

FEDERAL REGISTER

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Agricultural Research Service
Atomic Energy Commission
Business and Defense Services
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Commodity Credit Corporation
Comptroller of the Currency
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Announcing First 10-Year Cumulation

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in Volumes 70-79 of the

UNITED STATES STATUTES AT LARGE

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of

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PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR COMBINED CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for combined crop insurance for the 1971 crop year. The crops on which insurance is offered are shown opposite the name of the county.

State and county	Crop(s)
NORTH DAKOTA:	
Barnes	Barley, Flax, Oats, Rye, Wheat.
Grand Forks.....	Barley, Flax, Oats, Wheat.
Pierce	Barley, Flax, Oats, Rye, Wheat.
Ransom	Barley, Corn, Flax, Oats, Wheat.
Richland	Barley, Corn, Flax, Oats, Rye, Soybeans, Wheat.
Sargent	Barley, Corn, Flax, Oats, Wheat.
Steele	Barley, Flax, Oats, Wheat.

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

[SEAL] RICHARD H. ASLAKSON,
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PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR CORN CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for corn crop insurance for the 1971 crop year.

ALABAMA	
De Kalb.	Marshall.
Jackson.	
COLORADO	
Boulder.	Morgan.
Kit Carson.	Sedgwick.
Larimer.	Washington.
Logan.	Weld.
DELAWARE	
Kent.	Sussex.
New Castle.	

Suwannee.

Colquitt.

Adams.
Bond.
Brown.
Bureau.
Carroll.
Cass.
Champaign.
Christian.
Clark.
Clinton.
Coles.
Crawford.
Cumberland.
De Kalb.
De Witt.
Douglas.
Edgar.
Effingham.
Fayette.
Ford.
Fulton.
Greene.
Grundy.
Hancock.
Henderson.
Henry.
Iroquois.
Jasper.
Jefferson.
Jersey.
Jo Daviess.
Kankakee.
Kendall.
Knox.
La Salle.
Lee.

Adams.
Allen.
Bartholomew.
Benton.
Blackford.
Boone.
Carroll.
Cass.
Clay.
Clinton.
Decatur.
De Kalb.
Delaware.
Elkhart.
Fayette.
Fountain.
Fulton.
Gibson.
Grant.
Hamilton.
Hancock.
Hendricks.
Henry.
Howard.
Huntington.
Jackson.
Jasper.
Jay.
Johnson.
Knox.

Adair.
Adams.
Allamakee.
Audubon.
Benton.
Black Hawk.

FLORIDA

GEORGIA

ILLINOIS

Livingston.
Logan.
McDonough.
McLean.
Macon.
Macoupin.
Madison.
Marshall.
Mason.
Menard.
Mercer.
Monroe.
Montgomery.
Morgan.
Moultrie.
Ogle.
Peoria.
Piatt.
Pike.
Putnam.
St. Clair.
Sangamon.
Schuyler.
Scott.
Shelby.
Stark.
Stephenson.
Tazewell.
Vermilion.
Warren.
Washington.
Wayne.
Whiteside.
Winnebago.
Woodford.

INDIANA

Kosciusko.
Lagrange.
Madison.
Marion.
Marshall.
Miami.
Montgomery.
Morgan.
Newton.
Noble.
Parke.
Pulaski.
Putnam.
Randolph.
Ripley.
Rush.
Shelby.
Sullivan.
Tippecanoe.
Tipton.
Union.
Vermillion.
Vigo.
Wabash.
Warren.
Wayne.
Wells.
White.
Whitley.

Iowa

Boone.
Bremer.
Buchanan.
Buena Vista.
Butler.
Calhoun.

Iowa—Continued

Carroll.
Cass.
Cedar.
Cerro Gordo.
Cherokee.
Chickasaw.
Clarke.
Clay.
Clayton.
Clinton.
Crawford.
Dallas.
Decatur.
Delaware.
Des Moines.
Dickinson.
Dubuque.
Emmet.
Fayette.
Floyd.
Franklin.
Fremont.
Greene.
Grundy.
Guthrie.
Hamilton.
Hancock.
Hardin.
Harrison.
Henry.
Howard.
Humboldt.
Ida.
Iowa.
Jackson.
Jasper.
Jefferson.
Johnson.
Jones.
Keokuk.
Kossuth.

Lee.
Linn.
Louisa.
Lyon.
Madison.
Mahaska.
Marion.
Marshall.
Mills.
Mitchell.
Monona.
Monroe.
Montgomery.
Muscatine.
O'Brien.
Osceola.
Page.
Palo Alto.
Plymouth.
Pocahontas.
Polk.
Pottawattamie.
Poweshiek.
Sac.
Scott.
Shelby.
Sioux.
Story.
Tama.
Taylor.
Union.
Wapello.
Warren.
Washington.
Webster.
Winnebago.
Winneshiek.
Woodbury.
Worth.
Wright.

KANSAS

Atchison.
Bourbon.
Brown.
Crawford.
Doniphan.
Douglas.
Finney.
Franklin.
Grant.
Haskell.
Jackson.
Jefferson.
Johnson.

Linn.
Marshall.
Miami.
Nemaha.
Osage.
Pottawatomie.
Scott.
Shawnee.
Sherman.
Stanton.
Washington.
Wichita.

KENTUCKY

Christian.
Davies.
Henderson.
Hopkins.

McLean.
Todd.
Union.

LOUISIANA

Pointe Coupee.

MARYLAND

Caroline.
Kent.

Queen Annes.
Talbot.

MICHIGAN

Branch.
Calhoun.
Cass.
Clinton.
Eaton.
Gratiot.
Hillsdale.
Ingham.
Ionia.
Jackson.

Kalamazoo.
Lenawee.
Livingston.
Monroe.
Saginaw.
St. Clair.
St. Joseph.
Shiawassee.
Tuscola.
Washtenaw.

MINNESOTA

Big Stone. Murray.
Blue Earth. Nicollet.
Brown. Nobles.
Carver. Olmsted.
Chippewa. Pipestone.
Cottonwood. Pope.
Dakota. Redwood.
Dodge. Renville.
Douglas. Rice.
Faribault. Rock.
Fillmore. Scott.
Freeborn. Sibley.
Goodhue. Stearns.
Grant. Steele.
Houston. Stevens.
Jackson. Swift.
Kandiyohi. Todd.
Lac Qui Parle. Traverse.
Le Sueur. Wabasha.
Lincoln. Waseca.
Lyon. Washington.
McLeod. Watonwan.
Martin. Winona.
Meeker. Wright.
Mower. Yellow Medicine.

MISSISSIPPI

Tippah.

MISSOURI

Adair. Knox.
Andrew. Lafayette.
Atchison. Lawrence.
Audrain. Lewis.
Barton. Lincoln.
Bates. Linn.
Boone. Livingston.
Buchanan. Macon.
Butler. Marion.
Caldwell. Mississippi.
Callaway. Monroe.
Cape Girardeau. Montgomery.
Carroll. New Madrid.
Cass. Nodaway.
Chariton. Pemiscot.
Clark. Pettis.
Clinton. Pike.
Cooper. Platte.
Davies. Ralls.
De Kalb. Randolph.
Dunklin. Ray.
Franklin. St. Charles.
Gentry. Saline.
Grundy. Scotland.
Harrison. Scott.
Henry. Shelby.
Holt. Stoddard.
Howard. Sullivan.
Jackson. Vernon.
Jasper. Worth.
Johnson.

NEBRASKA

Antelope. Lancaster.
Boone. Madison.
Burt. Merrick.
Butler. Nemaha.
Cass. Otoe.
Cedar. Pawnee.
Colfax. Phelps.
Cuming. Pierce.
Dixon. Platte.
Dodge. Polk.
Gage. Richardson.
Hall. Saunders.
Hamilton. Stanton.
Johnson. Washington.
Kearney. Wayne.
Knox. York.

NORTH CAROLINA

Anson. Pitt.
Beaufort. Robeson.
Hyde. Rowan.
Nash. Union.
Pamlico. Washington.

NORTH DAKOTA

Cass. Richland.
Ransom. Sargent.

OHIO

Allen. Logan.
Ashland. Lucas.
Auglaize. Madison.
Butler. Marion.
Champaign. Medina.
Clark. Mercer.
Clinton. Miami.
Crawford. Montgomery.
Darke. Morrow.
Defiance. Ottawa.
Delaware. Paulding.
Erie. Pickaway.
Fairfield. Preble.
Fayette. Putnam.
Franklin. Richland.
Fulton. Sandusky.
Greene. Seneca.
Hancock. Shelby.
Hardin. Union.
Henry. Van Wert.
Highland. Wayne.
Huron. Williams.
Knox. Wood.
Licking. Wyandot.

PENNSYLVANIA

Adams. Lancaster.
Chester. Lebanon.
Cumberland. Perry.
Dauphin. York.
Franklin.

SOUTH DAKOTA

Aurora. Hanson.
Beadle. Hutchinson.
Bon Homme. Kingsbury.
Brookings. Lake.
Charles Mix. Lincoln.
Clark. McCook.
Clay. Miner.
Codington. Minnehaha.
Davison. Moody.
Day. Roberts.
Deuel. Sanborn.
Douglas. Turner.
Grant. Union.
Hamlin. Yankton.

TENNESSEE

Franklin. Obion.

VIRGINIA

Nansemond. Southampton.

WISCONSIN

Barron. La Crosse.
Buffalo. Lafayette.
Calumet. Pepin.
Clark. Pierce.
Columbia. Polk.
Crawford. Racine.
Dane. Richland.
Dodge. Rock.
Dunn. St. Croix.
Fond du Lac. Sauk.
Grant. Trempealeau.
Green. Vernon.
Iowa. Walworth.
Jackson. Waukesha.
Jefferson. Winnebago.
Kenosha.

WYOMING

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

[SEAL] RICHARD H. ASLAKSON,
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PART 401—FEDERAL CROP
INSURANCESubpart—Regulations for the 1969
and Succeeding Crop YearsAPPENDIX; COUNTIES DESIGNATED FOR DRY
BEAN CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for dry bean crop insurance for the 1971 crop year. The class(es) of beans on which insurance is offered is shown opposite the name of the county.

State and County	Class(es) of dry beans insured
Colorado:	
Boulder.....	Pinto.
Larimer.....	Pinto.
Logan.....	Pinto.
Morgan.....	Pinto.
Sedgewick.....	Pinto.
Washington.....	Pinto.
Weld.....	Pinto.
Idaho:	
Ada.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds. ¹
Canyon.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds. ¹
Cassia.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds. ¹
Gooding.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds. ¹
Jerome.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds. ¹
Lincoln.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds.
Minidoka.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds. ¹
Owyhee.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds.
Twin Falls.....	Great Northern, Pinks, Pinto, Red Kidney, Small Reds. ¹
Michigan:	
Bay.....	Pea and Medium White.
Gratiot.....	Pea and Medium White.
Huron.....	Pea and Medium White.
Saginaw.....	Pea and Medium White.
St. Clair.....	Pea and Medium White.
Sanilac.....	Pea and Medium White.
Shiawassee.....	Pea and Medium White.
Tuscola.....	Pea and Medium White.
Nebraska:	
Box Butte.....	Great Northern, Pinto.
Morrill.....	Great Northern, Pinto.
Scotts Bluff.....	Great Northern, Pinto.
Sheridan.....	Great Northern, Pinto.
Washington:	
Adams.....	Great Northern, Pinks, Pinto, Small Flat Whites, Small Reds.
Franklin.....	Great Northern, Pinks, Pinto, Small Flat Whites, Small Reds.
Grant.....	Great Northern, Pinks, Pinto, Small Flat Whites, Small Reds.
Wyoming:	
Big Horn.....	Great Northern, Pinto.
Goshen.....	Great Northern, Pinto.
Park.....	Great Northern, Pinto.
Platte.....	Great Northern, Pinto.
Washakie.....	Great Northern, Pinto.

¹ Insurance is also provided on bush varieties of garden seed beans.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

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PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR FLAX CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for flax crop insurance for the 1971 crop year.

Crop Insurance Corporation

MINNESOTA

Becker. Otter Tail.
Big Stone. Pennington.
Chippewa. Pipestone.
Clay. Polk.
Grant. Pope.
Kittson. Red Lake.
Lac Qui Parle. Redwood.
Lincoln. Roseau.
Lyon. Stevens.
Mahnomen. Swift.
Marshall. Traverse.
Murray. Wilkin.
Nobles. Yellow Medicine.
Norman.

NORTH DAKOTA

Barnes. Mountrail.
Benson. Nelson.
Bottineau. Pembina.
Burleigh. Pierce.
Cass. Ramsey.
Cavalier. Ransom.
Dickey. Renville.
Eddy. Richland.
Emmons. Rolette.
Foster. Sargent.
Grand Forks. Sheridan.
Griggs. Steele.
Kidder. Stutsman.
La Moure. Towner.
Logan. Traill.
McHenry. Walsh.
McIntosh. Ward.
McLean. Wells.

SOUTH DAKOTA

Brookings. Hamlin.
Brown. Kingsbury.
Campbell. Lake.
Clark. McPherson.
Codington. Marshall.
Corson. Miner.
Day. Moody.
Deuel. Roberts.
Edmunds. Walworth.
Grant.

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

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Crop Insurance Corporation.

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8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR OAT CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for oat crop insurance for the 1971 crop year.

CALIFORNIA

Modoc.

ILLINOIS

Bureau. Jo Daviess.
Carroll. Ogle.
Henry. Stephenson.

IOWA

Adair. Jasper.
Adams. Jefferson.
Allamakee. Johnson.
Audubon. Jones.
Benton. Keokuk.
Black Hawk. Kossuth.
Boone. Lee.
Bremer. Linn.
Buchanan. Louisa.
Buena Vista. Lyon.
Butler. Madison.
Calhoun. Mahaska.
Carroll. Marion.
Cass. Marshall.
Cedar. Mills.
Cerro Gordo. Mitchell.
Cherokee. Monona.
Chickasaw. Monroe.
Clarke. Montgomery.
Clay. Muscatine.
Clayton. O'Brien.
Clinton. Osceola.
Crawford. Page.
Dallas. Palo Alto.
Decatur. Plymouth.
Delaware. Pocahontas.
Des Moines. Polk.
Dickinson. Pottawattamie.
Dubuque. Poweshiek.
Emmet. Sac.
Fayette. Scott.
Floyd. Shelby.
Franklin. Sioux.
Fremont. Story.
Greene. Tama.
Grundy. Taylor.
Guthrie. Union.
Hamilton. Wapello.
Hancock. Warren.
Hardin. Washington.
Harrison. Webster.
Henry. Winnebago.
Howard. Winneshiek.
Humboldt. Woodbury.
Ida. Worth.
Iowa. Wright.
Jackson.

MINNESOTA

Becker. Faribault.
Big Stone. Fillmore.
Blue Earth. Freeborn.
Brown. Goodhue.
Carver. Grant.
Chippewa. Houston.
Clay. Jackson.
Cottonwood. Kandiyohi.
Dakota. Kittson.
Dodge. Lac Qui Parle.
Douglas. Le Sueur.

MINNESOTA—Continued

Lincoln. Renville.
Lyon. Rice.
McLeod. Rock.
Mahnomen. Roseau.
Marshall. Scott.
Martin. Sibley.
Meeker. Stearns.
Mower. Steele.
Murray. Stevens.
Nicollet. Swift.
Nobles. Todd.
Norman. Traverse.
Olmstead. Wabasha.
Otter Tail. Waseca.
Pennington. Washington.
Pipestone. Watonwan.
Polk. Wilkin.
Pope. Winona.
Rec. Lake. Wright.
Redwood. Yellow Medicine.

NORTH DAKOTA

Barnes. Nelson.
Benson. Pembina.
Burleigh. Pierce.
Cass. Ramsey.
Cavalier. Ransom.
Dickey. Richland.
Eddy. Sargent.
Foster. Stark.
Grand Forks. Steele.
Griggs. Stutsman.
Kidder. Towner.
La Moure. Traill.
Logan. Walsh.
Morton.

OREGON

Klamath.

PENNSYLVANIA

Chester. Dauphin.
Cumberland. Perry.

SOUTH DAKOTA

Aurora. Hutchinson.
Beadle. Kingsbury.
Bon Homme. Lake.
Brookings. Lincoln.
Brown. McCook.
Charles Mix. Marshall.
Clark. Miner.
Clay. Minnehaha.
Codington. Moody.
Davison. Roberts.
Day. Sanborn.
Deuel. Spink.
Douglas. Turner.
Grant. Union.
Hamlin. Yankton.
Hanson.

WISCONSIN

Barron. La Crosse.
Buffalo. Lafayette.
Calumet. Pepin.
Clark. Pierce.
Columbia. Polk.
Crawford. Racine.
Dane. Richland.
Dodge. Rock.
Dunn. St. Croix.
Fond du Lac. Sauk.
Grant. Trempealeau.
Green. Vernon.
Iowa. Walworth.
Jackson. Waukesha.
Jefferson. Winnebago.
Kenosha.

WYOMING

Big Horn. Washakie.
Park.

RULES AND REGULATIONS

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9055; Filed, July 15, 1970;
8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEA
(CANNING AND FREEZING) CROP
INSURANCE

Pursuant to authority contained in
§ 401.101 of the above-identified regula-
tions, as amended, the following counties
have been designated for pea (canning
and freezing) crop insurance for the
1971 crop year.

IDAHO
Caribou. Nez Perce.
Franklin.

MINNESOTA
Blue Earth. Nicollet.
Brown. Olmsted.
Dakota. Redwood.
Dodge. Renville.
Faribault. Rice.
Freeborn. Scott.
Goodhue. Sibley.
Kandiyohi. Steele.
Le Sueur. Wabasha.
McLeod. Waseca.
Martin. Watonwan.
Meeker. Winona.
Mower.

OREGON
Umatilla. Union.
UTAH
Box Elder. Salt Lake.
Cache. Utah.
Davis. Weber.

WASHINGTON
Columbia. Whitman.
Walla Walla.

WISCONSIN
Calumet. Fond du Lac.
Columbia. Trempealeau.
Dane. Winnebago.
Dodge.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9056; Filed, July 15, 1970;
8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEA
(DRY) CROP INSURANCE

Pursuant to authority contained in
§ 401.101 of the above-identified regula-
tions, as amended, the following counties

have been designated for pea (dry) crop
insurance for the 1971 crop year.

IDAHO
Benewah. Lewis.
Kootenai. Nez Perce.
Latah.

OREGON
Umatilla. Union.

WASHINGTON
Adams. Spokane.
Columbia. Walla Walla.
Franklin. Whitman.
Grant.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9057; Filed, July 15, 1970;
8:47 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR
PEANUT CROP INSURANCE

Pursuant to authority contained in
§ 401.101 of the above-identified regula-
tions, as amended, the following counties
have been designated for peanut crop
insurance for the 1971 crop year. The
type(s) of peanuts on which insurance
is offered in each county is shown op-
posite the county name.

ALABAMA
Barbour—Runner, Southeast Spanish, Vir-
ginia.
Coffee—Runner, Southeast Spanish, Virginia.
Conecuh—Runner, Southeast Spanish Vir-
ginia.
Covington—Runner, Southeast Spanish, Vir-
ginia.
Crenshaw—Runner, Southeast Spanish, Vir-
ginia.
Dale—Runner, Southeast Spanish, Virginia.
Geneva—Runner, Southeast Spanish, Vir-
ginia.
Henry—Runner, Southeast Spanish, Virginia.
Houston—Runner, Southeast Spanish, Vir-
ginia.
Pike—Runner.

FLORIDA
Jackson—Runner, Southeast Spanish, Vir-
ginia.

GEORGIA
Baker—Runner, Southeast Spanish, Virginia.
Ben Hill—Runner, Southeast Spanish, Vir-
ginia.
Bulloch—Runner, Southeast Spanish, Vir-
ginia.
Calhoun—Runner, Southeast Spanish, Vir-
ginia.
Clay—Runner, Southeast Spanish, Virginia.
Coffee—Runner, Southeast Spanish, Virginia.
Colquitt—Runner, Southeast Spanish, Vir-
ginia.
Cook—Runner, Southeast Spanish, Virginia.
Crisp—Runner, Southeast Spanish, Virginia.
Decatur—Runner, Southeast Spanish, Vir-
ginia.
Dooly—Runner, Southeast Spanish, Virginia.
Early—Runner, Southeast Spanish, Virginia.
Irwin—Runner, Southeast Spanish, Virginia.
Lee—Runner, Southeast Spanish, Virginia.
Miller—Runner, Southeast Spanish, Virginia.

GEORGIA—Continued

Mitchell—Runner, Southeast Spanish, Vir-
ginia.
Randolph—Runner, Southeast Spanish Vir-
ginia.
Sumter—Runner, Southeast Spanish, Vir-
ginia.
Terrell—Runner, Southeast Spanish, Vir-
ginia.
Thomas—Runner, Southeast Spanish, Vir-
ginia.
Tift—Runner, Southeast Spanish, Virginia.
Toombs—Runner, Southeast Spanish, Vir-
ginia.
Turner—Runner, Southeast Spanish, Vir-
ginia.
Worth—Runner, Southeast Spanish, Vir-
ginia.

NORTH CAROLINA

Bertie—Virginia.
Bladen—Virginia.
Chowan—Virginia.
Edgecombe—Virginia.
Gates—Virginia.
Halifax—Virginia.
Hertford—Virginia.
Martin—Virginia.
Northampton—Virginia.
Pitt—Virginia.
Washington—Virginia.

OKLAHOMA

Caddo—Southwest Spanish.
Grady—Southwest Spanish.

VIRGINIA

Dinwiddie—Virginia.
Greensville—Virginia.
Isle of Wight—Virginia.
Nansemond—Virginia.
Prince George—Virginia.
Southampton—Virginia.
Surrey—Virginia.
Sussex—Virginia.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9058; Filed, July 15, 1970;
8:48 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR RICE
CROP INSURANCE

Pursuant to authority contained in
§ 401.101 of the above-identified regula-
tions, as amended, the following counties
have been designated for rice crop in-
surance for the 1971 crop year.

ARKANSAS

Arkansas. Jackson.
Ashley. Jefferson.
Chicot. Lonoke.
Clay. Monroe.
Craighead. Ponsett.
Crittenden. Prairie.
Cross. St. Francis.
Desha. Woodruff.
Greene.

LOUISIANA

Acadia. Jefferson Davis.
Calcasieu. St. Landry.
Evangeline.

MISSISSIPPI

Bolivar. Washington.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9059; Filed, July 15, 1970;
8:48 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR SOYBEAN CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for soybean crop insurance for the 1971 crop year:

ALABAMA

Baldwin. Madison.
Escambia. Morgan.
Jackson. Shelby.
Lawrence. Talladega.
Limestone.

ARKANSAS

Arkansas. Lee.
Ashley. Lincoln.
Chicot. Lonoke.
Clay. Mississippi.
Craighead. Monroe.
Crittenden. Phillips.
Cross. Poinsett.
Desha. Prairie.
Greene. Randolph.
Jackson. St. Francis.
Jefferson. Woodruff.
Lawrence.

DELAWARE

Kent. Sussex.
New Castle.

