15 miles, or climb to 2000′ returning direct to RDU NDB.
MSA within 25 miles of RDU NDB: 000°-090°—1800′; 090°-180°—2900′; 180°-360°—2600′.

City, Raleigh; State, N.C.; Airport name, Raleigh-Durham; Elev., 435′; Fac. Class., ILS; Ident., I-RDU; Procedure No. LOC (BC) Runway 23, Amdt. 12; Eff. date, 10 Feb. 68; Sup. Amdt. No. 11; Dated, 30 Dec. 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
GEG VOR	GE LOM	Direct	4900	T-dn*% C-dn S-dn-21**# A-dn	300-1 500-1 200-½ 600-2	300-1 500-1 200-½ 600-2	200-½ 500-1½ 200-½ 600-2
20-mile DME Fix, R 073°, GEG VOR	GE LOM	Direct	6500				

Radar available.
Procedure turn W side of NE crs, 025° Outbnd, 205° Inbnd, 4800′ within 10 miles.
Minimum Altitude at glide slope interception Inbnd, 4300′.
Altitude of glide slope and distance to approach end of runway at LOM, 3544′—3.9 miles; at LMM, 2560′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb straight ahead to the GEG VOR and climb to 4000′ on R 207° within 10 miles of GEG VOR or, when directed by ATC, turn right, climb direct to GE LOM, thence continue climb to 4800′ in holding pattern NE of GE LOM on the localizer crs.
NOTE: Glide slope unusable below 2530′.
#300-1 authorized with glide slope inoperative, 300-¾ authorized with operative HIRL, 300-½ authorized with operative ALS, except for 4-engine turbojets.
*RVR 2400′ authorized Runway 21.
**RVR 2400′. Descent below 2572′ not authorized unless approach lights are visible.
%Takeoffs all runways: Climb direct GEG VOR, thence continue climb on R 207° GEG VOR within 10 miles so as to cross GEG VOR at or above: Eastbound V-2, 4200′; northeastbound V-2N, 3900′; southeastbound V-2S, 4700′.
MSA within 25 miles of LOM: 000°-090°—7100′; 090°-180°—6300′; 180°-270°—4100′; 270°-360°—5100′.

City, Spokane; State, Wash.; Airport name, Spokane International; Elev., 2372′; Fac. Class., ILS; Ident., I-GEG; Procedure No. ILS Runway 21, Amdt. 11; Eff. date, 10 Feb. 68; Sup. Amdt. No. 10; Dated, 27 May 67

7. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

West Palm Beach, Fla.—Palm Beach International, ILS-9, Amdt. 7, 19 Nov. 66 (established under Subpart C).

8. By amending § 97.19 of Subpart B to establish radar procedures as follows:

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			
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
000°	360°	Within: 8 miles	2000	T-dn	300-1	300-1	200-½
000°	360°	20 miles	2300	C-dn	600-1	600-1	600-1½
000°	360°	25 miles	3000	Precision approach			
				S-dn-11	300-¾	300-¾	300-¾
				A-dn	600-2	600-2	600-2
				Surveillance approach			
				S-dn-5	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 5—Climb straight ahead to 2000′ direct LWM VOR. Hold SW of LWM VOR 1-minute right turns, 057° Inbnd. Runway 11—Make left-climbing turn to 2000′ direct LWM VOR. Hold SW of LWM VOR 1-minute right turns, 057° Inbnd.

NOTES: (1) 1000′ clearance 0-3 miles must be provided over 1349′ antenna 10 miles S of airport. (2) Procedure premised on use of USAF GCA. Consult appropriate publications for hours of operations.

City, Bedford; State, Mass.; Airport name, Laurence G. Hanscom Field; Elev., 133′; Fac. Class. and Ident., Hanscom Radar; Procedure No. Radar-1, Amdt. Orig.; Eff. date, 10 Feb. 68

9. By amending § 97.19 of Subpart B to delete radar procedures as follows:

Guam, Mariana Islands—Andersen AFB, Radar 1, Amdt. 3, 17 Dec. 66 (established under Subpart C).

10. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From	To	Via	Minimum altitude (feet)	MAP: 2.5 miles after passing CLL VOR.
Anthony Int	CLL VOR (NOPT)	Direct	1000	Climb to 1800′ on R 099° within 15 miles of CLL VOR. Supplementary charting information: TDZ elevation, 318′.

Procedure turn S side of crs, 279° Outbnd, 099° Inbnd, 1800′ within 10 miles of CLL VOR.
FAF, CLL VOR. Final approach crs, 099°. Distance FAF to MAP, 2.5 miles.
Minimum altitude over CLL VOR, 1000′.
MSA: 000°-090°—1900′; 090°-180°—1600′; 180°-270°—1600′; 270°-360°—1700′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-10	640	1	322	640	1	322	640	1	322	640	1	322
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	361	780	1	461	780	1½	461	880	2	561
A	Standard		T 2 eng or less—Standard					T over 2 eng—Standard				

City, College Station; State, Tex.; Airport name, Easterwood Field; Elev., 319′; Fac. Class., CLL; Procedure No. VOR Runway 10, Amdt. 7; Eff. date, 10 Feb. 68; Sup. Amdt. No. VOR 1, Amdt. 6; Dated, 8 Oct. 66

Terminal Routes				Missed approach
From	To	Via	Minimum altitude (feet)	MAP: 2.2 miles after passing DAK VOR.
Fayetteville VORTAC	Drake VOR	Direct	3000	Climb to 3000′, right turn to R 179° DAK VOR within 15 miles.
Decatur Int	Drake VOR	Direct	3000	
Gentry Int	Drake VOR	Direct	3000	
Elkins Int	Drake VOR	Direct	3000	
Lincoln Int	Drake VOR	Direct	3000	

Procedure turn W side of crs, 321° Outbnd, 141° Inbnd, 3000′ within 10 miles of DAK VOR.
FAF, DAK VOR. Final approach crs, 138°. Distance FAF to MAP, 2.2 miles.
Minimum altitude over DAK VOR, 2200′.

MSA: 090°-180°—3500′; 180°-090°—3100′.
NOTE: Sliding scale not authorized.
*Category A, 1000-2; Category B, 1100-2; Category C, 1200-2; Category D, 1300-2.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2040	1	789	2160	1	909	2220	1½	969	2300	2	1049
A	*		T 2 eng or less—500-2					T over 2 eng—500-2				

City, Fayetteville; State, Ark.; Airport name, Fayetteville Municipal/Drake Field; Elev., 1251′; Fac. Class., DAK; Procedure No. VOR-1, Amdt. 5; Eff. date, 10 Feb. 68; Sup. Amdt. No. VOR 2, Amdt. 4; Dated, 16 Apr. 66

Terminal Routes				Missed approach
From	To	Via	Minimum altitude (feet)	MAP: 2.8 miles after passing PBI VORTAC.
R 358°, PBI VORTAC counterclockwise	R 275° PBI VORTAC (NOPT)	10-mile DME Arc PBI, R 285° lead radial.	1600	Climb to 1600′ on PBI VORTAC, R 095° within 15 miles of VORTAC.
R 181°, PBI VORTAC clockwise	R 275° PBI VORTAC (NOPT)	10-mile DME Arc PBI, R 265° lead radial.	2000	
10-mile DME Fix, R 275°	Crowfoot Int/7-mile DME Fix	Direct	1600	
Crowfoot Int/7-mile DME Fix, R 275°	PBI VORTAC	Direct	800	

Procedure turn N side of crs, 275° Outbnd, 095° Inbnd, 1600′ within 10 miles of PBI VORTAC.
FAF, PBI VORTAC. Final approach crs, 095°. Distance FAF to MAP, 2.8 miles.
Minimum altitude: Crowfoot Int 1600′; PBI VORTAC, 800′.
MSA: 000°-090°—1700′; 090°-270°—2100′; 270°-360°—1700′.
*Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9*	400	¾	384	400	¾	384	400	¾	384	400	1	384
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	460	1	441	460	1	441	460	1½	441	580	2	561
A	Standard		T 2 eng or less—Standard					T over 2 eng—Standard				

City, West Palm Beach; State, Fla.; Airport name, Palm Beach International; Elev., 19′; Fac. Class., PBI; Procedure No. VOR Runway 9, Amdt. 2; Eff. date, 10 Feb. 68; Sup. Amdt. No. VOR/DME No. 1, Amdt. 1; Dated, 6 Jan. 66

Terminal routes				Missed approach
From	To	Via	Minimum altitude (feet)	MAP: 6.8 miles after passing SIE VORTAC.
				Right-climbing turn to 1500′ direct to SIE VORTAC and hold. Supplementary charting information: Hold NE, 1-minute right turns, Inbnd crs, 234°.

Shuttle: SIE VORTAC, holding fix, 234° Inbnd, right turns, 1500′.
FAF, SIE VORTAC. Final approach crs, 234°. Distance FAF to MAP, 6.8 miles.
Minimum altitude over SIE VORTAC, 1500′.
MSA: 055°-145°—1400′; 145°-235°—1700′; 235°-325°—1200′; 325°-055°—1600′.
NOTES: (1) Use Millville altimeter setting. (2) Radar vectoring.
*Night operations Runway 23 not authorized.

[F.R. Doc. 68-557; Filed, Jan. 22, 1968; 8:45 a.m.]

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-23*	520	1	508	520	1	508	520	1	508		NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	620	1	598	620	1	598	620	1½	598		NA	
A	NA		T 2 eng or less—Standard					T over 2 eng—Standard				

City, Wildwood; State, N.J.; Airport name, Cape May County; Elev., 22′; Fac. Class., SIE; Procedure No. VOR Runway 23, Amdt. 4; Eff. date, 10 Feb. 68; Sup. Amdt. No. VOR 1, Amdt. 3; Dated, 21 Mar. 64

11. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB(ADF)

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

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. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From	To	Via	Minimum altitude (feet)	MAP: 5.7 miles after passing PB NDB
PBI VORTAC	PB NDB/LOM	Direct	1600	Climb to 1600′ on crs 093° within 15 miles of PB NDB.
Parkway Int	PB NDB/LOM	Direct	1600	
Andrews Int	PB NDB/LOM	Direct	2000	
Morgan Int	PB NDB/LOM	Direct	1600	
Willy Int	PB NDB/LOM	Direct	1600	
Pompano Int	PB NDB/LOM	Direct	2000	
Shawnee Int	PB NDB/LOM (NOPT)	Direct	1600	

Procedure turn N side of crs, 273° Outbnd, 093° Inbnd, 1600′ within 10 miles of PB NDB.
FAF, PB NDB. Final approach crs, 093°. Distance FAF to MAP, 5.7 miles.
Minimum altitude over PB NDB, 1600′.
MSA: 000°-090°—1700′; 090°-270°—2100′; 270°-360°—1400′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9	500	¾	484	500	¾	484	500	¾	484	500	1	484
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	500	1	481	500	1	481	500	1½	481	580	2	561
A	Standard		T 2 eng or less—Standard					T over 2 eng—Standard				

City, West Palm Beach; State, Fla.; Airport name, Palm Beach International; Elev., 19′; Fac. Class., PB; Procedure No. NDB(ADF) Runway 9, Amdt. 6; Eff. date, 10 Feb. 68; Sup. Amdt. No. ADF 1, Amdt. 5; Dated, 19 Nov. 66

12. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From	To	Via	Minimum altitude (feet)	Map: ILS DH 316′ LOC 5.7 miles after passing LOM.
R 358°, PBI VORTAC counter clockwise	PBI R 273°/LOC crs	10-mile Arc PBI, R 283° lead radial.	1600	Climb to 1600′ on E crs of ILS LOC within 15 miles.
R 181°, PBI VORTAC clockwise	PBI R 273°/LOC crs	10-mile Arc PBI, R 263° lead radial.	2000	
Willy Int	PB NDB/LOM	Direct	1600	
Morgan Int	PB NDB/LOM	Direct	1600	
Parkway Int	PB NDB/LOM	Direct	1600	
Andrews Int	PB NDB/LOM	Direct	2000	
Sunshine Int	PB NDB/LOM	Direct	2000	
Pompano Int	PB NDB/LOM	Direct	2000	
Shawnee Int	PB NDB/LOM (NOPT)	Direct	1600	

Procedure turn N side of crs, 273° Outbnd, 093° Inbnd, 1600′ within 10 miles of PB NDB/LOM.
FAF, PB NDV/LOM. Final approach crs, 093°. Distance FAF to MAP, 5.7 miles.
Minimum glide slope interception altitude, 1600′. Glide slope altitude at OM, 1560′; MM, 217′.
Distance to runway threshold at OM, 5.7 miles; MM, 0.6 mile.
MSA within 25 miles of PB NDB/LOM: 000°-090°—1700′; 090°-270°—2100′; 270°-360°—1400′.
NOTE: Glide slope unusable below 150′.
*Inoperative table does not apply ALS Runway 9. Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-9*	316	¾	300	316	¾	300	316	¾	300	316	¾	300
LOC	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9*	440	¾	424	440	¾	424	440	¾	424	440	1	424
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	460	1	441	460	1	441	460	1½	441	580	2	561
A	Standard		T 2 eng or less—Standard					T over 2 eng—Standard				

City, West Palm Beach; State, Fla.; Airport name, Palm Beach International; Elev., 19′; Fac. Class., I-PBI; Procedure No. ILS Runway 9, Amdt. 8; Eff. date, 10 Feb. 68; Sup. Amdt. No. ILS-9, Amdt. 7; Dated, 19 Nov. 66

13. By amending § 97.31 of Subpart C to establish precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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 authorized for such airport by the Administrator. Initial approach 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 (sectors and distances measured from radar antenna)												Notes
From	To	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
												Inoperative table does not apply to HIRL. *Circling not authorized SE of Runways 6R/24L. Supplementary charting information: TDZ Elevations: 6L, 535′; 24L, 607′; 6R, 553′; 24R, 624′.

As established by Andersen ASR minimum vectoring altitude chart.
Missed approach: Runways 6L/6R—Climb on heading 065° to 2000′. Runways 24L/24R—Climb on heading 244° to 2000′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
PAR:												
S-6L	785	¾	250	785	¾	250	785	¾	250	785	¾	250
S-24R	874	¾	250	874	¾	250	874	¾	250	874	¾	250
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
ASR:												
S-6L	880	1	345	880	1	345	880	1	345	880	1	345
S-6R	880	¾	327	880	¾	327	880	¾	327	880	1	327
S-24L	860	¾	253	860	¾	253	860	¾	253	860	1	253
S-24R	880	1	256	880	1	256	880	1	256	880	1	256
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	980	1	356	1080	1	456	1080	1½	456	1180	2	556
A	Standard		T 2 eng or less—Standard					T over 2 eng—Standard				

Guam, Mariana Islands; Airport name, Andersen AFB; Elev., 624′; Fac. Class., Andersen Radar; Procedure No. Radar-1, Amdt. 4; Eff. date, 10 Feb. 68; Sup. Amdt. No. 3; Dated, 17 Dec. 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, 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 January 11, 1968.

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

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER I—MILITARY PERSONNEL

PART 882—DECORATIONS AND AWARDS

Subpart D—Foreign Decorations

Subpart E—U.S. Service Awards

MISCELLANEOUS AMENDMENTS

Subchapter I of Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

1. Section 882.40 is revised; § 882.42 is amended by revising subparagraph (3) of paragraph (c); § § 882.43, 882.44, 882.45, and 882.46 are revised; and § § 882.47, 882.48, and 882.49 are deleted as follows:

§ 882.40 General policy concerning acceptance and wear of decorations awarded by foreign governments.

(a) *Congressional consent.* Public Law 89-673, approved October 15, 1966, and implemented by DoD Directive 1005.3, September 16, 1967, granted the consent of the Congress to accept and wear certain decorations awarded by foreign governments, subject to the rules prescribed in this section. (See Part 826 of this chapter for policy and rules applicable to the acceptance of gifts from foreign governments.) No member of the Air Force, military or civilian, will request or otherwise encourage the tender of a decoration from a foreign government.

(b) *Applicability.* The authority granted by Congress stated in paragraph (a) of this section applies to:

(1) All service members of the Department of the Air Force on active duty and all civilian employees of the Department of the Air Force.

(2) All members of Reserve components of the Air Force whether or not on active duty.

(3) All retired members of the regular Air Force who are entitled to pay.

(4) All retired members of the Reserve components when the decoration was proffered in recognition of service performed while on active duty.

(5) All members of the immediate families of the military and civilian personnel designated in subparagraphs (1) through (4) of this paragraph.

(c) *Exclusion.* The provisions of this subpart will not apply:

(1) To foreign awards to Air Force personnel for service in Vietnam (see § 882.42), with the exception of those awards described in § 882.46(b) (2) and (3), the provisions of which will apply to awards relating to the Vietnam hostilities, and request for authorization to accept the award must be processed in accordance with § 882.45.

(2) Where a foreign decoration is awarded posthumously to a former member of the Air Force. Such decorations and accompanying documents will be transmitted to USAFMPC (AFPM SAM), Randolph AFB TX 78148, for forwarding to the next of kin.

(3) To foreign decorations awarded to persons who have been honorably discharged from any of the components of the Air Force, provided they have acquired no new office of profit or trust under the U.S. Government, and the acceptance of the decoration is not precluded by § 882.46. A signed statement certifying that the person is not employed in any capacity with the U.S. Government must accompany each request for acceptance of an award, which must be addressed to USAFMPC (AFPMSAM), Randolph AFB TX 78148.

(4) To a foreign decoration awarded for service while the recipient was a bona fide member of the armed forces of a friendly foreign nation, provided the award was made and accepted before the recipient became a member of the Air Force.

(d) *Definitions.* As used in this subpart, the following definitions will apply:

(1) Person: Every person who occupies an office or a position in the Government of the United States, its territories and possessions, the Canal Zone Government, and the government of the District of Columbia, or is a member of the Armed Forces of the United States, or a member of the family and household of any such person. For the purpose of this definition, "member of the family and household" means a relative by blood, marriage, or adoption who is a resident of the household.

(2) Foreign government: Every foreign government and every official, agent, or representative thereof.

(3) Decoration: Any order, device, medal, badge, insignia, or emblem tendered by or received from a foreign government.

(4) Outstanding or unusually meritorious performance: Performance of duty by a person determined by the appropriate agency to have contributed to an unusually significant degree to the furtherance of good relations between the United States and the foreign government tendering the decoration.

(5) Appropriate agency: The Department in which a person has been appointed, employed or enlisted. If the recipient is not so serving, but is a member of the family and household of such a person, then the "appropriate agency" is that in which the head of the household is serving. The Department of the Air Force is considered the appropriate agency for all civilian and military members of the Air Force, including Air Force military personnel assigned to joint activities and special groups, and members of the family and household of any such person.

(e) *Wear.* Only those foreign decorations, or related elements, authorized for wear by AFM 35-10 may be worn on the Air Force uniform.

§ 882.42 Congressional consent for decorations relating to Vietnam hostilities.

* * * * *

(c) * * *

(3) The Congressional consent granted in Public Law 89-257 does not apply to members associated with the Military Assistance Program as provided in § 882.46.

§ 882.43 Token acceptance of foreign decorations.

Token acceptance of a foreign decoration, presented by or on behalf of a friendly foreign government, but excluding those defined in § 882.42, and those specifically prohibited by § 882.46, is permissible by Air Force personnel. Also, if a member is advised his presence is desired at a presentation ceremony, he may, with the approval of his commander, participate in the ceremony and make a token acceptance of the decoration. However, such token acceptance does not constitute an official acceptance, which may be authorized only by the approving officials indicated in § 882.44, and concurred in by the Chief of Protocol, Department of State.

§ 882.44 Delegation of authority to approve acceptance of foreign decorations.

(a) *Delegation of authority.* Authority to approve the acceptance of foreign decorations, excluding those described in § 882.42 and those specifically prohibited by § 882.46, is delegated to:

(1) Commander in Chief, Pacific Air Forces.

(2) Commander in Chief, U.S. Air Forces in Europe.

(3) Commander, U.S. Air Forces Southern Command.

(4) Director of Personnel Services (AFPMS), Hq USAF, Randolph AFB TX 78148, who will act for the Secretary of the Air Force in approving acceptance of foreign decorations by Air Force personnel who are not assigned to any of the three oversea commands mentioned in this paragraph when the award was made or presented.

(b) *Department of State concurrence.* Any approval granted for the acceptance of a foreign decoration will be subject to the concurrence of the Chief of Protocol, Department of State. The Director of Personnel Services (AFPMS), Hq USAF, Randolph AFB TX 78148, is responsible for obtaining the Department of State concurrence on all foreign decorations approved by the officials indicated in paragraph (a) of this section.

§ 882.45 Requesting authorization to accept a foreign decoration.

(a) *Action by recipient.* When an individual, as described in § 882.43, receives or makes token acceptance of a decoration, which is not covered by § 882.42 nor specifically prohibited by § 882.46, he will:

(1) Immediately submit through military channels a letter addressed to the appropriate approval authority indicated in § 882.44 requesting authority to accept the decoration. In addition, the letter will include, but is not limited to, the following:

(i) Full name, grade, and service number of the recipient.

(ii) Title of the decoration; the country offering it; date and place of the presentation; and the name and title of the person making the presentation.

(iii) The organization, station, and a brief description of the recipient's duty assignment during the period recognized by the award.

(iv) Statement of the service for which the decoration was awarded, and enclose a copy of the citation if one accompanied the decoration. If no citation accompanied the decoration, so indicate in the letter.

(v) A statement of whether the recipient was assigned in any capacity with the Military Assistance Program.

(vi) If the recipient was assigned duties in connection with the Military Assistance Program, a statement indicating whether the service being recognized was in connection with his Military Assistance Program duties.

NOTE: The recipient will retain the medal and accompanying documents, except for a copy of the citation (see subdivision (iv) of this subparagraph), until receipt of final decision on the official acceptance of the decoration.

§ 882.46 Members associated with the Military Assistance Program.

(a) *Prohibition.* Air Force service members and civilian employees, regardless of assignment, performing any duty whatsoever in connection with the Military Assistance Program, are not authorized to accept the tender of any decoration from a foreign government or official for duty of this nature, except as provided in paragraph (b) of this section. Participation in ceremonies involving any such tender also is prohibited. To avoid embarrassment, the appropriate foreign officials will be advised of this prohibition.

NOTE: See Part 826 of this chapter for information concerning gifts proffered by foreign governments.

(b) *Exclusion.* The prohibition in paragraph (a) of this section does not apply to:

(1) Awards tendered for service unrelated to the Military Assistance program, such as service medals approved by the Secretary of Defense for acceptance by members of the Armed Forces of the United States.

(2) Decorations proffered to a member of the Air Force in recognition of actual combat services or heroism involving the saving of life.

(3) Badges awarded by foreign governments in recognition of the attainment by the recipients of a prescribed degree of skill, proficiency, and excellence of performance, such as parachutist aviator, etc., badges.

NOTE: Requests for acceptance of the awards mentioned in paragraph (b) (2) and (3) of this section, including those awarded in connection with the Vietnam hostilities, must be processed in accordance with § 882.45.

§ 882.47 Decorations awaiting Congressional approval for personnel honorably discharged from the Air Force. [Deleted]

§ 882.48 Posthumous awards of foreign decorations to deceased members of the Air Force. [Deleted]

§ 882.49 Awards accepted while a bona fide member of the armed forces of a friendly foreign nation. [Deleted]

§ 882.67 [Amended]

2. In § 882.67, paragraph (g) is amended by adding the following in the last line, second column, after "Vietnam": "(including service in Thailand in direct support of the Vietnam Operations)."

3. Section 882.68 is amended by revising the introduction of paragraph (b) and paragraph (e)(1)(iv) and adding pargaraph (e)(1)(v); and § 882.73 is amended by revising paragraph (b). These sections now read as follows:

§ 882.68 Vietnam Service Medal.

* * * * *

(b) *Requirements for award.* Awarded to any member of Armed Forces of the United States serving in Vietnam, or contiguous waters or air space, or Thailand, on or after July 4, 1965, and before a terminal date to be announced later. The following types and degrees of participation are required to qualify as a member:

* * * * *

(e) *Award of bronze service stars*—(1) *Campaigns.* * * *

(iv) Vietnam Air Offensive Campaign, from June 29, 1966, to March 8, 1967.

(v) (Designation to be established when termination date is announced), from March 9, 1967, to a closing date to be announced.

* * * * *

§ 882.73 Small Arms Expert Marksmanship Ribbon.

* * * * *

(b) *Requirement for award.* Awarded to Air Force personnel, including Reserve components members whether or not on active duty who, after January 1, 1963, qualify as "expert" in small arms marksmanship on the weapons specified and in accordance with AFM 50-15 (General Military Training). AF Form 522, "Qualification Score Card," is the source document for eligibility for the award. AF Form 522 will be used to make appropriate entries on AF Forms 7 and 11, and AF Form 572, "General Military Training Record." AF Form 522 will be maintained in the unit with AF Form 572. Upon reassignment, disposition will be in accordance with AFM 35-9 or AFM 35-12. The ribbon is awarded only once regardless of the number of times an individual may qualify.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012, except as otherwise noted) [Interim Ch. 9, AFM 900-3, Nov. 16, 1967]

By order of the Secretary of the Air Force.

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

[F.R. Doc. 68-818; Filed, Jan. 22, 1968; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10 Gen. Rev. of Export Regs., Amdt. C.C.L.]

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Parts 382 and 399 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-63 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-63 Comp.)

Effective date: January 15, 1968.

RAUER H. MEYER,
Director, Office of Export Control.

PART 382—DENIAL OF EXPORT PRIVILEGES

The Denial and Probation Orders (§ 382.51), are amended as follows:

A. ADDITIONS

Names and address	Effective date	Expiration dates	Export privileges affected	FEDERAL REGISTER citation
Heidenreich, Ilse, Heidenreich, Joseph, Augustastrasse 59, 3440 Eschwege, Germany (West).	12-21-67	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Johann M, Rockelmann (JOMRO) which see.)	32 F.R. 19195, 12-20-67.
Rockelmann, Johann M. (JOMRO), Augustastrasse 59, 3440 Eschwege, Germany (West).	12-21-67	do	General and validated licenses, all commodities, any destination, also exports to Canada.	32 F.R. 19195, 12-20-67.

B. AMENDMENTS

Names and address	Effective date	Expiration dates	Export privileges affected	FEDERAL REGISTER citation
Allimex, 40 Berendrechstraat, Antwerp, Belgium.	1-22-64	Duration	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Louis Vanderveken, which see.)	26 F.R. 11844, 12-9-61; 27 F.R. 10005, 10-11-62; 32 F.R. 15717, 11-15-67.
Amos, Lionel, Amos (Machinery) Ltd., Middleton (Ludlow), Shropshire, England.	10-19-65	12-11-67 (on probation from 12-12-67 for duration).*		30 F.R. 13272-13273, 10-19-65; 32 F.R. 18117, 12-19-67.
E.M.M. (Equipment et Materiaux Modernes), Volhardingstraat 27, Antwerp, Belgium.	12- 1-61	Duration	General and validated licenses, all commodities, any destination, also exports to Canada.	26 F.R. 11844, 12-9-61; 27 F.R. 10005, 10-11-62; 32 F.R. 15717, 11-15-67.
Minexi S.P.R.L. Volhardingstraat 27, Antwerp, Belgium.	12- 1-61	do	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Louis Vanderveken, which see.)	26 F.R. 11844, 12-9-61; 27 F.R. 10005, 10-11-62; 32 F.R. 15717, 11-15-67.
Societe Commerciale d'Afrique (SOCODA), Volhardingstraat 27, Antwerp, Belgium, and 19 Avenue Ministre Rubens, Leopoldville, Congo.	12- 1-61	do	do	26 F.R. 11844, 12-9-61; 27 F.R. 10005, 10-11-62; 32 F.R. 15717, 11-15-67.
South Shropshire Haulage Co., Ltd., Middleton, Ludlow, Shropshire, England.	9-26-66	12-11-67 (on probation from 12-12-67 for duration).*	(Party related to Amos (Machinery), Ltd., which see.)	30 F.R. 13272-13273, 10-19-65; 32 F.R. 18117, 12-19-67.
Thuis, G., 3 Kanstraat, Baarn, Netherlands.	12- 1-61	Duration	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Louis Vanderveken, which see.)	26 F.R. 11844, 12-9-61; 27 F.R. 10005, 10-11-62; 32 F.R. 15717, 11-15-67.
Vanderveken, Louis, sometimes known as L. Degraeve and E. Van Eeckhoven, Volhardingstraat 27, Antwerp, Belgium.	12- 1-61	do	General and validated licenses, all commodities, any destination, also exports to Canada.	26 F.R. 11844, 12-9-61; 27 F.R. 10005, 10-11-62; 32 F.R. 15717, 11-15-67.
Vermeulen, J. G., 3 Kanstraat, Baarn, Netherlands.	12- 1-61	do	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Louis Vanderveken, which see.)	26 F.R. 11844, 12-9-61; 27 F.R. 10005, 10-11-62; 32 F.R. 15717, 11-15-67.

C. DELETIONS

Name	Address
Cargo Consolidation Services, Ltd	Pump Lane, Hayes, Middlesex, England.
Cargo Consolidation Services (Forwarding), Ltd	Do.
Cargo Consolidation Services (Holdings), Ltd	Do.
Hydrocarbon Engineering, S.A.R.L.	44 Avenue des Champs Elysees, Paris 8e, France.
Hydrocarbon Research, Inc	115 Broadway, New York 6, N.Y.
Keith, Percival C	Do.
Thuis and Hollander (THV)	3 Kanstraat, Baarn, Netherlands.
Vitromecano A/B	Kungsgaten 4A, Stockholm C, Sweden.

*Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon finding that the probation has been violated.

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

Section 399.1 *Commodity Control List* is amended as follows:

A. *Revisions*. The Commodity Control List is revised as set forth below, effective January 15, 1968, unless otherwise specified. Exporters are advised that only the items listed below opposite the Specific Export Control Commodity Numbers are affected by these changes. The unnumbered captions serve only to identify the broad categories of commodities within which these items are to be found in Schedule B.

Two types of explanatory numerical references are used at the end of a commodity description:

(a) A numerical reference enclosed in parentheses to indicate the entry being revised. For example, where a revised entry is followed by "(1)," this indicates that the new entry revises the first entry or only entry presently on the Commodity Control List under the same Export Control Commodity Number; if the entry is followed by a "(2)," it revises the second entry of the Commodity Control List, etc.

(b) A footnote reference referring to the footnote below which explains the effect of the revision.

[1] An Import Certificate is no longer required in support of an application for a license to export these commodities to the countries specified in § 373.2.

[2] Three entries are substituted for four entries presently on the Commodity Control List under this Export Control Commodity Number.

[3] Effective Jan. 22, 1968, the GLV Dollar-Value Limit is decreased for shipments to Country Groups S and V of items wholly made of fluorocarbon polymers or copolymers.

[4] All commodities in this entry may now be exported under the Periodic Requirements Licensing Procedure (see § 376.2).

[5] Two entries are substituted for five entries presently on the Commodity Control List under this Export Control Commodity Number.

[6] Effective Feb. 29, 1968, an Import Certificate (or Hong Kong Import License) will be required in support of a license application covering the commodities which contain a combination of polymeric substances specified in (a) and (b) of this entry. Other commodities in this entry are presently subject to this requirement.

[7] The commodity description is revised with no change in controls.

[8] These commodities are transferred from No. 65663, second entry, to conform with Schedule B revisions.

[9] A separate entry is established.

[10] Effective Jan. 22, 1968, a validated license is required for export of these commodities to Country Groups T, V, W, X and Y. A validated license is presently required for export to East Germany.

[11] Effective Feb. 29, 1968, an Import Certificate (or Hong Kong Import License) will be required in support of a license application covering export of these commodities to the countries specified in § 373.2.

[12] The Processing Number is changed.

[13] Effective Jan. 22, 1968, the GLV Dollar-Value Limit is decreased for shipments to Country Group S.

[14] This entry is deleted, and this tape is included in No. 58120 if not pressure sensitive and No. 89300 if pressure sensitive.

[15] These changes were effective Jan. 1, 1968, in accordance with Schedule B revisions announced in Public Bulletin B-5, issued by the Bureau of the Census.

[16] Coated or impregnated pressure sensitive or gummed cloth tape is transferred from No. 65546 to 65692 to conform with Schedule B classifications.

[17] Effective Jan. 22, 1968, a validated license is required for export of these commodities to Country Groups T, V, W, X and Y.

[18] Effective Jan. 22, 1968, the GLV Dollar-Value Limit is decreased for shipments to Country Group S of commodities containing polymeric substances specified in (b) of this entry.

[19] Effective Jan. 22, 1968, a validated license is required for export to Country Groups T, V, W, X and Y of commodities containing polymeric substances specified in (a) and (b) of this entry. A validated license is presently required for export to East Germany.

[20] Effective Feb. 29, 1968, an Import Certificate (or Hong Kong Import License) will be required in support of a license application covering commodities in this entry which contain fluorocarbon polymers or copolymers.

[21] Two entries are substituted for two entries presently on the Commodity Control List under this Export Control Commodity Number.

[22] Effective Jan. 22, 1968, the GLV Dollar-Value Limit is decreased for shipments to Country Groups S and V.

[23] Effective Jan. 22, 1968, a validated license is required for export to Country Groups T, V, W, X and Y of optical glass included in this entry. A validated license is presently required for export to East Germany. Also, effective Feb. 29, 1968, an Import Certificate (or a Hong Kong Import License) will be required in support of a license application covering export of this optical glass to the countries specified in § 373.2.

[24] The GLV Dollar-Value Limit is increased for shipments to Country Group V.

[25] A validated license is no longer required for export of these commodities to Country Group Y.

[26] Wood preparation equipment for the paper industry is transferred from No. 71952 to 71811 to conform with Schedule B revisions.

[27] Geiger-Mueller counter tubes are transferred from No. 72930 to 86199 to conform with Schedule B classifications, and are included in the last entry on the Commodity Control List under No. 86199.

[28] Effective Jan. 22, 1968, the GLV Dollar-Value Limit is decreased to Country Groups S and V for articles made of polyimide-polyamide or polyvinyl fluoride.

[29] The unit of quantity and a reporting requirement are changed.

Department of Commerce export control commodity number and commodity description	Unit	*Processing number	*Validated license required for country groups shown below	*GLV dollar value limits for shipment to country groups				*Special provisions list
				S	T	V	X	
Chemical elements and compounds								
51202 Fluoro-alcohol esters; and perfluoroalkyl ethers. (3)[1]	Lb.	222	STVWXYZ	------	500	100	------	E-14.
51202 Polyphenyl ethers containing more than three phenyl groups. (9)[1]	Lb.	222	STVWXYZ	------	500	250	------	
51205 Esters of trimethylol propane or trimethylol ethane or pentaerythritol with saturated monobasic acids containing more than six carbon atoms, including but not limited to trimethylolpropane tripelargonate. (1)[1]	Lb.	222	STVWXYZ	------	500	100	------	E-14.
51205 Esters of saturated aliphatic monohydric alcohols containing more than six carbon atoms with adipic or azelaic or sebacic acids, including but not limited to nonyl sebacates, nonyl azelates, nonyl adipates, octyl sebacates, octyl azelates, and octyl adipates. (2)[1]	Lb.	222	STVWXYZ	------	500	100	------	E-14.
51205 Polyphenyl ethers containing more than three phenyl groups. (4)[1]	Lb.	222	STVWXYZ	------	500	250	------	E-14.
51208 Polyphenyl ethers containing more than three phenyl groups. (4)[1]	Lb.	222	STVWXYZ	------	500	250	------	E-14.
51209 Fluoro-alcohol esters; and perfluoroalkyl ethers. (7)[1]	Lb.	222	STVWXYZ	------	500	250	------	E-14.
51209 Esters of trimethylol propane or trimethylol ethane or pentaerythritol with saturated monobasic acids containing more than six carbon atoms, including but not limited to trimethylolpropane tripelargonate. (28)[1]	Lb.	222	STVWXYZ	------	500	100	------	E-14.
51209 Esters of saturated aliphatic monohydric alcohols containing more than six carbon atoms with adipic or azelaic or sebacic acids, including but not limited to nonyl sebacates, nonyl azelates, nonyl adipates, octyl sebacates, octyl azelates, and octyl adipates. (29)[1]	Lb.	222	STVWXYZ	------	500	100	------	E-14.
Dyeing, tanning, and coloring materials, natural and synthetic								
53332 Enamels, varnishes, and other finishes as follows: (a) Wholly made of fluorocarbon polymers or copolymers, except polyvinyl fluoride, or (b) made of polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, and polyparaxylylenes, where the value of such contained polymeric substance, alone or in combination with the aforementioned fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (1 and 2)[2 3]	Gal.	221	STVWXYZ	25	500	25	------	A E-3.
53332 Other enamels, varnishes, and other finishes containing polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, and polyparaxylylenes. (Specify name and value of these substances and total value of other materials.) (1)[1 2]	Gal.	222	STVWXYZ	500	500	500	------	E-3.
53332 Enamels, varnishes, and other finishes as follows: (a) Partially made of polytetrafluoroethylene or polychlorotrifluoroethylene, (b) wholly made of polyvinyl fluoride, or (c) made of polyimide-polyamide. (3 and 4)[2 4]	Gal.	222	STVWXYZ	500	500	500	------	E-3.
Chemical materials and products, n.e.c.								
59958 Adhesives or cements as follows: (a) Wholly made of fluorocarbon polymers or copolymers, except polyvinyl fluoride, or (b) made of polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, and polyparaxylylenes, where the value of such contained polymeric substance, either alone or in combination with the aforementioned fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (2 and 6)[5 6]	Lb.	221	STVWXYZ	------	500	25	------	A E-3.
59958 Other adhesives or cements containing polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, polyparaxylylenes or polyimide-polyamide, or wholly made of polyvinyl fluoride. (Specify name and value of these substances and total value of other materials.) (3, 4, and 5)[4 5]	Lb.	222	STVWXYZ	------	500	25	------	E-3.
Textile yarn, fabrics, made-up articles and related products								
65543 Textile fabrics, n.e.c., coated or impregnated with polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, and polyparaxylylenes where the value of such contained polymeric substances, either alone or in combination with fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (4)[4 9 10 11 12 13]	Sq. yd.	221	STVWXYZ	------	500	25	------	A E-3.

*For explanation, see § 399.1.

Department of Commerce export control commodity number and commodity description	Unit	*Processing number	*Validated license required for country groups shown below	*GLV dollar value limits for shipment to country groups				*Special provisions list
				S	T	V	X	
65545 Insulation tape and pressure sensitive tape wholly made of fluorocarbon carbon polymers or copolymers. (Specify by name.) (See § 399.2, Interpretation 22.) (1) [14]	Lb.	221	STVWXYZ	500	500	500		A.
65545 Textile base insulating tape and pressure sensitive tape coated or impregnated with fluorocarbon polymers or copolymers. (See § 399.2, Interpretation 22.) (2) [7 15]	Lb.	222	STVWXYZ	500	500	500		E-3.
65545 Other rubberized tape, textile base, except surgical or medicated or of bonded fiber (nonwoven) fabrics; and rubberized textile fabrics, n.e.c., made of or employing synthetic rubber. (4) [7 15]	Sq. yd.	228	SYZ	500				B.
65546 Inked ribbon cloth for office machines; and asphalt saturated or coated cloth. (1) [16]	Sq. yd.	218	SZ	500				B.
65584 Textile fabrics and articles used in machinery or plant, coated or impregnated with polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, and polyparaxylylenes where the value of such contained polymeric substance, either alone or in combination with fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the material used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (4) [4 9 11 12 13 17]	Lb.	221	STVWXYZ		500	25		A E-3.
65584 Other textile fabrics and articles used in machinery or plant, and wicks, wholly or chief weight of synthetic textile fibers, silk, vegetable fibers, except cotton, or hair, except wool. (4) [7]	Lb.	218	SZ	500				B.
65590 Transmission, conveyor or elevator belts and belting, and textile tubing and hose, wholly or in chief weight of other man-made fibers, silk, vegetable fibers, except cotton, or hair, except wool; and fire hose wholly or in chief weight of any textile fibers, n.e.c. (3 and 4) [7 15]	Lb.	218	SZ	500				B.
65590 Other transmission, conveyor or elevator belts and belting, and textile tubing and hose, wholly or in chief weight of other textile fibers. (5) [7 15]	Lb.	218	SYZ	500				B.
65662 Electric blankets, not knit or crocheted, wholly or in chief weight cotton.[8 15]	Lb.	218	SZ	500				B.
65662 Other blankets, not knit or crocheted, wholly or in chief weight cotton. (1) [7 15]	Lb.	218	SZ and East Germany.	500				B.
65663 Blankets, not knit or crocheted, wholly or in chief weight wool, except electric. (1) [7 15]	Lb.	218	SZ and East Germany.	500				B.
65663 Other blankets, including electric, not knit or crocheted, of textile materials, except cotton (2) [7 15]	Lb.	218	SZ	500				B.
65692 Made-up textile articles, n.e.c., as follows: (a) Wholly made of fluorocarbon polymers or copolymers, except polyvinyl fluoride; or (b) made of polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, and polyparaxylenes, where the value of such contained polymeric substance, alone or in combination with the aforementioned fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (2 and 5) [3 4 6 12 18 19]	Lb.	221	STVWXYZ	25	500	25		A E-3.
65692 Other pressure sensitive or gummed cloth tape, coated or impregnated, n.e.c.; belts, corset laces and shoe laces with fitted ends, rubberized seat cloth covering, and gummed cloth guides or reinforcements, jall textile materials; and other made-up articles wholly or in chief weight silk, man-made fibers or vegetable fibers, except cotton or jute, and except coated or impregnated narrow fabrics. (4) [15 16]	Lb.	218	SZ	500				B.
Nonmetallic mineral manufactures, n.e.c.								
66311 Diamond grinding wheels for power-operated machines, fabricated with polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, or polyparaxylylenes, where the value of such contained polymeric substance, either alone or in combination with fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (2 and 4) [20 21]	Carat	421	STVWXYZ		500			A.
66311 Other diamond grinding wheels for power-operated machines, fabricated with polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, polyparaxylylenes, or polyimide-polyamide. (Specify name and value of these substances and total value of other materials.) (2 and 4)[21]	Carat	422	STVWXYZ		500			
66311 Diamond grinding wheels for hand- or pedal-operated machines, fabricated with polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, or polyparaxylylenes, where the value of such contained polymeric substance, either alone or in combination with fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (3 and 5)[20 21]	Carat	231	STVWXYZ		500			A.
66311 Other diamond grinding wheels for hand-or pedal-operated machines, fabricated with polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, polyparaxylylenes, or polyimide-polyamide. (Specify name and value of these substances and total value of other materials.) (3 and 5)[21]	Carat	232	STVWXYZ		500			
66420 Lens blanks and optical glass, not optically worked, of polycrystalline silicon of a purity of 99.99 percent or more; and of monocrystalline silicon. (2)[4 12 22 23]	Lb.	241	STVWXYZ		500			A E-7.
66420 Lens blanks, not optically worked, of polycrystalline silicon of a purity of 99.9 percent up to but not including 99.99 percent. (3)[4 12 13 24]	Lb.	242	STVWXYZ		500	500		E-7.
Manufactures of metal, n.e.c.								
69521 Hacksaw blades, hand or power. (1)[25]	No.	428	SXZ	500			100	B.

*For explanation, see § 399.1.

Department of Commerce export control commodity number and commodity description	Unit	*Processing number	*Validated license required for country groups shown below	*GLV dollar value limits for shipment to country groups: S	T	V	X	*Special provisions list
Machinery, other than electric								
71730 Domestic sewing machines, and parts, n.e.c.; and sewing machine needles, domestic and industrial. (3 and 4)[7]		218	SZ					B.
71811 Wood preparation equipment for the paper industry; and parts and attachments.[15 26]		418	SZ					B.
71842 Self-propelled ditchers and trenchers incorporating engines rated 60 horsepower or less; and parts, accessories, and attachments. (9)[25]		408	SZ					B.
71953 Other power-operated nonelectric hand tools; and parts and attachments. (5)[25]		408	SXZ				100	B.
71964 Arc plasma devices, n.e.c., for generating a flow of ionized gas in which the arc column is constricted, except (i) devices wherein the flow of gas is for isolation purposes only, and (ii) devices of less than 80 kilowatts for cutting, welding, plating and/or spraying; equipment incorporating such devices; and specially designed parts, accessories and controls, n.e.c. (8)[9 10 11]		601	STVWXYZ		500			A.
71964 Arc plasma devices of less than 80 kilowatts which utilize or generate a flow of ionized gas for cutting, welding, plating and/or spraying; equipment incorporating such devices; and specially designed parts, accessories and controls, n.e.c. (8)[9 10]		602	STVWXYZ		500			
71994 Gaskets (joints) as follows: (a) Wholly made of fluorocarbon polymers or copolymers, except polyvinyl fluoride, or (b) made of polyimides, polybenzimidazoles, polymidazopyrrolones, aromatic polyamides, or polyparaxylylenes where the value of such contained polymeric substance, either alone or in combination with the aforementioned fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See §399.2, Interpretation 22.) (1 and 2)[6 21]		221	STVWXYZ		500	25		A.
71994 Other gaskets (joints) containing polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, polyparaxylylenes, polyimide-polyamide, polytetrafluoroethylene, or polychlorotrifluoroethylene, or wholly made of polyvinyl fluoride. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (1 and 2)[21]		222	STVWXYZ		500	25		E-3.
Electrical machinery, apparatus, and appliances								
72320 Electrical insulators and fittings as follows: (a) Wholly of fluorocarbon polymers or copolymers, except polyvinyl fluoride, or (b) made of polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, or polyparaxylylenes, where the value of such contained polymeric substance, alone or in combination with the aforementioned fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (1 and 2)[6 21]	Lb.	221	STVWXYZ		500	25		A.
72320 Other electrical insulators and fittings containing polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, polyparaxylylenes, polyamide, fluorocarbon polymers or copolymers, except polyvinyl fluoride, or wholly made of polyvinyl fluoride. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (1 and 2)[21]	Lb.	222	STVWXYZ		500	25		E-3.
72930 Rectifier bulbs for automotive battery chargers, proportional counter tubes, and electron tube types described or listed in § 399.2, Interpretation 13. (Specify by name and type number.) (20)[15 27]	No.	618	SXYZ				100	B.
Professional, scientific, and controlling instruments: Photographic and optical goods, watches, and clocks								
86402 Clock movements; and timing mechanisms not for timepiece use. (3)[7 15]		218	SXYZ	500			100	B.
Miscellaneous manufactured articles, n.e.c.								
89300 Articles, n.e.c., as follows: (a) Wholly made of fluorocarbon polymers or copolymers, except polyvinyl fluoride, or (b) made of polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, and polyparaxylylenes where the value of such contained polymeric substance, either alone or in combination with the aforementioned fluorocarbon polymers or copolymers, is 50 percent or more of the total value of the materials used. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (7, 8, and 12)[3 5 6]	Lb.	221	STVWXYZ	25	500	25		A E-3.
89300 Other articles, n.e.c., containing polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, polyparaxylylenes, polyimide-polyamide, fluorocarbon polymers or copolymers, except polyvinyl fluoride, or wholly made of polyvinyl fluoride. (Specify name and value of these substances and total value of other materials.) (See § 399.2, Interpretation 22.) (7, 8, 9, and 11)[4 5 28]	Lb.	222	STVWXYZ	25	500	25		E-3.
89300 Other manufactures, n.e.c., (a) partially made of polytetrafluoroethylene or polychlorotrifluoroethylene, or (b) made of molding compositions containing more than 20 percent by weight of other flurocarbon polymers or copolymers. (Specify by name.) (See § 399.2, Interpretation 22.) (16)[29]		222	STVWXYZ	50	500	50		E-3.

*For explanation, see § 399.1.

B. *Saving clause.* Shipments of commodities removed from general license as a result of changes set forth in Part A above which were on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m. January 22, 1968, may be exported under the previous general license provisions up to February 14, 1968. Any such shipment not laden abroad the exporting carrier on or before February 14, 1868, requires a validated license for export.

[F.R. Doc. 68-741; Filed, Jan. 22, 1968, 8:45 a.m.]

Chapter X—Office of Foreign Direct Investments, Department of Commerce

PART 1000—FOREIGN DIRECT INVESTMENT REGULATIONS

Miscellaneous Amendments

In order to clarify the scope of the Foreign Direct Investment regulations, certain amendments thereto are set out below. Both the regulations and these amendments implement Executive Order 11387, 33 F.R. 47. Since a foreign affairs function of the United States is involved, the requirements of 5 U.S.C. 553 are not applicable. In any event, because of the need for immediate clarification it is hereby found that notice and public procedures prior to the promulgation of these amendments to the regulations, and making the amendments subject to the effective date limitation of subsection (d) of that section, are impracticable and contrary to the public interest.

1. In § 1000.201, paragraph (a) (introductory text) is amended to read as follows:

(a) Except as specifically authorized by the Secretary of Commerce (hereinafter referred to as the Secretary) by means of regulations, rulings, instuctions, authorizations, licenses, waivers, or exemptions or otherwise, all of the following transactions directly or indirectly by or on behalf of or for the benefit of a direct investor are prohibited on or after the effective date, if any such transaction involves a direct or indirect transfer of capital to or within any foreign country:

* * * * *

2. Section 1000.305 is revised to read as follows:

§ 1000.305 Affiliated foreign nationals.

The term "affiliated foreign national" means any foreign national in which a person within the United States is, or shall become as a result of a transfer of capital, a direct investor.

3. Section 1000.312 is revised to read as follows:

§ 1000.312 Transfer of capital.