ILLINOIS

Adams. Livingston.
Bond. Logan.
Brown. McDonough.
Bureau. McLean.
Cass. Macon.
Champaign. Macoupin.
Christian. Madison.
Clark. Marshall.
Clinton. Mason.
Coles. Menard.
Crawford. Mercer.
Cumberland. Monroe.
De Kalb. Montgomery.
De Witt. Morgan.
Douglas. Moultrie.
Edgar. Ogle.
Effingham. Peoria.
Fayette. Piatt.
Ford. Pike.
Fulton. Putnam.
Greene. St. Clair.
Grundy. Sangamon.
Hancock. Schuyler.
Henderson. Scott.
Henry. Shelby.
Iroquois. Stark.
Jasper. Tazewell.
Jefferson. Vermillion.
Jersey. Warren.
Kankakee. Washington.
Kendall. Wayne.
Knox. Whiteside.
La Salle. Winnebago.
Lee. Woodford.

INDIANA

Adams. Benton.
Allen. Blackford.
Bartholomew. Boone.

INDIANA—Continued

Carroll.
Cass.
Clay.
Clinton.
Decatur.
De Kalb.
Delaware.
Elkhart.
Fayette.
Fountain.
Fulton.
Gibson.
Grant.
Hamilton.
Hancock.
Hendricks.
Henry.
Howard.
Huntington.
Jackson.
Jasper.
Jay.
Johnson.
Knox.
Kosciusko.
Lagrange.
Madison.
Marion.
Marshall.
Miami.
Montgomery.
Morgan.
Newton.
Noble.
Parke.
Pulaski.
Putnam.
Randolph.
Ripley.
Rush.
Shelby.
Sullivan.
Tippecanoe.
Tipton.
Union.
Vermillion.
Vigo.
Wabash.
Warren.
Wayne.
Wells.
White.
Whitley.

IOWA

Adair. Jasper.
Adams. Jefferson.
Allamakee. Johnson.
Audubon. Jones.
Benton. Keokuk.
Black Hawk. Kossuth.
Boone. Lee.
Bremer. Linn.
Buchanan. Louisa.
Buena Vista. Lyon.
Butler. Madison.
Calhoun. Mahaska.
Carroll. Marion.
Cass. Marshall.
Cedar. Mills.
Cerro Gordo. Mitchell.
Cherokee. Monona.
Chickasaw. Monroe.
Clarke. Montgomery.
Clay. Muscatine.
Clayton. O'Brien.
Clinton. Osceola.
Crawford. Page.
Dallas. Palo Alto.
Decatur. Plymouth.
Delaware. Pocahontas.
Des Moines. Polk.
Dickinson. Pottawattamie.
Dubuque. Poweshiek.
Emmet. Sac.
Fayette. Scott.
Floyd. Shelby.
Franklin. Sioux.
Fremont. Story.
Greene. Tama.
Grundy. Taylor.
Guthrie. Union.
Hamilton. Wapello.
Hancock. Warren.
Hardin. Washington.
Harrison. Webster.
Henry. Winnebago.
Howard. Winneshiek.
Humboldt. Woodbury.
Ida. Worth.
Iowa. Wright.
Jackson.

KANSAS

Allen. Franklin.
Anderson. Johnson.
Atchison. Labette.
Bourbon. Linn.
Brown. Lyon.
Cherokee. Miami.
Coffey. Neosho.
Crawford. Osage.
Doniphan. Wilson.
Douglas. Woodson.

KENTUCKY

Calloway. Hopkins.
Davies. McLean.
Fulton. Ohio.
Graves. Union.

LOUISIANA

Acadia. Jefferson Davis.
Avoyelles. Madison.
Bossier. Morehouse.
Caddo. Natchitoches.
Calcasieu. Pointe Coupee.
Caldwell. Rapides.
Catahoula. Red River.
Concordia. Richland.
East Carroll. St. Landry.
Evangeline. Tensas.
Franklin. West Carroll.

MARYLAND

Caroline. Queen Annes.
Kent. Talbot.

MICHIGAN

Branch. Monroe.
Cass. Saginaw.
Clinton. St. Joseph.
Gratiot. Shiawassee.
Hillsdale. Washtenaw.
Lenawee.

MINNESOTA

Becker. Nicollet.
Big Stone. Nobles.
Blue Earth. Norman.
Brown. Olmsted.
Carver. Otter Tail.
Chippewa. Pipestone.
Clay. Pope.
Cottonwood. Redwood.
Dakota. Renville.
Dodge. Rice.
Douglas. Rock.
Faribault. Scott.
Fillmore. Sibley.
Freeborn. Stearns.
Goodhue. Steele.
Grant. Stevens.
Houston. Swift.
Jackson. Todd.
Kandiyohi. Traverse.
Lac Qui Parle. Wabasha.
Le Sueur. Waseca.
Lincoln. Washington.
Lyon. Watonwan.
McLeod. Wilkin.
Martin. Winona.
Meeker. Wright.
Mower. Yellow Medicine.
Murray.

MISSISSIPPI

Benton. Monroe.
Bolivar. Panola.
Calhoun. Prentiss.
Carroll. Quitman.
Chickasaw. Sharkey.
Coahoma. Sunflower.
De Soto. Tallahatchie.
Holmes. Tippah.
Humphries. Tunica.
Issaquena. Union.
Lee. Washington.
Leflore. Yazoo.

MISSOURI

Adair. Charlton.
Andrew. Clark.
Atchison. Clinton.
Audrain. Cooper.
Barton. Davless.
Bates. De Kalb.
Boone. Dunklin.
Buchanan. Gentry.
Butler. Grundy.
Caldwell. Harrison.
Callaway. Henry.
Cape Girardeau. Holt.
Carroll. Howard.
Cass. Jackson.

MISSOURI—Continued

Jasper.
Johnson.
Knox.
Lafayette.
Lewis.
Lincoln.
Linn.
Livingston.
Macon.
Marion.
Mississippi.
Monroe.
Montgomery.
New Madrid.
Nodaway.
Pemiscot.

NEBRASKA

Cass.
Colfax.
Cuming.
Dodge.
Lancaster.
Nemaha.

NORTH CAROLINA

Anson.
Beaufort.
Craven.
Hyde.
Johnston.
Jones.

NORTH DAKOTA

Cass.
Richland.

OHIO

Allen.
Ashland.
Auglaize.
Butler.
Champaign.
Clark.
Clinton.
Crawford.
Darke.
Defiance.
Delaware.
Erie.
Fairfield.
Fayette.
Franklin.
Fulton.
Greene.
Hancock.
Hardin.
Henry.
Highland.
Huron.
Knox.
Licking.

OKLAHOMA

Craig.

SOUTH CAROLINA

Aiken.
Allendale.
Bamberg.
Barnwell.
Calhoun.
Clarendon.
Darlington.
Dillon.
Dorchester.
Florence.

SOUTH DAKOTA

Bon Homme.
Brookings.
Charles Mix.
Clay.
Deuel.
Grant.
Hamlin.
Hutchinson.
Kingsbury.

Pettis.
Pike.
Platte.
Ralls.
Randolph.
Ray.
St. Charles.
Saline.
Scotland.
Scott.
Shelby.
Stoddard.
Sullivan.
Vernon.
Worth.

Otoe.
Richardson.
Saunders.
Washington.
Wayne.

Pamlico.
Pitt.
Robeson.
Union.
Washington.

Traill.

Logan.
Lucas.
Madison.
Marion.
Medina.
Mercer.
Miami.
Montgomery.
Morrow.
Ottawa.
Paulding.
Pickaway.
Preble.
Putnam.
Richland.
Sandusky.
Seneca.
Shelby.
Union.
Van Wert.
Wayne.
Williams.
Wood.
Wyandot.

Ottawa.

Hampton.
Horry.
Kershaw.
Lee.
Lexington.
Marion.
Marlboro.
Orangeburg.
Sumter.
Williamsburg.

Lake.
Lincoln.
McCook.
Minnehaha.
Moody.
Roberts.
Turner.
Union.
Yankton.

TENNESSEE

Carroll.
Chester.
Crockett.
Dyer.
Fayette.
Gibson.
Hardeman.
Haywood.

VIRGINIA

Nansemond.

WISCONSIN

Buffalo.
Dunn.
Jackson.
Jefferson.
Kenosha.
Pepin.
Pierce.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9060; Filed, July 15, 1970;
8:48 a.m.]

PART 401—FEDERAL CROP
INSURANCESubpart—Regulations for the 1969
and Succeeding Crop YearsAPPENDIX; COUNTIES DESIGNATED FOR
SUGAR BEET CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for sugar beet crop insurance for the 1971 crop year.

CALIFORNIA

Imperial.

COLORADO

Adams.
Boulder.
Kit Carson.
Larimer.

IDAHO

Ada.
Bannock.
Bingham.
Bonneville.
Canyon.
Cassia.

KANSAS

Finney.
Grant.
Kearny.
Sherman.

MICHIGAN

Bay.
Saginaw.

MINNESOTA

Clay.
Kittson.
Marshall.

MONTANA

Big Horn.
Carbon.
Custer.
Dawson.
Prairie.

NORTH DAKOTA

Cass.
Grand Forks.
McKenzie.
Pembina.

Lake.
Lauderdale.
Madison.
Obion.
Shelby.
Tipton.
Weakley.

SOUTHAMPTON.

Polk.
Racine.
Rock.
St. Croix.
Trempealeau.
Walworth.

OHIO

Hancock.
Henry.
Lucas.
Ottawa.

OREGON

Malheur.

UTAH

Box Elder.
Cache.
Davis.

WASHINGTON

Adams.
Benton.
Franklin.

WYOMING

Big Horn.
Goshen.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9061; Filed, July 15, 1970;
8:48 a.m.]

PART 401—FEDERAL CROP
INSURANCESubpart—Regulations for the 1969
and Succeeding Crop YearsAPPENDIX; COUNTIES DESIGNATED FOR
TOBACCO CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for tobacco crop insurance for the 1971 crop year. The type(s) of tobacco on which insurance is offered in each county is shown opposite the county name.

FLORIDA

Alachua ----- 14
Columbia ----- 14
Hamilton ----- 14

GEORGIA

Appling ----- 14
Atkinson ----- 14
Bacon ----- 14
Ben Hill ----- 14
Berrien ----- 14
Brantley ----- 14
Brooks ----- 14
Bullock ----- 14
Candler ----- 14
Coffee ----- 14
Colquitt ----- 14
Cook ----- 14
Decatur ----- 14
Irwin ----- 14

KENTUCKY

Adair ----- 31
Allen ----- 31, 35
Anderson ----- 31
Barren ----- 31
Bath ----- 31
Boone ----- 31
Bourbon ----- 31
Boyle ----- 31
Bracken ----- 31
Breckinridge ----- 31
Caldwell ----- 22, 31, 35
Calloway ----- 23, 35
Carroll ----- 31
Casey ----- 31
Christian ----- 22, 31, 35
Clark ----- 31
Davies ----- 31, 36
Fayette ----- 31
Fleming ----- 31
Franklin ----- 31
Garrard ----- 31
Grant ----- 31
Graves ----- 23, 31, 35
Green ----- 31
Harrison ----- 31
Hart ----- 31
Henderson ----- 31, 36
Henry ----- 31
Hopkins ----- 31, 36
Jessamine ----- 31
Larue ----- 31
Lewis ----- 31
Lincoln ----- 31

KENTUCKY—Continued

Logan	22, 31, 35	Pendleton	31
McLean	31, 36	Pulaski	31
Madison	31	Robertson	31
Marion	31	Russell	31
Marshall	23, 31, 35	Scott	31
Mason	31	Shelby	31
Meade	31	Simpson	22, 31, 35
Mercer	31	Spencer	31
Metcalfe	31	Taylor	31
Montgomery	31	Todd	22, 31, 35
Muhlenberg	22	Trigg	22, 31, 35
	31, 35	Union	31, 36
Nelson	31	Warren	31, 35
Nicholas	31	Washington	31
Ohio	31, 36	Wayne	31
Owen	31	Woodford	31

MISSOURI

Buchanan	31	Platte	31
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NORTH CAROLINA

Alamance	11a	Lee	11b
Alexander	11a	Lenoir	12
Beaufort	12	Madison	31
Bertie	12	Martin	12
Bladen	13	Mitchell	31
Brunswick	13	Montgomery	11b
Buncombe	31	Moore	11b
Carteret	12	Nash	12
Caswell	11a	Northampton	12
Chatham	11b	Onslow	12
Chowan	12	Orange	11b
Columbus	13	Pamlico	12
Craven	12	Pender	12
Cumberland	13	Person	11a
Davidson	11a	Pitt	12
Duplin	12	Randolph	11a
Durham	11b	Richmond	11b
Edgecombe	12	Robeson	13
Forsyth	11a	Rockingham	11a
Franklin	11b	Sampson	12
Gates	12	Scotland	13
Granville	11b	Stokes	11a
Greene	12	Surry	11a
Gulford	11a	Vance	11b
Halifax	12	Wake	11b
Harnett	11b	Warren	11b
Haywood	31	Washington	12
Hertford	12	Wayne	12
Hoke	13	Wilson	12
Iredell	11a	Wilkes	11a
Johnston	12	Yadkin	11a
Jones	12	Yancey	31

OHIO

Adams	31	Highland	31
Brown	31		

PENNSYLVANIA

Lancaster	41
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SOUTH CAROLINA

Chesterfield	13	Kershaw	13
Clarendon	13	Lee	13
Darlington	13	Marion	13
Dillon	13	Marlboro	13
Dorchester	13	Orangeburg	13
Florence	13	Sumter	13
Georgetown	13	Williamsburg	13
Horry	13		

TENNESSEE

Anderson	31	Jackson	31
Blount	31	Jefferson	31
Carter	31	Johnson	31
Clalborne	31	Knox	31
Coke	31	Lawrence	31
De Kalb	31	Lincoln	31
Dickson	22	Loudon	31
Franklin	31	McMinn	31
Giles	31	Macon	31, 35
Granger	31	Marshall	31
Greene	31	Mauzy	31
Hamblen	31	Monroe	31
Hancock	31	Montgomery	22, 31
Hawkins	31	Obion	23, 35

TENNESSEE—Continued

Putnam	31	Trousdale	31
Robertson	22, 31, 35	Unicoi	31
Sevier	31	Washington	31
Smith	31	Weakley	23, 35
Stewart	22, 31	White	31
Sullivan	31	Williamson	31
Sumner	22, 31, 35	Wilson	31

VIRGINIA

Amelia	11a, 21	Mecklenburg	11a
Appomattox	11a, 21	Nansemond	11a
Brunswick	11a, 21	Nottoway	11a, 21
Campbell	11a, 21	Pittsylvania	11a
Charlotte	11a, 21	Prince Edward	11a, 21
Cumberland	11a, 21	Prince George	11a
Dinwiddie	11a, 21	Russell	31
Franklin	11a	Scott	31
Greensville	11a	Smyth	31
Halifax	11a	Southampton	11a
Lee	31	Sussex	11a
Lunenburg	11a, 21	Washington	31

WISCONSIN

Crawford	55	Richland	55
Dane	54	Trempealeau	55
La Crosse	55	Vernon	55

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9062; Filed, July 15, 1970;
8:48 a.m.]

PART 401—FEDERAL CROP INSURANCE
Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR TOMATO CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, as amended, the following counties have been designated for tomato crop insurance for the 1971 crop year.

OHIO

Darke	Ottawa
Fulton	Putnam
Henry	Sandusky
Lucas	Wood

UTAH

Box Elder	Utah
Davis	Weber
Salt Lake	

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9063; Filed, July 15, 1970;
8:48 a.m.]

PART 402—RAISIN CROP INSURANCE
Subpart—Regulations for the 1966 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR RAISIN CROP INSURANCE

Pursuant to authority contained in § 402.1 of the above-identified regula-

tions, the following counties have been designated for raisin crop insurance for the 1971 crop year.

CALIFORNIA

Fresno	Merced
Kern	Stanislaus
Kings	Tulare
Madera	

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9064; Filed, July 15, 1970;
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PART 403—PEACH CROP INSURANCE
Subpart—Regulations for the 1965 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEACH CROP INSURANCE

Pursuant to authority contained in § 403.40 of the above-identified regulations, as amended, the following counties have been designated for peach crop insurance for the 1971 crop year.

ALABAMA

Chilton	
Cross	Lee
Johnson	St. Francis

GEORGIA

Peach	Upson
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NORTH CAROLINA

Cleveland	Richmond
Montgomery	Rutherford
Moore	

SOUTH CAROLINA

Alken	Laurens
Allendale	Lexington
Barnwell	Saluda
Chesterfield	Spartanburg
Edgefield	York
Greenville	

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.
[F.R. Doc. 70-9065; Filed, July 15, 1970;
8:48 a.m.]

PART 404—APPLE CROP INSURANCE
Subpart—Regulations for the 1967 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR APPLE CROP INSURANCE

Pursuant to authority contained in § 404.20 of the above-identified regulations, the following counties have been designated for apple crop insurance for the 1971 crop year.

OREGON

Umatilla

WASHINGTON

Chelan	Douglas
Columbia	Okanogan

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9066; Filed, July 15, 1970;
8:48 a.m.]

PART 406—CALIFORNIA ORANGE CROP INSURANCE

Subpart—Regulations for the 1963 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR ORANGE CROP INSURANCE

Pursuant to authority contained in § 406.1 of the above-identified regulations, as amended, the following counties have been designated for orange crop insurance for the 1971 crop year.

CALIFORNIA

Fresno. Tulare.
Kern.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9069; Filed, July 15, 1970;
8:48 a.m.]

PART 408—NORTH CAROLINA APPLE CROP INSURANCE

Subpart—Regulations for the 1965 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR APPLE CROP INSURANCE

Pursuant to authority contained in § 408.1 of the above-identified regulations, as amended, the following counties have been designated for apple crop insurance for the 1971 crop year.

NORTH CAROLINA

Alexander. Wilkes.
Henderson.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9067; Filed, July 15, 1970;
8:48 a.m.]

PART 409—ARIZONA-DESERT VALLEY CITRUS CROP INSURANCE

Subpart—Regulations for the 1967 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR CITRUS CROP INSURANCE

Pursuant to authority contained in § 409.20 of the above-identified regulations, the following counties have been designated for citrus crop insurance for the 1971 crop year.

ARIZONA

Maricopa. Yuma.

CALIFORNIA

Imperial. Riverside.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9050; Filed, July 15, 1970;
8:47 a.m.]

PART 410—FLORIDA CITRUS CROP INSURANCE

Subpart—Regulations for the 1970 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR CITRUS CROP INSURANCE

Pursuant to authority contained in § 410.1 of the above-identified regulations, the following counties have been designated for citrus crop insurance for the 1971 crop year.

FLORIDA

Brevard. Marion.
De Soto. Martin.
Hardee. Orange.
Hernando. Osceola.
Highlands. Pasco.
Hillsborough. Polk.
Indian River. St. Lucie.
Lake. Seminole.
Manatee.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9051; Filed, July 15, 1970;
8:47 a.m.]

PART 413—TEXAS CITRUS CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR CITRUS CROP INSURANCE

Pursuant to authority contained in § 413.20 of the above-identified regulations, the following counties have been designated for citrus crop insurance for the 1971 crop year.

TEXAS

Cameron. Willacy.
Hidalgo.

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

[SEAL] RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 70-9068; Filed, July 15, 1970;
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Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 981—ALMONDS GROWN IN CALIFORNIA

Order Amending Order, as Amended, Regulating Handling

Sec.
981.0 Findings and determinations.

DEFINITIONS

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981.2 Act.
981.3 Person.
981.4 Almonds.
981.5 Unshelled almonds.
981.6 Shelled almonds.
981.7 Edible kernel.
981.8 Inedible kernel.
981.9 Kernel weight.
981.10 Almonds received for his own account.
981.11 Area of production.
981.12 Grower.
981.13 Handler.
981.14 Cooperative handler.
981.15 Almond product.
981.16 To handle.
981.17 Inspection agency.
981.18 Settlement weight.
981.19 Crop year.
981.20 Handler carryover.
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EXPENSES AND ASSESSMENTS

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MISCELLANEOUS PROVISIONS	
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AUTHORITY: The provisions of this Part 981 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

§ 981.0 Findings and determinations.

(a) *Previous findings and determinations.* The findings hereinafter set forth are supplementary, and in addition, to the previous findings and determinations which have been made in connection with the issuance of the marketing agreement and order, and the subsequent amendment thereof, and all of the said previous findings and determinations are hereby ratified and affirmed. (For prior findings and determinations see 15 F.R. 4993; 22 F.R. 3781; 22 F.R. 8485; 23 F.R. 903).

(b) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held in Sacramento, Calif., on December 15-16, 1969, on a proposed amendment of the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981), regulating the handling of almonds grown in California. On the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The said order, as amended, and as hereby further amended, regulates the handling of almonds grown in California in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) There are no differences in the production and marketing of almonds in the production area covered by the order, as amended, and as hereby further amended, which require different terms applicable to different parts of such area;

(4) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production and marketing of almonds consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act; and

(5) All handling of almonds grown in California is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

(c) *Additional findings.* It is hereby further found, for the reasons herein-after set forth, that good cause exists for making the provisions of this amendatory order effective on the date herein-after specified rather than postponing the effective date thereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553). The amendatory order permits the control of the timing and volume of reserve almonds exported by applying an export percentage to reserve almonds. The Almond Control Board is required, pursuant to the program, to furnish to the Secretary, not later than August 1, its marketing policy estimates and recommendations, including those pertaining to the new export control provisions, for the 1970-71 crop year. Preliminary estimates indicate the 1970 almond crop in California will be the largest ever, and the new provisions for export control must become effective as specified hereinafter to maximize the industry's opportunity to effectuate the declared policy of the act. In addition, the amendatory order provides other improvements in program operations and procedures and, in some instances, requires implementation by rule making to be adequately prepared for the beginning deliveries, in August, of the 1970 crop. No advance preparation by handlers will be necessary to comply with the amended order. Hence, to permit compliance with, and maximum benefit from, the new or revised provisions, it is necessary that the amendatory order become effective as hereinafter specified.

(d) *Determinations.* It is hereby determined that: (1) The "Marketing Agreement, as Amended, Regulating the Handling of Almonds Grown in California," upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping almonds covered by the said order, as amended and as hereby further amended) who during the period July 1, 1969, through May 31, 1970, handled not less than 50 percent of the volume of such almonds covered by the said order, as amended and as hereby further amended; and

(2) The issuance of this amendatory order, amending the aforesaid order, as amended, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who during the period July 1, 1969, through May 31, 1970 (which has been determined to be a representative period), have been engaged, within the State of California, in the production for market of almonds, such producers having also produced for market at least two-thirds of the volume of such commodity represented in the referendum.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of almonds grown in California shall be in conformity to, and in com-

pliance with, the terms and conditions of the said order, as amended, and as hereby further amended as follows:

DEFINITIONS

§ 981.1 Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any other officer or employee of the United States Department of Agriculture who is, or who may be, authorized to perform the duties under this part of the Secretary of Agriculture of the United States.

§ 981.2 Act.

"Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 62 Stat. 1247; 63 Stat. 282, 1051; 7 U.S.C. 601 et seq.).

§ 981.3 Person.

"Person" means an individual, partnership, corporation, association, or any other business unit.

§ 981.4 Almonds.

"Almonds" means (unless otherwise specified) all varieties of almonds (except bitter almonds), either shelled or unshelled, grown in the State of California.

§ 981.5 Unshelled almonds.

"Unshelled almonds" means almonds the kernels of which are contained in the shell.

§ 981.6 Shelled almonds.

"Shelled almonds" mean raw or roasted almonds after the shells are removed and includes blanched, diced, sliced, slivered, cut, halved, or broken almonds, or any combination thereof. Additional almond products may be included by the Secretary from time to time upon consideration of a recommendation from the Control Board or other pertinent information.

§ 981.7 Edible kernel.