The term "transfer of capital" shall mean a transfer of capital, directly or indirectly, by or on behalf of, or for the benefit of, a direct investor directly or indirectly to or on behalf of, or for the benefit of an affiliated foreign national or in connection with the acquisition of an interest in an affiliated foreign national (including any foreign national which shall become affiliated as a result of or in connection with such transfer or acquisition), including, but not by way of limitation:

(a) A net contribution to the capital of an affiliated foreign national;

(b) The acquisition of an interest in, or an increase in net interest in, an affiliated foreign national;

(c) The acquisition of an obligation of an affiliated foreign national, regardless of the maturity date of the obligation, to the extent the principal amount of all such obligations exceeds that of obligations of the direct investor acquired by such foreign national, except obligations acquired by a direct investor by subrogation in connection with transfers described in paragraphs (e) and (f) of this section;

(d) A net increase in loans or advances upon open account to an affiliated foreign national;

(e) A transfer to a foreign national in satisfaction of an obligation of a direct investor incurred as a result of (1) a guarantee of an obligation of an affiliated foreign national to a foreign national, or (2) the assumption of a liability of an affiliated foreign national to a foreign national;

(f) A transfer to any other person wheresoever located in satisfaction of an obligation of a direct investor incurred as a result of (1) a guarantee of an obligation of an affiliated foreign national to a person within the United States, or (2) the assumption of a liability of an affiliated foreign national to a person within the United States;

(g) A transfer of funds or other property to a foreign national in repayment or satisfaction of indebtedness incurred before or after the effective date to the extent the use of the proceeds of such indebtedness, whether occuring before or after the effective date constituted a transfer of capital.

4. Section 1000.315 is revised to read as follows:

§ 1000.315 General authorization and exemption.

The terms "general authorization" and "general exemption" mean those authorizations and exemptions, the terms of which are set forth in this part or published in the FEDERAL REGISTER.

§ 1000.504 [Amended]

5. In § 1000.504, paragraphs (a) and (b) are revised to read as follows:

(a) Subject to the provisions of paragraphs (b) and (c) of this section, the following provisions of this section shall apply to the whole of aggregate direct investment in any year if such aggregate investment is in excess of $100,000.

(b) (1) In determining the existence, or the extent, of a transfer of capital during any year within the meaning of this section and in determining the extent to which a transfer of capital during any year is authorized by this section, both the amount of direct investment during the year or years and the average amount of direct investment during the years 1965 and 1966 inclusive shall be calculated by deducting such portion of net borrowings (whether incurred in such year or any previous year) by the direct investor from foreign nationals other than affiliated foreign nationals as is or was expended in such direct investment (including for this purpose borrowings occurring after the date of such direct investment but as part of one transaction or a group of integrated transactions, provided the borrowing occurs within 90 days after such transfer of capital and during the same year): *Provided, however,* That amounts so borrowed with an original maturity of less than 12 months from the original date of borrowing shall not be so deducted unless, in the case of a borrowing after the effective date, there exists provision for renewal, extension or continuance of such borrowing for a total term of at least 12 months, and the direct investor certifies to the Secretary that it reasonably expects that such borrowing will not be repaid in less than 12 months from its original date or, in the case of a borrowing expended in direct investment during 1965 and 1966 inclusive, such borrowing was not in fact repaid in less than 12 months from the original date of such borrowing;

(2) In determining the existence, or extent, of a transfer of capital by or on behalf of, or for the benefit of, a person within the United States who is a direct investor directly or indirectly to or on behalf of, or for the benefit of, a foreign national which is an affiliated foreign national during any year within the meaning of this section, there shall be included any transfer of capital by which such person within the United States becomes a direct investor and all transfers to or on behalf of, or for the benefit of, such foreign national (which were not transfers of capital) by or on behalf, or for the benefit of, such person within the United States within 12 months (whether or not during the same year) prior to the date of the transfer of capital by which it became a direct investor.

§ 1000.505 [Amended]

7. Section 1000.505 is amended by inserting "(a)" before the first paragraph thereof, by redesignating paragraphs (a) and (b) as subparagraphs (1) and (2), respectively, and by adding at the end thereof a new paragraph (b) reading as follows:

(b) Nothing contained in this section shall prohibit a direct investor, although such direct investor is also a foreign national, from transferring the proceeds of any borrowing from or other credit extended by a foreign national outside the United States (other than an affiliated foreign national) to a national or nationals of any country or countries listed in any Schedule or Schedules but such exemption shall not be deemed to exempt such direct investor from compliance with § 1000.504(a).

Dated: January 22, 1968.

A. B. TROWBRIDGE,
Secretary of Commerce.

[F.R. Doc. 68-949; Filed, Jan. 22, 1968; 3:11 p.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

SUBCHAPTER C—INTERNATIONAL MAIL

APPENDIX—DIRECTORY OF INTERNATIONAL MAIL

Miscellaneous Amendments

The regulations of the Post Office Department are amended as follows:

I. In the appendix to Subchapter C—The Directory of International Mail under Individual Country regulations make the following changes:

A. Under the country item Afghanistan make the following changes:

1. Under Postal Union mail, add a new item for Insurance after the item Registration.

Postal Union Mail

* * * * *

Insurance. Not applicable to postal union mail.

* * * * *

2. Under Parcel Post, the weight limit is increased to 22 pounds and items Registration and Insurance are added.

Parcel Post

Weight limit. 22 pounds.

* * * * *

Registration. No provision.
Insurance. No provision.

* * * * *

B. Under Parcel Post in the country item Argentina, the items Observations and Prohibitions are revised to read as follows:

* * * * *

Observations. Parcels may be addressed to banks or other organizations for ultimate delivery to second addressees. The latter however may not take delivery without written authority from the first addressee, unless the sender arranges for change of address as provided in Part 247 of this chapter.

Commercial parcels exceeding 550 Argentine pesos in value must be accompanied by an invoice in duplicate which does not require consular legalization but must include a declaration signed by the seller or his representative reading: "I declare under oath that all the information given in this invoice is true and that the prices are those actually paid (or to be paid). I also declare that no agreement exists whereby these prices can be changed."

Used clothing addressed to individuals is limited to 22 pounds per parcel. Each parcel containing used clothing must have endorsed a notarized and legalized statement from a dry-cleaning or disinfecting establishment that the clothing has been thoroughly cleaned or disinfected. After the statement has been notarized, the notarization must be certified by the county clerk or other competent official. The statement must then be sent to an Argentine consulate accompanied by a fee of $7.40 for legalization. After the consulate returns the legalized statement, it must be enclosed in the parcel with the clothing. The wrapper of the parcel must be marked "Legalized disinfection certificate enclosed."

Prohibitions.—For the protection of animals or plants: Bees unless accompanied by an official sanitary certificate visaed by an Argentine consul.

Furs and skins of chinchillas and vicunas.

For other reasons: Coins, banknotes, values payable to bearer, jewels, precious stones and other precious articles.

Used clothing unless accompanied by a legalized disinfection certificate as set forth in "Observations," and the wrapper is endorsed as prescribed.

Radio and television receivers, phonographs and combinations.

C. Under the country item Ascension make the following changes:

1. Under Postal Union Mail, the item *Air rates* is revised to show a new fee of 15 cents per half ounce for letters and a new item *Insurance* is inserted after the item *Registration.*

Postal Union Mail

* * * * *

Air rates. Letters, 15 cents per half ounce. (See Chart 3, Table III.)

Single post cards and aerogrammes, 13 cents each; printed matter, matter for the blind, samples of merchandise, and small packets, 50 cents first 2 ounces; 20 cents each additional 2 ounces or fraction. (See Chart 3, Table VI.)

* * * * *

Insurance. Not applicable to postal union mail.

* * * * *

2. Under Parcel Post the item *Weight limit* is revised to show a new allowable weight of 22 pounds. In addition, the item *Indemnity* is deleted and two new items, *Registration* and *Insurance* are inserted in lieu thereof.

Parcel Post

Weight limit. 22 pounds.

* * * * *

Registration. No provision.
Insurance. No provision.

* * * * *

D. Under the country item Austria, make the following changes:

1. Under Postal Union Mail, make the following changes:

a. A new item *Insurance* is added directly following the item *Registration* which reads as follows:

Postal Union Mail

* * * * *

Insurance. Not applicable to Postal Union mail.

* * * * *

b. The item *Prohibition and import restrictions* is revised, which reads as follows:

Postal Union Mail

* * * * *

Prohibitions and import restrictions. The articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail.

2. Under Parcel Post make the following changes:

a. A new item *Registration* is added directly following the item *Special handling.*

Parcel Post

* * * * *

Registration. No provision.

* * * * *

b. The items *Prohibitions* and *Import restrictions* are revised to read as follows:

Parcel Post

* * * * *

Prohibitions. Articles of gold, silver, or platinum which are not of the fineness required by the Austrian regulations. Articles bearing marking such as "14k gold filled", "gold plated", or others which may give a false impression that they consist of precious metal.

Poisonous substances for medical, scientific, industrial, agricultural or household use, unless addressed to pharmacists or dealers authorized to sell poisons.

Meat and animal products, unless accompanied by an official certificate of origin and health, except for individual shipments of meat or preparations thereof not exceeding three kilograms (6 lbs. 9 oz.) in weight, which are exempt from the requirement.

Import restrictions. The attention of senders should be called to the following requirements, which must be met by addressees:

Import licenses are required for many types of merchandise. Gift shipments are exempt up to a value of 1,000 schillings ($38.50).

Special permission must be obtained to take delivery of the following:

Firearms other than sporting guns; silencers or searchlights for firearms; guns for discharging gas or liquid; blackjacks, brass knuckles and daggers.

Tobacco products. Licenses are granted without difficulty if the value does not exceed 100 schillings ($3.85).

Austrian coins.

Postage stamps of other countries than Austria exceeding 500 schillings ($19.25) in value.

Radio receivers.

Medicinal preparations of all kinds, including cosmetic and dietetic products sold as remedies; serums and vaccines; veterinary medicines.

E. Under Postal Union Mail in the country item Canada insert a new sentence at the beginning of the explanation for the item *Observations.*

Postal Union Mail

* * * * *

Observations. The address of mail for Canada should include the province. * * *

* * * * *

F. In the country item Ecuador make the following changes.

1. Under Postal Union Mail insert a new item *Insurance* immediately following the item *Registration.*

Postal Union Mail

* * * * *

Insurance. Not applicable to Postal Union Mail.

* * * * *

2. Under Parcel Post insert a new sentence immediately following the first sentence in the item *Observations*.

Parcel Post

* * * * *

Observations. * * *

Certificates of mailing on Form 3817 or 3877 in quadruplicate must be submitted to the Consulate with the invoices. See Part 248 of this chapter. * * *

* * * * *

G. Under Parcel Post in the country item France, the material beginning with the words "For other reasons" and ending at the end of the country item under *Prohibitions* is amended to read as follows:

Parcel Post

* * * * *

Prohibitions. * * *

For other reasons: Goods bearing false marks of French manufacture or origin.

Books in the French language printed abroad, unless the names of the publisher and printer are shown as prescribed by the French copyright laws.

Canned vegetables, fish, plums and nuts not bearing an indication of the country of origin by stamping, in plain raised or sunken letters at least 4 millimeters high, in the middle of the top or bottom and in a place not bearing any inscription.

Pure powdered saccharine may be imported only by the French Government. Other artificial sweetening materials are prohibited.

Measuring instruments marked in units not complying with French law.

Funeral urns.

H. The name of the country "French Somaliland" is changed to "French Territory of the Afars and Issas."

I. In the country item Germany make the following changes:

1. Under Postal Union Mail the sixth paragraph under the item *Prohibitions* is amended to read as follows:

Postal Union Mail

* * * * *

Prohibitions. * * *

Postage stamps, canceled or not, stamped paper and stamps in bulk, unless ordered for specific addresses by the Deutsche Buch-Export und -Import GmbH, or sent as exchange material to members of the East German philatelic organization under special conditions prescribed by the customs authorities.

* * * * *

2. Under Parcel Post insert the words "phonograph records" between the phrases "medicaments of any kind" and "tape recordings" found in the fourth paragraph of the material under the item *Observations*.

J. Under the country item *Gibralter* make the following changes:

1. Under Postal Union Mail the item *Import restrictions* is changed to *Prohibitions and import restrictions* and reads as follows:

Postal Union Mail

* * * * *

Prohibitions and import restrictions. Articles prohibited or restricted as parcel post and prohibited or restricted in the postal union mail.

2. Under Parcel Post a new item *Prohibitions* is inserted immediately preceeding the item *Import restrictions* and reads as follows:

Parcel Post

* * * * *

Prohibitions. Lighters containing butane gas and refills therefor.

* * * * *

K. Under the country item Gilbert and Ellice Islands Colony make the following changes:

1. Under Postal Union Mail a new item *Insurance* is inserted immediately preceding the item *Special Delivery* and reads as follows:

Postal Union Mail

* * * * *

Insurance. Not applicable to Postal Union mail.

* * * * *

2. Under Parcel Post the weight limit is increased to 22 pounds and two new items *Registration* and *Insurance* supersede the item *Indemnity* which is deleted.

Parcel Post

Weight limit. 22 pounds.

* * * * *

Indemnity. [Deleted]
Registration. No provision.
Insurance. No provision.

* * * * *

L. In the country item India the item *Prohibitions and import restrictions* under Postal Union is revised to read as follows:

Postal Union Mail

* * * * *

Prohibitions and import restrictions. Works of art (including photographs), forms ruled or printed, account and manuscript books, labels, advertising matter (except trade catalogs and circulars), almanacs in sheets or in cards, and other cards, as well as waste paper and old newspaper for packing, are not admitted as printed matter when sent as merchandise, inasmuch as they are liable to customs duty.

Coins, banknotes, paper money, manufactured or unmanufactured platinum, gold or silver, precious stones, jewels and other precious articles.

Articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail.

M. In the country item Ireland (Eire) make the following changes:

1. Under Postal Union mail make the following changes:

a. A new item *Insurance* is inserted immediately after the item *Registration*.

Postal Union Mail

* * * * *

Insurance. Not applicable to Postal Union mail.

* * * * *

b. The last sentence of the material under *Prohibitions and import restrictions* is deleted.

2. Under Parcel Post make the following changes:

a. A new item *registration* is inserted immediately following the item *Special handling*.

Parcel Post

* * * * *

Registration. No provision.

* * * * *

b. *Prohibitions* is revised to read as follows:

Parcel Post

* * * * *

Prohibitions. For sanitary reasons: Circulars or advertisements relating to the prevention or treatment of venereal disease, unless addressed to physicians or pharmacists.

Tea, unless imported by "Tea Importers (1958) Ltd."

Margarine, skimmed milk, and other diluted or adulterated foodstuffs, unless suitably labeled.

State monopolies, etc.: Coins, other than those of Ireland.

For other reasons: Coins exceeding £5 in value unless declared to be for ornament.

Tobacco, cigars, or cigarettes packed with other articles. Extracts, essences, or concentrations of tobacco, coffee, tea, or chicory. Tobacco cut and compressed, sweetened or adulterated. See also "Import restrictions" below.

Oiled or varnished cloth or similar articles, unless accompanied by a certificate as follows: "The oilcloth or similar articles in this parcel have been stoved at a temperature of 140° F. until completely dried, and then cured for at least a month before packing."

Carbon paper, except for typewriter carbon paper which must be described on the customs declaration as follows: "Typewriter carbon paper coated with wax and containing no oxidizable or fatty substance."

Saccharine and similar substances, unless sent in 11-pound parcels containing no other merchandise.

Articles bearing false trademarks or lacking the indication of origin required by the Irish regulations.

* * * * *

c. The last sentence of the material under *Import restrictions* is deleted.

N. In the country item Jamaica (including Cayman Islands) under Parcel Post, the item *Prohibitions* is revised to read as follows:

Parcel Post

* * * * *

Prohibitions.—For the protection of animals and plants: Uncooked pork, including ham and bacon, and all uncooked pork products.

Bees (except queens by permission of the Ministry of Agriculture), honey, and material already used by bee raisers.

Citrus fruits, coconuts in their husks.

Cotton, including cotton lint, cottonseed, and any part of the cotton plant.

For other reasons: Coffee and coffee products.

O. In the country item Kenya make the following changes:

1. Under Postal Union mail make the following changes:

a. A new item *Insurance* is inserted after the item *Registration*.

Postal Union Mail

*   *   *   *   *

Insurance. Not applicable to Postal Union Mail.

*   *   *   *   *

b. The item *Prohibitions and import restrictions* is revised to read as follows:

Postal Union Mail

*   *   *   *   *

Prohibitions and import restrictions. Articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail, except that registered letters may contain coins up to 100 shillings ($14) in value, banknotes, coupons, values payable to bearer, manufactured or unmanufactured platinum, gold or silver, precious stones, jewelry, or other precious articles.

2. Under Parcel Post make the following changes:

a. The item *Indemnity* is deleted and new items *Registration* and *Insurance* are inserted in lieu thereof.

Parcel Post

*   *   *   *   *

Indemnity. [Deleted]
Registration. No Provision.
Insurance. No provision.

*   *   *   *   *

b. The item *Prohibitions* is revised to read as follows:

Parcel Post

*   *   *   *   *

Firearms and articles resembling deadly weapons.

Military or civil uniforms and clothing resembling them, except by permit of the Kenya government.

Used clothing, bedding and similar articles for sale, unless accompanied by a certificate of disinfection.

Articles bearing false markings or accompanied by false guarantees.

Coins, banknotes, coupons, values payable to bearer, manufactured or unmanufactured platinum, gold or silver, precious stones, jewelry, or other precious articles. The foregoing, except for coins over 100 shillings ($14) in value, are admitted in registered letters only.

Traps capable of killing or capturing any domestic animal, except with permission of the Chief Game Warden of Kenya.

Articles bearing Boy Scout or Girl Scout insignia, except with authorization of the Kenya Boy Scout or Girl Guide Commissioner.

*   *   *   *   *

P. In the country item Kuwait under Parcel Post, the item *Import restrictions* is revised to read as follows:

Parcel Post

*   *   *   *   *

Import restrictions. Addressees are required to obtain import licenses for preserved meat, dairy products, drugs, serums and vaccines.

Commercial importations of the following require approval of the Ministry of Commerce and Industry of Kuwait: Manufactured or unmanufactured gold, silver and platinum; precious stones, jewelry and other precious articles; jewelers' scales, weights, assay material and appraising equipment.

Q. In the country item Madagascar (Malagasy Republic) under Parcel Post the item *Weight Limit* is changed to 44 pounds.

Parcel Post

Weight limit. 44 pounds.

*   *   *   *   *

R. In the country item Malawi under Parcel Post, the item *Prohibitions* is revised to read as follows:

Parcel Post

*   *   *   *   *

Prohibitions. Pharmaceutical specialties unless plainly marked with composition and dosage.

*   *   *   *   *

S. In country item Mauritius and Dependencies (including Rodrigues) make the following changes:

1. Under Postal Union Mail a new item *Insurance* is inserted following the item *Registration*.

Postal Union Mail

*   *   *   *   *

Insurance. Not applicable to Postal Union Mail.

*   *   *   *   *

2. Under Parcel Post the item *Indemnity* is deleted and new items *Registration* and *Insurance* are inserted in lieu thereof.

Parcel Post

*   *   *   *   *

Indemnity. [Deleted]
Registration. No provision.
Insurance. No provision.

*   *   *   *   *

T. In the country item Mexico under Postal Union mail the item *Prohibitions and import restrictions* is revised to read as follows:

Postal Union Mail

*   *   *   *   *

Prohibitions and import restrictions. Banknotes and values payable to bearer unless addressed to Mexican banks. The Mexican postal authorities assume no responsibility in case of loss of registered articles containing such items.

Works reprinted abroad in violation of the Mexican copy right laws.

Perishable biological materials.

Articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail.

U. In the country item Netherlands under Parcel Post the item *Import restrictions* is revised to read as follows:

Parcel Post

*   *   *   *   *

Import restrictions. Authorization from the Nederlandsche Bank is required to be obtained by the addressee for the importation of gold, manufactured or not; gold coins; current instruments of payment; securities; acknowledgements of debt; and shares of stock.

V. In the country item *Rhodesia* under Parcel Post the item *Prohibitions* is revised to read as follows:

Parcel Post

*   *   *   *   *

Prohibitions. Medicines not labeled with the name, formula and composition in English.

Advertisements concerning the treatment of venereal disease, unless addressed to physicians or pharmacists for professional use.

Vaccines, sera, and similar substances, unless labeled with the name and address of the manufacturer and the date of manufacture or the date after which the preparation is not to be used.

Bank notes as well as gold, platinum, silver, jewels, and other precious articles.

W. In the country item St. Helena make the following changes:

1. Under Postal Union Mail, a new item *Insurance* is inserted following the item *Registration*.

Postal Union Mail

*   *   *   *   *

Insurance. Not applicable to Postal Union Mail.

*   *   *   *   *

2. Under Parcel Post make the following changes:

a. The item *Weight limit* is revised to show a 22 pound limit.

Parcel Post

Weight limit. 22 pounds.

*   *   *   *   *

b. The item *Indemnity* is deleted and two new items *Registration* and *Insurance* are inserted in lieu thereof.

Parcel Post

*   *   *   *   *

Indemnity. [Deleted.]
Registration. No provision.
Insurance. No provision.

X. In the country item Santa Cruz Islands make the following changes:

1. Under Postal Union Mail a new item *Insurance* is inserted following the item *Registration*.

Postal Union Mail

*   *   *   *   *

Insurance. Not applicable to Postal Union Mail.

*   *   *   *   *

2. Under Parcel Post make the following changes:

a. The item *Weight limit* is revised to show a new 22 pound limit.

Parcel Post

Weight limit. 22 pounds.

* * * * *

b. The item *Air parcel post* is deleted.

c. The item *Indemnity* is deleted and two new items, *Registration* and *Insurance* are inserted in lieu thereof.

Parcel Post

* * * * *

Indemnity. [Deleted.]
Registration. No provision.
Insurance. No provision.

* * * * *

Y. In the country item Seychelles make the following changes:

1. Under Postal Union Mail a new item *Insurance* is inserted following the item *Registration.*

Postal Union Mail

* * * * *

Insurance. Not applicable to Postal Union Mail.

* * * * *

2. Under Parcel Post make the following changes:

a. The item *Weight limit* is revised to show a new limit of 22 pounds.

Parcel Post

Weight limit. 22 pounds.

* * * * *

b. The item *Indemnity* is deleted and two new items *Registration* and *Insurance* are inserted in lieu thereof.

Parcel Post

* * * * *

Indemnity. [Deleted]
Registration. No provision.
Insurance. No provision.

Z. Under Solomon Islands item make the following changes:

1. Under Postal Union Mail a new item *Insurance* is inserted following the item *Registration.*

Postal Union Mail

* * * * *

Insurance. Not applicable to Postal Union Mail.

* * * * *

2. Under Parcel Post make the following changes:

a. The item *Weight limit* is revised to show a new limit of 22 pounds.

Parcel Post

Weight limit. 22 pounds.

* * * * *

b. The item *Indemnity* is deleted and two new items *Registration* and *Insurance* are inserted in lieu thereof.

Parcel Post

* * * * *

Indemnity. [Deleted]
Registration. No provision.
Insurance. No provision.

II. In places not included in alphabetical list of countries make the following changes:

A. Insert in proper alphabetical order the following country items:

CONGO (LEOPOLDVILLE) (CONGO [KINSHASA])

FRENCH SOMALILAND (FRENCH TERRITORY OF AFARS AND ISSAS)

B. Amend the country item—

SOMALILAND (SOMALI REPUBLIC OR FRENCH SOMALILAND TO READ SOMALILAND (SOMALI REPUBLIC OR FRENCH TERRITORY OF AFARS AND ISSAS)

(5 U.S.C. 301, 39 U.S.C. 501, 505)

TIMOTHY J. MAY,
General Counsel.

JANUARY 17, 1968.

[F.R. Doc. 68-827; Filed, Jan. 22, 1968; 8:46 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER J—MISCELLANEOUS

[General Order 86, Rev.]

PART 380—PROCEDURES

Procedure for Filing Applications

Subpart A of this part is hereby revised to read as follows:

Subpart A—Filing Applications Under Section 805(a), 1936 Act

AUTHORITY: The provisions of this Subpart A issued under sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114.

§ 380.1 Purpose.

To prescribe procedure to be followed for filing applications submitted to the Maritime Subsidy Board/Maritime Administration pursuant to the provisions of section 805(a), Merchant Marine Act, 1936, as amended.

§ 380.2 Filing applications.

(a) An applicant under section 805(a) shall file his application (16 copies, including three originals) with the Secretary, Maritime Subsidy Board/Maritime Administration at least 15 days in advance of the effective date of the action proposed in the application.

(b) The application shall concisely and clearly reflect:

(1) Whether the applicant holds an operating-differential subsidy contract under title VI of the Act, or has applied for such type contract, or

(2) Whether the applicant has a Government-owned vessel on charter under title VII of the Act or has applied for the charter of a Government-owned vessel thereunder;

(3) The action for which approval of the Maritime Subsidy Board/Maritime Administration is sought, stated in terms of a request for permission to, directly or indirectly, own, operate, or charter a vessel(s) in the domestic intercoastal or coastwise service, or to own a pecuniary interest, directly or indirectly, in any person or concern that owns, charters, or operates any vessel(s) in the domestic intercoastal or coastwise service; and

(4) Whether the operator of the vessel to be engaged in the domestic trade is a citizen of the United States as required by and within the meaning of section 2 of the Shipping Act, 1916.

§ 380.3 Processing of application.

All applications under section 805(a) shall be referred to the Chief, Office of Government Aid, Maritime Administration, for consideration and such further action as may be appropriate.

§ 380.4 Notices; statements from interested parties and arrangements for hearing.

(a) A notice shall be published in the FEDERAL REGISTER which shall:

(1) Identify and abstract the subject of the application;

(2) Provide that interested parties may inspect the proposed application in the Office of Government Aid, Maritime Administration;

(3) Provide for a specific date by which parties having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805 (a) shall petition to intervene, or submit a written statement with reference to the application addressed to the Secretary, Maritime Subsidy Board/Maritime Administration.