"Edible kernel" means a kernel, piece, or particle of almond kernel which is free from serious damage as defined in the effective United States Standards for Shelled Almonds. The specifications for "serious damage" as set forth in said standards may be modified by the Secretary after consideration of a recommendation from the Control Board or other pertinent information.

§ 981.8 Inedible kernel.

"Inedible kernel" means a kernel, piece, or particle of almond kernel which is not an edible kernel.

§ 981.9 Kernel weight.

"Kernel weight" means the weight of kernels, including pieces and particles, regardless of whether edible or inedible, contained in any lot of almonds, unshelled or shelled.

§ 981.10 Almonds received for his own account.

"Almonds received for his own account" means all almonds which are

received by a handler (including all almonds of his own production), except those which are received by him for storage or processing for the account of any other person and with respect to which such handler performs no handling function.

§ 981.11 Area of production.

"Area of production" means the State of California.

§ 981.12 Grower.

"Grower" is synonymous with "producer" and means any person engaging, in a proprietary capacity, in the commercial production of almonds.

§ 981.13 Handler.

"Handler" means any person handling almonds during any crop year, except that such term shall not include a grower who sells only almonds of his own production at retail at a roadside stand operated by him.

§ 981.14 Cooperative handler.

"Cooperative handler" means any handler which is a cooperative marketing association of growers regardless of where or under what laws it may be organized.

§ 981.15 Almond product.

"Almond product" means any edible preparation other than those included under the definition of "shelled almonds," manufactured entirely or partially from raw shelled almonds, and nut mixtures containing shelled or unshelled almonds.

§ 981.16 To handle.

"To handle" means to use almonds commercially of own production or to sell, consign, transport, ship (except as a common carrier of almonds owned by another person) or in any other way to put into channels of trade, either within the area of production or from such area to points outside thereof, or to receive as the first receiver thereof at any point of entry in the continental United States, Alaska, Hawaii, and Puerto Rico, almonds which have been exported therefrom and are submitted for reentry or are reentered free of duty: *Provided*, That sales or deliveries by growers to handlers within the area of production shall not be considered as handling.

§ 981.17 Inspection agency.

"Inspection agency" means the Federal-State Inspection Service or, when specifically designated, the Federal Inspection Service.

§ 981.18 Settlement weight.

"Settlement weight" means the actual gross weight of any lot of almonds received for his own account by any handler, less adjustments as follows:

- (a) For weight of containers,
- (b) For excess moisture, and
- (c) For trash or other foreign material of any kind.

§ 981.19 Crop year.

"Crop year" means the 12 months from July 1 to the following June 30 inclusive.

§ 981.20 Handler carryover.

"Handler carryover" as of any given date means all almonds (except those held as certified reserve) wherever located, then held by handlers for their own accounts (whether or not sold) but not including any almond products.

§ 981.21 Trade demand.

"Trade demand" means the quantity of almonds (kernel weight basis) which commercial distributors and users such as the wholesale, chain store, confectionery, bakery, ice cream, and nut salting trades will acquire from all handlers during a crop year for distribution in continental United States, Alaska, Hawaii, Puerto Rico, and the Canal Zone.

§ 981.21a Salable almonds.

"Salable almonds" means those almonds which are free to be handled pursuant to any salable percentage established by the Secretary pursuant to § 981.47 or § 981.48 and, in the absence of a reserve percentage being established for a crop year, all almonds received by handlers for their own accounts during that crop year.

§ 981.21b Reserve almonds.

"Reserve almonds" means those almonds which must be withheld from handling in satisfaction of a reserve obligation arising from application of a reserve percentage established by the Secretary pursuant to § 981.47 or § 981.48.

§ 981.22 Control Board.

"Control Board" is synonymous with "Board" and means the Almond Control Board established by this subpart.

§ 981.23 Part and subpart.

"Part" means the order regulating the handling of almonds grown in the State of California, and all rules, regulations, and supplementary orders issued thereunder, and the aforesaid order shall be a "subpart" of such part.

ALMOND CONTROL BOARD

§ 981.30 Establishment.

A Control Board of ten members, with an alternate member for each such member, is hereby established.

§ 981.31 Membership representation.

Two members and an alternate for each member shall be selected from nominees submitted by each of the following groups designated in paragraphs (a) through (d) of this section, or from among other qualified persons belonging to such groups; and one member and an alternate member shall be selected from nominees submitted by each of the following groups designated in paragraphs (e) and (f) of this section, or from among other qualified persons belonging to such groups:

- (a) The cooperative handlers;
- (b) All handlers, other than cooperative handlers;
- (c) Those growers who market their almonds through cooperative handlers;

(d) Those growers who market their almonds through other than cooperative handlers;

(e) The group of cooperative handlers or the group of handlers other than cooperative handlers whichever during that part of the then current crop year through March 31 received for their own account more than 50 percent of the almonds delivered by growers, and

(f) Those growers whose almonds were marketed during that period of the then current crop year through March 31, through the handler group specified in paragraph (e) of this section.

§ 981.32 Nominations.

(a) *Method.* Nominees for the respective member and alternate member positions shall be chosen by ballot delivered to the Control Board. Nominees chosen as provided herein shall be submitted by the Control Board to the Secretary on or before May 20 of each year together with such related information as he may require. If a nomination for any board member or alternate is not received by the Secretary on or before May 20, he may select such member or alternate from persons belonging to the group to be represented, without nomination. The Control Board shall mail to all handlers and growers, other than cooperative, of record, the required ballots with all necessary voting information, including the names of incumbents willing to accept renomination, and, to such growers the name of any person proposed for nomination in a petition signed by at least 15 such growers and filed with the Board on or before April 20. Distribution of ballots shall be announced by press releases, furnishing pertinent information on balloting, issued by the Control Board through newspapers and other publications having general circulation in the almond producing areas.

(b) *Voting.* (1) Nominees for each member and alternate member position shall be voted upon separately by the group proposing them. The handler or grower group which is determined to be eligible for additional representation pursuant to § 981.31 (e) and (f), respectively, shall nominate such representatives in the same manner prescribed for choosing other nominees.

(2) Each handler may vote for a nominee for each position representing the group to which he belongs. Each handler vote shall be weighted by the quantity of almonds (kernel weight basis computed to the nearest whole ton) handled for his own account through March 31 of the crop year in which nominations are made. The nominee for each position shall be the person receiving the highest weighted vote for the position.

(3) Growers who market their almonds through cooperative handlers shall vote through their respective organizations. Each cooperative shall cast a vote for nominees for each position representing the cooperative grower group and such ballots shall be weighted by the number of growers who are members of, or under contract with, such

cooperative. The nominee for each position shall be the person receiving the highest weighted vote for that position.

(4) Growers who market their almonds through other than cooperative handlers shall each have one equal vote. The nominees for each position representing such grower group shall be the person receiving the highest number of votes for that position.

§ 981.33 Selection and term of office.

Members and their respective alternates shall be selected annually for each group from nominees submitted for that group or from among other qualified persons by the Secretary for a term of one year beginning June 10 and shall serve until their respective successors are selected and qualified.

§ 981.34 Qualification.

Any person selected as a member or alternate of the Control Board, shall qualify by filing a written acceptance of his appointment with the Secretary or his designated representative. Any member or alternate who, at the time of his selection, was a member of or employed by a member of the group which nominated him shall, upon ceasing to be such member or employee, become disqualified to serve further and his position on the Control Board shall be deemed vacant.

§ 981.35 Alternates.

An alternate for a member of the Control Board shall act in the place and stead of such member (a) in his absence, or (b) in the event of his death, removal, resignation or disqualification, until a successor for his unexpired term has been selected and has qualified.

§ 981.36 Vacancy.

To fill any vacancy occasioned by the death, removal, resignation, or disqualification of any member or alternate of the Control Board, a successor for his unexpired term shall be selected by the Secretary after consideration of recommendations which may be submitted by members of the group for which such vacancy exists, unless such selection is deemed unnecessary by the Secretary.

§ 981.37 Expenses.

The members of the Control Board shall serve without compensation, but shall be allowed their necessary expenses.

§ 981.38 Powers.

The Control Board shall have the following powers:

- (a) To administer the provisions of this part in accordance with its terms;
- (b) To make rules and regulations to effectuate the terms and provisions of this part;
- (c) To receive, investigate and report to the Secretary complaints of violations of this part; and
- (d) To recommend to the Secretary amendments to this part.

§ 981.39 Duties.

The Control Board shall have, among other things, the following duties:

(a) To act as intermediary between the Secretary and any handler or grower;

(b) To keep minute books and records which will clearly reflect all of its acts and transactions, and such minute books and records shall be subject to examination by the Secretary at any time;

(c) To investigate the growing, shipping, and marketing conditions with respect to almonds and to assemble data in connection therewith;

(d) To furnish to the Secretary such available information as may be deemed pertinent or as he may request;

(e) To appoint such employees as it may deem necessary and to determine the salaries, define the duties and fix the bonds of such employees; and

(f) To cause the books of the Control Board to be audited by one or more competent certified public accountants at least once for each crop year, and at such other times as the Control Board may deem necessary or as the Secretary may request; and the report of each such audit shall show, among other things, the receipt and expenditure of funds pursuant hereto; and to file with the Secretary three copies of all audit reports made.

§ 981.40 Procedure.

(a) *Organization and rules.* The members of the Control Board shall select a chairman from their membership. The Board shall select such other officers and adopt such rules for the conduct of its business as it may deem advisable. The Board shall give to the Secretary or his designated agent and representatives the same notice of meetings of the Control Board as is given to members of the Board.

(b) *Quorum.* All decisions of the Control Board, except where otherwise specifically provided, shall be by a majority vote of the members present. The presence of six members shall be required to constitute a quorum.

(c) *Voting by mail or telegram.* The Control Board may vote by mail or telegram upon written notice to all members, or alternates acting in their place, including in the notice a statement of a reasonable time not to exceed 10 days in which a vote by mail or telegram must be received by the board manager for counting: *Provided*, That voting by mail or telegram shall not be permitted at any assembled meeting of the Board. When any proposition is submitted for voting by mail or telegram, one dissenting vote or failure to vote shall prevent its adoption by that method.

(d) *Right of the Secretary.* The members of the Control Board (including successors or alternates), and any agent or employee appointed or employed by the Control Board, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination, or other act of the Control Board shall be subject to the continuing right of the Secretary to disapprove of the same at any time, and, upon such disapproval, shall be deemed null and void except as to acts done in reliance thereon or in compliance therewith.

RESEARCH

§ 981.41 Research and development.

The Control Board, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of almonds. The expense of such projects shall be paid from funds collected pursuant to § 981.81.

VOLUME REGULATION

§ 981.45 General.

In order to effectuate the declared policy of the act, no handler shall handle almonds except in accordance with the terms and conditions of this part.

§ 981.46 Withholding reserve.

When a reserve percentage has been fixed for any crop year, as hereinafter provided, no handler shall handle almonds except on condition that he comply with the requirements in respect to withholding reserve almonds and the prescribed disposition thereof.

§ 981.47 Method of establishing salable and reserve percentages.

Whenever the Secretary finds, from the recommendations and supporting information supplied by the Control Board or from any other available information, that to designate the percentages of almonds during any crop year which shall be salable almonds and reserve almonds would tend to effectuate the declared policy of the act, he shall designate such percentages. Except as provided in § 981.50 the salable and reserve percentages shall each be applied to the kernel weight of almonds received by a handler for his own account during the crop year. In establishing such salable and reserve percentages, the Secretary shall give consideration to the ratio of estimated trade demand (minus the handler carryover at the beginning of the crop year plus the desirable handler carryover at the end of the crop year) to the estimated production of almonds (all expressed in terms of kernel weight); the recommendation submitted to him by the Control Board; and such other information as he deems appropriate. The total of the salable and reserve percentages established each crop year shall equal 100 percent.

§ 981.48 Increase of salable percentage.

Upon request filed prior to May 15 by the Control Board or, if the Board should fail to request, by two or more handlers who have handled at least 15 percent of all almonds handled in the preceding crop year, and after findings of fact (based upon a revision of the estimates required under § 981.49 and other pertinent information) that the quantity of salable almonds is not sufficient to satisfy trade demand and desirable carryover requirements for the crop year, the Secretary may increase the salable percentage. Such findings shall be made in the manner specified in § 981.47.

§ 981.49 Board estimates and recommendations.

To aid the Secretary in fixing the salable and reserve percentages, the Board shall furnish to the Secretary, not later than August 1, the following estimates (kernel weight basis) and recommendations for the crop year, each of which, or any later revisions thereof, shall be adopted by the affirmative vote of at least six members:

(a) The quantity of almonds to be produced;

(b) The handler carryover and the reserve inventory as of July 1;

(c) The desirable handler carryover and the probable reserve inventory at the end of the crop year;

(d) The trade demand, taking into consideration anticipated imports, economic conditions and the anticipated market price (within the limitations of the act);

(e) The recommended salable and reserve percentages to be established; and

(f) The recommended percentage of reserve almonds that may be exported pursuant to § 981.66.

The Board shall also furnish to the Secretary a complete report of the proceedings of the Board meeting at which the recommended salable and reserve percentages were considered. If, for any reason, the Board fails to make these estimates or to recommend to the Secretary salable and reserve percentages as required hereby, reports representing the views of members with respect to such matters may be submitted to the Secretary who may act on the basis of such reports or other information available to him.

§ 981.50 Reserve obligation.

Whenever salable and reserve percentages are in effect for a crop year, each handler shall withhold from handling a quantity of almonds having a kernel weight equal to the reserve percentage of the kernel weight of all almonds such handler receives for his own account during the crop year: *Provided*, That any quantity of almonds disposed of in outlets such as poultry or animal feed or crushing into oil, in a manner permitting accountability to the Board, and which are not reserve almonds, shall not be included in such receipts. The quantity of almonds hereby required to be withheld from handling shall constitute, and may be referred to as the "reserve" or "reserve obligation" of a handler. The almonds handled as salable almonds by any handler, in accordance with the provisions of this part, shall be deemed to be that handler's quota fixed by the Secretary within the meaning of section 8a(5) of the act.

§ 981.51 Requirements for reserve.

A lot of almonds to be eligible for use in satisfying the reserve obligation of a handler must meet the following requirements, and the weight to be certified and credited as reserve shall be the kernel weight less any inedible kernel weight in excess or 3 percent of its edible kernel content:

(a) The almonds in such lots shall be dry and properly cured and shall not vary widely in grade factors;

(b) Lots of unshelled almonds shall not have more than 20 percent of the almonds by count affected by adhering hulls (where more than 10 percent of the surface is affected), shall not contain more than 10 percent by weight of loose shells, hulls and other foreign material and shall not contain inedible kernels in excess of 40 percent of the kernel weight; and

(c) Lots of shelled almonds shall not contain, in the aggregate, more than 15 percent by weight of unshelled almonds and shells, loose hulls, and other foreign material and not more than 40 percent inedible kernels. The kernel content of unshelled almonds shall be included in determining edible and inedible kernel weight. The Secretary upon recommendation of the Board may modify these requirements or establish additional requirements, including grade requirements for lots of reserve for export or disposition into outlets for human consumption as kernels.

§ 981.52 Holding requirement and delivery.

Each handler shall, at all times, hold in his possession or under his control, in proper storage for the account of the Board, the quantity of almonds necessary to meet his reserve obligation less: (a) Any quantity for which he has a temporary deferment pursuant to § 981.53; (b) any quantity which was disposed of by him pursuant to § 981.67; and (c) any quantity for which he is otherwise relieved by the Board of responsibility to so hold almonds. Upon demand of the Control Board reserve almonds shall be delivered to the Board f.o.b. handler's warehouse or point of storage, except that the Control Board shall not make such demand upon a handler with respect to reserve almonds for which the time for withholding has been deferred pursuant to § 981.53 or he has agreed to undertake disposition pursuant to § 981.67. Any handler who does not act as agent for the Control Board in the disposition of reserve almonds shall be subject to the applicable inspection and certification requirements prescribed by the Control Board pursuant to § 981.67.

§ 981.53 Deferment of time for withholding reserve and procedure.

(a) *Deferment of time.* Compliance by any handler with the requirements of § 981.50 for withholding reserve shall be deferred to any date desired by the handler, but not later than May 15 of the crop year, upon the voluntary execution and delivery by such handler to the Control Board of a written undertaking that on or prior to the desired date he will have fully satisfied his reserve withholding obligation. Such undertaking shall be secured by a bond or bonds to be filed with and acceptable to the Control Board in the amount or amounts hereinafter specified, conditioned upon full compliance with such undertaking.

(b) *Procedure when a bond is offered as security.* (1) If the applying handler

desires to furnish a bond as security, such bond shall be provided at the handler's expense, shall be acceptable to the Control Board, with a surety or sureties acceptable to the Board, and shall be in an amount computed by multiplying the pounds of almonds, kernel weight basis, for which deferment is desired by the bonding rate. Such bonding rate shall be computed by the manager of the Control Board and shall be the average (to the nearest half cent) of the current season's opening prices per pound for shelled almonds known as Nonpareil shelled count-to-the-ounce almonds 20/22, 23/25, and 27/30, f.o.b. shipping point, in sacks, of any handler or handlers who during the preceding crop year handled 51 percent of the almonds handled by all handlers. Such handler or handlers shall be selected in order of volume handled in the preceding crop year, using the minimum number of handlers to represent a volume of 51 percent of the total volume handled. If the prices of one handler only are involved such average shall be a simple average of such prices. If the prices of two or more handlers are involved for the designated almonds, the simple average price of each such handler shall be weighted by the total quantity of almonds handled by him during the preceding crop year. Handlers whose prices are to be used as aforesaid shall furnish the Board with information necessary to compute the bonding rate. Until the bonding rate can be computed in any new crop year, the bonding rate to be used shall be computed as herein provided on the basis of the most recent price lists of such handlers. In the event the average price so computed from current prices varies by 5 percent or more, from the then current bonding rate, the bonding rate shall be such current average price and the amount of the handler's bond shall be adjusted on the basis of such revised bonding rate. This method of establishing and adjusting the bonding rate may be modified by the Secretary after consideration of a Board recommendation.

(2) In case a handler defaults in meeting his deferred reserve obligation, any funds collected by the Board from the bonding company through such default shall be used by the Control Board to purchase from handlers a quantity of almonds, kernel weight basis, up to but not exceeding the quantity on which the default occurred. Purchases shall be made from almonds with respect to which the reserve obligation has been met, and shall be of grades, varieties or sizes, and in such containers as the Board specifies in consideration of available reserve outlets. Purchases shall be at the lowest prices at which such almonds are offered and if more almonds are offered than required by the Board, it shall make the purchases from various handlers at nearly as practicable in proportion to the quantity of their respective offerings at the same price. The Control Board shall dispose of the almonds acquired as soon as practicable in the most favorable reserve outlets and shall remit the

proceeds from such sales, less Board expenses in connection with such transaction, to the defaulting handler.

(3) If any balance of funds collected should remain, after purchases and dispositions are made pursuant to the provision of this subsection in a quantity equal to the defaulted obligation, such balance shall be remitted to the defaulting handler. If for any reason the Board is unable to purchase a quantity of almonds as large as the quantity of reserve in default by the handler, any remaining balance of funds received because of the default less expenses of the Board, shall be remitted to all handlers, other than the defaulting handler, in proportion to the ratio of each such handler's reserve obligation to the total reserve obligation of all such other handlers for the crop years with reference to which the default occurred.

(c) *Effect of satisfaction.* A handler who has defaulted on his bond shall be credited on his reserve obligation with that quantity of almonds represented by the sums collected divided by the bonding rate.

§ 981.54 Payment to handlers for services rendered.

The Control Board may pay handlers for necessary services rendered by them in connection with almonds eventually disposed of directly by the Board as reserve including but not limited to storing, shelling, sorting, bleaching, grading, packaging, fumigating, and other services in accordance with such schedule of payments and under such conditions as may be established by the Secretary after recommendation of the Control Board.

§ 981.55 Interhandler transfers.

Any handler may, upon notice to and under the supervision and direction of the Board, transfer almonds or reserve credits to another handler. Any such transfers shall be accounted for in such manner that the reserve obligation and assessments on the combined transactions of the participating handlers shall be fully met and such reserve withholding obligation and assessments may be divided between such handlers in accordance with their arrangements subject to approval of the Control Board.

§ 981.56 Assistance of Control Board in accounting for reserve.

The Control Board, on written request, may assist handlers in accounting for their reserve obligations and may aid any handler in acquiring almonds to meet any deficiency in his reserve.

§ 981.57 Application of salable and reserve percentages after end of crop year.

The salable and reserve percentages established for any crop year shall continue in effect with respect to all almonds for which the reserve obligation has not been previously met, which are received for his own account or handled by any handler after the end of such crop year and before salable and reserve percentages are established for the succeeding crop year. After such percentages are

established for the new crop year, the withholding requirements for all such almonds theretofore received for his own account or handled during that crop year shall be adjusted to the newly established percentages.

§ 981.59 Adjustment upon increase of salable percentage.

(a) Upon any increase in the salable percentage and corresponding decrease in the reserve percentage, the reserve obligation of each handler for the entire crop year to the effective date of such action shall be computed in accordance with such revised salable and reserve percentages. From the reserve almonds that may have been withheld by him and not yet disposed of, any handler authorized to act and acting as agent of the Board in disposing of reserve pursuant to § 981.66 shall be permitted to select, under the supervision and direction of the Control Board, the particular reserve almonds to be restored to his salable percentage, and such restoration shall be deemed to fulfill the obligation of the Board with respect to such increase.

(b) In the case of handlers who have not been authorized to dispose of their own reserves, and handlers who have terminated their agencies to dispose of their own reserves, prior to an increase in the salable percentage, insofar as practicable each such handler shall be permitted to select almonds from his own reserve to be restored to his salable quantity. In the event there are not sufficient reserve almonds held by the Board at the time the salable percentage is increased, to make full restoration, as represented by the increase in the salable percentage, to all such handlers, the restoration to the salable quantities of the respective handlers shall be pro rata on the basis of certified kernel weight poundage of reserve contributed by said handlers during the crop year to the date of increase of the salable percentage: *Provided*, That restoration shall be made in a manner that will result, to the extent practicable, in a comparable percentage of reserve disposition for each such handler and that no handler shall receive almonds in excess of his contribution. Such restoration to the salable quantity shall be deemed to fulfill the obligation of the Board with respect to the increase in the salable percentage.

§ 981.60 Determination of kernel weight.

(a) *Almonds for which settlement is made on kernel weight.* All lots of almonds, whether shelled or unshelled, for which settlement is made on the basis of kernel weight shall be included in the total kernel weight for any handler at the settlement weight.

(b) *Almonds for which settlement is made on unshelled weight.* Any unshelled almonds for which settlement is made on the basis of unshelled weight shall be included in the total kernel weight for any handler at the settlement weight of such unshelled almonds multiplied by the applicable shelling ratio in accordance with § 981.62.

§ 981.61 Redetermination of kernel weight.

The Control Board, on the basis of reports by handlers, shall redetermine the kernel weight of almonds received by each handler for his own account during each crop year through each of the following dates: December 31, March 31, and June 30. Such redetermined kernel weight for each handler shall be the basis for computing his reserve obligation for the crop year through such dates, except that adjustment shall be made for almonds on which the obligation has been assumed by another handler. The redetermined kernel weight for each handler as of any date during the crop year shall be his carryover as of that date, plus deliveries of salable almonds (except deliveries, other than reserve, to oil mills or animal feed under the supervision of the Board), plus reserve for such crop year to that date (whether or not disposed of), minus his carryover at the beginning of the crop year, minus any almonds on which the reserve obligation has been assumed by a previous handler. Weights used in such computations for various classifications of almonds shall be: (a) For unshelled almonds, the kernel weight computed by application of shelling ratios authorized pursuant to § 981.62; (b) for shelled almonds, the net weight; and (c) for shelled almonds used in production of almond products, the weight of such almonds.

§ 981.62 Varietal shelling ratios for unshelled almonds.

(a) The varietal shelling ratios applicable to unshelled almonds for determination of kernel weight are as follows:

Major varieties:	Percent
Nonparell	60
Jordanolo	60
Ne Plus Ultra	50
IXL	50
Mission	40
Drake	40
Peerless	35
Minor varieties:	
Kaperial	60
Merced	60
Thompson	60
Bigelow	55
Harporell	55
Eureka	54
Baker	53
Trembath	53
Long IXL	50
Ballico	50
Davey	50
Ruby	50
Smith (Smith's XL)	48
Lewelling (Lewelling's Prolific)	47
Walton	41
Emerald	40
Ripon	40
Standard	38
Sultana	36
Tarragona	33
Hardshell	30
Bidwell	30

(b) Lots of unshelled almonds designated by a handler as unknown or unnamed varieties, or varieties of a name not listed in this section, also lots of mixed varieties (lots containing more than 10 percent by weight of unshelled almonds which differ materially in shape

or appearance from the predominant variety in the lot) shall be converted to kernel weight at 60 percent, unless the handler, at his expense, furnishes an inspection certificate applicable to the lot, issued by the inspection agency, showing the kernel weight of the lot. The shelling ratios in this section may be changed by the Secretary, and shelling ratios for other varieties may be specified by him, upon consideration of a Control Board recommendation and other available data.

DISPOSITION OF RESERVE

§ 981.65 Prohibition on the use or disposition of reserve almonds.

Except as provided in §§ 981.66 and 981.67, almonds that are withheld as reserve pursuant to the requirements of § 981.50 or are creditable in satisfaction of a reserve withholding obligation thereunder, shall not be used or disposed of by any handler or any other person.

§ 981.66 Conditions governing disposition of reserve.

(a) *General.* The Control Board shall have power and authority to sell or dispose of any and all reserve almonds withheld upon the best terms and at the highest return obtainable consistent with the ultimate complete disposition of reserve, subject to all conditions of this section.

(b) *Disposition of reserve for export.* Sales of reserve almonds for export to destinations outside the continental United States, Alaska, Hawaii, Puerto Rico, and the Canal Zone shall be made only on execution of an agreement to prevent sale within or reimportation into the United States; and in case of export to Canada or Mexico, such almonds shall be sold only on the basis of a delivered price, duty paid.

(c) *Exclusion from domestic normal trade channels.* No reserve almonds shall be sold in the United States, Alaska, Hawaii, Puerto Rico, and the Canal Zone other than to governmental agencies or to charitable institutions for charitable purposes, except for diversion into almond oil, almond butter, poultry or animal feed, or into other channels which the Control Board finds are noncompetitive with existing normal markets for almonds, and with proper safeguards in each case to prevent such almonds thereafter entering the channels of trade in such normal markets.

(d) *Time restriction on disposition.* The Control Board shall not dispose of in export, or authorize the disposition in export, of more than 80 percent or such other percentage as the Secretary, upon recommendation of the Control Board or other information, may establish, of the reserve almonds of the applicable crop year. However, at any time prior to May 15 (except that such date may be extended by the Secretary to a date not later than June 30 upon recommendation of the Board or other information), the Control Board shall meet and review the disposition of reserve almonds. If the Board finds that the volume of reserve almonds released to export has been sold, or committed for sale, to such an extent

that additional almonds could be disposed of in export, without materially affecting adversely the disposition of the oncoming crop, it may recommend an increase in the percentage to be released in export. Upon basis of the Board's finding and recommendation, or other information, the Secretary may increase the percentage. Any export percentage in effect pursuant to the foregoing shall continue to apply to the reserve almonds of the applicable crop year unless and until such percentage is increased or until all of the reserve almonds to which it applies have been disposed of. If pursuant to § 981.48, the reserve percentage is reduced during any crop year, each handler may dispose of the quantity released into export by the reserve and export percentages in effect prior to such reduction in the reserve percentage but his credit for any authorized reserve disposition shall not exceed his new reserve obligation. The Control Board may dispose of, or authorize the disposition of, reserve almonds in excess of those needed for export, in noncompetitive outlets.

(e) *Disposition after September 1.* Any reserve almonds remaining unsold as of September 1 shall be disposed of by the Board as soon as practicable through the most readily available reserve outlets. The date of September 1 herein specified may be extended to a later date by the Secretary, upon recommendation of the Board or other information.

(f) *Expenses.* Direct expenses incurred by the Board in the maintenance and disposition of reserve almonds shall be charged against the proceeds of sales of such almonds.

(g) *Distribution of proceeds.* Net proceeds from the disposition of reserve almonds by the Board shall be distributed to each handler in proportion to his relative share of such disposition in terms of creditable reserve kernel weight pursuant to § 981.51 or such other basis as the Control Board may adopt with the approval of the Secretary.

§ 981.67 Disposition by handler.

Upon request of a handler, made prior to the delivery by him of any reserve to the Board in any crop year, the Board shall authorize such handler to act as agent of the Board, upon such reasonable terms and conditions, including inspection and certification requirements, as the Board may specify and subject to the conditions of § 981.66 in disposing of the reserve withheld from handling by such handler for that crop year. Any handler who is authorized to dispose of his reserve may, through arrangement with another handler dispose of such reserve through such other handler or, in lieu of disposition, may acquire credits for reserve disposition from another handler. In the first instance, the second handler shall also be subject to the conditions of § 981.66. It shall be the obligation of any handler authorized to dispose of such reserve to effect disposition thereof in accordance with all applicable requirements and conditions. The proceeds of such disposition shall be retained by the handler making the disposition, except that, in case he disposes of the reserve of

another handler, the proceeds from that disposition shall be divided between the two handlers on the basis of a mutual agreement. Such authorization shall expire as of September 1 of the next crop year, and any reserve then remaining undisposed of by the handler shall be returned to the Board. If the date of September 1 specified in § 981.66(e) is extended, the date of September 1 shall be extended correspondingly. Any handler who has been authorized to act as agent of the Board in disposing of his reserve may terminate such agency as of April 1 of the particular crop year by giving written notice to the Board to that effect not later than the previous March 20, in which event such handler shall return to the Board, for disposition by it, all reserve almonds remaining in his possession. In case a handler does not terminate his agency as of April 1, he shall be required to continue to serve as such agent until September 1 of the next crop year. The Board shall not terminate such an agency prior to September 1 unless the agent violates the terms and conditions specified by the Board or other provisions of the order. During the period of such agency the Board, as principal, shall not dispose of the reserve withheld from handling by said agent. The Board, with the approval of the Secretary may prescribe such rules and regulations as are necessary to regulate disposition of reserve almonds including methods for crediting as reserve any salable almonds sold and delivered to reserve outlets.

RECORDS AND REPORTS

§ 981.70 Records and verification.

Each handler shall keep records which will clearly show the details of his receipts of almonds, withholdings, sales, shipments, inventories, reserve disposition and other pertinent information in respect to his operations pursuant to the provisions of this part. Such records shall be retained by the handler for 2 years after the end of the crop year to which they apply. Each handler's premises shall be accessible to authorized representatives of the Board and the Secretary for examination and audit of the aforesaid records and for inspection and observation of almonds. The Board shall make such checks of almonds or audits of each handler's records as it deems appropriate or are requested by the Secretary to insure that accurate information as required in this part is being furnished by handlers.

§ 981.71 Record of receipts.

For the purpose of establishing the reserve obligation and furnishing statistical information to the Control Board necessary for the conduct of its operations, each handler, on receiving almonds for his own account, shall issue to the person from whom so received a receipt therefor. At least two duplicates thereof shall be made at the time of issuance, one of which shall be retained by the handler as a part of his records and the other submitted to the Control Board as hereinafter provided. Such receipts shall be serially numbered and shall accurately

show for each lot received, the identity of the handler, the name and address of the person from whom received, the number of containers in the lot, the variety, whether shelled or unshelled, and the settlement weight for each such variety. The character and amount of all adjustments deducted from the gross weight shall be shown with the gross weight on the receipt issued by the handler.

§ 981.72 Report of receipts.

Each handler receiving almonds for his own account shall tabulate such receipts by varieties and shall submit reports thereof to the Control Board in such form and at such intervals as the Board may prescribe for all receipts issued by him. Such reports shall be accompanied by duplicate copies of the receipts issued pursuant to the provisions of § 981.71 for all almonds included in such report. The Control Board, after checking such reports in such manner as it deems desirable, shall determine in the manner specified in § 981.60 the kernel weight of the almonds so received.

§ 981.73 Periodic reports.

On or before January 15, and April 15, and July 15 of each crop year, each handler shall file with the Control Board a written report, certified to the Board and to the Secretary by such handler as to its completeness and correctness, showing as of the close of business on December 31, March 31, and June 30, respectively, such information as may be prescribed by the Board for use in redetermination of kernel weight and marketing policy considerations.

§ 981.74 Other reports.

Upon the request of the Control Board, made with the approval of the Secretary, every handler shall furnish to the Control Board in such manner and at such times as it prescribes (in addition to such other reports as are specifically provided for in this part) such other information as will enable the Control Board to perform its duties and exercise its powers hereunder.

§ 981.75 Confidential nature of records and reports.

All information contained in handler records made available to the Board or the Secretary, or in reports to the Board, constituting a trade secret or disclosing the trade position, financial condition, or business operations of any handler shall be considered as confidential information. Such information received by the Board, shall be kept in the custody and under the control of one or more employees of the Board, who shall disclose such information to no person except the Secretary.

EXPENSES AND ASSESSMENTS

§ 981.80 Expenses.

The Control Board is authorized to incur such expenses as the Secretary may find are reasonable and likely to

be incurred by it during each crop year, for the maintenance and functioning of the Control Board and for such purposes as the Secretary may, pursuant to the provisions of this subpart, determine to be appropriate. The recommendation of the Control Board as to the expenses for each such year, together with all data supporting such recommendation, shall be submitted to the Secretary on or before August 1 of the crop year in connection with which such recommendation is made.

§ 981.81 Assessment.

(a) *Requirement for payment.* Each handler shall pay to the Control Board on demand by the Board, from time to time, such sum, based on such rate per pound of almonds, kernel weight basis, received by him for his own account (except as to receipts from other handlers on which assessments have been paid) as the Secretary finds is necessary to provide funds to meet the authorized board expenses and establishes for the crop year. Upon redetermination of the kernel weight of almonds received by handlers for their own account as provided in § 981.61, such redetermined kernel weight for each handler, adjusted for receipts on which assessments have been paid, shall be the basis upon which he shall pay assessments. At any time during or after a crop year, the Secretary may increase the rate of assessments to apply to all such almonds during such crop year to secure sufficient funds to cover the expenses authorized by § 981.80 or by any later finding by the Secretary relative to the expenses of the Control Board, and such additional assessments shall be paid to the Control Board by each handler on demand.

(b) *Refunds.* Any money collected as assessments during any crop year and not expended in connection with the respective crop year's operations under this part may be used and shall be refunded by the Control Board in accordance with the provisions of this part. Such excess funds may be used by the Control Board during the period of four months subsequent to such crop year in paying the expenses of the Control Board incurred in connection with the new crop year. The Control Board shall, however, from funds on hand, including assessments collected during the new crop year, distribute or make available, within six months after the beginning of the new crop year, the aforesaid excess to each handler from whom an assessment was collected, as aforesaid, in the proportion that the amount of the assessment paid by the respective handler bears to the total amount of assessments paid by all handlers during said crop year.

(c) *Disposition of funds upon termination.* Any money collected from assessments hereunder and remaining unexpended in possession of the Control Board upon the termination of this part shall be distributed in such manner as the Secretary may direct.

MISCELLANEOUS PROVISIONS

§ 981.85 Personal liability.

No member or alternate member of the Control Board, or any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or any other person for errors in judgment, mistakes, or other acts either of commission or omission, as such member, alternate member, agent, or employee, except for acts of dishonesty.

§ 981.86 Separability.

If any provision of this subpart is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder hereof or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 981.87 Derogation.

Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 981.88 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon its termination except with respect to acts done under and during its existence.

§ 981.89 Agents.

The Secretary may, by a designation in writing, name any person, including any officer or employee of the United States Government, or name any bureau or division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 981.90 Effective time, suspension, or termination.

(a) *Effective time.* The provisions of this subpart, as well as any amendments to this subpart, shall become effective at such time as the Secretary may declare, and shall continue in force until terminated or suspended in one of the ways hereinafter specified in this section.

(b) *Suspension or termination—(1) Failure to effectuate policy of act.* The Secretary shall terminate or suspend the operation of any or all of the provisions of this subpart, whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(2) *When favored by growers.* The Secretary shall terminate the provisions of this subpart at the end of any crop year whenever he finds that such termination is favored by a majority of the growers of almonds who during the crop year have been engaged in the production for market of almonds in the State of California: *Provided*, That such majority have during such period produced for market more than 50 percent of the volume of such almonds produced for

market within said State; but such termination shall be effected only if announced on or before June 1 of the then current crop year.

(3) *If enabling legislation is terminated.* The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

(c) *Proceedings after termination—*
(1) *Designation of trustees.* Upon the termination of the provisions of this subpart, the members of the Control Board then functioning shall continue as joint trustees, for the purpose of liquidating the affairs of the Control Board, of all funds and property then in the possession or under the control of the Board, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(2) *Duties of trustees.* Said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the Control Board and the joint trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the Control Board or the joint trustees pursuant thereto.

(3) *Obligations of persons other than board members and trustees.* Any person to whom funds, property, or claims have been transferred or delivered by the Control Board or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the said Board and upon the said joint trustees.

§ 981.91 Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (b) release or extinguish any violation of this subpart or of any regulation issued under this subpart, or (c) affect or impair any rights or remedies of the Secretary or of any other person, with respect to any such violation.

§ 981.92 Amendments.

Amendments to this subpart may be proposed, from time to time, by any person or by the Control Board.

Dated July 10, 1970, to become effective upon publication in the FEDERAL REGISTER.

RICHARD E. LYG, Jr.
Assistant Secretary.

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PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Subpart—Administrative Rules and Regulations

MISCELLANEOUS AMENDMENTS

Notice was published in the June 23, 1970, issue of the FEDERAL REGISTER (35 F.R. 10227) regarding proposals recommended by the Prune Administrative Committee to amend the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 7 CFR 993.101—993.174; 35 F.R. 5108). The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice contained a proposal to provide for incoming inspection of prunes at centralized stations instead of the current provision for incoming inspection of prunes at handlers' plants. The purpose of this change is to improve the consistency of incoming inspections, provide for better utilization of inspection personnel by the inspection service and save inspection costs.

Also proposed were provisions defining the term "undersized prunes", and providing for a determination by inspectors of the percentage of such prunes in each lot delivered to handlers by producers or dehydrators whenever any reserve control regulation established for a crop year provides for such prunes.

The notice also proposed a provision whereby a handler would certify to the Secretary of Agriculture and the Committee before receiving reserve prunes at the beginning of a crop year that the handler has a fire and extended coverage policy fully insuring all reserve prunes received by him during such crop year. The purpose is to provide the Committee with assurance that all reserve prunes held for its account during any particular crop year will be adequately protected against loss.

Interested persons were given 7 days in which to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matter presented, including that in the notice, the information and recommendation of the Prune Administrative Committee, and other available information, it is found that amendment of the Subpart—Administrative Rules and Regulations, as hereinafter set forth, is in accordance with this part, will tend to effectuate the declared policy of the act, and for the reasons hereinafter set forth, should become effective at the time provided herein.

Therefore, it is hereby ordered, That the Subpart—Administrative Rules and Regulations be amended as follows:

§ 993.105a [Redesignated]

1. Section 993.105 is redesignated § 993.105a, and a new § 993.105b is added reading as follows:

§ 993.105b Undersized prunes.

"Undersized prunes" means prunes so designated by the Secretary based on a recommendation of the Committee in marketing policy determinations, and other available information, and may be referred to in terms of prunes which pass through a round opening of a diameter specified by the Committee.

§ 993.149 [Amended]

2. Paragraph (a) of § 993.149 is redesignated as paragraph (b), and a new paragraph (a) *Receiving stations—*(1) *General.* is added reading as follows:

(a) *Receiving stations—*(1) *General.* Prunes shall be received by a handler at any receiving station so designated by the Committee. "Receiving station" shall mean any plant of a handler or a dehydrator's premises; this term shall also mean any other place where prunes are normally and usually received by a handler in any considerable volume as ranch deliveries, and at which there are adequate facilities to enable the inspection service to determine whether the prunes meet the applicable grade, size, and condition requirements.

3. Paragraph (e) of § 993.149 is redesignated as subparagraph (2) of new paragraph (a), and the first sentence of such redesignated subparagraph is revised. As amended, redesignated subparagraph (2) of § 993.149(a) reads as follows:

(2) *Receiving at dehydrator.* Any handler may arrange with the committee and the inspection service for the incoming inspection and certification to be based on samples of prunes drawn as prune plums and dehydrated in the same manner as the prunes to which they are referable. Where such arrangement is acceptable to the Committee as permitting the inspection and certification of the prunes to be comparable to an inspection and certification when based on samples drawn as prunes, such certification shall be acceptable for the purposes of this section if the inspector further certifies that the dehydration process of the prunes being certified resulted in prunes eligible to be received under the terms and conditions of this part.

4. Present paragraph (a) *Inspection stations* of § 993.149 redesignated as paragraph (b) is amended to read as follows:

(b) *Inspection stations.* Prunes shall be inspected only at inspection stations established by the inspection service with the concurrence of the Committee. "Inspection station" shall mean a centralized station and any receiving station other than a handler's plant or a dehydrator's premises.

5. Paragraph (b) of § 993.149 is redesignated paragraph (c), and subparagraph (1) of that paragraph is amended to read as follows:

(c) *Incoming inspection—*(1) *General.* Upon any producer or dehydrator delivering prunes to a handler, the handler shall issue to the inspection service an identification tag showing the name

and address of such producer or dehydrator, the date of delivery, the county of production, the number and type of containers, the approximate net weight of the prunes, the place where the prunes are to be inspected, and any other information necessary to identify such prunes to the satisfaction of the inspector and the Committee. For each such delivery, the handler shall issue to the producer or dehydrator a door receipt or weight certificate showing the name and address of the producer or dehydrator, the weight of the delivery, and any other information necessary to identify the delivery. Such information shall be available to the inspector and the Committee. Each lot shall be sampled separately and as soon as practicable following delivery. The handler shall supply any necessary information together with any assistance needed by the inspector in drawing samples including the dumping of containers.

6. Subparagraph (2) of redesignated paragraph (c) of § 993.149 is revised, and a sentence is added. As amended, subparagraph (2) reads as follows:

(2) *Certification.* Following inspection of a lot not returned to the producer or dehydrator, the handler shall require the inspector to issue, in quintuplicate, a signed certificate containing at least the following information: (i) The date and place of inspection; (ii) the name and address of the producer or dehydrator, the handler, and the inspection service; (iii) the variety of the prunes, the county in which such prunes were produced, the number and type of the containers thereof, the net weight of the prunes as shown on the applicable door receipt or weight certificate, together with the number of such receipt or certificate and the contract or account number under which the prunes were delivered; (iv) whether the prunes are standard or substandard; (v) the inspector's computation of the percentage of each group or combination of groups of defects for which a maximum tolerance is in effect; (vi) if substandard, the percentage by weight of off-grade prunes (those defective pursuant to § 993.97) necessary to be removed therefrom for the lot to be standard prunes; (vii) the percentage by weight and the average size count of those off-grade prunes with defects of mold, imbedded dirt, insect infestation and decay, and the percentage by weight of prunes with such defects necessary to be removed in order for the balance of the lot to be within the tolerance for such defects; (viii) whenever applicable, the percentage by weight of undersized prunes in the lot; and (ix) in any crop year in which a reserve percentage other than 0 percent is established, the average size count of all prunes in the lot. *Provided,* That whenever such reserve control regulation provides for undersized prunes, the average size count shall be of all prunes except undersized prunes in the lot. The handler shall require the inspection service to furnish the producer or dehydrator with one copy of the certificate and the handler with two copies promptly.

7. Paragraph (c) of § 993.149 is redesignated paragraph (d), and the second sentence of subparagraph (4) of that paragraph is revised. As amended, subparagraph (4) reads as follows:

(4) *Return of prunes to producers and dehydrators.* Any lot of prunes delivered to a handler by a producer or dehydrator may be returned to the producer or dehydrator prior to an inspection thereof. Any lot of prunes so delivered whose identity has been maintained may be so returned following an inspection thereof, except prunes which have been size graded or sorted by the handler, resulting in a segregation of defects. Prunes which have been sorted for the producer or dehydrator, the identity of which have been maintained to the satisfaction of the inspector and the Committee, may be resubmitted for inspection in not more than three new lots, equal in weight to the original lot, and the applicable inspections shall supersede the original inspection.

8. Paragraph (d) of § 993.149 is redesignated paragraph (e).

§§ 993.150, 993.173 [Amended]

9. In §§ 993.150(c) and 993.173 (a) and (b), references to "§ 993.149(d)(2)" are changed to "§ 993.149(e)(2)." In § 993.150 (e)(3), references to "§ 993.149(d)(2)" and to "§ 993.149(d)(1) and (2)" are changed to "§ 993.149(e)(2)."

10. Paragraph (b) of § 993.159 is revised by adding two sentences. As amended, paragraph (b) reads as follows:

§ 993.159 Schedule of payments and conditions.

(b) *Reimbursement for required insurance costs.* Each handler holding reserve prunes for the account of the Committee shall maintain proper insurance thereon, including fire and extended coverage, in valuations (according to grade and/or size) established by, or acceptable to, the Committee for the particular crop year. The Committee shall reimburse the handler for the actual costs of such insurance. Prior to the receipt of reserve prunes at the beginning of each crop year, the handler shall certify to the Committee and the Secretary, on Form PAC 4.5, that he has a fire and extended coverage policy fully insuring all reserve prunes received by him during such crop year. Such certification shall contain the following information: (1) The name and address of the handler; (2) the location(s) where reserve prunes will be held for the account of the Committee and the premium rate per \$100 value per annum at each location; (3) the value per ton at which the reserve prunes are insured; and (4) the name and address of the insurance underwriter.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) and for making this action effective as hereinafter provided in that: (1) The

changes contained in this action should be applicable with respect to all prunes received by handlers during the 1970-71 crop year; (2) that crop year will begin August 1, 1970, and handlers will receive prunes from producers and dehydrators shortly thereafter; (3) handlers are aware of this action and will not require additional time after August 1 to comply therewith; and (4) no useful purpose would be served by postponing the time of this action beyond August 1, 1970.

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

Dated: July 10, 1970, to become effective August 1, 1970.

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

[F.R. Doc. 70-9046; Filed, July 15, 1970; 8:47 a.m.]

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

[Milk Order 40]

PART 1040—MILK IN SOUTHERN MICHIGAN MARKETING AREA

Order Suspending Certain Provision

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Southern Michigan marketing area.

It is hereby found and determined that for the months of August through December 1970 the following provision of the order will not tend to effectuate the declared policy of the Act:

In § 1040.12, which defines "fluid milk product", the provision "yogurt."