(4) Provide that if no petitions for leave to intervene are received within the specified time, the Maritime Subsidy Board/Maritime Administration will take such action as may be deemed appropriate.

(5) Provide that in the event petitions are received from parties with standing to be heard on the application, a hearing will be held on a date specified in the notice.

(6) Indicate that the purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation (i) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or (ii) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

§ 380.5 Exception to procedure.

The Maritime Subsidy Board or the Maritime Administrator may dispense with the publication of notice when not inconsistent with applicable laws.

By order of the Acting Maritime Administrator and the Maritime Subsidy Board.

Dated: January 18, 1968.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 68-878; Filed, Jan. 22, 1968; 8:49 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A 1359]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Management

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands within the Hualapai-Aquarius Unit described below are hereby classified for multiple-use management, together with any land therein that may become public land in the future. Publication of the notice has the effect of segregating the public land in the described unit from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). It also has the effect of further segregating the lands described in paragraph 3b from State exchange (43 U.S.C. 315g(c)). All the described lands shall remain open to all other forms of appropriation, including the mining and mineral leasing laws. As used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands classified in this notice are shown on maps on file and available for inspection in the District Office, Bureau of Land Management and Land Office, Bureau of Land Management, Federal Building, 230 North First Avenue, Phoenix, and at the Kingman Area Office, Bureau of Land Management, Kingman, Ariz. The notice of proposed classification was published in 32 F.R. 15591 and 15592, of November 9, 1967. A public hearing on the proposed classification was held on December 11, 1967 at the Holiday Inn in Kingman, Ariz. Nearly all of the comments and information received support this classification and no changes were made.

3. The lands involved are located in Mohave and Yavapai Counties and are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

a. As provided in paragraph 1 above, the following public lands are segregated from entry under the agricultural land laws and from public sale under R.S. 2455.

T. 14 N., R. 10 W.,
 Secs. 1 to 12, inclusive, secs. 14 to 22, inclusive, and secs. 27 to 30, inclusive.
T. 15 N., R. 10 W.,
 Sec. 1, lots 1 to 4, inclusive, S½N½ and SW¼;
 Secs. 2 to 11, inclusive;
 Sec. 14, N½ and SW¼;
 Secs. 15 to 22, inclusive, and secs. 25 to 36, inclusive.
T. 16 N., R. 10 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 10 W.,
 Secs. 30 to 32, inclusive;
 Sec. 33, S½.
T. 14 N., R. 11 W.,
 Secs. 1 to 18, inclusive.
T. 15 N., R. 11 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 11 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 11 W.,
 Secs. 19 to 36, inclusive.
T. 17 N., R. 11 W.,
 Secs. 22 to 27, inclusive, and secs. 34 to 36, inclusive.
T. 14 N., R. 12 W.,
 Secs. 1 to 18, inclusive.
T. 15 N., R. 12 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 12 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 12 W.,
 Secs. 19 to 36, inclusive.
T. 14 N., R. 13 W.,
 Secs. 1 to 6, inclusive.
T. 15 N., R. 13 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 13 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 13 W.,
 Secs. 19 to 36, inclusive.
T. 17 N., R. 13 W.,
 Sec. 3, lots 3 and 4, S½NW¼ and SW¼;
 Secs. 4 to 9, inclusive;
 Sec. 10, W½ and W½E½;
 Sec. 15, W½ and W½E½;
 Secs. 16 to 21, inclusive;
 Sec. 23, SW¼SW¼;
 Sec. 26, W½W½;
 Secs. 27 to 34, inclusive;
 Sec. 35, W½.
T. 18 N., R. 13 W.,
 Sec. 26, NW¼ and W½SW¼;
 Secs. 33 and 34;
 Sec. 35, W½NW¼.
T. 13 N., R. 14 W.,
 Secs. 1 to 5, inclusive.
T. 14 N., R. 14 W.,
 Secs. 1 to 36, inclusive.
T. 15 N., R. 14 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 14 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 14 W.,
 Secs. 19 to 36, inclusive.
T. 17 N., R. 14 W.,
 Secs. 4 to 10, inclusive, and secs. 12 to 36, inclusive.
T. 18 N., R. 14 W.,
 Secs. 4 to 10, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 34, inclusive.
T. 19 N., R. 14 W.,
 Secs. 4 to 10, inclusive, secs. 14 to 24, inclusive, and secs. 26 to 34, inclusive.
T. 13 N., R. 15 W.,
 Secs. 6 and 7.
T. 14 N., R. 15 W.,
 Secs. 1 to 36, inculsive.
T. 15 N., R. 15 W.,
 Secs. 1 to 36, inclusive.
T. 21 N., R. 15 W.,
 Sec. 35, SE¼ and E½SW¼.
T. 13 N., R. 16 W.,
 Secs. 1 to 12, inclusive.
T. 14 N., R. 16 W.,
 Secs. 1 to 36, inclusive.
T. 15 N., R. 16 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 16 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 16 W.,
 Secs. 19 to 21, inclusive, and secs. 28 to 33, inclusive.
T. 17 N., R. 16 W.,
 Secs. 1 to 36, inclusive.
T. 14 N., R. 17 W.,
 Secs. 1 to 36, inclusive.
T. 15 N., R. 17 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 17 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 17 W.,
 Secs. 19 to 36, inclusive.
T. 17 N., R. 17 W.,
 Secs. 1 to 5, inclusive, secs. 8 to 17, inclusive, secs. 20 to 29, inclusive, and secs. 32 to 36, inclusive.
T. 18 N., R. 17 W.,
 Secs. 1 to 30, inclusive, and secs. 32 to 36, inclusive.
T. 19 N., R. 17 W.,
 Secs. 1 to 36, inclusive.
T. 20 N., R. 17 W.,
 Sec. 8, E½;
 Secs. 9 to 17, inclusive, secs. 20 to 29, inclusive, and secs. 32 to 36, inclusive.

The lands described aggregate 454,925.70 acres of public lands.

b. As provided in paragraph 1 above, the following public lands are segregated from entry under the agricultural land laws, from public sale under R.S. 2455, and are further segregated from State exchange:

T. 20 N., R. 14 W.,
 Sec. 7, lots 1 to 4, inclusive;
 Secs. 18 to 20, inclusive, and secs. 28 to 33, inclusive.
T. 16 N., R. 15 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 15 W.,
 Secs. 19 to 36, inclusive.
T. 17 N., R. 15 W.,
 Secs. 1 to 36, inclusive.
T. 18 N., R. 15 W.,
 Secs. 1 to 36, inclusive.
T. 19 N., R. 15 W.,
 Secs. 1 to 36, inclusive.
T. 20 N., R. 15 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 16 W.,
 Secs. 22 to 27, inclusive, and secs. 34 to 36, inclusive.
T. 18 N., R. 16 W.,
 Secs. 1 to 36, inclusive.
T. 19 N., R. 16 W.,
 Secs. 1 to 36, inclusive.
T. 20 N., R. 16 W.,
 Secs. 4 to 11, inclusive;
 Sec. 12, W½ and SE¼;
 Secs. 13 to 36, inclusive.

The lands described aggregate 128,696.62 acres of public lands.

The lands described in paragraphs (a) and (b) above aggregate 583,622.32 acres of public land.

4. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the

exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR Section 2411.2c.

FRED J. WEILER,
State Director.

JANUARY 16, 1968.

[F.R. Doc. 68-822; Filed, Jan. 22, 1968; 8:46 a.m.]

[A 1360]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Management

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands within the Mohave Mountains Unit described below are hereby classified for multiple-use management, together with any land therein that may become public land in the future. Publication of this notice has the effect of segregating the public land in the described unit from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All the described lands shall remain open to all other forms of appropriation, including the mining and mineral leasing laws. As used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands classified in this notice are shown on maps on file and available for inspection in the District Office, Bureau of Land Management and Land Office, Bureau of Land Management, Federal Building, 230 North First Avenue, Phoenix, and at the Kingman Area Office, Bureau of Land Management, Kingman, Ariz. The notice of proposed classification was published in 32 F.R. 15592, of November 9, 1967. A public hearing on the proposed classification was held on December 11, 1967 at the Holiday Inn in Kingman, Ariz. Nearly all of the comments and information received support this classification and no changes were made.

3. The lands involved are located in Mohave County and are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 12 N., R. 10 W.,
 Secs. 6, 7 and 18.
T. 13 N., R. 10 W.,
 Secs. 6, 7, 18, 19, 30, and 31.
T. 14 N., R. 10 W.,
 Sec. 31.
T. 12 N., R 11 W.,
 Secs. 1 to 18, inclusive.
T. 13 N., R. 11 W.,
 Secs. 1 to 36, inclusive.
T. 14 N., R. 11 W.,
 Secs. 19 to 36, inclusive.
T. 12 N., R. 12 W.,
 Secs. 1 to 16, inclusive;
 Sec. 17, E½, E½W½, and NW¼NW¼;
 Sec. 20, E½ and E½W½;
 Secs. 21 to 27, inclusive;
 Sec. 28, N½SE¼ and E½SW¼;
 Sec. 29, NE¼;
 Sec. 33, E½E½;
 Secs. 34 and 35.
T. 13 N., R. 12 W.,
 Secs. 1 to 36, inclusive.
T. 14 N., R. 12 W.,
 Secs. 19 to 36, inclusive.
T. 12 N., R. 13 W.,
 Sec. 1;
 Sec. 2, lot 4, N½SW¼ and SW¼SW¼;
 Secs. 3 to 10, inclusive;
 Sec. 11, NE¼NE¼;
 Sec. 12, N½, N½SE¼, and SE¼SE¼;
 Sec. 13, SW¼NW¼, SW¼, and S½SE¼;
 Secs. 14 to 18, inclusive.
T. 13 N., R. 13 W.,
 Secs. 1 to 35, inclusive.
T. 14 N., R. 13 W.,
 Secs. 7 to 36, inclusive.
T. 12 N., R 14 W.,
 Secs. 1 to 36, inclusive.
T. 13 N., R. 14 W.,
 Secs. 6 to 36, inclusive.
T. 12 N., R. 15 W.,
 Secs. 1 to 5, inclusive, and secs. 9 to 12, inclusive.
T. 13 N., R. 15 W.,
 Secs. 1 to 5, inclusive, and secs. 8 to 36, inclusive.
T. 13 N., R. 16 W.,
 Sec. 13;
 Sec. 14, E½;
 Sec. 23, E½;
 Secs. 24 and 25;
 Sec. 26, E½.
T. 12 N., R. 17 W.,
 Secs. 29 to 31, inclusive.
T. 13 N., R. 17 W.,
 Sec. 6.
T. 12 N., R 18 W.,
 Secs. 2, 3, 10 and 11;
 Secs. 13 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34 to 36, inclusive.
T. 13 N., R. 18 W.,
 Secs. 1 to 5, inclusive, and secs. 8 to 10, inclusive;
 Secs. 15, 16, 21 and 22;
 Secs. 26 to 28, inclusive;
 Secs. 34 and 35.
T. 14 N., R. 18 W.,
 Secs. 1 to 36, inclusive.
T. 15 N., R. 18 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 18 W.,
 Secs. 1 to 36, inclusive.
T. 16½ N., R. 18 W.,
 Secs. 21 to 29, inclusive, and secs. 31 to 36, inclusive.
T. 14 N., R. 19 W.,
 Secs. 1 to 28, inclusive;
 Sec. 29, N½ and SE¼;
 Sec. 30, lots 1 and 2, NE¼ and E½NW¼;
 Secs. 34 to 36, inclusive.
T. 15 N., R. 19 W.,
 Secs. 1 to 36, inclusive.
T. 16 N., R. 19 W.,
 Secs. 12 to 36, inclusive.
T. 14 N., R. 20 W.,
 Secs. 1 and 2;
 Secs. 11 to 14, inclusive;
 Secs. 24 and 25.
T. 15 N., R. 20 W.,
 Secs. 1 to 3, inclusive, secs. 10 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34 to 36, inclusive.
T. 16 N., R. 20 W.,
 Secs. 13 to 36, inclusive.

The lands described aggregate approximately 334,830 acres.

4. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2411.2c.

FRED J. WEILER,
State Director.

JANUARY 16, 1968.

[F.R. Doc. 68-823; Filed, Jan. 22, 1968; 8:46 a.m.]

[A 1361]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Management

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands within the Music Mountains Unit described below are hereby classified for multiple-use management, together with any land therein that may become public land in the future. Publication of this notice has the effect of segregating the public land in the described unit from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171), and from state exchange (43 U.S.C. 315g(c)). All the described lands shall remain open to all other forms of appropriation, including the mining and mineral leasing laws. As used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands classified in this notice are shown on maps on file and available for inspection in the District Office, Bureau of Land Management and Land Office, Bureau of Land Management, Federal Building, 230 North First Avenue, Phoenix, and at the Kingman Area Office, Bureau of Land Management, Kingman, Ariz. The notice of proposed classification was published in 32 F.R. 15592 and 15593, of November 9, 1967. A public hearing on the proposed classification was held on December 11, 1967 at the Holiday Inn in Kingman, Ariz. Nearly all of the comments and information received support this classification and no changes were made.

3. The lands involved are located in Mohave County and are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 23 N., R. 11 W.,
 Secs. 3 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
T. 24 N., R. 11 W.,
 Secs. 1 to 35, inclusive, outside Hualapai Indian Reservation.
T. 23 N., R. 12 W.,
 Secs. 1 to 30, inclusive;
 Sec. 31, lots 2 to 7, inclusive, E½SW¼, SE¼NW¼, SW¼NE¼, and W½SE¼;
 Secs. 33 to 36, inclusive.

T. 24 N., R. 12 W.,
Secs. 1 to 36, inclusive, outside Hualapai Indian Reservation.
T. 23 N., R. 13 W.,
Secs. 1 to 18, inclusive, outside Hualapai Indian Reservation;
Sec. 19, NE¼NW¼, N½NE¼, and SE¼ NE¼;
Secs. 20 to 28, inclusive, and secs. 34 to 36, inclusive.
T. 24 N., R. 13 W.,
Secs. 1 to 36, inclusive, outside Hualapai Indian Reservation.
T. 25 N., R. 13 W.,
Secs. 1 to 36, inclusive, outside Hualapai Indian Reservation.
T. 23 N., R. 14 W.,
Secs. 1, 2, and 12.
T. 24 N., R. 14 W.,
Secs. 1 to 4, inclusive, secs. 9 to 16, inclusive, and secs. 22 to 26, inclusive;
Secs. 35 and 36.
T. 25 N., R. 14 W.,
Secs. 1 to 18, inclusive, secs. 20 to 28, inclusive, and secs. 34 to 36, inclusive.
T. 26 N., R. 14 W.,
Secs. 1 to 36, inclusive, outside Hualapai Indian Reservation.
T. 27 N., R. 14 W.,
Secs. 30, 31, and 32, outside Hualapai Indian Reservation.
T. 25 N., R. 15 W.,
Secs. 1, 2, and 12.
T. 26 N., R. 15 W.,
Secs. 1 to 18, inclusive, secs. 20 to 28, inclusive, and secs. 34 to 36, inclusive.
T. 27 N., R. 15 W.,
Secs. 1 to 36, inclusive, outside Hualapai Indian Reservation.
T. 28 N., R. 15 W.,
Secs. 1 to 36, inclusive, outside Hualapai Indian Reservation.
T. 26 N., R. 16 W.,
Secs. 1 to 4, inclusive, and secs. 10 to 14, inclusive.
T. 27 N., R. 16 W.,
Secs. 1 to 30, inclusive, and secs. 32 to 36, inclusive.
T. 28 N., R. 16 W.,
Secs. 1 to 36, inclusive.

The lands described aggregate approximately 194,518.95 acres.

4. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2411.2c.

FRED J. WEILER,
State Director.

JANUARY 16, 1968.

[F.R. Doc. 68-824; Filed, Jan. 22, 1968; 8:46 a.m.]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 16, 1968.

The Forest Service, U.S. Department of Agriculture has filed application, Serial No. New Mexico 4229 for the withdrawal of lands described below. The lands were conveyed to the United States pursuant to section 8 of the Taylor Grazing Act. They lie within the exterior boundary of the Santa Fe National Forest. They have not been open to entry under the public land laws. The applicant desires the lands for the addition to, and the consolidation with national forest lands to permit more efficient administration thereof in the conservation of natural resources.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Chief, Division of Lands and Minerals, Program Management and Land Office, Post Office Box 1449, Santa Fe, N. Mex. 87501.

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

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

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

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

The lands involved in the application are:

Starting at a corner common to tract No. 1 marked "A.P. 1 Tr. 47 and A.P. 4 Tr. 45" from which the southwest corner of sec. 34, T. 18 N., R. 12 E., New Mexico Principal Meridian, bears south 8 minutes west, 2,533.72 feet distant as a point of beginning; thence, north 86 degrees, 45 minutes east, 1,289.64 feet to a corner marked "A.P. 5 Tr. 44"; thence, north 3 degrees, 50 minutes west, 2,533.74 feet to a corner; thence, north 86 degrees, 27 minutes east, 1,299.34 feet to a corner; thence, north 5 degrees, 39 minutes west, 1,257.96 feet to a corner market, "A.P. 1 Tr. 45 and A.P. 9 Tr. 44"; thence, north 87 degrees, 51 minutes east, 1,130.58 feet to a corner; thence, north 5 degrees, 39 minutes west, 1,257.96 feet to a corner; thence, south 87 degrees, 51 minutes west, 2,674.32 feet to a corner; thence, south 60 degrees, 15 minutes west, 383.46 feet to a corner; thence, south 12 degrees, 12 minutes west, 108.24 feet to a corner; thence, north 74 degrees, 40 minutes west; 431.6 feet to the center line of the new highway; thence, southerly along the center line of the highway to a point 360.8 feet, south 4 degrees, 4 minutes east of a corner market, "A.P. 7 Tr. 46 and A.P. 3 Tr. 45"; thence, south 4 degrees, 4 minutes east, 2,182.18 feet to a corner which is the point of beginning..

The area described, aggregates 283.066 acres.

MICHAEL T. SOLAN,
Chief, Division of Lands and Minerals, Program Management and Land Office.

[F.R. Doc. 68-821; Filed, Jan. 22, 1968; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

TENNESSEE

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 county in the State of Tennessee natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

TENNESSEE

Lake.

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 17th day of January, 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-825; Filed, Jan. 22, 1968; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case 377]

CHARTRAM TRADING CO. LTD., AND ALAN E. JEFFS

Order Denying Export Privileges

In the matter of Chartram Trading Co., Ltd. and Alan E. Jeffs, Godalming, Surrey, England, Respondents, Case No. 377.

On October 31, 1967 the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, issued a charging letter against the above respondents charging violations of the Export Control Act and regulations thereunder. The charging letter was duly served on the respondents and they filed an answer but did not request an oral hearing. In accordance with the usual practice the Compliance Commissioner held an informal hearing. At this hearing, on December 20, 1967, documentary evidence in support of the charges was presented on behalf of the Investigations Division.

The charging letter alleges in substance that the respondents, with knowledge that an order denying U.S. export privileges was in effect against J. W. Kent (Foreign Trade) Ltd., of London, England, participated in a transaction with said firm and caused U.S. automotive equipment to be exported from the United States to England via Holland without obtaining specific authorization from the Office of Export Control.

The answer of the respondents and attachment thereto in substance acknowledges that they ordered the automotive equipment from a Dutch company at the request of J. W. Kent (Foreign Trade) Ltd. but that they had no reason to believe that the goods were of U.S. origin and that at the time of the transaction they believed the goods were of Dutch origin.

The Compliance Commissioner has considered the pleadings and evidence and he has submitted to the undersigned a written report which includes a summary of the evidence, findings of fact, and findings that violations have occurred. He has recommended that remedial action as hereinafter set forth be taken against the respondents. The Compliance Commissioner has also submitted the record in the case consisting of the charging letter, respondents' answer, and the exhibits. After considering the record in the case, I hereby make the following.

Findings of fact. 1. Chartram Trading Co. Ltd., is a private limited liability company located in Godalming, Surrey, England and is engaged in the import-export business. The directors of the company are Alan E. Jaffs, D. E. Jeffs, and Jurgen Roper. The address of the firm is the private residence of Jurgen Roper. In the trnasaction hereinafter described Alan E. Jeffs acted on behalf of Chartram.

2. On November 15, 1963, the Office of Export Control, Bureau of International Commerce, issued an order against J. W. Kent (Foreign Trade) Ltd., Joseph W. Kent, and ABC Spare Parts Co., all of London, denying all U.S. export privileges for an indefinite period. This denial order was published in the FEDERAL REGISTER on November 23, 1963 (28 F.R. 12591), and is still in effect. The said order, in part, prohibited J. W. Kent (Foreign Trade) Ltd., from participating directly or indirectly in any transaction involving commodities exported or to be exported from the United States. The said order, in part, also prohibited all persons, firms, and corporations, whether in the United States or elsewhere, without prior disclosure of the facts of the transaction, and specific authorization from the Office of Export Control, from participating with a denied party in a transaction involving commodities exported or to be exported from the United States.

3. In June 1964 the respondents herein were furnished with a copy of the denial order referred to in Finding 2 and they had actual knowledge thereof prior to June 30, 1964.

4. Sometime between February 23, 1965, and April 15, 1965, the respondent Chartram and the denied party J. W. Kent (Foreign Trade) Ltd., entered into a joint transaction to obtain automotive spare parts for Chevrolet automobiles. Pursuant to said arrangement the respondents at the request of J. W. Kent (Foreign Trade) Ltd., ordered such spare parts from a supplier in Holland. The respondents were informed by the supplier in Holland that it would obtain the spare parts from the United States. Notwithstanding this information respondents proceeded with the transaction.

5. The supplier in Holland ordered and received the automotive spare parts consisting of rebuilt Chevrolet cylinder heads and crankshafts valued at approximately $5,000, from a supplier in the United States. The commodities were exported from New York and were discharged at Rotterdam. The supplier in Holland reexported the commodities to Chartram for discharge at London. On arrival of the commodites in London they were entered into a bonded warehouse.

6. The respondents did not disclose the facts of the transaction to the Bureau of International Commerce and did not receive authorization to participate in said transaction.

Based on the foregoing I have concluded that respondents violated §§ 381.3, 381.4, 381.6, and 381.10 of the U.S. Export regulations and the terms of the denial order of the Bureau of International Commerce, dated November 15, 1963 against J. W. Kent (Foreign Trade) Ltd., in that said respondents without prior disclosure of the fact to, and specific authorization of, the Office of Export Control, Bureau of International Commerce, acted in concert in a transaction with a party whose U.S. export privileges the respondents knew had been denied, in which transaction the denied party had an interest and could benefit therefrom, and in which transaction the respondents caused U.S.-origin commodities to be exported from the United States to Holland and reexported from Holland to England.

In commenting on the culpability of the respondents the Compliance Commissioner said:

It is clear from the evidence that the respondents knew not only that Kent was a denied party but also that the commodities, for which it had placed an order with the supplier in Holland, would come from the United States. The respondents knowingly participated in this transaction so that the denial order against Kent could be evaded.

Denial orders can be rendered ineffectual if accomplices cooperate with denied parties to circumvent the restrictions of such orders. This is a serious problem and has long been recognized by those engaged in the enforcement of U.S. export controls. It is often difficult to uncover such violations, particularly where the parties are in a foreign country. The willing confederate in such a scheme shares a high degree of guilt with the denied party for without the willing assistance the scheme could not be carried out.

With reference to the sanction that should be imposed the Compliance Commissioner had this to say:

On the matter of the sanction that should be imposed not only is the violation to be considered but also the attitude and forthrightness of respondents with respect thereto. On these latter points the respondents get a low rating. In their answer they claim that they had no reason to believe that the goods had been imported into Holland from America, that the letter of credit to the Dutch supplier was opened directly by J. W. Kent (Foreign Trade) Ltd., and consequently the relative shipping documents came into possession of the Kent firm and the goods were cleared by that company. In these circumstances, respondents claim, they could not have information on the invoices or case markings to show the source of the goods.

These claims are without foundation. The evidence shows that the letter of credit was opened by Chartram in favor of the Dutch supplier. Also, on the bill of lading in the shipment of the goods from Holland to London, Chartram was shown as the notify party. Further, the evidence shows that Chartram was the importer of the goods into England. And finally, in the pro-forma invoice and in a letter, both before the goods were exported from the United States, the Dutch supplier informed Chartram that the goods would come from the United States.

Notwithstanding respondents' violations and their attitude as reflected in their answer, I do not believe that they are beyond reclaim. After a significant denial period I believe that they should have the opportunity to show that they can be trusted to deal in exportations from the United States. I recommend that they be denied export privileges for the duration of export controls with the proviso that they be permitted to apply after three years for restoration of privileges while they remain on probation. If such application is filed the respondents should be required to present evidence to show their compliance with the terms of the order and to disclose such of their activities as may be necessary to determine such compliance.

Now, after considering the record in the case and the report and recommendation of the Compliance Commissioner and being of the opinion that his recommendation as to the sanction that should be imposed is fair and just and calculated to achieve effective enforcement of the law.