Statement of consideration. This suspension will continue the classification of yogurt as a Class III product rather than as a Class I product. The same provision was suspended for a 6-month period beginning February 1, 1970. Handlers who distribute more than one-half of the producer milk under the Southern Michigan order requested that the suspension be continued beyond the July 31, 1970, expiration date. Cooperative associations representing over two-thirds of the producers on the Southern Michigan market support the handlers' request.

The marketing conditions prompting the earlier suspension action have not changed materially. Without continuation of the suspension, Southern Michigan handlers would be unable to compete for yogurt sales on a comparable cost basis with handlers in neighboring markets who are required to pay only the surplus price for milk used in yogurt. A review of the classification of yogurt and other products through the hearing procedure is contemplated and the present suspension should be continued until such review has been completed.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that without the suspension Southern Michigan handlers would be unable to compete for yogurt sales on a comparable cost basis with handlers in neighboring markets who are required to pay only the surplus price for milk used in yogurt.

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

(c) Interested parties were afforded opportunity to file written data, views or arguments concerning this suspension (35 F.R. 10364). None were filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective August 1, 1970.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the months of August through December 1970.

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

Effective date: August 1, 1970.

Signed at Washington, D.C., on July 13, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-9124; Filed, July 15, 1970;
8:53 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

[CCC Grain Price Support Regs., 1970 Crop Grain Sorghum Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 Crop Grain Sorghum Loan and Purchase Program

Correction

In F.R. Doc. 70-8462 appearing at page 10747 in the issue for Thursday, July 2, 1970, under § 1421.239(a) the following changes should be made:

1. In the second line of the first column on page 10748 the word "grading" should be inserted after the word "sorghum".

2. Under the heading for "Iowa" the county entry "Blaw Hawk" should read "Black Hawk".

3. Under the heading for "Oklahoma" the second entry for "Alfalfa County" should be deleted.

4. Under the heading for "Texas" the entry reading "Elrath" should read "Erath".

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS

Subchapter D—Designation of Modified Certified Brucellosis Areas, Public Stockyards, Specifically Approved Stockyards and Slaughter Establishments

MODIFIED CERTIFIED BRUCELLOSIS AREAS

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended; sections 1 and 2 of the Act of February 2, 1903, as amended; and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 of said regulations designating modified certified brucellosis areas is hereby amended to read as follows:

§ 78.13 Modified certified brucellosis areas.

The following States, or specified portions thereof, are hereby designated as modified certified brucellosis areas:

Alabama. The entire State;
Alaska. The entire State;
Arizona. The entire State;
Arkansas. The entire State;
California. The entire State;
Colorado. The entire State;
Connecticut. The entire State;
Delaware. The entire State;
Florida. Alachua, Baker, Bay, Bradford, Brevard, Broward, Calhoun, Charlotte, Citrus, Clay, Collier, Columbia, Dade, De Soto, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hendry, Hernando, Holmes, Indian River, Jackson, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion, Monroe, Nassau, Okaloosa, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Putnam, St. Johns, Santa Rosa, Sarasota, Seminole, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla, Walton, and Washington Counties;

Georgia. The entire State;
Hawaii. The entire State;
Idaho. The entire State;
Illinois. The entire State;
Indiana. The entire State;
Iowa. The entire State;
Kansas. The entire State;
Kentucky. The entire State;
Louisiana. The entire State;
Maine. The entire State;
Maryland. The entire State;
Massachusetts. The entire State;
Michigan. The entire State;
Minnesota. The entire State;
Mississippi. The entire State;
Missouri. The entire State;
Montana. The entire State;
Nebraska. The entire State;
Nevada. The entire State;
New Hampshire. The entire State;
New Jersey. The entire State;

New Mexico. The entire State;
New York. The entire State;
North Carolina. The entire State;
North Dakota. The entire State;
Ohio. The entire State;
Oklahoma. The entire State;
Oregon. The entire State;
Pennsylvania. The entire State;
Rhode Island. The entire State;
South Carolina. The entire State;
South Dakota. Aurora, Beadle, Bennett, Bon Homme, Brookings, Brown, Brule, Buffalo, Butte, Campbell, Charles Mix, Clark, Clay, Codrington, Corson, Custer, Davison, Day, Deuel, Dewey, Douglas, Edmunds, Fall River, Faulk, Grant, Gregory, Haakon, Hamlin, Hand, Hanson, Harding, Hyde, Jackson, Jerauld, Jones, Kingsbury, Lake, Lawrence, Lincoln, Lyman, McCook, McPherson, Marshall, Meade, Mellette, Miner, Minnehaha, Moody, Pennington, Perkins, Potter, Roberts, Sanborn, Shannon, Spink, Stanley, Todd, Tripp, Turner, Union, Walworth, Washabaugh, Yankton, and Ziebach Counties; and Crow Creek Indian Reservation;
Tennessee. The entire State;
Texas. Andrews, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Boxque, Bowie, Brazos, Brewster, Briscoe, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Colorado, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dallas, Dawson, Deaf Smith, Denton, Dickens, Dimmit, Donley, Duval, Eastland, Ector, Edwards, Ellis, El Paso, Erath, Falls, Fayette, Fisher, Floyd, Foard, Freestone, Ganes, Garza, Gillespie, Glasscock, Gray, Grayson, Gregg, Guadalupe, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hays, Hemphill, Hidalgo, Hill, Hockley, Hood, Houston, Howard, Hudspeth, Hutchinson, Irion, Jack, Jasper, Jeff Davis, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kent, Kerr, Kimble, King, Kinney, Knox, Lamb, Lampasas, Lee, Leon, Limestone, Lipscomb, Live Oak, Llano, Loving, Lubbock, Lynn, McCulloch, McLennan, McMullen, Madison, Marion, Martin, Mason, Maverick, Medina, Menard, Midland, Milam, Mills, Mitchell, Montague, Moore, Morris, Motley, Nacagoches, Navarro, Newton, Nolan, Ochiltree, Oldham, Orange, Palo Pinto, Panola, Parker, Parmer, Pecos, Potter, Presidio, Rains, Randall, Reagan, Real, Reeves, Refugio, Roberts, Robertson, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Starr, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Val Verde, Van Zandt, Ward, Washington, Webb, Wheeler, Wichita, Wilbarger, Williamson, Wilson, Winkler, Wise, Wood, Yoakum, Young, Zapata, and Zavala Counties;
Utah. The entire State;
Vermont. The entire State;
Virginia. The entire State;
Washington. The entire State;
West Virginia. The entire State;
Wisconsin. The entire State;
Wyoming. The entire State;
Puerto Rico. The entire area;
Virgin Islands of the United States. The entire area.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 2, 65 Stat. 693; 21 U.S.C. 111-113, 114a-1, 120, 121, 125; 29 F.R. 16210, as amended, 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment adds the following additional areas to the list of areas designated as modified certified brucellosis areas because it has been determined that such areas come within the definition of § 78.1(i): Glades and Seminole Counties in Florida; Bon Homme County in South Dakota.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect to the amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of July 1970.

ROBERT S. SHARMAN,
Acting Director, Animal Health
Division, Agricultural Re-
search Service.

[F.R. Doc. 70-9125; Filed, July 15, 1970;
8:53 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 265—RULES REGARDING DELEGATION OF AUTHORITY

Salaries, Separation Allowances, and Health Insurance Benefits of Federal Reserve Bank Officers and Employees

1. Effective immediately § 265.1a is amended by changing paragraph (b) to read as follows:

§ 265.1a Specific functions delegated to Board members.

(b) The Committee on Organization, Compensation, and Building Plans, consisting of three members of the Board designated by the Chairman, is authorized, pursuant to the 22d paragraph of section 4 of the Federal Reserve Act (12 U.S.C. 307) and subject to such general guidelines as may be prescribed by the Board:

(1) To approve (i) changes in the salary structure for officers, other than the president and first vice president, of each Federal Reserve Bank and branch thereof, and (ii) the salary of any officer

of a Federal Reserve Bank holding a position below that of senior vice president, subject, however, to approval of such salaries by the Board in connection with year-end salary reviews and subject to guidelines approved by the board under which each Reserve Bank makes salary recommendations.

(2) To approve (i) changes in maximum and minimum salaries for the respective grades of the salary structure for nonofficial employees of each Federal Reserve Bank and branch thereof, (ii) an increase in the special maximum salary for Grade 16 of such salary structure for each Reserve Bank or branch, and (iii) the payment of salary to any such employee in excess of the maximum or below the minimum for the grade in which the employee's position is classified.

(3) To approve (i) amendments to the authorization from the Board of Governors to the Federal Reserve Banks for the payment of separation allowances upon the involuntary termination of employment of any officer or employee of a Federal Reserve Bank or branch, and (ii) payment of such a separation allowance to any officer of a Reserve Bank or branch.

(4) To approve the payment of salary to any officer (other than the president or first vice president) or employee of a Federal Reserve Bank whose services are retained for more than 90 days after attainment of normal retirement age.

(5) To approve amendments to the guidelines and objectives for health insurance prescribed by the board of governors for officers and employees of Federal Reserve Banks and their branches. In the exercise of any authority delegated under this paragraph (b), the Committee shall be guided by the objectives of promoting the efficiency of Reserve Bank operations and of maintaining the morale of Reserve Bank personnel and shall give appropriate attention to salary levels and employment practices in the relevant community but with due regard to the public character of the Federal Reserve System.

2a. The purpose of this amendment is to delegate to a committee of Board members certain functions of the board relating to salaries, separation allowances, and health insurance benefits of officers and employees of Federal Reserve Banks.

b. The provisions of section 553 of title 5, United States Code, relating to notice and public participation and to deferred effective dates, were not followed in connection with the adoption of this amendment, because the rules contained herein are procedural in nature and accordingly do not constitute substantive rules subject to the requirements of such section.

By order of the Board of Governors,
July 7, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-9085; Filed, July 15, 1970;
8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 70-SW-16; Amdt.
39-1029]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A Series Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the firewall-to-compressor seal with a new improved firewall seal kit, Bell Part No. 206-704-026-1, on Bell Model 206A helicopters, was published in 35 F.R. 5710.

Interested persons have been afforded an opportunity to participate in the making of the amendment. The one comment received did not pertain to the purpose for the airworthiness directive but rather objected to a phrase in the preamble which stated that the probable cause of the engine bearing failure was engine case bending. Since absolute assurance as to the cause of these bearing failures is not possible, the agency agrees that it is more accurate to conclude only that an engine case bending condition could have been a contributing cause.

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

BELL. Applies to Model 206A Helicopters, S/N 4 through 448, 460 through 464, 467, 469 through 473 and 475 through 477, certificated in all categories.

Compliance required not later than 300 hours time in service after the effective date of this Airworthiness Directive, unless already accomplished.

To relieve engine compressor flange loads, replace existing firewall-to-compressor seal with a new improved firewall seal kit, Bell Part No. 206-704-026-1, in accordance with applicable paragraphs of Bell Service Letter 206A-142, dated November 5, 1969, or later FAA approved revision. Equivalent methods of compliance must be approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration.

This amendment becomes effective August 16, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Tex., on July 2, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-9039; Filed, July 15, 1970;
8:46 a.m.]

[Airworthiness Docket No. 70-SW-15; Amdt. 39-1025]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A Series Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the voltage regulator, P/N 206-075-027-3, on Bell Model 206A helicopters, was published in 35 F.R. 5710.

Interested persons have been afforded an opportunity to participate in the making of the amendment. The one comment received did not pertain to the purpose for the airworthiness directive, but rather objected to an implication in the preamble that the aforementioned voltage regulators were a direct cause of engine failure, whereas this has never been proven. We acknowledge that the voltage regulator acts only indirectly to increase the stress in engine components; thus we agree that it is more accurate to reflect that the voltage regulator may have been a contributing cause rather than a direct cause.

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

BELL. Applies to all Model 206A helicopters certificated in all categories equipped with voltage regulator P/N 206-075-027-3.

Compliance is required within 300 hours time in service after the effective date of this airworthiness directive, unless already accomplished.

Replace the voltage regulator, Bell Part No. 206-075-027-3, in accordance with the instructions in paragraphs 1 through 11, as applicable, of Bell Helicopter Co., Service Letter No. 206A-139, Revision "A", dated October 14, 1969, or later FAA approved revision.

Alternate means of compliance or equivalent replacement parts may be acceptable if approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration.

This amendment becomes effective August 15, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on July 1, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-9041; Filed, July 15, 1970; 8:46 a.m.]

[Docket No. 70-CE-10-AD; Amdt. 39-1028]

PART 39—AIRWORTHINESS DIRECTIVES

Continental Models IO-520, IO-470, TSIO-470 and IO-360 Engines

There have been instances of loose or lost fuel injection pump adjustable by-

pass (full throttle fuel pressure adjustment) needles on Teledyne Continental Models IO-520, IO-470, TSIO-470 and IO-360 engines. These conditions may result in partial or complete power loss or discharge of fuel within the engine compartment. Since these conditions are likely to exist or develop in other engines of the same type design, an AD is being issued which will require a visual inspection of the bypass needle and application of securing material to the needle. In addition, the AD will require replacement of the existing needle with a needle having a positive safety provision at the next engine or fuel injection pump overhaul, fuel injection pump adjustment or before further flight if inspection discloses that the securing procedure will not provide an adequate level of safety.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

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

CONTINENTAL. Applies to Teledyne Continental Models IO-360-A, -C, -D; IO-520-A, -B, -C, -D, -E, -F, -J, -K; IO-470-C, -D, -E, -F, -H, -K, -L, -M, -N, -S; TSIO-470-B, -C and -D engines.

Compliance: Required as indicated unless already accomplished.

To prevent loss of fuel injection pump adjustable bypass needle with subsequent power failure accomplish the following or any equivalent procedure approved by Chief, Engineering and Manufacturing Branch, FAA, Central Region, Kansas City, Mo.:

(A) Within 25 hours' time in service after the effective date of this AD, visually inspect the fuel injection pump below the fuel inlet elbow for the presence of a hexagonal head brass plug containing a stainless steel adjusting needle with a screwdriver slot. If the pump does not have this feature, no further action is required. If it does, and the slotted head of the needle is flush or below the face of the plug, secure the needle in its present position by cleaning the plug and needle with gasoline or carbon tetrachloride and applying LePages Epoxy or Loctite #508 epoxy cement or equivalent over the slotted head of the needle and face of the plug. If the slotted head of the needle extends outward beyond the face of the plug, accomplish paragraph B before further flight.

(B) At next engine or fuel injection pump overhaul, fuel injection pump adjustment or as indicated in paragraph A, replace the existing fuel injection bypass needle with P/N 637766 or 637767 needle as appropriate in accordance with the following:

1. Before removing the needle start the engine and adjust engine to obtain full throttle and maximum RPM, then record fuel flow or pressures and RPM for future reference. Stop the engine and record the number of turns required to bottom the needle.

2. Replace the present needle with P/N 637766 needle having 8-32 threads or P/N 637767 needle having 10-32 threads as applicable. Use a new "O" ring, P/N AN123957, with the new needle.

3. Bottom the new needle and back out to the previous setting, start the engine, and stabilize power at full throttle and maximum RPM, then adjust the needle to obtain the previously recorded full throttle, maximum RPM, fuel pressure or flow.

4. Safety wire the needle through the drilled hole in the needle shank and the unused hole in the brass plug, or around the pressure relief valve adjusting screw in the cover at the back of the pump. Exercise care to avoid disturbing the needle setting.

Teledyne Continental Motors Service Bulletin M70-10, Revision 1, dated June 25, 1970, or later FAA-approved revision, refers to this subject.

NOTE: The presently FAA-approved manufacturer's fuel pump adjustment procedures contained in his Overhaul and Parts Catalog for Fuel Injection Systems, Form X-30091 may be substituted for the adjustment instructions contained in paragraphs B.1., 2. and 3.

This amendment becomes effective July 16, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c) Department of Transportation Act 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on July 6, 1970.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 70-9040; Filed, July 15, 1970; 8:46 a.m.]

[Docket No. 10421; Amdt. 39-1031]

PART 39—AIRWORTHINESS DIRECTIVES

Handley Page HP-137 Mark I Airplanes

Pursuant to the authority delegated to me by the Administrator, an airworthiness directive was adopted on May 15, 1970, and made effective immediately as to all known United States operators of Handley Page HP-137 Mark I airplanes equipped with Turbomeca Astazou XIV series engines. The directive requires modification of the fuel and hydraulic systems by relocating the fuel and hydraulic shutoff valves, and also establishes a service life limit on the first stage turbine disk.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of the affected airplanes by individual telegrams dated May 15, 1970. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

HANDLEY PAGE. Applies to all HP-137 Mark I airplanes having Turbomeca Astazou XIV series engines installed.

To reduce the possibility of inflight failure of the first stage engine turbine disk and subsequent rupture of fuel and hydraulic lines, accomplish the following:

(a) Before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the modification can be performed, modify the fuel and hydraulic systems by relocating the fuel and hydraulic shutoff valves from the engine nacelles to a location on the front spar inboard of the nacelle in accordance with a modification approved by the engineering and manufacturing branch of the nearest FAA regional office.

(b) Upon the accumulation of 400 hours' total disk time in service or 1,000 cycles of disk operation, whichever occurs first, on the first stage turbine disk, P/N 0.261.25.013.0, remove the first stage turbine disk from service and replace it before further flight with a new disk of the same part number. For the purpose of complying with this AD, a cycle constitutes:

- (1) Any takeoff and landing operation;
- (2) Any touch and go landing operation;
- (3) Any other operation where reduction of power is followed by application of takeoff power.

This amendment is effective upon publication in the *FEDERAL REGISTER* as to all persons except those persons to whom it was made immediately effective by the telegram dated May 15, 1970, which contained this amendment.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c); Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on July 8, 1970.

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

[F.R. Doc. 70-9034; Filed, July 15, 1970;
8:45 a.m.]

[Docket No. 10423; Amdt. 39-1033]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley de Havilland Model DH.104 "Dove" Airplanes

Pursuant to the authority delegated to me by the Administrator, an Airworthiness Directive (AD) was adopted on June 20, 1970, and made effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.104 "Dove" airplanes. In response to a recommendation of the National Transportation Safety Board (NTSB) regarding reported fatigue cracks in the wing lower root joint fitting on these airplanes, the FAA issued a telegraphic AD on May 28, 1970, which superseded Amendment 329 to Part 507, AD 61-18-3, and Amendment 39-513, AD 67-32-3; and required inspections of the fittings and lower main wing to fuselage attachment bolt for corrosion, pitting, and cracks; replacement of corroded, pitted, or cracked parts; and corrosion protection of the parts upon reassembly. Subsequent to issuing the telegraphic AD of May 28, 1970, it was determined that the most critical fittings were those having chrome plated bores or pitting in the bores, and an airworthiness directive, Amendment 39-1009, AD 70-12-8, was therefore issued on June 8, 1970, which superseded the telegraphic AD of May 28, 1970, and

required inspections of the wing lower root joint fittings for chromed bores, corrosion penetration, pitting, or cracks; and replacement of defective fittings.

On June 9, 1970, the FAA was notified by the NTSB that additional corrective action needed to be taken due to the discovery of a crack in a wing lower root joint fitting which did not have a chromed bore. Therefore, a telegraphic AD was issued on June 11, 1970, which superseded Amendment 39-1009, AD 70-12-8, concerning the same subject and required inspections of the fittings for chrome plated bores, inspections of the fittings and wing attach bolts for cracks, corrosion pitting or discoloration, and fretting; replacement of defective parts; corrosion protection upon reassembly; and periodic re-inspections of the fittings and bolts at shorter intervals than those required by Amendment 39-1009, AD 70-12-8, dated June 8, 1970. However, subsequent examination of the fitting referred to in the NTSB letter of June 9, 1970, disclosed that the fitting was not cracked, that a greater interval between inspections was permissible, and that the entire wing lower attach fitting assembly had to be inspected. Therefore, an AD was issued on June 20, 1970, and made effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.104 "Dove" airplanes by telegrams dated June 20, 1970. This AD superseded the telegraphic AD dated June 11, 1970, and required inspection of the wing lower root joint fittings for chromed bores; inspection of the wing lower root joint fitting, center section main spar lower fitting, and lower wing attachment bolt for corrosion, pitting, fretting, and cracks; replacement of defective parts; and corrosion protection of the entire wing lower attach fitting assembly upon reassembly.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the AD effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.104 "Dove" airplanes by individual telegrams dated June 20, 1970. These conditions still exist and the airworthiness directive is hereby published in the *FEDERAL REGISTER* as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

HAWKER SIDDELEY. Applies to all de Havilland Model DH.104 "Dove" airplanes and DH.104 airplanes which have been modified, including those on which wing fittings of new design have been installed.

Compliance is required as indicated.

(a) For airplanes that have been modified under STC No. SA1747WE with Carstedt P/N CPD 2004 wing lower root joint fittings installed with 2,500 or more hours' time in service on the effective date of this AD, comply with paragraphs (d), (f), (g), (h), and (i) within the next 25 hours' time in service; or within the next 2,500 hours' time in service or 3 calendar years, whichever occurs first, from any inspection performed in accordance with the AD's concerning the same subject issued May 28, 1970, June 8, 1970, and June 11, 1970; whichever occurs later, and

thereafter at intervals not to exceed 2,500 hours' time in service or 3 calendar years from the last inspection, whichever occurs first; and comply with paragraph (e) during the first inspection required by this AD.

(b) For airplanes that have been modified under STC No. SA1747WE with Carstedt P/N CPD 2004 wing lower root joint fittings installed with less than 2,500 hours' time in service on the effective date of this AD, comply with paragraphs (d), (f), (g), (h), and (i) prior to the accumulation of 2,500 hours' time in service; or within the next 2,500 hours' time in service or 3 calendar years, whichever occurs first, from any inspection performed in accordance with the AD's concerning the same subject issued May 28, 1970, June 8, 1970, and June 11, 1970; whichever occurs later, and thereafter at intervals not to exceed 2,500 hours' time in service or 3 calendar years from the last inspection, whichever occurs first; and comply with paragraph (e) during the first inspection required by this AD.

(c) For all other airplanes, comply with paragraphs (d), (f), (g), (h), and (i) within the next 25 hours' time in service after the effective date of this AD; or within the next 2,500 hours' time in service or 3 calendar years, whichever occurs first, from any inspection performed in accordance with the AD's concerning the same subject issued May 28, 1970, June 8, 1970, and June 11, 1970; whichever occurs later, and thereafter at intervals not to exceed 2,500 hours' time in service or 3 calendar years from the last inspection, whichever occurs first; and comply with paragraph (e) during the first inspection required by this AD.

(d) Prepare the wing lower root joint fitting, the center section main spar lower fitting, and the lower wing attachment bolt for inspection as specified in Hawker Siddeley Technical News Sheet (TNS) CT(104) 178, Issue 1, July 10, 1961, with Sheets 5 and 6 Amendment No. 1, sections 3 and 5.1, and TNS CT(104) 168, Issue 3, September 21, 1964, with Sheet 6, Amendment No. 2, section 2.3, or later ARB-approved issues or FAA-approved equivalents.

(e) Inspect the wing lower root joint fitting bore for chrome plating as specified in TNS CT(104) 178 (referred to above), or later ARB-approved issues, or FAA-approved equivalents. If chrome plated bores are found, before further flight, replace with a new fitting that does not have a chrome plated bore.