It is hereby ordered:

I. All outstanding validated export licenses in which respondents appear or participate in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in Paragraph IV hereof, the respondents for the duration of export controls are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States, in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their successors, representatives, agents, and employees, and also to any person, firm, corporation, or other business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. Three years after the effective date of this order, the respondents may apply to have the effective denial of their export privileges held in abeyance while they remain on probation. Such application as may be filed by said respondents shall be supported by evidence showing their compliance with the terms of this order and such disclosure of their import and export transactions as may be necessary to determine their compliance with this order. Such application will be considered on its merits and in the light of conditions and policies existing at that time. The respondents' export privileges may be restored under such terms and conditions as appear to be appropriate.

V. During the time when any respondent or other person within the scope of this order is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to, and specific authorization from, the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with any respondent or other person denied export privileges within the scope of this order, or whereby any such respondent or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

Dated: January 9, 1968.

This order shall become effective on January 22, 1968.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 68-816; Filed, Jan. 22, 1968; 8:45 a.m.]

[File Nos. 23-773, 23-811]

TRANSCONTINENTAL, S.A. ET AL.

Order Terminating Temporary Denial Order

In the Matter of Transcontinental, S.A., Inversiones Mexicanas, S.A. (successor to Transcontinental, S.A.), Ramon Cortes, Buenrostro, a.k.a., Raimundo Cortes, Ramon B. Cortez, Ignacio Hernandez Garcia, Avenida Morelos 98, Mexico D.F., Mexico; Lorenzo L. Saunders, 2801 Roanoke Lane, Tyler, Tex.; Cia. Impulsora Mexicana, S.A., Armando Arroyo Vasquez, Pople 44, Apartado Postal 21264, Mexico D.F., Mexico; Respondents, File Nos. 23-773, 23-811.

The above parties are now subject to an order temporarily denying export privileges which was entered on December 19, 1961, 26 F.R. 12534, and extended on March 19, 1962, 27 F.R. 2739, and again extended on May 1, 1962, 27 F.R. 4395. The extension of May 1, 1962 provided that the order should remain in effect until the completion of administrative compliance or other proceedings that may be initiated.

It now appearing that administrative compliance and other proceedings against the above parties have been or are about to be completed the temporary denial order is hereby terminated.

Dated: January 15, 1968.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 68-817; Filed, Jan. 22, 1968; 8:45 a.m.]

Office of the Secretary

[Dept. Order 134-1]

OFFICE OF ADMINISTRATIVE SERVICES

Organization and Functions

The following material supersedes the material appearing at 32 F.R. 10330 of July 14, 1967.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to the Director, Office of Administrative Services, and prescribe the organization and functions of the Office of Administrative Services.

SEC. 2. *General.* The Office of Administrative Services shall be headed by a Director, who shall report and be responsible to the Assistant Secretary for Administration. The Director shall be assisted by the Deputy Director who shall perform the functions of the Director during the latter's absence.

SEC. 3. *Delegation of authority.* .01 Pursuant to the authority vested in the Assistant Secretary of Commerce for Administration by Department Order 134 and subject to the applicable provisions of law, regulation, and such policies and instructions as the Assistant Secretary for Administration may prescribe, the Director, Office of Administrative Services, is delegated the authority vested in the Assistant Secretary for Administration in the field of administrative and related support services consisting of property and supply management, procurement, space management, safety, motor vehicle management, communications, library management and other Department-wide functions as assigned.

.02 The Director, Office of Administrative Services, is delegated the authority vested in the Assistant Secretary for administration by Department Order 9 to settle and pay claims for damage to, or loss of, personal property incident to his service, under the provisions of 31 U.S.C. 240-243, filed by an employee (or his duly authorized representative), of the Office of the Secretary. For purposes of exercising this authority, the Director, Office of Administrative Services, is designated Claims Officer.

.03 The Director, Office of Administrative Services, may redelegate his authority, to the extent permitted by law, to appropriate officials in the Office of Administrative Services and operating units, subject to such conditions in the exercise of such authority as he may prescribe. However, the authority delegated to the Director as Claims Officer may not be redelegated.

SEC. 4. *Organization and functions.* .01 The Office of Administrative Services shall consist of:

Office of the Director.
Program Development Staff.
Library Division.
Procurement Division.
Services Division.
Property and Records Division.
Data Processing Division.
Contract Compliance Division.

.02 The Director shall be an adviser to, and serve as the representative of, the Assistant Secretary for Administration on all matters pertaining to administrative and related support services throughout the Department consisting of: property and supply management, procurement, space management, safety, motor vehicle management, communication, library management; and other Department-wide functions as assigned by the Assistant Secretary for Administration.

.03 The Director shall also be responsible for providing direct administrative and related support services, for the Office of the Secretary, and for operating units as may be designated by the Secretary or by agreement between the Assistant Secretary for Administration and the Program Secretarial Officer involved.

.04 The Deputy Director shall be the chief operating aide to the Director, shall provide general direction of the operations of the Office and shall perform such other duties and assignments as the Director may prescribe.

.05 The Program Development Staff shall develop Department plans, policies, standards and control systems, and provide functional assistance and guidance throughout the Department with respect to the functions specified in paragraph .02 of this section.

.06 The Library Division shall provide direct library services for the Office of the Secretary and such other operating units of the Department as may be located in the Commerce Building, and serve as a reference source for libraries of operating units outside the Main Commerce Building.

.07 The Procurement Division shall administer and coordinate a program for the procurement of property and services for the Office of the Secretary and for operating units designated as provided by paragraph .03 of this section.

.08 The Services Division shall provide the following services for the Office of the Secretary and for operating units designated as provided by paragraph .03 of this section: telecommunications, cash receivables, imprest funds, travel services, correspondence routing and control, mail and messenger services, office machine repairs, sales and distribution of Department publications, receiving, shipping, motor vehicle services; and other services as assigned.

.09 The Property and Records Division shall provide the following services for the Office of the Secretary and for operating units designated as provided by paragraph .03 of this section: personal property management, space management, records management, forms management, labor services, building services liaison with General Services Administration, parking facilities; and other services as assigned.

.10 The Data Processing Division shall provide ADP and EAM services for the Office of the Secretary.

.11 The Contract Compliance Division shall, for the Office of Administrative Services and other operating and constituent units, as may be assigned by the Assistant Secretary for Administration, (a) administer a program for obtaining compliance with the nondiscrimination in employment requirements (other than Federal employment) of Executive Order 11246 and related Executive orders, and the regulations, instructions and directives issued pursuant thereto; and (b) conduct investigations and periodic compliance checks, obtain and act upon reports, attempt to secure compliance by voluntary means, and otherwise act to obtain compliance with and pursuant to the requirements of Title VI of the Civil Rights Act of 1964 and the regulations implementing it.

Sec. 5. *Department of Commerce Administrative Services Council.* There shall be a Department of Commerce Administrative Services Council, which shall consist of the Director, Office of Administrative Services, as Chairman, the Deputy Director, and the chief administrative services officers of the primary operating units of the Department. The Council will meet on a call from the Chairman for the purpose of advising and assisting in the development of policy and programs for the maximum effectiveness of administrative and facilitative services throughout the Department.

Effective date: January 10, 1968.

David R. Baldwin,
Assistant Secretary for Administration.

[F.R. Doc. 68-814; Filed, Jan. 22, 1968; 8:45 a.m.]

Office of Foreign Direct Investments

[General Authorization No. 1]

TRANSFERS OF CAPITAL

This is a General Authorization established to permit, subject to various conditions and exceptions, certain transfers of capital by direct investors in repayment of existing and future indebtedness of direct investors and of affiliated foreign nationals. This General Authorization includes authorization of transfers between a direct investor and its international finance subsidiary and delivery of stock on the exercise of conversion rights incident to the issuance of certain instruments of indebtedness and certain other matters relating to borrowings.

This General Authorization and the clarifying amendments to the Foreign Direct Investment regulations issued today constitute the first of a series of documents to be released and published by the Office of Foreign Direct Investments dealing, by way of authorization, interpretation, amendment, or otherwise, with matters within the scope of Executive Order 11387. Nothing contained herein should be construed as expressing the position of the Office on any but the matters covered hereby.

This General Authorization is issued to implement further Executive Order 11387, 33 F.R. 47, and the Foreign Direct Investment regulations, 33 F.R. 49, as amended in this issue of the Federal Register, supra (hereinafter called the "regulations").

Section 1. *Definitions.* For purposes of this General Authorization:

(a) "Bank" means any domestic bank as described in section 1000.317 of the regulations, any foreign branch or subpart thereof within a foreign country, and any bank, trust company, private bank, or merchant bank organized or incorporated under the laws of any foreign country.

(b) "Indebtedness" means an obligation to pay money to creditors in respect of bills, notes, bonds, debentures (including notes, bonds, and debentures convertible into stock), lines of credit, overdrafts, letters of credit, and short term commercial paper, or installments or portions of any of the above.

(c) "Guarantee" or "guarantees" mean (1) a written acknowledgement of secondary responsibility (whether or not legally enforceable) to a bank for the indebtedness, or with respect to the financial condition of another, and (2) a written guarantee, endorsement, surety agreement, application for letter of credit, standby agreement, or contingent contractual commitment involved in so-called "through put" agreements, "take or pay" contracts, "keep well" agreements, and other similar agreements.

(d) "International finance subsidiary" means a corporation organized under the laws of the United States or of any State, territory, possession, District of Columbia, or the Commonwealth of Puerto Rico, all of the stock (except directors' qualifying shares) of which is owned directly or indirectly by a direct investor and the principal business of which is to borrow funds from foreign nationals, other than affiliated foreign nationals, or to hold debt or equity securities of affiliated foreign nationals, or both.

Sec. 2. *Authorized Transfers of Capital.* (a) Transfers of capital in connection with indebtedness of a direct investor or an affiliated foreign national (whether incurred before or after the effective date of the regulations) are authorized as follows:

(1) If such transfer is made, pursuant to a guarantee, in payment of, or to enable the affiliated foreign national to pay, indebtedness of such affiliated foreign national (including an international finance subsidiary) when and as due and payable (not including payment pursuant to a call or like provision resting control of the time of payment in the direct investor or such affiliated foreign national): *Provided,* That, in the case of a guarantee, made after the effective date, of such indebtedness, the direct investor prior to the making of such guarantee on or before March 1, 1968 (whichever is later), shall have delivered to the Secretary a certificate executed by a duly authorized representative of the direct investor stating the amount of indebtedness covered by the guarantee and certifying that the direct investor has no reason to believe, under existing circumstances, that the affiliated foreign national will be unable to pay or otherwise satisfy such indebtedness without resort to performance under the guarantee (except, if applicable, transfers of capital referred to in paragraph (d) of this section 2).

(2) If such transfer is made in payment of, or to enable the affiliated foreign national to pay, indebtedness incurred prior to the effective date, of an affiliated foreign national (including an international finance subsidiary) to a bank, when and as due and payable (not including payment pursuant to a call or like provision resting control of the time of payment in the direct investor or such affiliated foreign national): *Provided,* That, the direct investor has determined in good faith that the affiliated foreign national has not sufficient funds available to it to pay such indebtedness.

(b) Transfers of capital in repayment of indebtedness of a direct investor (other than transfers described in paragraph (a) of this section 2), when and as due and payable (not including repayment pursuant to a call or like provision resting control of the time of payment in the direct investor), are authorized: *Provided*, That, a transfer of capital in repayment of such indebtedness shall have the effect described in section 3 of this General Authorization to the extent that (1) the use of the proceeds resulting therefrom constitutes a transfer of capital after the effective date which is not authorized or exempted pursuant to any provision of the regulations or which would have constituted such a transfer of capital prior to the effective date within the meaning of § 1000.312 of the regulations had they been in effect when such indebtedness was incurred, or (2) the indebtedness was deducted from direct investment during 1968 or any subsequent year under § 1000.504(b) of the regulations: *And further provided*, That, with respect to indebtedness incurred after the effective date, the direct investor prior to incurring such indebtedness or on or before March 1, 1968 (whichever is later) shall have delivered to the Secretary a certificate executed by a duly authorized representative of the direct investor stating the amount of the indebtedness and to the effect that the direct investor has reason to believe that, under existing circumstances, the borrowing will ultimately be repaid or satisfied from sources outside the United States.

(c) For purposes of this General Authorization, any indebtedness which is incurred under a fixed loan commitment or line of credit established prior to the effective date shall be deemed indebtedness incurred prior to the effective date, whether or not such loan commitment or line of credit or obligation is subsequently renewed or otherwise extended: *Provided*, That, (1) any indebtedness incurred pursuant to a material increase, after the effective date, in the maximum limit of such loan commitment or line of credit shall be deemed, pro tanto, to be indebtedness incurred after the effective date, and (2) any transfer of capital in repayment of indebtedness, whenever incurred, shall be deemed a transfer of capital in repayment of indebtedness incurred after the effective date to the extent such repayment is made without resort to the option in the debtor, if any, to renew or extend such indebtedness (except repayments involved in the refunding of such indebtedness with the same or another lender).

(d) Transfers of capital consisting of delivery of equity securities pursuant to conversion or similar rights to holders of instruments of indebtedness issued by a direct investor or its affiliated foreign national (including an international finance subsidiary), which instruments were or are sold through underwriters in accordance with agreements limiting such sales (other than sales to underwriters and dealers) to persons other than residents or nationals of the United States, are authorized. [Such transfers of capital shall have the effect described in section 3 of this General Authorization, the amount of the transfer in each year to be equal to the aggregate principal amount of indebtedness surrendered in such year by the holders thereof in exchange for such equity securities.] Any acquisition by the direct investor of such instruments of indebtedness or the cancellation thereof or the transfer of such equity securities to the affiliated foreign national which originally issued the instruments of indebtedness, in connection with the exercise of such conversion or similar rights, will not constitute a transfer of capital.

(e) Any person other than an affiliated foreign national who has extended credit or shall contemplate the extension of credit in connection with or in anticipation of transfers of capital authorized by this General Authorization upon the filing of any certificate with the Secretary required by this General Authorization, or who otherwise has or shall have reason to rely on the existence of such certificate, may rely on such certificate as filed with the Secretary by the direct investor or an authorized representative thereof attesting to the facts which would make such authorization available.

SEC. 3. *Effect of certain transfers.* (a) Each transfer of capital authorized pursuant to paragraph (a) of section 2 or made subject to this section by the provisions of paragraph (b) or (c) of section 2 shall result in an equal reduction of the amount of direct investment authorized by § 1000.504(a) of the regulations; *provided that,* such reduction shall not be made to the extent that such transfer of capital is offset by funds transferred after the effective date to an account owned by such direct investor denominated in U.S. dollars at a domestic bank if such funds, whether transferred before or after the date of such transfer of capital, are from such of the direct investor's resources as are derived from (1) payments to it by affiliated foreign nationals outside the United States in excess of amounts representing earnings required to be repatriated by § 1000.202 of the regulations, or (2) the proceeds of sale to foreign nationals outside the United States (other than affiliated foreign nationals) of any portion of the direct investor's interest in an affiliated foreign national, or the obligations thereof, or portfolio securities of a non-affiliated foreign national, not otherwise deducted in determining the amount of transfers of capital.

(b) Such reduction shall first be applied to the amount of direct investment remaining authorized under § 1000.504 (a) of the regulations for the current year at the date of such transfer of capital, and then to the total amount of direct investment authorized thereunder in each succeeding year, until aggregate reductions equal to such transfer of capital shall have been made. In computing the amount of such reductions, (1) the transfer of capital shall be allocated among Schedule A, B, and C countries in the same proportions as the proceeds of the indebtedness satisfied by such transfer were originally employed (without regard to interim or intermediate investment), and (2) in the case of the payment of indebtedness only part of which constitutes a transfer of capital subject to this section 3, such payment shall be proportionately allocated to such transfer, all subject to the right in each case in the Secretary to reallocate such amounts, after notice to the direct investor, in a reasonable manner consistent with the sense of the regulations.

(c) In calculating reductions of direct investment under paragraphs (a) and (b) of this section 3, any such reduction with respect to paragraphs (1) and (2) of § 1000.504(a) of the regulations shall be applied both to transfers of capital authorized by such subparagraphs and, to the extent necessary, in calculating the amount of total earnings of affiliated foreign nationals required to be repatriated pursuant to paragraphs (a) and (b), respectively, of § 1000.202 of the regulations; any such reduction made with respect to paragraph (3) of § 1000.504(a) of the regulations shall result in an equal increase in the amount of total earnings required to be repatriated pursuant to paragraph (c)(2) of § 1000.202 of the regulations. Any increase in repatriation of earnings thus required by this paragraph (c) shall be applied to earnings of the current year and of each succeeding year until aggregate increases equal to such transfer of capital shall have been made.

SEC. 4. *International finance subsidiaries.* Unless in a specific case the Director shall give notice to the contrary to the direct investor, transfers of capital between a direct investor and its international finance subsidiary or subsidiaries are authorized.

SEC. 5. *Effect upon banks.* A bank is authorized to transfer funds to a foreign national or nationals by or upon the instructions of any direct investor or affiliated foreign national, to make loans and other extensions of credit, transfer the proceeds thereof, and to receive payments with respect thereto, all without responsibility as to whether the same may be in contravention of the regulations or the conditions of any authorization issued pursuant thereto, except for requiring production of a copy of the certificate required by the regulations or by general or specific authorizations to be filed with the Secretary if such certificate is required for the repayment of the obligation to the bank: *Provided*, That nothing in this section 5 shall relieve any direct investor from compliance with the regulations or the provisions of any ruling, instruction, authorization, license, waiver or exemption issued pursuant thereto.

SEC. 6. *Effective date.* This General Authorization shall be effective as of the effective date of the regulations.

Dated: January 22, 1968.

A. B. TROWBRIDGE,
Secretary of Commerce.

[F.R. Doc. 68-950; Filed, Jan. 22, 1968; 3:11 p.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

DRUGS FOR HUMAN USE CONTAINING RUTIN, QUERCETIN, HESPERIDIN, OR BIOFLAVONOIDS

New-Drug Applications

The Food and Drug Administration published in the FEDERAL REGISTER July 9, 1966 (31 F.R. 9426), an announcement of the agreement by the National Academy of Sciences—National Research Council to assist the Food and Drug Administration in its review of the claims of effectiveness for the new drugs cleared between 1938 and October 10, 1962, on the basis of safety. Each holder of a new-drug application approved during that period was given an opportunity to present for the consideration of the reviewing experts the best data available to support the medical claims.

The Academy has submitted a report on a number of drugs containing rutin, quercetin, and citrus bioflavonoid compound. The Food and Drug Administration has considered the report and has concluded on the basis of the report and its own evaluations that there is no evidence that rutin, quercetin, hesperidin, or bioflavonoids are effective for use in man for any condition.

Under the Kefauver-Harris Amendments of 1962 to the Federal Food, Drug, and Cosmetic Act, lack of substantial evidence of effectiveness that a drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling is a basis for withdrawing approval of a new-drug application.

The Commissioner of Food and Drugs intends to publish a notice of opportunity for a hearing on a proposal to withdraw approval of all new-drug applications for drugs containing rutin, quercetin, hesperidin, or bioflavonoids alone and in combination with other drugs.

Promulgation of an order withdrawing approval of such new-drug applications will classify drugs containing any of these components as new drugs for which an approved new-drug application is not in effect. Any such drugs then on the market would be subject to regulatory proceedings. These components should also be withdrawn from dietary food supplements to avoid misbrandings.

Prior to initiating such action, however, the Commissioner of Food and Drugs invites all holders of new-drug applications which became effective under the new-drug provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505; 21 U.S.C. 355) for drugs containing rutin, quercetin, hesperidin, or bioflavonoids, and any persons who may be adversely affected by such action, to attend a meeting on January 31, 1968, at 1:30 p.m. in Room 804, Crystal Plaza No. 6, 2221 Jefferson Davis Highway, Arlington, Va. The purpose of the meeting will be to discuss the procedural matters involved in the proposed action of the Commissioner and to attempt to identify and resolve problems that may be anticipated as a result of the actions to be taken. Representatives who intend to participate in this meeting are asked to notify the agency in advance by writing to the Director, Bureau of Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204, or calling his office (area code 703, 557-2686).

This announcement is made to give notice to interested persons of the proposed action and implementation of the NAS-NRC reports for the drugs listed above.

This statement is issued pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 701(a), 52 Stat. 1050, as amended, 1052, as amended, 1055; 21 U.S.C. 352, 355, 371(a)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 15, 1968.

WINTON B. RANKIN,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 68-811; Filed, Jan. 22, 1968; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19126; Order No. E-26251]

ALLEGHENY AIRLINES, INC.

Order To Show Cause Regarding Certificate of Public Convenience and Necessity

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of January 1968.

On October 16, 1967, Allegheny Airlines, Inc. (Allegheny), filed an application requesting amendment of its certificate of public convenience and necessity for Route 97 by adding a new segment between the terminal point Louisville, Ky., and the terminal point Pittsburgh, Pa. Simultaneously, Allegheny along with the Louisville and Jefferson County Air Board and the Louisville Chamber of Commerce filed a petition for issuance of an order to show cause why a new segment between Louisville and Pittsburgh should not be granted on a subsidy-ineligible basis. In support of this petition Allegheny and the other parties allege in pertinent part that: There is an urgent need for new and improved air service between Louisville and Pittsburgh/Philadelphia/Boston; the need for improved service in these markets has never been fully explored by the Board; this proposal would provide much needed service improvements in these markets besides new single-carrier services between Louisville and other northeastern points served by Allegheny; nearly 72,000 passengers would be benefited in the first full year of service; Allegheny would earn an operating profit of about $600,000 and a reduction in subsidy need of almost $325,000; there would be no significant adverse impact on any other local service carrier or trunkline carrier; and that the request is limited in scope, is in the public interest and consistent with the Board's policy of reducing subsidy through route strengthening.

American Airlines, Inc. (American), filed an answer to the petition.[1] In its answer American stated that it would not object to Allegheny being "summarily" awarded a new nonstop segment between Louisville and Pittsburgh: *Provided*, That Allegheny's authority to operate over the segment beyond Pittsburgh were restricted to a Boston-Louisville two-stop service via Philadelphia and Pittsburgh. In this connection, American noted that it presently holds two-stop Louisville-Boston authority. No objections to the applications were received.

Upon consideration of the foregoing pleadings we have decided to grant the petition for an order to show cause; and we tentatively find and conclude that Allegeheny's certificate of public convenience and necessity for Route 97 should be amended by the addition of a new segment extending between the terminal point Louisville, Ky., and the terminal point Pittsburgh, Pa.

We tentatively find that these service benefits would be obtained without any significant diversion from the existing carriers in the markets at issue. No carrier has alleged that this proposal would cause it to suffer diversion and it is apparent that the diversionary impact Allegheny estimates its services would have upon American, Eastern Air Lines, and Trans World Airlines is of negligible proportions.

We tentatively find that Allegheny's proposal will result in a reduction in subsidy need in the first full year of operations.[2] In view of this favorable financial forecast and the other factors discussed above, we tentatively conclude that Allegheny should be awarded the authority it seeks on a subsidy-ineligible basis.[3] In reaching our conclusion we are mindful of the fact that Allegheny proposes one-stop service in the Pittsburgh-Boston market. This would appear to conflict with condition (5)(a) of Allegheny's certificate, which inter alia conditions its authority to overfly intermediate points between Philadelphia and Boston on the scheduling of at least two intermediate points on flights between Pittsburgh and Boston. However, we need not decide that question at this time. Assuming that Allegheny must make an additional stop between Louisville and Boston, the addition of the extra stop would not in our opinion have any significant effect on

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[1] Although Eastern Air Lines, Inc., had requested an extension of the time for filing answers to the petition, Eastern never did file an answer to the petition.

[2] Under Subpart K of the Board's Procedural Regulations the reduction in subsidy need amounts to $620,989.

[3] In view of this subsidy reduction, should a certificate be awarded to Allegheny for the authority sought herein, its effectiveness will be withheld pending an ad hoc subsidy adjustment.

the overall financial results of Allegheny's proposal and the tentative award made herein is still warranted.

We also have tentatively decided not to impose the two-stop restriction on Allegheny's proposal which American has requested. The restriction is not necessary since in any event, under the most liberal interpretation of Allegheny's existing authority in connection with this award, the carrier would be able to provide only a two-stop service between Louisville and Boston. While nonstop authority in the Pittsburgh-Boston market is in issue for Allegheny in the Allegheny Route 97 Investigation, Docket 17436, we are not disposed to impose any restriction in anticipation of the possible outcome of that proceeding.[4]

The action which we propose to take herein is in harmony with out policy to act affirmatively in situations which hold promise for route strengthening for local service carriers where it appears that the public will benefit substantially.[5]

In granting interested persons the opportunity to show cause why our tentative findings and conclusions should not be adopted, we expect such persons to support their objections with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law supported by legal precedent or detailed economic analysis.

Accordingly, it is ordered, That:

1. A proceeding be and it hereby is instituted in Docket 19126, pursuant to section 401(g) of the Federal Aviation Act of 1958, as amended, to determine whether the public convenience and necessity require, and the Board should order, the amendment of the certificate of public convenience and necessity held by Allegheny Airlines, Inc., for Route 97 so as to add a new segment between Louisville, Ky., and Pittsburgh, Pa., and make Louisville-Pittsburgh flights ineligible for subsidy.

2. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, and issue to Allegheny a certificate of public convenience and necessity amended in the manner set forth in ordering paragraph 1 above;

3. Any interested persons having objection to issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding, a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

4. If timely and properly supported objections are filed, full consideration will be accorded the matters of issues raised by the objections before further action is taken by the Board;[6]

5. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action; and

6. A copy of this order should be served upon the following persons who are hereby made parties to this proceeding: City of Boston, Mass.; city of Louisville, Ky., Louisville and Jefferson County Air Board, Ky., Louisville Chamber of Commerce; city of Philadelphia, Pa.; city of Pittsburgh, Pa.; Allegheny Airlines, Inc.; American Airlines, Inc.; Eastern Air Lines, Inc.; Lake Central Airlines, Inc.; and Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

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

[F.R. Doc. 68-832; Filed, Jan. 22, 1968; 8:46 a.m.]

[4] See Order E-25907, Oct. 31, 1967, p. 2, n. 4.

[5] See Order E-25387, July 7, 1967.

[6] All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained. Nor shall the filing of any such motions, requests or petitions for reconsideration operate to stay the effectiveness of par. 3.

[Docket No. 18531]

DOMESTIC COTERMINAL POINTS-EUROPE ALL-CARGO SERVICE INVESTIGATION

Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding will commence on Tuesday, February 13, 1968, at 10 a.m., local time, in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Merritt Ruhlen.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the prehearing conference report and all other documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., January 17, 1968.

[SEAL] MERRITT RUHLEN, *Hearing Examiner*.

[F.R. Doc. 68-833; Filed, Jan. 22, 1968; 8:46 a.m.]

[Docket No. 19508; Order No. E-26254]

DOMESTIC TRUNKLINE CARRIERS

Order of Investigation and Suspension Regarding Rounding of Fares and Revision of Family Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of January 1968.

By tariff revisions,[1] filed on or after November 15, 1967, and marked to become effective February 1, 1968, the domestic trunkline carriers have proposed: (1) Rounding of fares (regular and promotional) to whole dollar amounts, and (2) modifications of their family fares.

All the domestic trunkline carriers have proposed to round their regular fares and most of their promotional fares to whole dollar amounts. Fares for distances over 750 miles would be adjusted downward to the next whole dollar amount and fares for distances of 750 miles or less will be raised to the next whole dollar amount.

The domestic family fares presently provide four different levels of discount, and these discounts vary between first-class and coach, and between weekdays and weekends. As a result, more than one schedule of discounts is available with up to nine possible discount combinations. Under their proposal, most of the carriers[2] would provide one schedule of discounts for both first-class and coach on both weekdays and weekends, thus reducing the number of possible discount combinations from nine to three. A comparison of the proposed family fare discounts against the present discounts is as follows:

Member of the family	Proposed	Present		
		First-class	Coach week-days	Coach week-ends
	Percent	*Percent*	*Percent*	*Percent*
Spouse	25	25	33⅓	25
Child, age 12-21	50	25	66⅔	25
Child, under 12	66⅔	50	66⅔	50

Under the proposed plan, the accompanying spouse (assuming the head of the family pays a full adult fare), will pay 75 percent of the full adult first-class or coach fare. If no spouse is accompanying the head of the family, then the first child from 2 through 21 years of age will be charged 75 percent of the regular adult fare. Each additional child 12 through 21 years of age will be charged 50 percent of the regular fare and any additional child from 2 through 11 years of age 33⅓ percent of the applicable regular adult fare.

No complaints have been filed.

In support of their rounding proposal, the carriers submit that with few exceptions the present airline fares are not in whole dollar amounts, and that this situation complicates the ticketing process by making it more difficult for airline personnel to compute regular and promotional fares, and compute the transportation tax; that the display and quotation of fares to the public are complicated; and that fare administration and revenue accounting costs are consequently increased. The carriers contend that rounding fares to whole dollar

[1] Revisions to Airline Tariff Publishers, Inc., Agent, Passenger Fares Tariffs CAB Nos. 43, 90, 98, and 101; and Eastern Air Lines, Inc., Tariffs CAB Nos. 75 and 83.

[2] All the domestic trunkline carriers, except Continental and Northwest.

amounts would speed up ticketing, facilitate fare quotation at the ticket counter or in reservations, and simplify revenue accounting procedures. It is further stated that numerous airlines and private companies are currently involved in an intensive study to determine the feasibility of a computerized reservation and fare quotation system, and that the publication of fares to whole dollar amounts would aid this project and mechanization of certain airline functions.

In support of their family fare proposal, the carriers state that in the present form the family fares are unduly complex; that the numerous promotional fares the airlines have introduced in recent years have further complicated the reservations and ticketing processes and have increased airline costs; and that the proposed changes from nine discount situations to three would simplify the family fares for a substantial volume of traffic. It is asserted the revised family fares would provide an increase in the discount for certain types of family travel and a reduction in the discount for other types of family travel; and that the changes will tend to offset each other, and the net effect on total passenger revenues will be minimal, as some passengers will pay more, some will pay less, some will be diverted to other fares, and some will be lost.

On the basis of matters now before us, the Board believes that the carriers' proposal to round their regular and promotional fares should be permitted to become effective. The publication of fares in whole dollar amounts, as the carriers assert, should be a worthwhile step toward fare simplification and the instant proposal would involve only a very modest cost to the traveling public. It should not have any measurable effect on traffic generation. No fare would be increased by more than 95 cents and the increases would be very nearly balanced by the decreases. The average increase and decrease is probably less than 50 cents per ticket. The net increase amounts to only two-tenths of 1 percent of trunkline passenger revenues and would not affect industry earnings' rates. Moreover, the proposed formula would produce a warranted increase in the taper in the fare structure.

The proposal to modify the family fare discounts presents a different situation, however. While some of the discounts would be increased and some decreased, it appears that the latter would outweigh the former by a considerable margin. Moreover, the family discounts have been used by a significant proportion of the traveling public. In the third quarter of 1967, some 7 percent of domestic trunkline passenger miles represented family discount travel. However, the data furnished by the carriers have not sufficiently shown the likely effect of the proposed changes in terms of traffic carried and revenues realized. While some of the carriers have furnished estimates of the dollar effect of the proposed discount changes, the underlying assumptions have not generally been shown and the estimates seem to vary widely from carrier to carrier. Although the Board has generally permitted carriers to modify promotional discounts, it is essential that the effect of changes which involve fare increases and significant volumes of traffic be carefully studied. This is all the more true now when the public interest requires all reasonable measures be taken to enhance domestic travel. Accordingly, we have decided to suspend and investigate the family fare proposals pending receipt and analysis of definitive and reliable data as to their likely impact on traffic and revenues.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions described in Appendix A[3] attached hereto, and rules, regulations, and practices affecting such fares and provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, of otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto are suspended (insofar as they apply to interstate or overseas air transportation) and their use deferred to and including April 30, 1968, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. This investigation be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

4. A copy of this order will be filed with the aforesaid tariffs and be served on American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northeast Airlines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and Western Air Lines, Inc., which are made parties to this proceeding.

This order will be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-834; Filed, Jan. 22, 1968; 8:47 a.m.]

[3] Appendix A filed as part of original document.

[Docket No. 18650; Order No. E-26249]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

JANUARY 17, 1968.

Issued under delegated authority.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated January 4, 1968, names additional rates under an existing commodity description as set forth below. The new rates reflect reductions ranging from 6.1 to 16.7 percent and are consistent with the present level of commodity rates within the area.

Commodity Item 4109—Aircraft Engines and Parts of Aircraft—Excluding Fuselages, Wings, 25 cents per kg., minimum weight 500 kgs., Bogota to Miami; 46 cents per kg., minimum weight 500 kgs., Miami to Bogota.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

Agreement CAB 19654, R-65, be approved, provided approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the Federal Register.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-835; Filed, Jan. 22, 1968; 8:47 a.m.]

[Docket No. 17828; Order No. E-26248]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Delayed Inaugural Flights

JANUARY 17, 1968.

Issued under delegated authority.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolution of Traffic Conference 3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 200h—Free and Reduced Fare Transportation for Inaugural Flights.

The agreement has been assigned the above-designated CAB agreement number.

The agreement permits Pan American World Airways to postpone its inaugural flights between Pago Pago and Noumea and between Noumea and Sydney to a date no later than April 30, 1968.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that Resolution 300 (Mail 257) 200h is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Agreement CAB 20008 is approved.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

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

[F.R. Doc. 68-836; Filed Jan. 22, 1968; 8:47 a.m.]

[Docket No. 13196; Order No. E-26246]

NATIONAL AIR TAXI CONFERENCE, INC.

Order of Tentative Approval

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 17th day of January 1968.

By Order E-19008, adopted November 14, 1962, the Board approved pursuant to section 412 of the Federal Aviation Act of 1958, as amended (the Act), agreements among members of the National Air Taxi Conference (NATC), identified as Agreements CAB 13700 and 13700-A1, which set forth the Bylaws of NATC and the Code of Operating Practices by which the NATC members have agreed to be bound.

The foregoing approval was made subject to various conditions including one which provides that NATC shall not accept "associate members" into its organization except upon prior approval of the Board.[1] In deciding to impose this condition on its approval the Board noted that at that time NATC had no associate members and had had none in the past. The Board therefore concluded that acceptance by the air carrier members of non-air-taxi operator members, which the Board has no power to regulate, might create difficulties unforeseeable at the time since the Board was unaware of the types of companies which might fall within this category of membership.[2]

On September 27, 1967, NATC filed an application requesting that the Board permit acceptance into the organization, as associate members, of airframe manufacturers of light aircraft of the type now being utilized and which may be utilized and which may be suitable and authorized for operation by air-taxi operators under, in accordance with, and subject to the limitations of Part 298 of the Board's Economic Regulations.

In support of its application NATC stated inter alia, that its experience since 1962 has reflected an increasing amount of informal interchange between manufacturers of light aircraft used in the general aviation industry and by air-taxi operators, particularly as commercial use of light aircraft in common carrier services for compensation and hire has developed and expanded; that since its membership represents a broad spectrum of air-taxi services, the NATC headquarters office has been relied upon to an increasing extent as the most effective and practical avenue for interchange and coordination of information, views and recommendations between air-taxi companies and manufacturers; that in addition, individual manufacturers have participated through designated officers and representatives, on an informal basis, at various meetings of the board of directors, officers and committees of NATC and have generally been represented in force at annual membership meetings; and that, as a result, a number of the aircraft manufacturers have on various occasions expressed a desire to b efberdpmUnereceri EEEEE desire to be received into the organization as associate members in order to provide for more regularized and effective communication between them and the regular members of NATC.[3]

NATC further submits that on the basis of past experience the nature of the informal information exchange has been in the area of engineering, technical, and operating matters, and enhancement of safety directed to problems found in actual operations, from both a performance and economic point of view, and in improving performance characteristics and safety of new aircraft models and new versions of earlier models, based on the operating experience and knowledge of the air-taxi users of such equipment; that the exchange is reciprocal in that valuable information on operational and engineering techniques in the use of such aircraft is made available to the air-taxi industry; and that the net effect of the dialogue which is sought to be regularized would be beneficial not only to the manufacturers and the air-taxi operators, but also to general aviation and the public in general.

NATC also states that it has been concluded, as a result of past experience, that the interchange of views on projects of common interest to both the operators and maufacturers can be advanced materially by accepting interested manufacturers into the conference as associate members. As a further consideration, NATC and the manufacturers believe that the functions discussed herein could be advanced and facilitated by a sharing of overhead and other expenses of NATC and that such valuable functions can be effectively expanded with additional financial support to supplement the limited administrative budget of NATC.

No comments in opposition to approval of the application have been filed.

On the basis of the facts before us, the admittance to associate membership in NATC of airframe manufacturers of light aircraft of the type discussed would not appear to be adverse to the public interest or in violation of the Act. It appears that admittance of airframe manufacturers as nonvoting associate members could enhance the use of NATC as a conduit and forum for the exchange between air-taxi operators and manufacturers of technical and operating information. In turn, this could benefit not only NATC members but air-taxi operators in general and general aviation and the public at large, through improved efficiency and safety in air-taxi-type operations.

On the basis of the foregoing considerations, the Board has decided tentatively to approve the application subject to the condition that associate membership in NATC shall be open to any airframe manufacturer of air-taxi-category aircraft. Before making our tentative decision final, however, we shall afford interested persons a period of 30 days within which to file comments in support of or in opposition to the Board's tentative conclusion herein.

Accordingly, it is ordered:

1. That action on the instant application be and it hereby is deferred; and
2. That interested persons be and they hereby are afforded a period of 30 days from the date of service hereof within which to file comments in support of or in opposition to the Board's tentative action herein.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

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

[F.R. Doc. 68-837; Filed, Jan. 22, 1968; 8:47 a.m.]

[Docket No. 19476 etc.]

SCANDINAVIAN AIRLINES SYSTEM ET AL.

Notice of Hearing Regarding Stopover Privileges at Anchorage, Alaska

Scandinavian Airlines System, Docket No. 19476; KLM Royal Dutch Airlines,

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[1] According to the NATC Bylaws, associate members consist of establishments (other than air carriers) engaged in pursuits related directly or indirectly to aeronautical activities.

[2] Order E-17743, adopted Nov. 20, 1961.

[3] The manufacturers who have expressed an interest in or urged provision for associate memberships, specifically are:
Beech Aircraft Corp.
Cessna Aircraft Co.
De Havilland Aircraft.
Piper Aircraft Corp.
Aero Commander Division of Rockwell-Standard.

Docket No. 19477; Compagnie Nationale Air France, Docket No. 19478; Japan Air Lines, Docket No. 19503:

Applications for renewal of stopover privileges at Anchorage, Alaska.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled applications is assigned to be held on February 1, 1968, beginning at 10 a.m., e.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Hyman Goldberg.

Dated at Washington, D.C., January 17, 1968.

[SEAL] THOMAS L. WRENN, *Chief Examiner.*

[F.R. Doc. 68-838; Filed, Jan. 22, 1968; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16813, 16814; FCC 68R-13]

1400 CORP. (KBMI) AND JOSEPH JULIAN MARANDOLA

Memorandum Opinion and Order Enlarging Issues

In re applications of 1400 Corp. (KBMI), Henderson, Nev., Docket No. 16813, File No. BR-2937; for renewal of license of Station KBMI; Joseph Julian Marandola, Henderson, Nev., Docket No. 16814, File No. BP-16411; for construction permit.

1. This proceeding involves the applications of 1400 Corp. (KBMI) for renewal of license of its standard broadcast station KBMI in Henderson, Nev., and the mutually exclusive application of Joseph Julian Marandola (Marandola) for an identical new facility in Henderson. The Commission, by memorandum opinion and order, FCC 66-718, released August 17, 1966, designated the applications for hearing to determine whether the KBMI license should be renewed for the purpose of assigning it to Thomas L. Brennen,[1] or whether Marandola should be authorized to use the frequency. Financial qualification issues were specified as to Brennen, and the standard comparative issue was specified as to Brennen and Marandola. By subsequent memorandum opinion and order, FCC 67-344, released March 24, 1967, the Commission modified its original designation order by directing that all reference to Brennen's application be deleted, that his application be dismissed, and that a hearing proceed on the standard comparative issue between KBMI and Marandola.[2] Presently before the Review Board is a petition to enlarge issues, filed June 29, 1967, by the Broadcast Bureau,[3] requesting the addition of the following issues:

(1) To determine whether Maxwell Richmond has failed to file agreements, documents, or understandings pertaining to the operation and control of Station KBMI, which agreements, documents or understandings are required to be filed by the provisions of § 1.613 of the Commission's rules.

(2) To determine whether Maxwell Richmond and 1400 Corp. have failed to amend the application for renewal filed December 1, 1959, to reflect material changes in that application as required by § 1.65 of the Commission's rules.

(3) To determine whether Maxwell Richmond and 1400 Corp. have exercised adequate supervision over the operation of Station KBMI and whether at any time have relinquished control thereof to any other person without receiving prior consent of the Commission in violation of section 310(b) of the Communications Act.

(4) To determine all of the facts and circumstances with respect to the operation of Station KBMI since the date of June 13, 1966.

(5) To determine whether 1400 Corp. and Maxwell Richmond have made misrepresentations to the Commission or have omitted to state material facts necessary to the consideration of the renewal application of KBMI and whether said 1400 Corp. and Maxwell Richmond have been lacking in candor.

(6) To determine whether, in light of the evidence adduced with respect to the foregoing issues, Maxwell Richmond and 1400 Corp. possess the requisite qualifications to be licensees of the Commission.

(7) To determine whether, in light of the evidence adduced with respect to the foregoing issues, a grant of the above-captioned application would serve the public interest, convenience and necessity.

2. In support of the request for the above issues the Bureau submits an affidavit of one of its investigators;[4] and certain letters and enclosures to the Commission from persons who were assertedly operating the station for the licensee herein.[5] The Bureau also submits "background" information compiled from the Commission's files. At the outset, KBMI opposes the petition on the grounds that there is an insufficient showing under § 1.229 of the Commission's rules. In support of this allegation, it argues that the affidavit is a violation of the hearsay rule, and that the "unsworn statements" of station personnel are inadequate. Thus, it contends, the bulk of the Bureau's showing in this petition is unworthy of consideration by the Board. However, the letters to the Commission (with enclosures), signed by key station personnel, and the conversation set forth in the affidavit, represent views of persons with first-hand knowledge of the facts; and the issues arising from the Bureau's petition were joined by KBMI with information and affidavits of its own, essentially representing the views of Maxwell Richmond, who also had first-hand knowledge of the facts.[6] As a further obstacle to the Bureau's petition, KBMI asserts that the petition is untimely and for that reason should be dismissed. The Bureau concedes that its petition is late, but it urges that good cause has been shown for its tardiness. In support of this contention the Bureau asserts that the information relating to the petition did not come to the attention of counsel for the Bureau until May 5, 1967.[7] Moreover, it is alleged, after that date, further information was sought from Richmond, who did not respond. Thus, on June 29, 1967, the Bureau determined to submit its petition without the supplemental information it sought. There is no question that the petition is late. We also agree with KBMI that there is a substantial question whether good cause for this delay has been shown.[8] However, the petition raises serious public interest questions and we feel, for the reasons hereinafter set forth, that the requirements for adding issues under these circumstances, as set forth in

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[1] On July 6, 1964, KBMI filed an application to assign its license to Brennen because the station had incurred substantial losses; because Maxwell Richmond, president of KBMI, "finds it necessary to devote all of his time to * * * other interests;" and because of "serious and unanticipated difficulties."

[2] Because the Commission was unable to ascertain whether KBMI was prosecuting its application for the sole purpose of transferring its license to Brennen or in order to continue operating the station itself (in the light of KBMI's "Statement of Position," filed Sept. 14, 1966), it requested, by letter of Feb. 17, 1967 (FCC 67-302), that KBMI "elect" which it would do. By return letter of Feb. 27, 1967, KBMI, by its attorney, stated that it was prosecuting its renewal application alone and not as a step toward an assignment to Brennen.

[3] The following pleadings are also before the Review Board: (a) KBMI's opposition to the petition to enlarge, filed July 28, 1967; and (b) the Bureau's reply to the opposition, filed Sept. 13, 1967.

[4] The affidavit relates two telephone conversations both allegedly with members of the Rogers "group" (those persons allegedly operating the licensee's station) and concerns the group's relation to station KBMI; its licensee, 1400 Corp.; and the corporation's president, Maxwell Richmond.

[5] The enclosures include copies of letters between members of the Rogers group and other persons associated with Maxwell Richmond.

[6] Along with its opposition, KBMI submitted affidavits of Maxwell Richmond, Norman Solomon (allegedly Richmond's agent), and Samuel Shapiro (CPA for 1400 Corp.); a copy of an "Employment Agreement," unsigned by Richmond, but signed by members of the Rogers group; and certain letters and interoffice communications.

[7] The designation order in this proceeding was released on Mar. 24, 1967, and published in the FEDERAL REGISTER on Mar. 29, 1967. Thus, the last day for filing petitions to enlarge was Apr. 13, 1967.

[8] See West Central Ohio Broadcasters, FCC 66R-344, 8 RR 2d 623 (1966); James L. Hutchens, FCC 66R-419, 8 RR 2d 653 (1966). The Board is also cognizant of the fact that the Broadcast Bureau is as subject to the provisions of Rule 1.229 as are private parties. Bay Shore Broadcasting Co., FCC 63R-61, 24 RR 988 (1963).

Edgefield-Saluda Radio Co., FCC 66R-372, 8 RR 2d 611 (1966) have, for certain requested issues, been met.

THE FACTS AND ALLEGATIONS

3. Because of the complexity of the chronology and allegations presented, a summary thereof, in relation to the issues sought to be added, might be helpful in understanding our disposition of the petition. On March 11, 1959, the license for station KBMI was assigned to Maxwell Richmond.[9] At that time, the station was silent. On August 21, 1959, Richmond effected an assignment of the license to 1400 Corp., of which he was (and still is) president and sole stockholder. During this period the station remained silent. Since its license was to expire on October 1, 1959, KBMI submitted its renewal application to the Commission on September 10, 1959. This application is still pending and is the one under consideration in this proceeding. On October 12, 1959, the station resumed operation; however, it again went silent on May 13, 1960. On July 6, 1964, the 1400 Corp. applied to the Commission to assign its license to Thomas L. Brennen, but subsequently elected to prosecute its application alone. See footnotes 1 and 2, supra. On April 13, 1966, the Commission, by letter (FCC 66-333) denied KBMI's request to remain silent and put it on notice that its renewal application would be dismissed unless it notified the Commission within 30 days of its intention to resume operations, and unless it did in fact resume operations within 60 days. It is uncontroverted that during this period Richmond sought the services of David Rogers, whom he had previously known, and who had done engineering work for him earlier in connection with station KBMI, to assist in getting the station back on the air. It appears that Rogers did help Richmond and on June 13, 1966, the station resumed operation.

4. At some time prior to the resumption date, Rogers and Richmond began negotiations looking toward Rogers' permanent employment with the station. The negotiations evidenced a desire on Rogers' part to secure the assistance of other persons to help him operate the station for Richmond. Apparently, this was also contemplated by Richmond, for, either before, or shortly after, the station went back on the air, he sent a draft of an "Employment Agreement" to Rogers. Rogers was to procure the signatures of the members of his "group",[10] sign it himself, then return it to Richmond in Boston. The "Agreement" provides that the members of the group, termed "employees", were to be jointly and severally obligated by the terms thereof to the 1400 Corp., the "employer", and it further provides the following summarized terms: (1) The members of the group were to have certain FCC licenses; (2) the Corporation was to pay "so many dollars each week as required by the minimum wage law";[11] (3) additionally, the group was to receive one-half (½) of the net profits derived from the operation of the station (after expenses and salaries), to be divided among the group as David Rogers in his discretion should determine, and no member of the group was to have a claim against the employer for any of this;[12] (4) the members of the group were to perform the duties assigned to them by the employer to the best of their ability; (5) the employees were not to make any contracts on behalf of the employer without its consent;[13] (6) the contract was to continue until the station's license was canceled, transferred or assigned, or the contract was terminated by the employer; (7) all of the receipts were to be deposited in an account in the name of the 1400 Corp. in a bank to be determined by the employer, and copies of the receipts, along with weekly time reports were to be sent to Richmond in Boston; (8) in the event the station were sold the employees were to receive a certain percentage of the sales price over \$85,000;[14] and finally, (9) the agreement also contains a "misconduct" clause, a nonassignable clause, provisions for commissions for sales personnel, a severance clause, and a clause requiring the members of the group to notify Richmond of any obligations incurred, voluntary or involuntary, on behalf of the corporation. The contract also contains a paragraph relating solely to David Rogers: that he accepts the sum of \$200 for services rendered in putting the station back on the air. Rogers, as well as all of the other members of his group, signed the contract; but Rogers, prior to returning it to Boston, made some changes in it, allegedly "consonant with provisions to which the parties had previously agreed orally (as in telephone conversations)." [15]

5. According to the group's letter to the Commission, it is apparent that it considered the written paper the "heart" of a larger understanding. For example, it understood that this contract was to be a "participation contract" and that Rogers was to be "Participating General Manager"; that Richmond was to pay rent, utilities, etc.; that all manhours expended by the group in managing and operating the station were to be compensated for at the "prevailing wage and salary rates of the radio-broadcasting business", and that these claims were to be held in abeyance until the revenues of the station were large enough to satisfy them; that out-of-pocket expenses of the group were to be paid out of station revenues; that expenditures made by Richmond were to be accumulated until they could be satisfied out of station revenues (after prior claims were satisfied); and that after all of the hereinabove claims were satisfied, all surplus revenues were to be divided equally between Richmond and Rogers. According to Richmond, he never signed the contract because of the changes made by Rogers, and therefore he claims it is a nullity—"nothing more than a abortive attempt by the parties to reach a formal agreement * * *." It is uncontroverted that the group has never received a signed contract from Richmond. The Broadcast Bureau contends, however, that the facts presented above give rise to an issue whether Richmond failed to file, in light of all the facts, a contract, working agreement, or understanding, pertaining to the management and control of the station pursuant to § 1.613 of the Commission's rules.