(f) Inspect the wing lower root joint fitting, the center section main spar lower fitting, and the lower wing attachment bolt for corrosion, pitting, and fretting in accordance with TNS CT(104) 168 (referred to above), or later ARB-approved issues, or FAA-approved equivalents. If corrosion pitting, fretting, or corrosion discoloration is found which cannot be removed using the procedures in TNS CT(104) 168 (referred to above), or later ARB-approved issues or FAA-approved equivalents, before further flight, replace defective fittings and bolts with new fittings and bolts.

(g) Inspect the wing lower root joint fitting for cracks using appropriate eddy current techniques with equipment having at least one millimeter equal full scale deflection sensitivity and making scans of the fitting bore 0.1 inch in from each end and at the center of the bore, or using magnaflex portable magnetic particle inspection equipment with heavy copper conductor through the bore of the fittings. If cracks are found, before further flight, replace the cracked fitting with a new fitting.

(h) Reassemble the wing lower root joint fitting, the center section main spar lower fitting, and the lower wing attachment bolt and apply corrosion protection in accordance with TNS CT(104) 168 (referred to above),

or later ARB-approved issues or FAA-approved equivalents, and incorporate modification 686, or later ARB or FAA-approved equivalent, unless already incorporated.

(i) It is requested that upon completion of each inspection required by this AD notification in writing of the results, positive and negative, be given to the Chief, Engineering and Manufacturing Branch, Aeronautical Center, AC-210, Federal Aviation Administration, Oklahoma City, Oklahoma 73125. (Reporting approved by the Bureau of the Budget under BOB No. 04.R0174.)

This supersedes Amendment 329 to Part 507, AD 61-18-3; Amendment 39-513, AD 67-32-3; the telegraphic AD dated May 28, 1970, concerning the same subject; Amendment 39-1009, AD 70-12-8, dated June 8, 1970; and the telegraphic AD dated June 11, 1970, concerning the same subject.

This amendment is effective upon publication in the FEDERAL REGISTER as to all persons except those persons to whom it was made immediately effective by the telegram dated June 20, 1970, which contained this amendment.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on July 8, 1970.

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

[F.R. Doc. 70-9036; Filed, July 15, 1970;
8:46 a.m.]

[Docket No. 10424; Amdt. 39-1034]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley de Havilland Model DH.104 "Dove" Airplanes

Pursuant to the authority delegated to me by the Administrator, an Airworthiness Directive (AD) was adopted on June 20, 1970, and made effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.104 "Dove" airplanes. The directive requires inspection of the right wing and left wing flap datum hinge links for holes drilled outside specified limits, replacement of defective flap datum hinge links, installation of special washers at both right wing and left wing datum hinge locations, and inspection of the flange of the ball race housing on both right wing and left wing flap datum hinge assemblies.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.104 "Dove" airplanes by individual telegrams dated June 20, 1970. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to

§ 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

HAWKER SIDDELEY. Applies to de Havilland Model DH.104 "Dove" airplanes. Within the next 25 hours' time in service after the effective date of this AD, unless already accomplished, accomplish the following:

(a) Inspect the right wing and left wing flap datum hinge links for drilled holes around the circumference of the bearing housing recess. If one or more drilled holes or attempted drilled holes (for cotter pin installation) are found located outside the limits given in Hawker Siddeley Aviation, Ltd., Technical News Sheet CT (104) No. 216, Issue 1, dated June 8, 1970, or later ARB-approved issue or an FAA-approved equivalent before further flight, replace the flap datum hinge link with a serviceable link of either pre-modification 982 or post-modification 982 standards. The complete flap datum hinge assembly must conform to the modification standard of the flap datum hinge link installed.

(b) Install special washers P/N 4WF 465 or an FAA-approved equivalent between the nut on the flap datum hinge bolt and the hinge lever assembly at both the right wing and left wing datum hinge locations. A special washer equivalent to P/N 4WF 465 may be manufactured from 0.028 inch, minimum thickness mild steel sheet material. The special washer must have an outside diameter of at least 0.87 inch, a hole diameter of 0.323 inch, and a flat cut across a sector of the outer circumference producing a straight edge located no closer than 0.35 inch from the center of the hole.

(c) Inspect the flange of the ball race housing on both the right wing and left wing flap datum hinge assemblies to determine that it is secured to the wing flap datum hinge link with a $\frac{1}{16}$ inch diameter cotter pin for pre-modification 982 flap datum hinge assemblies or a $\frac{1}{8}$ inch diameter cotter pin for post-modification 982 datum hinge assemblies.

This amendment is effective upon publication in the FEDERAL REGISTER as to all persons except those persons to whom it was made immediately effective by the telegram dated June 20, 1970, which contained the amendment.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act 49 U.S.C. 1655(c))

Issued in Washington, D.C., on July 8, 1970.

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

[F.R. Doc. 70-9037; Filed, July 15, 1970;
8:46 a.m.]

[Docket No. 10425; Amdt. 39-1035]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley de Havilland Model DH.114 "Heron" Airplanes

Pursuant to the authority delegated to me by the Administrator, an Airworthiness Directive (AD) was adopted on June 20, 1970, and made effective immediately as to all known U.S. operators of Hawker

Siddeley de Havilland Model DH.114 "Heron" airplanes. The directive requires inspection of the right wing and left wing flap datum hinge links for holes drilled outside specified limits, replacement of defective flap datum hinge links, installation of special washers at both right wing and left wing datum hinge locations, and inspection of the flange of the ball race housing on both right wing and left wing flap datum hinge assemblies.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.114 "Heron" airplanes by individual telegrams dated June 20, 1970. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

HAWKER SIDDELEY. Applies to de Havilland Model DH.114 "Heron" airplanes. Within the next 25 hours' time in service after the effective date of this AD, unless already accomplished, accomplish the following:

(a) Inspect the right wing and left wing flap datum hinge links for drilled holes around the circumference of the bearing housing recess. If one or more drilled holes or attempted drilled holes (for cotter pin installation) are found located outside the limits given in Hawker Siddeley Aviation, Ltd., Technical News Sheet Heron (114) Issue 1, dated June 15, 1970, or later ARB-approved issue or an FAA-approved equivalent, before further flight replace the flap datum hinge link with a serviceable link of either pre-modification 837 or post-modification 837 standards. The complete flap datum hinge assembly must conform to the modification standard of the flap datum hinge link installed.

(b) Install special washers P/N 4WF 465 or an FAA-approved equivalent between the nut on the flap datum hinge bolt and the hinge lever assembly at both the right wing and left wing datum hinge locations. A special washer equivalent to P/N 4WF 465 may be manufactured from 0.028 inch, minimum thickness mild steel sheet material. The special washer must have an outside diameter of at least 0.87 inches, a hole diameter of 0.323 inches, and a flat cut across a sector of the outer circumference producing a straight edge located no closer than 0.35 inches from the center of the hole.

(c) Inspect the flange of the ball race housing on both the right wing and left wing flap datum hinge assemblies to determine that it is secured to the wing flap datum hinge link with a $\frac{1}{16}$ -inch diameter cotter pin for premodification 837 flap datum hinge assemblies or a $\frac{1}{8}$ -inch diameter cotter pin for post-modification 837 datum hinge assemblies.

This amendment is effective upon publication in the FEDERAL REGISTER as to all persons except those persons to whom it was made immediately effective by the telegram dated June 20, 1970, which contained the amendment.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act 49 U.S.C. 1655(c))

Issued in Washington, D.C., on July 8, 1970.

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

[F.R. Doc. 70-9038; Filed, July 15, 1970;
8:46 a.m.]

[Docket No. 10422; Amdt. 39-1032]

PART 39—AIRWORTHINESS DIRECTIVES

Short Brothers and Harland Model SC-7, Series 3 Airplanes

There have been reports that errors have been found in the indicated altitude and airspeed when the stand-by static pressure system is used on Short Brothers and Harland Model SC-7, series 3 airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require the installation of correction placards near the airspeed indicator and altimeter on these airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

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

SHORT BROTHERS AND HARLAND, LIMITED. Airplanes to Model SC-7, series 3 airplanes.

To alert the pilot to hazardous errors in the indicated altitude and airspeed when the stand-by static system is used, within the next 25 hours' time in service from the effective date of this AD, unless already accomplished, accomplish the following:

(a) Install the altimeter stand-by correction label P/N SC7-18-5365 on the instrument panel above the pilot's altimeter in accordance with Shorts Service Bulletin No. 31-53, dated January 9, 1970, or later ARB-approved issue or an FAA-approved equivalent.

(b) Replace the existing airspeed indicator placard P/N SC7-18-5093 on the 1 D panel with a new placard, P/N SC7-18-5409, in accordance with Shorts Service Bulletin No. 31-51, dated January 9, 1970, or later ARB-approved issue or an FAA-approved equivalent.

This amendment becomes effective July 20, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on July 8, 1970.

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

[F.R. Doc. 70-9035; Filed, July 15, 1970;
8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

Pacific Ocean, Calif.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1) and chapter XIX of the Army Appropriations Act of July 9, 1918 (40 Stat. 892; 33 U.S.C. 3), § 204.203 governing the use of a naval danger zone in the Pacific Ocean at San Miguel Island, Calif., is hereby amended with respect to paragraph (c) (9) to extend the period of use, as follows:

§ 204.203 Pacific Ocean at San Miguel Island, Calif., naval danger zone.

(c) The regulations. * * *

(9) The regulations in this section shall be in effect until July 1, 1972, and shall be reviewed in May 1972 to determine the continuing need therefor.

[Regs. July 6, 1970, ENGOW-ON] (Sec. 7, 40 Stat. 266, Chap. XIX, 40 Stat. 892; 33 U.S.C. 1, 3)

For the Adjutant General.

RICHARD B. BELNAP,
Special Advisor to TAG.

[F.R. Doc. 70-9026; Filed, July 15, 1970;
8:45 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-360; Order No. 407]

PART 2—GENERAL POLICY AND INTERPRETATIONS

PART 157—APPLICATIONS FOR CER- TIFICATES OF PUBLIC CONVEN- IENCE AND NECESSITY AND FOR ORDERS PERMITTING AND AP- PROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT

Guidelines for Natural Gas Companies in Planning, Locating, Clearing and Maintenance of Rights-of-Way and Construction of Aboveground Facili- ties To Aid in Recreational Values; Exhibits

JULY 10, 1970.

On June 6, 1969, the Commission issued a notice of proposed statement of general policy and proposed rulemaking in this proceeding (34 F.R. 9348, June 13,

1969)¹ relating to the practices which should be followed by natural gas pipeline companies in the planning, locating, clearing and maintenance of rights-of-way and the construction of above-ground facilities.

The proposed policy statement sets forth guidelines which should be followed by pipeline companies; the Commission indicated that it would reserve the right to determine the appropriateness of those guidelines adopted by individual pipeline companies. The proposed amendments to the regulations would require the filing of two new exhibits setting forth (a) the consideration given by the applicant to the feasibility of using existing, rather than additional, rights-of-way and the effect of the proposed facilities upon scenic, historic and recreational values and (b) whether the guidelines contained in the policy statement have been adopted and, if not adopted, what guidelines have been adopted.

Twenty-four responses to the notice have been received,² some in support, some in opposition (either in whole or in part), and some suggesting modifications. In consideration of those comments, a number of changes, as herein-after provided, in both the guidelines and the exhibit requirements will be adopted.

INGAA and many of the pipeline companies who filed comments argue that the Commission lacks authority to issue or enforce the guidelines or to require the exhibit filings as proposed. We find, however, that requisite authority is contained in sections 7(e) and 16 of the Natural Gas Act (15 U.S.C. 717f(e), 717o), section 106 of the Historic Properties-Preservation Act of 1966 (Public Law 89-665), and section 102 of the National Environmental Policy Act of 1969 (Public Law 91-190).

¹ On May 4, 1970, a notice amending the June 6, 1969, notice was issued (35 F.R. 7385, May 12, 1970).

² See the following list:

- (1) U.S. Department of the Interior (Interior).
- (2) U.S. Department of Transportation (DOT).
- (3) American Gas Association.
- (4) American Right of Way Association.
- (5) Forest Industries Council.
- (6) Independent Natural Gas Association of America (INGAA).
- (7) Algonquin Gas Transmission Co.
- (8) Arkansas Louisiana Gas Co.
- (9) Columbia Gas System Service Corp.
- (10) Consolidated Gas Supply Corp.
- (11) Lone Star Gas Co.
- (12) Michigan Gas Storage Co.
- (13) Mississippi River Transmission Co.
- (14) Mountain Fuel Supply Co.
- (15) Natural Gas Pipeline Company of America.
- (16) Pacific Gas Transmission Co.
- (17) Southern Natural Gas Co.
- (18) United Natural Gas Co.
- (19) Washington Gas Light Co.
- (20) The Citizens' Advisory Committee on Environmental Quality, Washington, D.C.
- (21) Stoney Brook-Millstone Watershed Association, Pennington, N.J.
- (22) Carvel Sparks, Blakeslee, Pa.
- (23) Mrs. Charles Tirrele, Lake Geneva, Wis.
- (24) Mrs. William Nashold, Mendota, Ill.

Section 16 of the Natural Gas Act provides that the Commission shall have power to prescribe such rules and regulations as it may find necessary or appropriate to carry out the provisions of the Act. Section 7(e) of the Act provides that it must be found that proposed construction "is or will be required by the present or future public convenience and necessity; otherwise such application shall be denied." It has been held that that section "requires the Commission to evaluate all factors bearing on the public interest." *Atlantic Refining Co. v. Public Service Commission of New York*, 360 U.S. 378, 391 (1959).² The Commission and the courts have interpreted the Commission's power, and in some cases duty, to consider public interest factors not specifically mentioned in the Natural Gas Act. Among the matters which have been discussed as factors in natural gas certificate cases are national defense,³ conservation of natural gas,⁴ air pollution,⁵ antitrust considerations,⁶ and effect of pipeline location on areas traversed.⁷ It cannot be disputed that the preservation of scenic and historic values is also a valid public interest consideration. In *Scenic Hudson Preservation Conference v. F.P.C.*, 354 F.2d 608 (CA2, 1965), certiorari denied, 384 U.S. 941 (1966), the court held that these matters must be considered by the Commission in determining whether to grant a license under the Federal Power Act.⁸ INGAA contends that Scenic Hudson is inapplicable to the proposed rulemaking because that case arose under the Federal Power Act rather than the Natural Gas Act. INGAA states:

Throughout the opinion it was quite evident that the Court placed great stress on the particular provisions of the Power Act which require that the Commission weigh all alternatives, having in mind the various factors which it was specifically directed by the statute to consider as a basis for granting the license. The Natural Gas Act, on the contrary, contains no such provisions.

Even if it is assumed that the differences in the statutory provisions of the Natural Gas Act render Scenic Hudson inapplicable to cases under that Act, it is clear that the Commission is free to consider public interest factors such as are involved in this rulemaking even if it is

assumed *arguendo* that the Commission is not obligated to consider them.

Since the initiation of this rulemaking proceeding, the National Environmental Policy Act of 1969 was enacted. That Act inter alia directs that, to the fullest extent possible, "the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act * * *." The purpose of the Act is stated as follows: "To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality." There can be no doubt that the rulemaking under consideration is authorized under the provisions of that Act and is consistent with the policies set forth therein. Furthermore, the Commission has a statutory obligation to consider the effect of proposed construction on locations deemed to be significant in American history, archeology and culture which are included in the National Register of Historic Places maintained by the United States Secretary of the Interior (Public Law 89-665, § 106).

Upon review of the comments, we conclude that certain modifications should be made to the exhibit requirements originally proposed. We find that, as proposed, the filing requirements could inhibit desired flexibility in the final selection of the route of pipeline facilities and we will provide that routing deviations resulting from unanticipated obstacles or difficulties can be made without submitting revisions to the exhibits unless requested by the Commission or unless the routing is substantially revised. Also, to limit the size of filings, we have concluded that information on rights-of-way need not be submitted for areas where construction will be on or immediately adjacent to an applicant's currently used right-of-way.

As originally proposed, the exhibit requirements would have required an explanation of what consideration was given to the effect of proposed facilities upon scenic, historic, and recreational values. Because of the difficulty inherent in determining what areas have scenic, historic, and recreational values, we have determined that such areas should be defined as those listed in the National Register of Historic Places or the National Register of Natural Landmarks or parks, scenic, wildlife, or recreational areas which are officially designated by duly constituted public authorities.

Although this proposed rulemaking was issued prior to enactment of, and not pursuant to the provisions of the National Environmental Policy Act of 1969, we find that the information to be provided in the exhibits hereinafter ordered will assist us in complying with the provisions of that Act. Section 102(2)(C)

provides, inter alia, that to the fullest extent possible, all agencies of the Federal Government shall include in every recommendation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement on matters set forth in that section. While these exhibits have not been formulated for the specific purpose of obtaining information necessary for us to comply with that Act, they constitute a useful step in that direction by enabling us to more effectively fulfill our duties under that Act until such time as the Commission has had an opportunity to consider further formal rulemaking proceedings in light of that Act.

A number of modifications to the proposed guidelines, all of which are consistent with their original intent, have been adopted based on the comments filed. In particular, we should note that INGAA filed comprehensive and constructive comments pointing out certain difficulties with the guidelines as originally drafted and proposing alternative language. Several modifications to the preamble of the guidelines were suggested. INGAA requests the insertion of language that "it is not the intention of the Commission to substitute its judgment or the judgment of its Staff or others where the natural gas company demonstrates a reasoned exercise of its judgment and discretion in these matters unless an abuse of such discretion is clearly shown." We do not deem it necessary to include this suggested language; our failure to include this change, however, is not intended to indicate that the Commission would substitute its judgment or that of others when the natural gas company demonstrates a reasoned exercise of its judgment. We recognize that application of many of the guidelines are subject to judgment and we do not intend to circumscribe the use of reasoned judgment by management. INGAA persuasively points out that landowner desires should be considered as relevant factors in the application of the guidelines and the guidelines will be modified accordingly. Interior suggests that the guidelines be applicable to fish and wildlife as well as scenic, historic and recreational areas. DOT suggests that we make clear that the guidelines do not affect a pipeline company's obligation to comply with applicable safety regulations issued pursuant to the Natural Gas Pipeline Safety Act of 1968. We agree with both of these suggestions and will amend the guidelines accordingly.

As a result of comments by INGAA and Lone Star Gas Co. we will delete a proposed guideline which provided:

Rights-of-way should cross streams or other bodies of water at low lands rather than at high banks or wild areas, where practical.

Those comments indicated that compliance with the guideline would have added considerably to both initial construction cost and subsequent maintenance cost and also point out that low lands are preferred wildlife reservation areas.

Pursuant to comments by INGAA and several individual pipeline companies

² See also *F.P.C. v. Transcontinental Gas Pipe Line Corp.*, 365 U.S. 1, 8 (1961).

³ *City of Pittsburgh v. F.P.C.*, 237 F.2d 741, 754-55 (CA10, 1956).

⁴ *F.P.C. v. Transco*, supra n. 3, 365 U.S. at 8-22.

⁵ *Id.* at 30; *Panhandle Eastern Pipeline Co., et al.*, 13 FPC 301, 312-313 (1954); *Transwestern Pipeline Co., et al.*, 36 FPC 176, 185-191 (1966), affirmed sub nom. *Southern California Edison Co. v. F.P.C.*, 387 F.2d 619 (CA3, 1967), certiorari denied, 392 U.S. 909 (1968); *Florida Gas Transmission Co.*, 37 FPC 424, 446 (1967); *Transcontinental Gas Pipe Line Corp.*, 38 FPC 906, 911-913 (1967).

⁶ *City of Pittsburgh*, supra, n. 1, 237 F.2d at 754; *Northern Natural Gas Co. v. F.P.C.*, 399 F.2d 953, 958-974 (CA10, 1968).

⁷ *The Manufacturers Light and Heat Co., et al.*, 39 FPC 294, 302-03 (1968); *Tennessee Gas Pipeline Co.*, 38 FPC 994, 995 (1967).

⁸ See also *Udall v. F.P.C.*, 387 U.S. 428, 450 (1967).

which point out that jacking is not a realistic construction technique except in special circumstances we will delete the following proposed guideline:

Consideration should also be given to use of the so-called "jacking" technique for laying pipe beneath stream beds where approach elevations and soil conditions permit, and where distance and size of pipe are suitable.

The following guidelines, which were of considerable importance from the standpoint of aesthetic concern, were subject to considerable criticism because of reasons of pipeline safety, need to acquire wider than otherwise necessary rights-of-way, landowner requirements and cost:

Rights-of-way strips through forest and timber areas should be deflected and should follow irregular patterns, provided the overall length is not extended unduly. This will prevent the rights-of-way from appearing as tunnels cut through the timber.

Rights-of-way strips through forest and timber areas should be cleared with curved, undulating boundaries and trimmed to comport with the topography of the terrain. Small trees and plants should be used to feather back the rights-of-way from grass and shrubbery to larger trees.

Rights-of-way should not cross hills and other high points at the crests, particularly where such crossing is in forested areas and clearly visible from the highway.

Rights-of-way should cross hills and mountains obliquely rather than straight up and down the sides.

Where rights-of-way enter dense timber from a meadow or other clearing, trees should be feathered in at the entrance of the timber for a distance of 150-200 yards.

In consideration of the comments filed, we believe that the guidelines as proposed would create too many problems and should not be adopted. We will adopt the following substitute guidelines which we believe will accomplish most of the objectives of the proposed guidelines and at the same time avoid the problem pointed out in the comments:

In wooded areas long views of cleared rights-of-way, visible from highways and other areas of public view, should be avoided. The rights-of-way alignment of these locations should be deflected before entering and leaving highways and areas of public view where such deflection is consistent with safe and sound engineering practice and accomplishes the desired results.

Where practical, rights-of-way should not cross hills and other high points at the crests, particularly where such crossing is in forested areas and clearly visible from highways and other areas of public view. When they must do so the alignment should be deflected near the crests where such deflection is consistent with safe and sound engineering practice and accomplishes the desired result of eliminating the notch in the tree line at the crests.

Where rights-of-way enter dense timber from a meadow or other clearing and where such entrance is visible from highways and other areas of public view, screen planting should be employed.

In consideration of comments filed by DOT, Interior, and several individuals, we believe that the following additional guidelines, which are consistent with this rulemaking proceeding should be adopted:

In locating proposed facilities, consideration should be given to the utilization, enlargement or extension of existing rights-of-way belonging to either applicant or others, such as pipelines, electric powerlines, highways, and railroads.

Any potholes, marshes, or similar water areas drained to facilitate construction should be reestablished to their preconstruction water levels and flow characteristics following completion of construction, if such reestablishment is consistent with landowner wishes.

The design and operation of above-ground facilities should conform to applicable air and water quality standards.

Excess construction materials and other debris should be removed from the right-of-way or otherwise suitably disposed of.

In addition to the above-noted changes, a number of minor revisions to many of the proposed guidelines have been made in light of the comments. Since those changes do not significantly modify what was intended in the proposal, no further discussion is necessary. The Commission finds:

(1) Since the revisions made in the statement of policy and amendments to the regulations under the Natural Gas Act as originally proposed result from suggestions made by respondents to the notice of proposed rulemaking herein and since these revisions do not impose a further burden on persons subject to these regulations and do not amount to a substantial departure from the original proposal, no further notice and hearing prior to adoption is necessary.

(2) Adoption of the statement of policy and the amendments to the regulations under the Natural Gas Act hereinafter set forth are necessary and appropriate for carrying out the provisions of the Natural Gas Act.