6. Closely related to this issue is the Bureau's request for an issue to determine whether KBMI has exercised adequate supervision over its station, or whether it has transferred control of its license without prior authorization from the Commission in violation of section 310(b) of the Communications Act. In addition to the allegations set forth above, the following allegations of facts are also pertinent: All parties agree that Maxwell Richmond has not been in Henderson, Nev., since 3 weeks before the station resumed broadcasting. At that time, he allegedly spent 4 or 5 days there. He asserts in his affidavit that, at that time, he talked with community leaders concerning programing and general operation of the station. The Rogers group states, however, that Richmond had nothing to do with the programing of the station (with the exception of the transmittal of several hundred records to the station). Moreover, Rogers asserts that he determined the programing of the station. Richmond, on the other hand, states that he decided the format himself, and that he sent an executive in his Boston operation, Norman Solomon, to Henderson as his representative "to assume responsibility for commencement of operation of KBMI," and to effectuate his programing ideas. Richmond further asserts, and the group admits, that he was in contact with Solomon by letter and telephone several times per week during the 8-month period when Solomon was in Henderson (June 1966 to January 1967). However, it is unclear what Solomon's actual day-to-day duties and responsibilities were

[9] Aside from his KBMI interest, Richmond is 100 percent owner of WPGC, Inc. (WPGC-AM-FM), Morningside, Md., and 85 percent owner of Richmond Brothers, Inc. (WMEX), Boston, Mass.

[10] Rogers' original group consisted of his wife, Denise, Financial Manager and Bookkeeper; Geane Danise, Program and Musical Director; Jack F. DeFalco, Sales Manager; and John J. McDonnell, Station Manager. Rogers himself was to be General Manager and Chief Engineer. A separate contract allegedly was to be executed between the corporation and Rogers as engineer; however, the Rogers group alleges that this contract has never been executed.

[11] Penciled in under this term was the following: "Maximum total of all hours to be 125 hours per week." Read in connection with the group's other allegations, this term refers to payment of salaries of disc jockies.

[12] The next portion of the agreement was crossed out. It provided for an increase in the salary amounts if the station grossed over a certain dollar figure.

[13] Following this, a portion scratched out stated that each employee agrees not to work for any other business.

[14] Several percentages were scratched out. "12%" was the figure left unmarked.

[15] From the letter to the Commission written for the group by H. Snowden Marshall. His connection with the group is explained hereafter.

in connection with the operation of the station.[16]

7. Richmond asserts in his affidavit that he was in contact with Rogers as well as Solomon during the time the station was on the air; in support of that, he attaches several copies of interoffice communications to his affidavit.[17] This is admitted by Rogers. However, after Solomon left Henderson, Richmond requested from Rogers certain information pertaining to the financial status of the station in order that he might complete Commission Form 324 for the year 1966. This information was refused several times in the face of repeated requests for it from Richmond and his CPA, Samuel Shapiro.[18] However, it is contended by KBMI in its opposition that this information was ultimately obtained by Richmond through Solomon, who allegedly made a telephone call to Rogers to get it. Rogers, however, denied having given any information concerning the completion of Form 324. Moreover, there seems to be some discrepancy between what Solomon says Rogers said in this alleged telephone conversation, and what Rogers himself said about the monthly gross of the station as set forth in the Bureau's affidavit.

8. A bank account was opened for the station in August 1966 in the name of the 1400 Corp. David Rogers, Denise Rogers (his wife), and Norman Solomon were the signatories to the account. Any of the parties could draw from this account without the countersignature of any other party. Monthly revenues were allegedly placed in this account, and some expenses paid from it; however, Richmond contends in his affidavit that the station never maintained over a low three-figure balance (around $100) at any time. Further, KBMI, in its opposition, alleges that Richmond controlled the main KBMI account in Boston from which he paid the bulk of the station's expenses, as well as salaries of the station's announcers.

9. In January 1967, Mr. H. Snowden Marshall joined the Rogers group as "Business Operational System Advisor." By letter to Richmond of March 3, 1967, he stated that he was "trying to help David Rogers by determining and establishing a business and operational control system for Radio Station KBMI which will maximize its organizational effectiveness and its earning capabilities." Moreover, it appears from the allegations that the KBMI business and allied records were moved to Marshall's office in Las Vegas, Nev., sometime in February or March of 1967. Further, Marshall is the individual who by letter refused to give Richmond the financial information he requested concerning the local finances of the station, and he is also the individual who wrote the several letters to the Commission on behalf of the Rogers group. However, in KBMI's opposition, the following statement appears in a footnote: "The role and/or interests of Mr. Marshall—the 'Business & Operational System Advisor' to an AM station with a maximum staff of five persons—remains unclear."

10. The Bureau also contends that there have been material changes in "operating personnel" and also in the financial position of KBMI. Although the Bureau does not point to any specific financial changes in representations made in the application, referral to the renewal application does reveal that the operating personnel now with the station, i.e., the Rogers group, are not the same persons represented in the application as the "staff" of the station. The Bureau contends that this is a "significant" change in the renewal application and raises an issue of whether or not this necessitated an amendment to it pursuant to section 1.65 of the Rules.

The Issues

11. Before reaching a determination of the request for the issues allegedly raised by the foregoing allegations of fact, we will dispose of two further issues requested by the Bureau. The Bureau requests the addition of issues to determine (1) generally all of the circumstances involved in the operation of the station since it resumed broadcasting, and (2) whether KBMI has made misrepresentations to the Commission or is lacking in candor. These requested issues will be denied. The former is too general and vague, and the latter is not supported by the allegations. In regard to the latter issue, the only allegation offered by the Bureau in support thereof is the assertion that earlier in this proceeding KBMI had elected to prosecute its application alone and not with a view to assigning it to Thomas L. Brennen (see note 2, supra); and now, as revealed in its opposition, it is contemplating an assignment to Marandola, the other remaining applicant in this proceeding. This does not, in our view, raise a misrepresentation or candor issue inasmuch as the original election made by KBMI, in response to a Commission letter, was not as broad as the Bureau would have us accept. As we read the letters, the election did not relate to any future assignments or agreements, but only to the contemplated assignment to Brennen; it, thus, did not foreclose any future negotiations for agreements and does not raise an issue of lack of candor or misrepresentation on KBMI's part.

12. The question of whether there has been an abdication or transfer of control, rights or supervisory authority under the KBMI license is an important factor in the determination of whether any or all of the remaining issues will be added; it is, of course, the essence of section 310(b) of the Communications Act.[19] We think it relevant in evaluating this question to examine any understandings, written or oral, between the parties. We also deem it of critical importance to note the allegations relating to the actual day-to-day working situation, for "control" within the meaning of section 310(b) is not something limited to legal control "but may consist of actual control by virtue of the special circumstances presented. [It] embraces every form of control, actual or legal, direct or indirect, negative or affirmative." WWIZ, Inc., FCC 64–249, 2 RR 2d 169 (1964) and cases cited therein; aff'd. sub nom. Lorain Journal Co. v. FCC, 351 F. 2d 824 (D.C. Cir 1965), cert. den. 383 U.S. 967 (1966), reh. den. 384 U.S. 947 (1966). Thus, we must explore the allegations of the present case to determine whether or not a substantial question has been raised whether control was in fact transferred or given up by Richmond. The allegations suggest that the group members, including Rogers, may have been attempting to carry out the terms of what they believed to be the "understanding" or "agreement" between themselves and Richmond. It also seems likely that Richmond may have acquiesced in their handling of the day-to-day operations of the station, or at least, gave the group reason to believe that its understanding, for the most part, was his understanding also. The pleadings present a chaparral of allegations and counterallegations for us to consider. However, we think that the allegations raise questions regarding four areas, and it is from these areas that we derive our disposition of the Bureau's request for this issue.

13. First, the parties agree that Maxwell Richmond, the personna of the 1400 Corp., has not visited the station or been around Henderson since the station resumed broadcasting. Although we do

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[16] According to the Bureau's affidavit, Rogers said of Solomon: "As far as I could determine he was a sort of 'watchdog' over KBMI for Mr. Richmond; he used to report to him by telephone and other means from time to time, although he took no active part in broadcast operations of the station." Richmond referred to Solomon's duties as follows in his affidavit: "I made arrangements with Mr. Norman Solomon to go to Henderson, Nev., to assume responsibility for the commencement of operations of KBMI * * *. [He] devoted himself on a full-time basis to reactivating KBMI and thereafter to its operation during the period June 1966 to January 1967 * * *. I told Mr. Solomon that the basic format of the program service should be popular music." Solomon, in his affidavit, stated that "[i]t was my job to generally oversee the activities of the station and its employees * * *. I was paid by WMEX during this period and received no compensation from KBMI.

[17] One concerned some albums sent to the station, and an admonition to balance the sounds. Another concerned "air checks." Another concerned payment of a telephone bill and certain technical equipment. Others concerned long distance telephone calls, and the addition of certain programs to KBMI's schedule.

[18] The group was using this as a tactical measure to obtain a written contract of their alleged agreement from Richmond.

[19] Section 310(b) of the Communications Act states in pertinent part: "(b) No construction permit or station license, or any rights thereunder, shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of a corporation holding such permit or license, to any person except upon application to the Commission and upon a finding by the Commission that the public interest, convenience, and necessity will be served thereby * * *."

not deem this, of itself, determinative,[20] we nevertheless think it of importance taken with the other factors of the case. Richmond did attach several copies of interoffice memoranda to his affidavit[21] tending to show that he directed—or attempted to direct—some minor aspects of the station's operations; in the absence of an evidentiary inquiry, however, we cannot say that these actions constituted control. Nor is there any allegation that, in Richmond's absence there was in fact any specific or definite policy for delegation of authority, or that important decisions to be made on the local level (except for the opening of the local bank account) required Richmond's approval.[22] The significance of Richmond's absence is further increased when viewed with the "group" aspect of his relationship with Rogers and his associates. It appears from the pleadings before us that Richmond dealt with the Rogers group as an entity and with Rogers himself as its principal. It is noteworthy that the "Agreement" provided that Rogers was to determine how one-half the profits were to be distributed among his group. There is no indication in the Agreement or the pleadings that Richmond was to have any control over how these profits were to be portioned out. Second, the opposition does not persuade the Board that Solomon's alleged presence in Henderson was tantamount to control by Richmond over the operation of the station after it resumed broadcasting. There is a possibility that Solomon, as Richmond's agent, may have asserted some degree of control over the operation of the station, although Rogers asserted he had nothing to do with it. However, the opposition does not describe Solomon's actual administrative authority. He did, it appears, have access to the local bank account. However, it is clear from the pleadings that Solomon left Henderson in February of 1967, and the station has continued operation since that time without his or Richmond's presence. Thus, Solomon's access to the bank account, and such control as that gave him over the portion of the station's cash holdings in Henderson, and any other control, may have been rendered practically ineffective after he left.[23] Moreover, although KBMI asserts, in effect, that this Henderson account was not the main one, we cannot determine from the allegations before us its significance or potential. Station revenues were allegedly to play an especially important role in effectuation of the parties' agreement. Since the revenues were allegedly on the increase and were to be placed in this local account, its importance cannot be disregarded.

14. Another important financial circumstance was Richmond's alleged inability to ascertain the current monetary status of the station. Although KBMI asserts that such information was ultimately obtained (a fact controverted by Rogers), the fact remains that there appears to have been a substantial delay in obtaining it. Moreover, the allegations do not reveal what particular records were in Boston and what records were in Henderson, and without this information the question of Richmond's control over the day-to-day affairs of the station cannot be resolved. Fourth, in light of the important keystone position held by Marshall, it may also be significant that the interest and duties of Marshall, vis-a-vis the station, were "unclear" to KBMI as late as July 28, 1967, the date on which it filed its opposition to the petition. Such a lack of knowledge about a person who, in the main, has done most of the communicating with the Commission concerning this matter, and who is alleged to have complete control over the records of the station, raises another question concerning abdication of control. We are therefore of the opinion that, in view of the numerous contradictory allegations and failures to clarify the questions presented, a substantial doubt is raised as to retention of control by the licensee, and an appropriate issue inquiring into this matter will be added.

15. The Board is of the opinion that the Bureau's request for an issue to determine whether certain "contracts, agreements or understandings" should have been filed with the Commission pursuant to Section 1.613 of the Rules should also be added.[24] KBMI argues in opposition to this issue that the "Employment Agreement" was never signed by Richmond and therefore does not come within the provisions of the Rule. KBMI further asserts that even if an agreement or understanding should be recognized by the Board, nevertheless it is excepted from the provisions of the Rule because it recites that an employer-employee relationship exists. We are of the opinion that the provisions of the Section should not be so restricted. It is alleged that the members of the Rogers group were working with the station with the understanding that the agreement which they in fact signed was the heart of a viable arrangement between themselves and Rogers. All agree that Richmond never signed the paper, but the group asserts that Richmond represented to them that the written contract would be signed by him, and a copy returned to them. A question is raised, therefore, as to whether a situation exists where both parties have contemplated a central repository of their rights from which has grown an understanding. Under these circumstances, we do not feel that we are precluded from considering this written instrument, even though not fully executed, in connection with this issue. See Radio Station KAYE, FCC 67-57, 7 RR 2d 313 (1966).

16. We do not deem the contract's recitation that an "employer-employee" relationship existed as determinative of the request for this issue. As the Commission stated in United Broadcasting of New York, FCC 65-52, 4 RR 2d 167 (1965), in discussing a similar contention, the requirements of § 1.613 cannot be avoided by a manipulation of words. It is our opinion that a substantial question is raised by the pleadings, whether or not the parties were operating within a fairly well defined understanding. KBMI, however, further asserts that since there is no agreement or understanding which explicitly provides for a sharing of the losses of the station,[25] subsection (f)(1) of the section is not operative. However, according to the written draft and also according to the group's alleged understanding of what the agreement was, at least a portion of their wages (over the minimum) were to be held in abeyance until the revenues of the station were large enough to satisfy them. Thus, if the station never showed a profit, the group members would never be paid for their time and talent. This, in our view, raises a question as to whether the group participated in the management of the station. At any rate, subsection (b) of the section in question provides for the filing of contracts, oral or written, relating to the ownership or control of the licensee. Therefore, in view of our prior determination that a transfer of control issue

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[20] It is not our position that presence ipso facto signifies control, nor absence ipso facto signifies a lack of it.

[21] Whether or not Richmond thought that he retained some or all of the control over the station's operation is not of particular significance. Section 310(b) of the Act contemplates any disposal of any rights under a license "voluntarily or involuntarily, directly or indirectly * * *."

[22] In this connection we are cognizant of Richmond's and Solomon's allegation to the effect that they were in communication with each other at frequent intervals during the period when Solomon was in Henderson. We are also aware of Rogers' statement in the Bureau's affidavit that he, too, was in communication with Richmond, although "there has not been any regularly scheduled reporting to him". However, our main concern is not whether these contacts resulted in certain information being transmitted to and from Richmond, but whether they evidenced any systematic method for retention of control. We also note that even though the "Agreement" attempted to prohibit the group from entering into contracts with outsiders, especially employment contracts, all agree that H. Snowden Marshall joined the Rogers group.

[23] Aside from the practical obstacles which arise in attempting to draw upon or keep a record of an account in a distant bank, Solomon's countersignature, as noted supra, was not required to draw upon the account; therefore, David and Denise Rogers could draw upon it at will.

[24] The section reads in pertinent part: "(b) Contracts relating to ownership or control: Contracts, instruments, or documents relating to the present or future ownership or control of the licensee or permittee or of the licensee's or permittee's stock, rights or interests therein, or relating to changes in such ownership or control." and "(f) Contracts relating to personnel: (1) The following contracts, agreements, or understandings shall be filed: management consultant agreements with independent contractors; contracts relating to the utilization in a management capacity of any person other than an officer, director, or regular employee of the licensee or permittee station; management contracts with any persons, whether or not officers, directors, or regular employees, which provide for both a percentage of profits and a sharing in losses; or any other similar agreements."

[25] The agreement explicitly provided that profits would be shared.

is presented in this case, we will grant the request for the addition of this issue.

17. As to the 1.65 issue, the Bureau alleges that there have been changes in operating personnel and the financial position of the station that should have been reflected in an amendment to KBMI's application. If all that were involved here were a change in "operating personnel" as originally represented in the application as "staff," or a mere allegation, without more, that there has been a change in the financial status of the licensee, we might have been disposed to deny this issue.[26] However, in addition to requiring the reporting of changes in the information contained in the application itself, § 1.65 of the rules also provides:

> Whenever there has been a substantial change as to any other matter which may be of decisional significance in a Commission proceeding involving the pending application, the applicant shall as promptly as possible and in any event within 30 days, unless good cause is shown, submit a statement furnishing such additional or corrected information as may be appropriate.

The Commission, in its 1964 report and order on this section (FCC 64-1037, 3 RR 2d 1622) interpreted this part of the rule to apply when there has been (a) a substantial change, and (b) where the change may be significant to the Commission's consideration of an application and determinative of the public interest * * *. The changes to be reported are those which may make a difference from the standpoint of the public interest, and those which the Commission should be aware of to reach a realistic decision.

Again, since we have determined that a substantial transfer of control question has been raised, and that there is a substantial question whether certain agreements or understandings should have been filed with the Commission, we are of the opinion that an issue should be added to determine whether KBMI has complied with the provision of § 1.65 which requires the filing of a statement with the Commission apprising it of any other significant matter of decisional significance. For, if control has been transferred, or if an important understanding or agreement has been entered into, we deem it a matter of decisional significance that should have been reported to the Commission.

Accordingly, it is ordered, That the petition to enlarge issues, filed on June 29, 1967, by the Broadcast Bureau, is granted to the extent indicated below, and denied in all other respects; and

It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issues:

(a) To determine whether Maxwell Richmond has failed to file agreements, documents, or understandings pertaining to the operation and control of Station KBMI, which agreements, documents or understandings are required to be filed by the provisions of § 1.613 of the Commission's rules.

(b) To determine whether Maxwell Richmond or 1400 Corp. have failed to report substantial changes of decisional significance in regard to the operation of KBMI as required by § 1.65 of the Commission's rules.

(c) To determine whether Maxwell Richmond and 1400 Corp. have exercised adequate supervision over the operation of Station KBMI and whether at any time they have relinquished control thereof to any person without receiving prior consent of the Commission in violation of section 310(b) of the Communications Act.

(d) To determine whether, in the light of the evidence adduced with respect to the foregoing issues, Maxwell Richmond and 1400 Corp. possess the requisite qualifications to be licensees of the Commission.

It is further ordered, That the burden of proceeding with the introduction of evidence under the issues added herein will be on the Broadcast Bureau, and the burden of proof under the issues will be on 1400 Corp. (KBMI).

Adopted: January 11, 1968.

Released: January 17, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[27]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-839; Filed, Jan. 22, 1968; 8:47 a.m.]

[26] There are no allegations which point to specific financial changes in the application. In "Cherokee Broadcasting," FCC 67R-183, 9 RR 2d 1277, we stated that failure to report the resignation of a Program Director whose name was on the pending application was not a significant change to be reported. Whether or not the alleged "change" in the present case comes within the principle of that case, we cannot determine at this time.

[27] Dissenting statement of Board Members Pincock and Nelson filed as part of the original document.

[Docket Nos. 17939-17941; FCC 68M-79]

CENTEX RADIO CO. KEFC (FM) ET AL.

Order Scheduling Hearing

In re applications of Centex Radio Co., KEFC (FM), Waco, Tex., Docket No. 17939, File No. BPH-5774; KWTX Broadcasting Co., Waco, Tex., Docket No. 17940, File No. BPH-5842; Morbro, Inc., Waco, Tex., Docket No. 17941, File No. BPH-6003; for construction permits.

It is ordered, That Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on March 20, 1968, at 10 a.m.; and that a prehearing conference shall be held on February 14, 1968, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued January 16, 1968.

Released: January 17, 1968.

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

[F.R. Doc. 68-840; Filed, Jan. 22, 1968; 8:47 a.m.]

[Docket Nos. 17942-17944; FCC 68M-80]

HUBBARD BROADCASTING, INC., ET AL.

Order Scheduling Hearing

In re applications of Hubbard Broadcasting, Inc., Tampa, Fla., Docket No. 17942, File No. BPH-5954; WLCY, Inc., Tampa, Fla., Docket No. 17943, File No. BPH-5994; Rust Craft Broadcasting Co., Tampa, Fla., Docket No. 17944, File No. BPH-6000; for construction permits.

It is ordered, That Elizabeth C. Smith shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on March 13, 1968, at 10 a.m.; and that a prehearing conference shall be held on February 16, 1968, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued January 16, 1968.

Released: January 17, 1968.

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

[F.R. Doc. 68-841; Filed, Jan. 22, 1968; 8:47 a.m.]

[Docket No. 17945; FCC 68M-81]

IMAGE RADIO, INC.

Order Scheduling Hearing

In re application of Image Radio, Inc., Docket No. 17945, File No. BR-2540; for renewal of license of Station WCFV, Clifton Forge, Va.

It is ordered, That Herbert Sharfman shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on April 23, 1968, at 10 a.m., in Roanoke, Va.; and that a prehearing conference shall be held on February 23, 1968, commencing at 9 a.m. in the offices of the Commission, Washington, D.C.[1]

Issued: January 16, 1968.

Released: January 17, 1968.

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

[F.R. Doc. 68-842; Filed, Jan. 22, 1968; 8:47 a.m.]

[Docket No. 17946; FCC 68M-82]

IMPACT RADIO, INC.

Order Scheduling Hearing

In re application of Impact Radio, Inc., Docket No. 17946, File No. BR-3487; for renewal of license of Station WPXI, Roanoke, Va.

It is ordered, That Herbert Sharfman shall serve as Presiding Officer in the above-entitled proceeding; that the

[1] The Commission has directed that this proceeding be consolidated for hearing with the proceeding in Docket No. 17946 (FCC 68-15 and FCC 68-16).

hearings therein shall be convened on April 23, 1968, at 10 a.m., in Roanoke, Va.; and that a prehearing conference shall be held on February 23, 1968, commencing at 9 a.m. in the offices of the Commission, Washington, D.C.[1]

Issued January 16, 1968.

Released: January 17, 1968.

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

[F.R. Doc. 68-843; Filed, Jan. 22, 1968; 8:47 a.m.]

[1] The Commission has directed that this proceeding be consolidated for hearing with the proceeding in Docket No. 17945 (FCC 68-15 and FCC 68-16).

[Docket Nos. 17951, 17952; FCC 68M-83]

KUGN, INC., AND PACIFIC NORTHWEST BROADCASTING CORP.

Order Scheduling Hearing

In re applications of KUGN, Inc., Eugene, Oreg., Docket No. 17951, File No. BPH-5865; Pacific Northwest Broadcasting Corp., Eugene, Oreg., Docket No. 17952, File No. BPH-5953; for construction permits.

It is ordered, That Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on April 2, 1968, at 10 a.m.; and that a prehearing conference shall be held on February 26, 1968, commencing at 9:00 a.m.: *And it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: January 16, 1968.

Released: January 17, 1968.

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

[F.R. Doc. 68-844; Filed, Jan. 22, 1968; 8:48 a.m.]

[Docket Nos. 17953, 17954; FCC 68M-84]

PITTS ENTERPRISES, INC., AND CENTRAL BROADCASTING, INC.

Order Scheduling Hearing

In re applications of Pitts Enterprises, Inc., Independence, Kans., Docket No. 17953, File No. BPH-5925; Central Broadcasting, Inc., Independence, Kans., Docket No. 17954, File No. BPH-5952; for construction permits.

It is ordered, That Chester F. Naumowicz, Jr., shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on March 28, 1968, at 10 a.m.; and that a prehearing conference shall be held on February 27, 1968, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: January 16, 1968.

Released: January 17, 1968.

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

[F.R. Doc. 68-845; Filed, Jan. 22, 1968; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP67-218]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Petition To Amend

JANUARY 15, 1968.

Take notice that on December 20, 1967, Alabama-Tennessee Natural Gas Co. (Petitioner), Post Office Box 918, Florence, Ala. 35630, filed in Docket No. CP67-218 a petition to amend the order issued in said docket on June 29, 1967, as amended by order issued September 14, 1967, by authorizing increased deliveries to existing wholesale customers and one direct sale customer, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order of June 29, 1967, in the instant docket, Petitioner was authorized to make total daily sales of 122,660 Mcf, which included 93,710 Mcf per day to wholesale customers and, among other direct sales, 960 Mcf per day to Amoco Chemicals Corp. (Amoco). The amending order of September 14, 1967, authorized total deliveries to Amoco of 1,100 Mcf per day.

Petitioner has been advised by its wholesale customers that they will require firm daily volumes of 94,925 Mcf of gas per day beginning with the 1968-69 heating season, an increase of 1,215 Mcf per day. Additionally, Amoco has now determined that beginning July 1, 1968, it will require total firm daily volumes of 3,400 Mcf per day, an increase of 2,300 Mcf over presently authorized deliveries.

Accordingly, Petitioner requests that the order issued in the instant docket on June 29, 1967, as subsequently amended, be further amended by authorizing an increase in firm daily volumes of natural gas delivered to wholesale customers to the amount of 94,925 Mcf of natural gas per day and an increase in firm deliveries to Amoco to 3,400 Mcf per day of natural gas.

Petitioner states that no new facilities are necessary to effectuate the proposed increase in service.

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 February 8, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-848; Filed, Jan. 22, 1968; 8:48 a.m.]

[Docket No. CP64-298]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

JANUARY 15, 1968.