The Commission acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 7(c), 7(e), and 16 thereof (52 Stat. 825, 830; 56 Stat. 83, 84; 15 U.S.C. 717f(c), 717f(e), 717o) orders:

(A) Part 2, General Policy and Interpretations, Subchapter A, Chapter I of Title 18 of the Code of Federal Regulations is amended by adding a new § 2.69 to read as follows:

§§ 2.69 Guidelines to be followed by natural gas pipeline companies in the planning, locating, clearing and maintenance of rights-of-way and the construction of aboveground facilities.

(a) In the interest of preserving scenic, historic, wildlife and recreational values, the construction and maintenance of facilities authorized by certificates granted under section 7(c) of the Natural Gas Act should be undertaken in a manner that will minimize adverse effects on these values. Accordingly, the Commission believes that the planning, locating, clearing and maintenance of rights-of-way and the construction of aboveground facilities should, as a general practice, conform to the guidelines set forth below. The National Environmental Policy Act of 1969, Public Law 91-190, 83 Stat. 852, title I, section 102

thereof, directs agencies of the Federal Government to utilize a systematic, interdisciplinary approach which will insure integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man's environment. Congress has declared as a national policy the critical importance of restoring and maintaining environmental quality and directed that all practicable means be used to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social and economic requirements of present and future generations of Americans. There is increasing need to fit the construction of pipeline facilities into an overall plan for land development and use in Federal, State, and regional land use planning and development. While these guidelines would require greater advance planning and earlier filing of applications than has been the past practice, it is clear that such earlier planning and filing would generally result in minimizing the time delay caused by considering location as part of an overall plan for land development and use. To the extent landowners may have special interests concerning the planning, locating, clearing and maintenance of rights-of-way and the construction of aboveground facilities on their property, those desires may be taken into account by natural gas companies so long as the result is consistent with local laws relating to land use. These guidelines do not affect an applicant's obligation to comply with the applicable safety regulations of the Department of Transportation, pursuant to the Natural Gas Pipeline Safety Act of 1968.

(1) Pipeline construction. (i) In locating proposed facilities, consideration should be given to the utilization, enlargement or extension of existing rights-of-way belonging to either applicant or others, such as pipelines, electric powerlines, highways, and railroads.

(ii) Where practical, rights-of-way should avoid the national historic places listed in the National Register of Historic Places and natural landmarks listed in the National Register of Natural Landmarks maintained by the Secretary of the Interior, and parks, scenic, wildlife, and recreational lands, officially designated by duly constituted public authorities. If rights-of-way must be routed through such historic places, parks, wildlife, or scenic areas, they should be located in areas or placed in a manner so as to be least visible from areas of public view and so far as possible in a manner designed to preserve the character of the area.

(iii) Rights-of-way should avoid heavily timbered areas and steep slopes, where practical.

(iv) Right-of-way clearings should be kept to the minimum necessary width to prevent interference of trees or other vegetation with the construction of proposed transmission facilities.

(v) The method of clearing rights-of-way should take into account matters of

soil stability, protection of natural vegetation and the protection of adjacent resources.

(vi) Trees and other vegetation cleared from rights-of-way in areas of public view should be disposed of without undue delay. In all phases of construction, including burning of debris, such measures shall be taken for the prevention and control of fire and other hazards as are required by applicable law and regulations. Tree stumps which are adjacent to roads and other areas of public view should be cut close to the ground or removed.

(vii) Trees and shrubs which are not cleared should not be unnecessarily damaged during construction.

(viii) Efforts should be made to avoid clearance of rights-of-way to the mineral soil, except in the ditch itself. Where this does occur in scattered areas of the rights-of-way, the surface should be restored and stabilized without undue delay.

(ix) Soil which has been excavated during construction and not used should be evenly filled back onto the cleared area or removed from the site. The soil should be graded to comport with terrain of the adjacent land and vegetation planted and fertilized, where appropriate.

(x) Terraces and other erosion control devices should be constructed where necessary to prevent soil erosion on slopes on which rights-of-way are located.

(xi) Where rights-of-way cross streams and other bodies of water, the banks should be stabilized to prevent erosion. Construction on rights-of-way should be conducted in such manner as to keep to a minimum damage to shorelines, recreational areas and fish and wildlife habitats.

(xii) Replacement of earth adjacent to water crossings should be at slopes equal to or less than the normal angle of response for the soil type involved and sandbagging, seeding, or other methods of soil stabilization should be accomplished without undue delay.

(xiii) Blasting should not be done within or near stream channels without prior consultation with Federal and State conservation authorities having jurisdiction to determine what protective measures should be taken to minimize damage to fish and other aquatic life.

(xiv) Any potholes, marshes or similar water areas drained to facilitate construction should be reestablished to their preconstruction water levels and flow characteristics following completion of construction, if such reestablishment is consistent with landowner wishes.

(xv) Cofferdam or other diversionary techniques to lay pipe across streams should be used where necessary and practical to permit flow in one part of the stream while construction work is being performed in another part.

(xvi) Care should be taken to avoid oil spills and other types of pollution while work is performed in streams and other bodies of water and in their immediate drainage areas.

(xvii) Water used for pipeline testing taken from streams or other bodies of water should be taken in such manner as to minimize harm to the ecology, fish and wildlife resources, or aesthetic values of the areas. When testing water is released, it should be done in such a manner as not to cause erosion and siltation or damage to the ecology of the area.

(xviii) Excess construction materials and other debris should be removed from the right-of-way or otherwise suitably disposed of.

(xix) In wooded areas long views of cleared rights-of-way, visible from highways and other areas of public view, should be avoided. The rights-of-way alignment of these locations should be deflected before entering and leaving highways and areas of public view where such deflection is consistent with safe and sound engineering practice and accomplishes the desired results.

(xx) Where practical, rights-of-way should not cross hills and other high points at the crests, particularly where such crossing is in forested areas and clearly visible from highways and other areas of public view. When they must do so the alignment should be deflected near the crests where such deflection is consistent with safe and sound engineering practice and accomplishes the desired result of eliminating the notch in the tree line at the crests.

(xxi) Where rights-of-way enter dense timber from a meadow or other clearing and where such entrance is visible from highways and other areas of public view, screen planting should be employed.

(xxii) Temporary roads used for construction should be designed for proper drainage and built in such manner as to minimize soil erosion. Upon abandonment, such roads should be stabilized without undue delay.

(2) *Right-of-way maintenance.* (i) Once a cover of vegetation has been established on a right-of-way, it should be properly maintained.

(ii) Access roads and service roads should be maintained with proper cover, water bars and the proper slope in order to minimize soil erosion. They should be jointly used with other utilities and land management agencies where practical.

(iii) When chemicals are used for weed control, they should be applied at such time and in such manner as to minimize the impact of temporary discoloration of the foliage. Care should be taken to assure that chemicals used to control the growth of tree stumps do not damage the vegetation or add to water or soil pollution.

(iv) During inspection of rights-of-way attention should be given to locate gullies and fallen timber and to observe the condition of the vegetation. The use of aircraft to inspect and maintain rights-of-way should be encouraged.

(3) *Construction of aboveground appurtenant facilities.* (i) The proposed exterior plans and location of compressor stations and other aboveground facilities, including meter and regulator sta-

tions and communication towers, should be made appropriately available to local agencies which have jurisdiction.

(ii) Unobtrusive sites should be selected where practical for the location of aboveground facilities.

(iii) Potential noise should be considered when the location for compressor stations is being determined. Such facilities should be located in areas where sound resonance would be minimal; consideration should be given to the use of acoustical treatment as a further means of noise abatement.

(iv) The size of aboveground facilities should be kept to the minimum feasible.

(v) The exterior of compressor stations and other aboveground facilities, to the extent consistent with the functional needs and economic feasibility of construction of such facilities, should not unduly detract from the surroundings and other buildings in the area.

(vi) In areas adjacent to such aboveground facilities, trees and shrubs should be planted, or other appropriate landscaping installed, in order to enhance the appearance of such facilities, consistent with operating needs.

(vii) Storage tanks should be placed below ground where technology and economics make it feasible.

(viii) Yards and surrounding areas should be kept clean and free of unused or discarded materials.

(ix) The design and operation of aboveground facilities should conform to applicable air and water quality standards. (Secs. 7(c), 7(e), 16; 52 Stat. 825, 830; 56 Stat. 83, 84; 15 U.S.C. 717f(c), 717f(e), 717g)

(B) Section 157.14(a), in Part 157, Chapter I of Title 18 of the Code of Federal Regulations is amended by adding immediately following subparagraph "(6) * * * Exhibit F—Location of Facilities," new subparagraphs (6-a), (6-b), and (6-c) to read as follows:

§ 157.14 Exhibits.

(a) *To be attached to each application.* * * *

(6-a) *Exhibit F-1—Factors considered in use of joint rights-of-way.* (i) Unless shown on Exhibit F, Exhibit G, or elsewhere, applicant shall submit, for areas where construction will not be on applicant's currently used rights-of-way or immediately adjacent thereto, a map or diagram of all facilities proposed to be constructed showing existing rights-of-way belonging either to applicant or to others such as pipelines, electric powerlines, highways, and railroads which could practically be used.

(ii) In addition to such map or diagram applicant shall submit a brief statement explaining which of such rights-of-way it intends to use or consider using.

(iii) The statement may indicate that, while applicant intends to use the proposed right-of-way at the date of filing of the application or amendment or supplement thereto, it is understood that the actual construction of the proposed facility may require routing deviations because of unanticipated obstacles or difficulties.

(iv) Applicant will not be required to submit revisions to Exhibit F-1 unless requested by the Commission or unless the routing of the pipeline is substantially revised by applicant prior to beginning of construction.

(6-b) *Exhibit F-II—Factors considered in locating facilities in scenic, historic, recreational or wildlife areas.* Where a proposed facility will or may be located in or routed through any of the national historic places listed in the National Register of Historic Places maintained by the Secretary of the Interior, natural landmarks listed in the National Register of Natural Landmarks maintained by the Secretary of the Interior or through any park, scenic, wildlife, or recreational areas, officially designated by duly constituted public authorities, and where such facility may have a significant effect on the scenic, historic, wildlife or recreational values of such areas, applicant shall state the reason for such location and shall list Federal, State and local agencies having jurisdiction which have been or will be consulted prior to construction.

(6-c) *Exhibit F-III—Statement on adoption of guidelines concerning right-of-way and construction activities.* A statement that the guidelines set forth in § 2.69 of this chapter have been adopted by the applicant, that the relevant portions thereof have been or will be issued to construction personnel of applicant, and as to what appropriate instructions will be issued to contractors and others involved in implementation of the guidelines. (Secs. 7(c), 7(e), 16; 52 Stat. 825, 830; 56 Stat. 83, 84; 15 U.S.C. 717f(c), 717f(e), 717o)

(C) The amendments ordered herein shall be effective as to all applicants filed on or after October 1, 1970.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-9071; Filed, July 15, 1970;
8:49 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 437-70]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart I—Civil Division

SERVICE IN CUSTOMS LITIGATION

By virtue of the authority vested in me by 28 U.S.C. 509, 510 and 5 U.S.C. 301, a new § 0.48 is added to Subpart I of Part 0 of Chapter I of Title 28, Code of Federal Regulations as follows:

§ 0.48 Service in customs litigation.

The Chief, Customs Section, at 26 Federal Plaza, New York, N.Y. 10007, in the

office of the Assistant Attorney General in charge of the Civil Division, is designated to accept service of notices of appeals to the Court of Customs and Patent Appeals and all pleadings and other papers filed in the Customs Court, when the United States is an adverse party in any customs litigation (28 U.S.C. 2601 (b) and 2632(e), as amended by Public Law 91-271, June 2, 1970, 84 Stat. 275, 279).

Dated: July 4, 1970.

JOHN N. MITCHELL,
Attorney General.

[F.R. Doc. 70-9030; Filed, July 15, 1970;
8:45 a.m.]

[Order No. 436-70]

PART 21—WITNESS FEES

Certification of Witness Attendance

By virtue of the authority vested in me by 28 U.S.C. 509, 510, and 5 U.S.C. 301, Part 21 of Chapter I of Title 28, Code of Federal Regulations, is amended by adding a new § 21.5 to read as follows:

§ 21.5 Certification of witness attendance.

In any case wherein the United States or an officer or agency thereof is a party, the U.S. Marshal for the District shall pay all fees of witnesses on the certificate of the U.S. Attorney, an Assistant U.S. Attorney, or the Department of Justice attorney who actually conducts the case, and in the proceedings before a U.S. Commissioner or Magistrate, on the certificate of such commissioner or magistrate.

Dated: July 4, 1970.

JOHN N. MITCHELL,
Attorney General.

[F.R. Doc. 70-9029; Filed, July 15, 1970;
8:45 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 50—NEIGHBORHOOD YOUTH CORPS PROJECTS

Project Standards for New Out-of- School Agreements

Pursuant to authority contained in section 602 of the Economic Opportunity Act of 1964, as amended (78 Stat. 528, 79 Stat. 973, 80 Stat. 1451, 81 Stat. 672, 83 Stat. 827, 42 U.S.C. 2701 et seq.), the delegation of authorities to the Secretary of Labor by the Director of the Office of Economic Opportunity, 33 F.R. 15139 and Secretary's Order No. 14-69 (34 F.R. 6502), Part 50 of Subtitle A of Title 29 of the Code of Federal Regulations is hereby amended to read as set forth below.

The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) requiring notice and public procedure are not applicable since these regulations

involve only matters that relate to public benefits. Further, I do not believe that such procedure would in any event serve a useful purpose here. The amendments shall become effective 30 days after publication in the FEDERAL REGISTER.

1. In § 50.22, subparagraph (2) of paragraph (h) is amended to read as follows:

§ 50.22 Standards for projects.

(h) * * *

(2) New enrollments are limited to youths 16 and 17 years of age who have left full-time attendance in grade school or high school prior to graduation, and who are defined as disadvantaged persons, provided, however, the Project Director may allow up to 10 percent of new enrollments to be youths who are 18 and 19 years of age. Persons may be enrolled who are employed at the time of enrollment and may remain employed during enrollment if they are employed part-time or at a skill level substantially less than they are capable of after training in NYC. No person may remain enrolled for more than 24 months, or after his 22d birthday, whichever occurs first.

(42 U.S.C. 2942)

Signed at Washington, D.C., this 2nd day of July 1970.

MALCOLM R. LOVELL, Jr.,
Assistant Secretary for Manpower.

[F.R. Doc. 70-9093; Filed, July 15, 1970;
8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER A—ARMED SERVICES PROCUREMENT REGULATIONS

PART 24—DISPOSITION OF PER- SONAL PROPERTY IN POSSESSION OF CONTRACTORS

Special Screening Procedures; Correction

F.R. Doc. 70-6659, appearing at 35 F.R. 8427, May 29, 1970, is corrected with respect to § 24.205-4(c) appearing on page 8441, to read as follows:

§ 24.205-4 Special screening procedures.

(c) *Nuclear materials.* The possession, use, and transfer of certain nuclear materials are subject to the controls of the U.S. Atomic Energy Commission (AEC) pursuant to the Atomic Energy Act of 1954, as amended. The materials are:

(1) *Byproduct material.* Meaning any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material (see AEC Regulation 10 CFR Part 30);

(2) *Source material meaning.* (i) Uranium, thorium, or any other material which is determined by AEC pursuant

to the provisions of the Atomic Energy Act of 1954, as amended, to be source material, or

(ii) Ores containing one or more of the foregoing materials, in such concentration as the AEC may, by regulation, determine from time to time (see AEC Regulation 10 CFR Part 40); and

(3) *Special nuclear material meaning.*
(i) Plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the AEC, pursuant to the provisions of the Atomic Energy Act of 1954, as amended, determines to be special nuclear material, or

(ii) Any material artificially enriched by any of the foregoing (see AEC Regulation 10 CFR Part 70).

Excess nuclear material in the categories described above shall be screened with the procuring activity. If there are no requirements, the ultimate method of disposal shall be dependent upon the license issued by the U.S. Atomic Energy Commission or the respective States and pertinent Federal and Service Regulations. Assistance may be solicited on an as needed basis from the following activities having overall knowledge and responsibility for disposal of radioactive material within their respective services:

(a) Army—Commanding General, U.S. Army Materiel Command, Attention: AMCSF, Washington, D.C. 20315.

(b) Navy—Primary support bureau, command, or office.

(c) Air Force—San Antonio Air Materiel Area, Attention: SANUTE, Kelly Air Force Base, Tex. 78241.

(d) Marine Corps—Commandant of the Marine Corps, Code: CSY, Headquarters, USMC, Washington, D.C. 20380.

(e) Defense Supply Agency—Appropriate Defense Supply Center initiating the procurement contract.

(f) National Aeronautics and Space Administration—Headquarters, National Aeronautics and Space Administration, Code: BDU, Washington, D.C. 20546.

For the Adjutant General.

RICHARD B. BELNAP,
Special Advisor to TAG.

[F.R. Doc. 70-9025; Filed, July 15, 1970;
8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 17—MEDICAL

Approval of Unauthorized Travel of Claimants and Beneficiaries in the Republic of the Philippines

1. Section 17.41 is revised to read as follows:

§ 17.41 Transportation for Commonwealth Army and new Philippine Scout veterans.

Transportation may be furnished for any Commonwealth Army veteran or new Philippine Scout veteran eligible for treatment at the Veterans Memorial Hos-

pital, or Veterans Administration Regional Office, Manila, if authorized in advance by the U.S. Veterans Administration except as provided in § 17.43.

2. Section 17.43 is added to read as follows:

§ 17.43 Approval of unauthorized travel of claimants and beneficiaries in the Republic of the Philippines.

(a) Payment may be approved for travel performed under § 17.41 without prior authorization only in those cases where the Veterans Administration determines that there was a need for prompt medical care which was approved and:

(1) the circumstances prevented a request for prior travel authorization, or

(2) due to Veterans Administration delay or error prior authorization for travel was not given, or

(3) there was a justifiable lack of knowledge on the part of a third party acting for the veteran that a request for prior authorization was necessary.

(b) In other cases, payment may be approved for such travel without prior authorization only upon a finding by the Administrator or his designee that failure to secure prior authorization was justified.

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective the date of approval.

Approved: July 9, 1970.

By direction of the Administrator.

[SEAL] RUFUS H. WILSON,
Acting Deputy Administrator.

[F.R. Doc. 70-9087; Filed, July 15, 1970;
8:50 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 7—Agency for International Development, Department of State

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 7 of Title 41 is amended as follows:

PART 7-1—GENERAL

The Table of Contents of Part 7-1 are revised to add "7-1.456 Auditor General".

Subpart 7-1.3—General Policies

§ 7-1.310-7 [Amended]

1. Section 7-1.310-7 is revised to delete the phrase, "Office of the Controller", and insert, in lieu thereof, "Auditor General".

§ 7-1.313 [Amended]

2. Section 7-1.313 is revised to delete the word "Controller" and insert, in lieu thereof, "Auditor General".

Subpart 7-1.4—Procurement Responsibility and Authority

1. Section 7-1.454 is revised as follows:
§ 7-1.454 Controller.

The Controller of AID is responsible for disbursement and other fiscal serv-

ices required in connection with AID procurement.

2. New § 7-1.456 is added as follows:

§ 7-1.456 Auditor General.

The Auditor General is responsible for the provision of financial advisory and audit services required in connection with AID procurement.

PART 7-3—PROCUREMENT BY NEGOTIATION

Subpart 7-3.6—Small Purchases

§ 7-3.604-5 [Amended]

1. Section 7-3.604-5 is revised to delete "General Services Division" and insert, in lieu thereof, "Office of Administrative Services".

Subpart 7-3.8—Price Negotiation Policies and Techniques

1. Section 7-3.807-2(c) is revised as follows:

§ 7-3.807-2(c) Offeror's analysis of cost proposal.

(a) The "Offeror's Analysis of Cost Proposal" form contained in AIDPR 7-16.955 provides for a standardized analysis of estimated costs, suitable for detailed review, to be submitted by an offeror. Except as provided in paragraph (b) of this section, the form contained in AIDPR 7-16.955 shall be used for all negotiated procurements for which written cost or pricing data is required under FPR 1-3.807-3, and may be used in other procurements at the discretion of the Contracting Officer. The offeror must also submit supplementary information as detailed on the form.

(b) The contractor or prospective contractor may submit the information required by the form set forth above in a different format, acceptable to the contracting officer, when required for a more effective and efficient presentation of cost or pricing information, or when the contractor's or subcontractor's accounting system makes the use of the prescribed format impracticable: *Provided*, That in such cases the information furnished includes pertinent details as to cost elements and the specific statements, authorization, and certification required by the prescribed format.

§ 7-3.807-3 Cost and pricing data.

Requirements for cost or pricing data: Contracts with nonprofit educational institutions for overseas technical assistance or for research work will be treated the same for this purpose as basic research contracts with such institutions. The head of the agency includes any Assistant Administrator.

PART 7-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Subpart 7-4.2—Architect- Engineering Services

§ 7-4.203-2 [Amended]

1. Section 7-4.203-2(b) is revised to delete "the Controller" and insert, in lieu thereof, "the Auditor General".

Subpart 7-4.53—Procurement Under the AID Research and Analysis Program

§ 7-4.5300 [Amended]

1. Section 7-4.5300(b) is revised to delete "AID. Research and Institutional Grants Staff, Office of the War on Hunger (WOH/RIG)" and insert, in lieu thereof, "Office of AID Research and University Relations, Bureau for Technical Assistance (TA/RUR)".

§ 7-4.5301 [Amended]

2. Section 7-4.5301(d) (1) is revised to delete "(PPC/TA/PARD)" and insert, in lieu thereof, "(PPC/POL/ERSS)".

3. Section 7-4.5301(d) (3) is revised to delete "Office of the War on Hunger (WOH/RIG)" and insert, in lieu thereof, "Bureau for Technical Assistance (TA/RUR)".

PART 7-7—CONTRACT CLAUSES

1. The Table of Contents for Part 7-7 is revised to add the following:

Sec.	Scope of part.
7-7.000	Scope of part.
	Subpart 7-7.50—[Reserved]
	Subpart 7-7.51—[Reserved]
	Subpart 7-7.52—Basic Ordering Agreement for Participant Training
7-7.5200	Scope of subpart.
7-7.5201	Required clauses.
7-7.5201-1	Definitions.
7-7.5201-2	Travel and transportation.
7-7.5201-3	Changes in tuition and fees.
7-7.5201-4	Conflicts between contract and catalog.
7-7.5201-5	Transcripts.
7-7.5201-6	Withdrawal of students.
7-7.5201-7	Method of payment.
7-7.5201-8	Examination of records.
7-7.5201-9	Audit and records.
7-7.5201-10	Inspection.
7-7.5201-11	Subcontracts.
7-7.5201-12	Modification or amendment.
7-7.5201-13	Material change in conditions.
7-7.5201-14	Termination.
7-7.5201-15	Disputes.
7-7.5201-16	Assignment of claims.
7-7.5201-17	Convict labor.
7-7.5201-18	Officials not to benefit.
7-7.5201-19	Covenant against contingent fees.
7-7.5201-20	Equal opportunity.
7-7.5201-21	Utilization of concerns in labor surplus areas.
7-7.5201-22	Utilization of small business concerns.
7-7.5201-23	Notices.

Subpart 7-7.53—Contracts for Participant Training

7-7.5300	Scope of subpart.
7-7.5301	Required clauses.
7-7.5301-1	Definitions.
7-7.5301-2	Travel and transportation.
7-7.5301-3	Changes in tuition and fees.
7-7.5301-4	Conflicts between contract and catalog.
7-7.5301-5	Transcripts.
7-7.5301-6	Withdrawal of students.
7-7.5301-7	Method of payment.
7-7.5301-8	Examination of records.
7-7.5301-9	Audit and records.
7-7.5301-10	Inspection.
7-7.5301-11	Modification or amendment.
7-7.5301-12	Material change in conditions.
7-7.5301-13	Termination.
7-7.5301-14	Disputes.