Take notice that on January 8, 1968, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP64-298 a petition to amend the order issued in the instant docket on August 14, 1964, 32 FPC 621, by requesting authorization to sell and deliver to EMW Gas Association (EMW) additional volumes of natural gas for resale and distribution, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order of August 14, 1964, Petitioner was authorized to construct and operate a measuring and regulating station and to sell and deliver natural gas to EMW for transportation to and resale and general distribution in the communities of Willard, Moriarty, and Estancia, N. Mex., their respective environs and intervening and adjacent areas, all within Torrence County, N. Mex.

Petitioner states that EMW has proposed to expand its natural gas service to prospective consumers in Torrence and Santa Fe Counties, N. Mex. Accordingly, Petitioner requests authorization pursuant to its Rate Schedules A-2, B-3, and D-3, FPC Gas Tariff, Original Volume No. 1, to meet EMW's estimated natural gas requirements of 118,510 Mcf annually, 2,898 Mcf on a summer peak day, and 112 Mcf on a heating season peak day.

Petitioner states that no new facilities need be constructed on its part to effectuate the proposed additional deliveries.

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 February 9, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-849; Filed, Jan. 22, 1968; 8:48 a.m.]

[Docket No. CP68-191]

KENTUCKY WEST VIRGINIA GAS CO.

Notice of Application

JANUARY 15, 1968.

Take notice that on January 8, 1968, Kentucky West Virginia Gas Co. (Applicant), Second National Bank Building, Ashland, Ky. 41101, filed in Docket No. CP68-191 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas 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 abandon one 760 horsepower compressor unit at its Dwale Transmission Compressor Station. Applicant states that presently there is installed at the Dwale Station six type 19 Cooper-Bessemer Compressor Units having a total horsepower of 4,760, all of such units being over 25 years old. Applicant now proposes to replace the existing 4,760 horsepower with new units totaling 4,000. As a result, 760 installed horsepower is no longer required and is proposed to be abandoned.

Applicant estimates the cost of the removal will be $600 and the gross salvage value to be $600 resulting in a net salvage value of $0.

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 February 9, 1968.

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 permission and approval for the proposed abandonment 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. 68-850; Filed, Jan. 22, 1968; 8:48 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS UNDER THE LONG-TERM ARRANGEMENT REGARDING INTERNATIONAL TRADE IN COTTON TEXTILES

ITAC Announcement

JANUARY 17, 1968.

The purpose of this notice is to announce certain actions taken by the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962. This information is also published in the Department of Commerce Press Release G 68–7, dated January 15, 1968.

This information supplements that contained in earlier Department of Commerce press releases, the most recent which was G 67–166, dated August 11, 1967.

1. *Extension of the LTA.* As of October 3, 1967, all 30 participants in the LTA had signed the protocol extending the LTA through September 30, 1970.

2. *Bilateral Agreements—Republic of China.* Notes constituting a comprehensive United States-Republic of China cotton textile agreement covering the period January 1, 1967–December 31, 1970, were exchanged on October 12, 1967 (Department of State Press Release 229).

India. Notes constituting a comprehensive United States-India cotton textile agreement covering the period October 1, 1966–September 30, 1970, were exchanged on August 31, 1967 (Department of State Press Release 186).

Jamaica. Notes constituting a comprehensive United States-Jamaican cotton textile agreement covering the period October 1, 1966–September 30, 1970, were exchanged on September 29, 1967 (Department of State Press Release 220).

Republic of Korea. Notes constituting a comprehensive United States-Republic of Korea cotton textile agreement covering the period January 1, 1967–December 31, 1970, were exchanged on December 11, 1967 (Department of State Press Release 292).

Philippines. Two sets of notes exchanged on September 21, 1967, between the United States and the Philippines constituted, respectively: (1) a further amendment of the bilateral cotton textile agreement of February 24, 1964, as amended, applicable to the calendar year 1967; and (2) a new comprehensive bilateral agreement covering the period January 1, 1968–December 31, 1970 (Department of State Press Release 208).

Notes were also exchanged on December 26, 1967 amending the cotton textile agreement signed on September 21, 1967, insofar as categories 53 and 62 levels are concerned. The amended levels for these two categories for 1968 are 275,000 and 300,000 dozen respectively.

Portugal. The United States-Portuguese bilateral cotton textile agreement signed March 23, 1967 (Department of State Press Release 64) was amended by means of notes exchanged on Lisbon on September 29, 1967 (Department of State Press Release 216).

Spain. Notes constituting a comprehensive United States-Spanish cotton textile agreement covering the period January 1, 1967–December 31, 1970, were exchanged on October 13, 1967 (Department of State Press Release 230).

United Arab Republic. Notes exchanged on September 29–30, 1967, provided that trade in cotton textiles between the United Arab Republic and the United States would be controlled during the period October 1, 1967–December 31, 1967, at the level provided for the corresponding quarter of the previous agreement year under the 1963 agreement (TIAS 5500), which expired September 30, 1967. Similar notes were exchanged on December 28, 1967, providing for the maintenance of controls through March 31, 1968, at the levels which were in effect for the first quarter of 1967. These exchanges were effected through the Embassy of India, which represents the interests of the United Arab Republic in the United States during the break in diplomatic relations.

Yugoslavia. Two sets of notes exchanged on September 26, 1967, between the United States and Yugoslavia constituted, respectively: (1) A further amendment of the bilateral cotton textile agreement of October 5, 1964, as amended, applicable to the calendar year 1967; and (2) a new comprehensive bilateral agreement covering the calendar years 1968 through 1970 (Department of State Press Release 211).

Japan. A bilateral agreement covering cotton textile exports from Japan during 1967, and for the 3 years beginning January 1, 1968, was signed on January 12, 1968. (Department of State Press Release 7).

3. *Article 3 Actions—Brazil.* On June 30, 1967, the United States requested Brazil to restrain its exports of carded poplin and broadcloth (Category 15) to the United States to 635,000 square yards for the 12-month period ending June 29, 1968. A notice was published in the FEDERAL REGISTER on August 31, 1967.

On October 23, 1967, the United States notified Brazil that it was renewing for an additional 12-month period ending October 27, 1968, the restraint on imports of carded sheeting (Category 9). A notice appeared in the FEDERAL REGISTER on November 3, 1967.

On December 14, 1967, the United States notified Brazil that it was renewing for an additional 12-month period ending December 15, 1968, the restraint on imports of cotton yarn (Categories 1–4). The FEDERAL REGISTER notice is dated December 27, 1967.

Malaysia. On September 29, 1967, the United States requested Malaysia to restrain its exports of knit shirts (Category 43) to the United States to 16,500 dozen for the 12-month period ending September 28, 1968. A notice appeared in the FEDERAL REGISTER on November 30, 1967.

On December 19, 1967, the United States notified Malaysia that it was renewing for an additional 12-month period ending December 26, 1968, the restraint on imports of Categories 19, 26 (duck only), 31 (shop towels only), 34 and 60. A notice was published in the FEDERAL REGISTER on January 11, 1968.

Romania. On August 14, 1967, the United States requested Romania to restrain its exports of carded sheets (Category 34) to the United States at a level of 140,000 pieces during the ensuing 12 months. The FEDERAL REGISTER notice is dated October 21, 1967.

On November 22, 1967, the United States requested consultations with Romania on dressing gowns (not knit) in

Category 55. A restraint level of 8,100 dozen was suggested for the 12-month period ending November 21, 1968.

On January 9, 1968, the United States requested consultations with Romania on coats, other than raincoats ¾ length or over (not knit) in Category 49. A restraint level of 10,000 dozen was suggested for the 12-month period ending January 7, 1969.

Trinidad and Tobago. On December 29, 1967, the United States requested consultations with Trinidad and Tobago on body-supporting garments (chiefly brassieres) in Category 61. A restraint level of 42,550 dozen was suggested for the 12-month period ending December 28, 1968.

Tunisia. In notes exchanged in November and December 1967, the Governments of the United States and Tunisia agreed that exports of cotton duck (Category 26) from Tunisia to the United States will not exceed 320,000 square yards during the calendar year 1968.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

[F.R. Doc. 68-815; Filed, Jan. 22, 1968; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

JANUARY 17, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 18, 1968, through January 27, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-851; Filed, Jan. 22, 1968; 8:48 a.m.]

FASTLINE, INC.

Order Suspending Trading

JANUARY 17, 1968.

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

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 18, 1968, through January 27, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-852; Filed, Jan. 22, 1968; 8:48 a.m.]

[811-1069]

MIDWEST INVESTMENT CO.

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

JANUARY 17, 1968.

Notice is hereby given that Midwest Investment Co. ("Applicant"), 506 Olive Street, St. Louis, Mo. 63101, a Missouri corporation registered as a diversified, open-end management investment company under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

On June 8, 1961, Applicant registered as an investment company under the Act. On May 15, 1967, its shareholders adopted an agreement and plan of reorganization. On June 8, 1967, in accordance with the plan, Applicant transferred its assets, other than a portion of its cash (which was retained for payment of claims, liabilities, and expenses of liquidation and dissolution) to Fidelity Fund, Inc. ("Fidelity"), in exchange for a total of 217,418 shares of common stock of Fidelity, par value $1 per share. Each shareholder of Applicant became entitled to receive 1.06377 shares of Fidelity in respect of each share of Applicant owned by him on the record date, June 12, 1967. Applicant states that the aggregate net asset value of the shares of Fidelity, exactly equalled the value of the assets transferred by Applicant to Fidelity.

Applicant represents that it has mailed a printed notice and letter of transmittal to all shareholders of record at their last known address and a followup letter to all shareholders of record who had not surrendered their shares for cancellation as of September 1, 1967, and has telephoned all such shareholders located within the Metropolitan St. Louis Area. Applicant further represents that another followup letter will be mailed to all such shareholders and ultimately it will telephone those who can be reached by telephone in order to induce them to surrender their shares for cancellation.

As of November 13, 1967, 97.57 percent of the outstanding shares of stock of Applicant had been surrendered for cancellation, the certificates representing the shares of Fidelity had been distributed in respect thereof, and payment in cash of any amount to which such shareholders became entitled on account of fractional interests in a share of Fidelity had been made. On that date only 53 shareholders had not yet tendered their shares. The Boatmen's National Bank of St. Louis ("Bank") is holding new certificates representing the shares of Fidelity and checks for cash in respect of any fractional interests for the owners of such outstanding shares. On November 16, 1967, Applicant deposited $51,744.06 with the Bank to be held by it and Fred J. Blum as Liquidating Trustees under duty to apply the same to payment of claims, if any, and to distribute any balance remaining pro rata among the shareholders as of the record date.

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

Notice is further given that any interested person may, not later than February 7, 1968, 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, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should 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 the Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-853; Filed, Jan. 22, 1968; 8:48 a.m.]

[File No. 7-2831]

UNITED STATES RADIUM CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JANUARY 17, 1968.

In the matter of application of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

United States Radium Corp. File No. 7-2831.

Upon receipt of a request, on or before February 1, 1968, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 68-854; Filed, Jan. 22, 1968; 8:48 a.m.]

[File No. 1-4371]

WESTEC CORP.

Order Suspending Trading

JANUARY 17, 1968.

The common stock, 10 cents par value, of Westec Corp., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Westec Corp., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 18, 1968, through January 27, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-855; Filed, Jan. 22, 1968; 8:48 a.m.]

TARIFF COMMISSION

[TEA-W-6]

MOSAIC TILE CO.

Notice of Termination of Investigation

The investigation instituted on December 14, 1967, under section 301(c)(2) of the Trade Expansion Act of 1962, upon petition filed on behalf of workers of the Mosaic Tile Co., Zanesville, Ohio, was terminated on January 17, 1968, by the U.S. Tariff Commission, in view of the withdrawal of the petition by the petitioners. Notice of the institution of the investigation was published in the FEDERAL REGISTER of December 17, 1967 (32 F.R. 18127).

Issued: January 18, 1968.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 68-828; Filed, Jan. 22, 1968; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 530]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 18, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 9914 (Sub-No. 6 TA), filed January 12, 1968. Applicant: WARREN TRUCKING CO., INC., 8 Roanoke Street, Martinsville, Va. 24112. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, as described in appendix II to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Martinsville, Va., to points in Virginia, restricted to shipments having a prior or subsequent movement to or from a point outside the State of Virginia, for 180 days. Supporting shipper: American Furniture, Inc., Martinsville, Va. 24112. NOTE: Applicant states tacking is not intended, but interline with other carriers may occur at various points in the State of Virginia. Send protests to: George S. Hales, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 59488 (Sub-No. 26 TA), filed January 12, 1968. Applicant: SOUTHWESTERN TRANSPORTATION COMPANY, 733 South Poydras, Post Office Box 6187, Dallas, Tex. 75222. Applicant's representative: Lloyd M. Roach, 1517 West Front Street, Tyler Tex. 75702. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Myrtle Springs, Tex., and Cities Service Oil Co. plantsite near Myrtle Springs, Tex., over unnumbered access roads as an off route point in connection with applicant's authority between Dallas, Tex., and Tyler, Tex. NOTE: Applicant intends to tack with existing authority, for 180 days. Supporting shipper: The Ortloff Corp., V & J Tower, Midland, Tex. 79701. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 413 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 66562 (Sub-No. 2287 TA), filed January 12, 1968. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: James C. Ingwersen, 1815 Egbert Avenue, San Francisco, Calif. 94124. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* moving in express service, (a) between Los Angeles, Calif., and Las Vegas, Nev., over regular routes as follows: Over Interstate Highways 10 and 15 (U.S. Highways 60, 66, 395, 91, and 466); serving applicant's existing express office at the intermediate point of Barstow, Calif.; (b) between Boise, Idaho, and Boise, Idaho (Loop Route), over regular routes as follows: Between Boise, Idaho, and Nampa, Idaho, and Homedale, Idaho, over Interstate

Highway 80N, Idaho Highway 19 and U.S. Highway 95; between Homedale, Idaho, and Vale, Oreg., over U.S. Highways 95, 20 and 26; between Vale, Oreg., and Weiser, Idaho, over U.S. Highways 20 and 26, Oregon Highway 201 and U.S. Highways 30N and 95; between Weiser, Idaho, and Boise, Idaho, over U.S. Highways 30N and 95; and Idaho State Highways 52, 16 and 44; between Ontario, Oreg., and Nampa, Idaho, over Interstate Highway 80N; serving applicant's existing express offices at the intermediate points of Nampa, Homedale, Parma, Payette, Weiser, and Emmett, all in Idaho, and Nyssa, Vale, and Ontario, all in Oregon; (c) between Boise, Idaho, and Mountain Home, Idaho, over regular routes as follows: Interstate Highway 80N (U.S. Highways 20, 26, and 30); serving no intermediate points; (d) between Pocatello, Idaho, and Idaho Falls, over regular routes as follows: Between Pocatello, Idaho, and Idaho Falls, Idaho, over Interstate Highway 15 (U.S. Highways 26 and 91); between Idaho Falls, Idaho, and junction of U.S. Highway 191 and Interstate Highway 15 near Blackfoot, Idaho, over U.S. Highway 191: serving applicant's existing express offices at the intermediate points of Blackfoot and Shelley, Idaho.

Restrictions: (1) The service to be performed by the applicant, shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc., (2) shipments transported by applicant shall be limited to those on through bills of lading or express receipts, (3) such further specific conditions as the Commission, in the future, may find necessary to impose in order to restrict applicant's operations to a service which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc. NOTE: Applicant requests that the authority for the proposed operation, if granted, be construed as an extension, to be joined and combined with REA's existing authority in MC 66562 and subs thereunder thereby negating the restrictions against tacking or connections customarily placed upon temporary authorities, for 150 days. Supporting shipper: Applicant's own statement, and nine supporting shippers. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 66562 (Sub-No. 2288 TA), filed January 12, 1968. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: William H. Marx (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, serving Chestertown, N.Y., as an intermediate point on applicant's presently authorized motor operation between Albany, N.Y., and Rouses Point, N.Y., under certificate in MC 66562, Sub 1724. Also, from Glen Falls, N.Y., over U.S. 9; south to Interstate 87; thence north on Interstate 87 to Exit 23 in Warrensburg, N.Y.; thence over U.S. 9 to Chestertown, N.Y., and return over same route. The proposed route will be an extension of applicant's existing authorized route in MC 66562, Sub 1724. NOTE: Applicant intends to tack the authority here applied for to other authority held by it with MC 66562 and subs thereunder, for 150 days. Supporting shipper: Applicant's own statement, and three supporting shippers. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 105902 (Sub-No. 14 TA) (Correction), filed December 29, 1967, published in the FEDERAL REGISTER, issue of January 13, 1968, and republished as corrected, this issue. Applicant: PENN YAN EXPRESS, INC., 100 West Lake Road, Post Office Box 396, Penn Yan, N.Y. 14527. Applicant's representative: Marvin Lourie (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between New York, N.Y., and points in Bergen, Passaic, Sussex, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Hunterdon, Monmouth, and Ocean Counties, N.J., on the one hand, and, on the other, points in New York, except New York, N.Y., and points within 50 miles thereof. NOTE: Applicant states authority sought is identical to the last paragraph contained in its presently held authority in No. MC 105902 (Sub-No. 7, except that the limitation "in truckload lots, minimum weight 10,000 pounds" is to be deleted. The purpose of this republication is to show the words "presently held authority" in lieu of "pending", as shown in the previous publication, for 180 days. Supporting shippers: There are approximately (10) statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Morris H. Gross, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 104, O'Donnell Building, 301 Erie Boulevard, West Syracuse, N.Y. 13202.

No. MC 107012 (Sub-No. 77 TA), filed January 15, 1968. Applicant: NORTH AMERICAN VAN LINES, INC., Post Office Box 988, Lincoln Highway East, Fort Wayne, Ind. 46801. Applicant's representative: Blaine E. Sowers (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New Furniture*, from Newport, Tenn., to points in Iowa and Minnesota, for 180 days. Supporting shipper: Heywood-Wakefield Co. of Newport, Newport, Tenn. 37821. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 115003 (Sub-No. 4 TA), filed January 12, 1968. Applicant: RED RIVER TRUCKING COMPANY, Post Office Box 247, Commerce, Tex. 76442. Applicant's representative: James W. Hightower, Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone, aggregate, riprap, rocks, sand, gravel, caliche, crushed lime, agricultural lime, iron ore and flexible base*, in dump vehicles, from points in Bryan, Choctaw, and McCurtain Counties, Okla., to points in Cooke, Grayson, Fannin, Lamar, Red River, Bowie, Titus, Denton, Collin, Hunt, Delta, Hopkins, Franklin, Camp, Cass, Morris, Dallas, Rockwall, Kaufman, Rains, Wood, Upshur, Marion, Harrison, Van Zandt, Smith, Gregg, Rusk, Panola, Henderson, Cherokee, and Shelby Counties, Tex. NOTE: Applicant states it does not intend to tack with existing authority. Supporting shippers: Buckner Construction Co., Post Office Box 609, Jacksonville, Tex. 75766; Jagoe-Public Co., Post Office Box 250, Denton, Tex. 76201; W. A. McKenzie, Post Office Box 968, Commerce, Tex. 75442; Reynolds-Land, Inc., Post Office Box 88, Tyler, Tex. 75701; Choctaw Materials, Inc., Post Office Box 206, Hugo, Okla. 74743; Idabel Stone Co., Post Office Box 1031, Idabel, Okla. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 116077 (Sub-No. 230 TA), filed January 15, 1968. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 1505, 5700 Polk Avenue, Houston, Tex. 77001. Applicant's representative: B. A. Ditta (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Propane, butane, and propane/butane mixes*, from Chalmette, La., to points in Alabama and Mississippi, for 180 days. Supporting shipper: Tenneco Oil Co. (Lewis McKinley, Jr., traffic manager), Post Office Box 2511, Houston, Tex. 77001. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 124078 (Sub-No. 317 TA), filed January 15, 1968. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium phosphates and soda ash*, from Atlanta, Ga., to points in South Carolina, on traffic having a prior movement by rail, for 150 days. Supporting shipper: FMC Corp., 633 Third Avenue, New York, N.Y. 10017 (J. F. Van Denburg, manager of distribution). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 124522 (Sub-No. 3 TA), filed January 15, 1968. Applicant: CARLO C. DROGO (Deleware Avenue, Landisville, N.J. 08326. Applicant's representative:

Peter P. Casazza, 67 Washington Street, Post Office Box 454, Bridgeton, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products*, from Berlin and Williamstown Junction, N.J., and Baltimore, Md., to Philadelphia, Pa., for 150 days. Supporting shipper: Formigli Corp., Berlin, N.J. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, 402 East State Street, Trenton, N.J. 08608.

No. MC 129585 (Sub-No. 1 TA), filed January 15, 1968. Applicant: JIMMY VESSELL, Route 2, Muldrow, Okla. 74948. Applicant's representative: W. N. Agent, 113 North Oak, Sallisaw, Okla. 74955. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feeds and animal and poultry sanitation and health commodities*, in bulk or in sacks, from Fort Smith, Ark., to points in Oklahoma within 100 miles of Fort Smith, Ark., also from Muskogee, Okla., to Fort Smith, Ark., for 150 days. Supporting shipper: Ralston Purina Co., Checkerboard Square, St. Louis, Mo. 63199. Send protests to: District Supervisor Donald R. Partney, Interstate Commerce Commission, 2519 Federal Office Building, Bureau of Operations, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 129640 TA, filed January 15, 1968. Applicant: KENNETH BETZOLD, doing business as BETZOLD TRUCKING, Route No. 1, Randolph, Minn. 55065. Applicant representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets*, from Farmington, Minn., to Mason City, Iowa, for 180 days. Supporting shipper: Uhl's Industrial Wood Manufacturing, Box 67, Farmington, Minn. 55024. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 129641 TA, filed January 15, 1968. Applicant: C.E. & H., INC., R.F.D. No. 1, Swanwick, Ill. 62290. Applicant's representative: Delmar O. Koebel, 107 West St. Louis Street, Lebanon, Ill. 62254. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, from points in St. Clair County, Ill., to Whiting, Ind., and St. Louis, Mo., and from Herrin, Ill., to Gary, Michigan City, Whiting, East Chicago, and Hammond, Ind., for 180 days. Supporting shippers: Callahan Lumber Co., New Athens, Ill. 62264, Marvin C. Richmond Lumber Corp., Post Office Box 90, Michigan City, Ind. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 129643 TA, filed January 15, 1968. Applicant: GEORGE SMITH, doing business as GEORGE SMITH TRUCKING CO., 433 Mountain Avenue, Winnipeg 4, Manitoba, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen denatured meats* (animal food unfit for human consumption), from port of entry on the international boundary line between the United States and Canada near Eastport, Idaho, to Portland, Oreg., Seattle and Tacoma, Wash., on traffic originating at Winnipeg, St. Boniface, or Brandon, Manitoba, for 180 days. Supporting shipper: A. Christiensen, Ltd., 40 Dundurn Place, Winnipeg, Manitoba. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1621 South University Drive, Room 213, Fargo, N. Dak. 58102.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-829; Filed, Jan. 22, 1968; 8:46 a.m.]

[Notice 76]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 18, 1968.

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-69927. By order of January 16, 1968, the Transfer Board approved the transfer to Jones Freight Line, Inc., Knoxville, Tenn., of a portion of certificate No. MC-107423, issued June 5, 1964, to Conken Freight Lines, Inc., Knoxville, Tenn., authorizing the transportation of new furniture, between Ferndale Station, Ky., on the one hand, and, on the other, points in Kentucky, except points in Harlan County, points in Tennessee, except those on Tennessee Highway 33 and U.S. Highway 25E between Knoxville and Cumberland Gap, including the points named, and points in Virginia; from points in North Carolina and Virginia except points in Lee and Wise Counties, to Ferndale Station, Ky.; and from points in Tennessee, as excepted above, to Ferndale Station. Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601, attorney for transferor, Walter Harwood, 515 Nashville Bank & Trust Building, Nashville, Tenn. 37201, attorney for transferee.

No. MC-FC-70050. By order of January 11, 1968, the Transfer Board approved the transfer to Sorensen Transportation Co., Inc., Bethany, Conn., of the operating rights in certificate No. MC-124567 (Sub-No. 2) issued March 11, 1964, to Anthony S. Petruzzello, doing business as Petruzzello Transport, Shelton, Conn., authorizing the transportation, over irregular routes, of knocked-down fiberboard containers, from Chambersburg, Pa., to Bridgeport, Conn., Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. 06103, attorney for applicants.

No. MC-FC-70174. By order of January 15, 1968, the Transfer Board approved the transfer to Erkel Transfer, Inc., Le Center, Minn., of the operating rights in certificate No. MC-56863 (Sub-No. 2) issued December 6, 1965, to Kenneth F. Erkel, Le Center, Minn., authorizing the transportation of general commodities, except those of unusual value, classes A and B explosives, and household goods, between Le Center, Minn., and Cleveland, Minn.; and certificates of registration Nos. MC-56863 (Sub-No. 1) and MC-56863 (Sub-No. 3) issued January 21, 1965, and April 7, 1967, respectively, to Kenneth F. Erkel, Le Center, Minn., evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of Minnesota, corresponding in scope to the service authorized by certificate of public convenience and necessity evidenced by A.T.C. Order No. 1248 issued June 27, 1946, and certificate of public convenience and necessity embraced in R.R.C.C. Order No. 1248-2 issued October 26, 1966, respectively, by the Railroad and Warehouse Commission of the State of Minnesota. William L. Heinen, 15 South Park Avenue, Le Center, Minn. 56067, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-830; Filed, Jan. 22, 1968; 8:46 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

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 January.