7-7.5301-15	Assignment of claims.
7-7.5301-16	Convict labor.
7-7.5301-17	Officials not to benefit.
7-7.5301-18	Covenant against contingent fees.
7-7.5301-19	Equal opportunity.
7-7.5301-20	Utilization of concerns in labor surplus areas.
7-7.5301-21	Utilization of small business concerns.
7-7.5301-22	Notices.

2. Section 7-7.000 is revised as follows:

§ 7-7.000 Scope of part.

This part sets forth uniform contract clauses for use in connection with AID's procurement of personal property and nonpersonal services.

Subpart 7-7.50—[Reserved]

Subpart 7-7.51—[Reserved]

3. New Subpart 7-7.52 is added as follows:

Subpart 7-7.52—Basic Ordering Agreement for Participant Training

§ 7-7.5200 Scope of subpart.

This subpart sets forth contract clauses for use in basic ordering agreements for participant training.

§ 7-7.5201 Required clauses.

The clauses set forth in this subpart shall be used in basic ordering agreements for participant training (other than small purchases as defined in FPR Subpart 1-3.6).

§ 7-7.5201-1 Definitions.

(a) "Administrator" shall mean the Administrator or the Deputy Administrator of the Agency for International Development.

(b) "AID" shall mean the Agency for International Development.

(c) "Catalog" shall mean any medium by which the institution publicly announces terms and conditions for enrollment in the Institution, including tuition and fees to be charged. This includes "bulletin," "announcement," or any other similar word the Institution may use.

(d) "Contract" includes each task order and the basic ordering agreement under which issued.

(e) "Contracting Officer" shall mean the person executing a contract on behalf of the U.S. Government and any other Government employee who is a properly designated Contracting Officer; and the term includes, except as otherwise provided in the contract, the authorized representative of a Contracting Officer acting within the limits of his authority.

(f) "Cooperating Country or Countries" shall mean the foreign country or countries from which participants are selected.

(g) "Cooperating Government" shall mean the Government of the Cooperating Country.

(h) "Director" shall mean the individual who fills the AID position of Director, Office of International Training, or Director, Office of Public Safety, or their authorized representative, acting within the limits of their authority.

(i) "Economy class" air travel (also known as jet-economy, air coach, tourist-class, etc.) shall mean a class of air travel which is less than first class.

(j) "Employee" shall mean an employee of the Contractor assigned to work under this contract or task order.

(k) "Federal Procurement Regulations" (FPR) when referred to herein shall include AID Procurement Regulations (AIDPR).

(l) "Fees" shall mean those applicable charges directly related to enrollment in the Institution. This shall not include any permit charge (e.g., parking, vehicle registration), or charges for services of a personal nature (e.g., food, housing, laundry) unless specifically called for in the request placed hereunder.

(m) "Government" shall mean the U.S. Government.

(n) "Institution" shall mean the educational institution providing services hereunder. The terms "Institution" and "Contractor" are synonymous.

(o) "Participants" shall mean nationals of the Cooperating Country brought to the United States or to Third Countries for training.

(p) "Traveler" shall mean the Institution's employee or other person designated by the Contracting Officer or Director, as appropriate, engaged in official travel in execution of his duties hereunder.

(q) "Tuition" shall mean the amount of money charged by an institution for instruction, not including fees as defined above.

§ 7-7.5201-2 Travel and transportation.

TRAVEL AND TRANSPORTATION

The Contractor shall be reimbursed for necessary and actual transportation costs and travel allowances of travelers in accordance with the established practice of the Institution for travel within the United States directly referable to the Contract, provided they shall not exceed the rates and basis for computation of such rates as provided in the Standardized Government Travel Regulations, as from time to time amended. Such transportation costs shall not be reimbursed in an amount greater than the cost of, and time required for, economy class commercial air travel scheduled by the most expeditious route unless economy travel or economy travel space are not available and the Institution certifies to the facts in the voucher or other documents required to be submitted in accordance with the Clause of this Contract entitled "Method of Payment".

§ 7-7.5201-3 Changes in tuition and fees.

CHANGES IN TUITION AND FEES

While educational programs for participants will be established utilizing the Institution's currently applicable tuition and fee schedule, the parties understand that such standard tuition and fees may be subject to change during the course of the program. If such event results in an increase in the cost of the program, AID agrees to pay such increased standard tuition and fees in the next applicable academic term as a condition for the continuation of the program. If such change results in a decrease in the cost of the program, the Institution agrees to charge to AID only the amount of such revised standard tuition and fees in the next applicable academic term.

The Institution shall undertake to keep AID currently advised as to changes in its standard tuition and fees. At such time as increases in the amounts of tuition and fees result in there being inadequate funds remaining in this contract to meet the costs of the next academic term, the Institution will so advise AID. AID may then provide such additional funds as are required to complete the program.

§ 7-7.5201-4 Conflicts between contract and catalog.

CONFLICTS BETWEEN CONTRACT AND CATALOG

In the event of any inconsistency between the provisions of this contract and any catalog, or other document incorporated in this contract by reference or otherwise or any of the Contractor's rules and regulations, the provisions of this contract shall govern.

§ 7-7.5201-5 Transcripts.

TRANSCRIPTS

At the end of each academic grading period, the Contractor shall send to the Director (or to such other address as the Director may specify) one copy of an official transcript showing all work by the student at the Contractor's institution until withdrawal or graduation.

§ 7-7.5201-6 Withdrawal of students.

WITHDRAWAL OF STUDENTS

(a) The Government may, at its option and at any time, withdraw any student by issuing official orders terminating the student status of the person. The Government shall furnish a copy of such orders to the Contractor within a reasonable time after publication.

(b) The Contractor may request withdrawal by the Government of any student for academic or disciplinary reasons.

(c) If such withdrawal occurs prior to the end of a term, the Government shall pay any tuition and fees due for the current term in which the student may be enrolled, and the Contractor shall credit the Government with any charges eligible for refund under the Contractor's standard procedures for civilian students in effect on the effective date of such withdrawal.

(d) Withdrawal of students by the Government shall not be the basis for any special charge or claim by the Contractor other than as provided by the Contractor's standard procedures.

§ 7-7.5201-7 Method of payment.

METHOD OF PAYMENT

Claims for reimbursement covering training, services and/or facilities provided by the Institution under each task order will be paid upon submission by the Institution to the Controller, AID of Voucher Form SF-1034 (original) and SF-1034(a) three copies, properly executed and supported by documentation which shall include the following:

(a) For training of participants assigned to the Institution but not assigned for full-time enrollment in regular classes during complete academic periods: name of participant(s) and PIO number, title of training program, exact dates of training or enrollment period and amount claimed therefor.

(b) For services of a Technical Leader, if authorized: name, salary rate, period of service, statement of travel itinerary, travel and transportation costs and allowances and the amount (by item) claimed therefor. All transportation claims shall be accompanied by carrier's receipts or other required evidence of payment.

(c) For transportation required and au-

thorized in carrying out designated group training programs, all carrier claims shall be accompanied by receipts or other evidence of payment.

(d) For books, and training aids as specified in the applicable Task Order: Number and date of applicable task order and the Contractor's receipt appropriately detailed as to quantity, description and price.

(e) For all other services or items which may be specified under the applicable task order: A list of such services or items, amount of such service or item and basis for reimbursement claimed therefor.

(f) A certificate signed by an authorized representative of the Institution as follows:

"The undersigned hereby certifies: (1) That payment of the sum claimed under the cited task order is proper and due and that appropriate refund to AID will be made promptly upon request of AID in the event of nonperformance, in whole or in part, under the task order or for any breach of the terms of the task order, (2) that information on the fiscal report is correct and such detailed supporting information as AID may require will be furnished on request, and (3) that all services called for by the task order to the date of this certification have been met.

By _____
Title _____
Date _____"

(g) Where State law requires that the Institution retain all receipts or invoices the Institution may include a reference to such law and furnish, in lieu thereof, a detailed itemization of such receipts or invoices with payment indicated by the Institution's applicable check number.

§ 7-7.5201-8 Examination of records.

EXAMINATION OF RECORDS

(a) (1) The Contractor agrees to maintain books, records, documents, and other evidence pertaining to the costs and expenses of this contract (hereinafter collectively called the "records") to the extent and in such detail as will properly reflect all net costs, direct and indirect, of labor, materials, equipment, supplies and services, and other costs and expenses of whatever nature for which reimbursement is claimed under the provisions of this contract.

(2) The Contractor agrees to make available at the office of the Contractor at all reasonable times during the period set forth in subparagraph (4) below any books, documents, papers, or records of the Contractor, that directly pertain to and involve transactions relating to this contract or subcontracts hereunder for inspection, audit or reproduction by any authorized representative of the Comptroller General.

(3) In the event the Comptroller General or any of his duly authorized representatives determines that his audit of the amounts reimbursed under this contract as transportation charges will be made at a place other than the office of the Contractor, the Contractor agrees to deliver, with the reimbursement voucher covering such charges or as may be otherwise specified within 2 years after reimbursement of charges covered by any such voucher, to such representative as may be designated for that purpose through the Office of the Controller of AID, Washington, D.C., such documentary evidence in support of transportation costs as may be required by the Comptroller General or any of his duly authorized representatives.

(4) Except for documentary evidence delivered to the Government pursuant to subparagraph (3) above, the Contractor shall preserve and make available his records (i) until expiration of 3 years after final payment under this contract or of the time periods specified in Part 1-20 of the Federal

Procurement Regulations (40 CFR Part 1-20), whichever expires earlier; and (ii) for such longer period, if any, as is required by applicable statute, by any other clause of this contract, or by (I) or (II) below.

(I) If this contract is completely or partially terminated, the records relating to the work terminated shall be preserved and made available for a period of 3 years from the date of any resulting final settlement or of the time periods specified in Part 1-20 of the Federal Procurement Regulations (41 CFR Part 1-20), whichever expires earlier; and

(II) Records which relate to (A) appeals under the Disputes clause of this contract, (B) litigation or the settlement of claims arising out of the performance of this contract, or (C) cost and expenses of this contract as to which exception has been taken by the Comptroller General or any of his duly authorized representatives, shall be retained by the Contractor until such appeals, litigation, claims, or exceptions have been disposed of.

(5) Except for documentary evidence delivered pursuant to subparagraph (3) above, and the records described in subparagraph (4) (II) above, the Contractor may in fulfillment of his obligation to retain his records as required by this clause substitute photographs, microphotographs, or other authentic reproduction of such records, after the expiration of 2 years following the last day of the month of reimbursement to the Contractor of the invoice or voucher to which such records relate, unless a shorter period is authorized by the Contracting Officer with the concurrence of the Comptroller General or his duly authorized representative.

(6) The provisions of this paragraph (a), including this subparagraph (6), shall be applicable to and included in each subcontract hereunder which is on a cost, cost-plus-a-fixed-fee, time-and-material or labor-hour basis.

(b) The Contractor further agrees to include in each of his subcontracts hereunder, other than those set forth in subparagraph (a) (6) above, a provision to the effect that the subcontractor agrees that the Comptroller General or any of his duly authorized representatives, shall, until the expiration of 3 years after final payment under the subcontract, or of the time periods specified in Part 1-20 of the Federal Procurement Regulations (41 CFR Part 1-20) whichever expires earlier, have access to and the right to examine any directly pertinent books, documents, papers, and records of such subcontractor that directly pertain to and involve transactions relating to the subcontract. The term "subcontract," as used in this paragraph (b) only, excludes (1) purchase orders not exceeding \$2,500 and (2) subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public.

§ 7-7.5201-9 Audit and records.

AUDIT AND RECORDS

(a) The Contractor shall maintain books, records, documents, and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred and anticipated to be incurred for the performance of this contract. The foregoing constitute "records" for the purposes of this clause.

(b) The Contractor's facilities, or such part thereof as may be engaged in the performance of this contract, and his records shall be subject at all reasonable times to inspection and audit by the Contracting Officer or his authorized representative.

(c) The Contractor shall preserve and make available his records (1) until the expiration of 3 years from the date of final payment under this contract, and (2) for such longer period, if any, as it required by applicable statute, or by other clauses of this contract, or by (1) or (ii) below.

(i) If this contract is completely or partially terminated, the records relating to the work terminated shall be preserved and made available for a period of 3 years from the date of any resulting final settlement.

(ii) Records which relate to (A) appeals under the "Disputes" clause of this contract or (B) litigation or the settlement of claims arising out of the performance of this contract, shall be retained until such appeals, litigation, or claims have been disposed of.

(d) (1) The Contractor shall insert the substance of this clause, including the whole of this paragraph (d), in each subcontract hereunder that is not on a firm fixed-price basis.

(2) The Contractor shall insert the substance of the following clause in each firm fixed-price subcontract hereunder in excess of \$100,000, except those subcontracts covered by subparagraph (3) below.

AUDIT

(a) For purposes of verifying that cost or pricing data submitted in conjunction with the negotiation of this contract or any contract change or other modification involving an amount in excess of \$100,000 are accurate, complete, and current, the Contracting Officer or his authorized representative shall, until the expiration of 3 years from the date of final payment under this contract, have the right to examine those books, records, documents, and other supporting data which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein, which were available to the Contractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

(b) The Contractor agrees to insert the substance of this clause including this paragraph (b) in all subcontracts hereunder in excess of \$100,000, where the price is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

(3) The Contractor shall insert the substance of the following clause in each firm fixed-price subcontract hereunder in excess of \$100,000, where the price is based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation.

AUDIT-PRICE ADJUSTMENTS

(a) This clause shall become operative only with respect to any change or other modification made pursuant to one or more provisions of this contract which involves a price adjustment in excess of \$100,000, that is not based on adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation and further provided that such changes or other modification to this contract must result from a change or other modification to the Government prime contract.

(b) For purposes of verifying that any cost or pricing data submitted in conjunction with a contract change or other modification involving an amount in excess of \$100,000 are accurate, complete, and current, the Contracting Officer, or his authorized representatives, shall, until the expiration of 3 years from the date of final payment under this contract, have the right to ex-

amine those books, records, documents and other supporting data which will permit adequate evaluation of the cost or pricing data submitted, along with the computations and projections used therein, which were available to the Contractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

(c) The Contractor agrees to insert the substance of this clause including this paragraph (c) in all subcontracts hereunder in excess of \$100,000, so as to apply until 3 years after final payment of the subcontract.

§ 7-7.5201-10 Inspection.

INSPECTION

The Contractor agrees to permit authorized representatives of AID at all reasonable times, to inspect the facilities, activities and work pertinent to this contract and to permit AID to interview personnel engaged in the performance of the contract to the extent deemed necessary by AID.

§ 7-7.5201-11 Subcontracts.

SUBCONTRACTS

Except as provided in the task order or as consented to, in writing, by the Contracting Officer, the Contractor shall not subcontract any part of the work under a contract. In no event shall any such subcontract be on a cost-plus-percentage-of-cost basis.

§ 7-7.5201-12 Modification or amendment.

MODIFICATION OR AMENDMENT

No changes, modifications or amendments shall be made to this contract except as may be mutually agreed upon in writing by authorized representatives of the parties hereto.

§ 7-7.5201-13 Material change in conditions.

MATERIAL CHANGE IN CONDITIONS

If the Contractor advises the Contracting Officer of a material change in the conditions which substantially interferes with or impedes the performance of this contract in accordance with its terms or with sound professional standards, the parties will mutually consider appropriate action to be taken, which might include, but is not limited to, modification of the contract or its termination in whole or in part pursuant to the clause of this contract entitled "Termination". Failure of the parties to agree on the existence of such circumstances and consequent refusal of the Government to terminate after receipt of a written request to do so will be a dispute concerning a question of fact within the meaning of the clause of the general provisions entitled "Disputes".

§ 7-7.5201-14 Termination.

TERMINATION

(a) Either party may terminate this contract by giving thirty (30) days advance written notice of the effective date of termination. In the event of termination, the Government shall have the right, at its option, to continue to receive educational services for those students already enrolled in the Contractor's institution under this contract until such time that the students complete their courses or curricula or the Government withdraws them from the Contractor's institution. The terms and conditions of this contract in effect on the effective date of termination shall continue to apply to such students remaining in the Contractor's institution.

(b) Withdrawal of students pursuant to the clause of this contract entitled "Withdrawal of Students" shall not be considered

a termination within the meaning of this provision.

(c) Termination by either party shall not be the basis for any special charge or claim by the Contractor other than as provided by the Contractor's standard procedures.

§ 7-7.5201-15 Disputes.

DISPUTES

(a) Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Contracting Officer shall be final and conclusive unless within thirty (30) days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the Administrator, Agency for International Development, Washington, D.C. 20523. The decision of the Administrator or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent or capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this Clause, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

(b) This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in paragraph (a) above; provided that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

§ 7-7.5201-16 Assignment of claims.

ASSIGNMENT OF CLAIMS

(a) Pursuant to the provisions of the Assignment of Claims Act of 1940, as amended (31 U.S.C. 203, 41 U.S.C. 15), if this contract provides for payments aggregating \$1,000 or more, claims for monies due or to become due the Contractor from the Government under this contract may be assigned to a bank, trust company, or other financing institution, including any Federal lending agency, and may thereafter be further assigned and reassigned to any such institution. Any such assignment or reassignment shall cover all dollar amounts payable under this contract and not already paid, and shall not be made to more than one party, except that any such assignment or reassignment may be made to one party as agent or trustee for two or more parties participating in such financing.

(b) In no event shall copies of this contract or of any plans, specifications, or other similar documents relating to work under this contract, if marked "Top Secret," "Secret," or "Confidential" be furnished to any assignee or any claim arising under this contract or to any other person not entitled to receive the same. However, a copy of any part or all of this contract so marked may be furnished, or any information contained therein may be disclosed, to such assignee upon the prior written authorization of the Contracting Officer.

§ 7-7.5201-17 Convict labor.

Insert the clause set forth in FPR 1-12.203.

§ 7-7.5201-18 Officials not to benefit.

Insert the clause set forth in FPR 1-7.101-19.

§ 7-7.5201-19 Covenant against contingent fees.

Insert the clause set forth in FPR 1-1.503.

§ 7-7.5201-20 Equal opportunity.**EQUAL OPPORTUNITY**

(The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor: See Code of Federal Regulations, Chapter 60, as implemented in Federal Procurement Regulation section 1-12.804).

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this Equal Opportunity clause.

(b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(c) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Agency Contracting Officer, advising the labor union or workers' representative of the Contractor's commitments under this Equal Opportunity clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Contractor's non-compliance with the Equal Opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The Contractor will include the provisions of paragraphs (a) through (g) in

every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however*, That in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

§ 7-7.5201-21 Utilization of concerns in labor surplus areas.

Insert the clause set forth in FPR 1-1.805-3(a).

§ 7-7.5201-22 Utilization of small business concerns.

Insert the clause set forth in FPR 1-1.710-3(a).

§ 7-7.5201-23 Notices.**NOTICES**

Any notice given by any of the parties hereunder shall be sufficient only if in writing and delivered in person or sent by telegraph, or cable, or registered mail as follows:

To A.I.D.:

Administrator, Agency for International Development, Washington, D.C. 20523.
Attention: Contracting Officer (naming the Contracting Officer who executed this agreement).

To Institution:

At Institution's address shown in the cover page of this basic ordering agreement.

or to such other address as either of such parties shall designate by notice given as herein provided. Notices hereunder shall be effective when delivered in accordance with this clause or on the effective date of the notice, whichever is later.

4. New Subpart 7-7.53 is added as follows:

Subpart 7-7.53—Contracts for Participant Training**§ 7-7.5300 Scope of subpart.**

This subpart sets forth the contract clauses for use in contracts for participant training.

§ 7-7.5301 Required clauses.

The clauses set forth in this subpart shall be used in contracts for participant training (other than small purchases as defined in FPR Subpart 1-3.6).

§ 7-7.5301-1 Definitions.**DEFINITIONS**

(a) "Administrator" shall mean the Administrator or the Deputy Administrator of the Agency for International Development.

(b) "AID" shall mean the Agency for International Development.

(c) "Catalog" shall mean any medium by which the Institution publicly announces terms and conditions for enrollment in the Institution, including tuition and fees to be charged. This includes "bulletin," "announcements," or any other similar word the Institution may use.

(d) "Contracting Officer" shall mean the person executing this contract on behalf of the U.S. Government and any other government employee who is a properly designated Contracting Officer; and the terms includes, except as otherwise provided in this contract, the authorized representative of a Contracting Officer acting within the limits of his authority.

(e) "Cooperating Country or Countries" shall mean the foreign country or countries from which participants are selected.

(f) "Cooperating Government" shall mean the Government of the Cooperating Country.

(g) "Director" shall mean the individual who fills the AID position of Director, Office of International Training, or Director, Office of Public Safety or their authorized representatives acting within the limits of their authority.

(h) "Economy class" air travel (also known as jet-economy, air coach, tourist-class, etc.) shall mean a class of air travel which is less than first class.

(i) "Employee" shall mean an employee of the Contractor assigned to work under this contract.

(j) "Federal Procurement Regulations" (FPR), when referred to herein shall include Agency for International Development Procurement Regulations (AIDPR).

(k) "Fees" shall mean those applicable charges directly related to enrollment in the Institution. This shall not include any permit charge (e.g., parking, vehicle registration), or charges for services of a personal nature (e.g., food, housing, laundry) unless specifically called for in this contract.

(l) "Government" shall mean the United States Government.

(m) "Institution" shall mean the educational institution providing services hereunder. The terms "Institution" and "Contractor" are synonymous.

(n) "Participants" shall mean nationals of the Cooperating Country brought to the United States or to Third Countries for training.

(o) "Traveler" shall mean the Institution's employees or other person designated by the Contracting Officer or Director, as appropriate, engaged in official travel in execution of his duties hereunder.

(p) "Tuition" shall mean the amount of money charged by an institution for instruction, not including fees as described above.

§ 7-7.5301-2 Travel and transportation.

Insert the clause set forth in AIDPR 7-7.5201-2.

§ 7-7.5301-3 Changes in tuition and fees.

Insert the clause set forth in AIDPR 7-7.5201-3.

§ 7-7.5301-4 Conflicts between contract and catalog.

Insert the clause set forth in AIDPR 7-7.5201-4.

§ 7-7.5301-5 Transcripts.

Insert the clause set forth in AIDPR 7-7.5201-5.

§ 7-7.5301-6 Withdrawal of students.

Insert the clause set forth in AIDPR 7-7.5201-6.

§ 7-7.5301-7 Method of payment.**METHOD OF PAYMENT**

Claims for reimbursement covering training, services and/or facilities provided by the Institution under this contract will be paid upon submission by the Institution to the Controller, AID of Voucher Form SF-1034 (original) and SF-1034(a) three copies,

properly executed and supported by documentation which shall include the following:
(a) For training as provided under this contract: name of participant(s) and PIO number, title of training program, exact dates of training or enrollment period and amount claimed therefor.

(b) For services as provided under this contract: name, salary rate, period of service, statement of travel itinerary, travel and transportation costs and allowances and the amount (by item) claimed therefor. All transportation claims shall be accompanied by carrier's receipts or photostat copies thereof.

(c) For transportation provided under contract: All carrier claims shall be accompanied by receipts or other evidence of payment.

(d) For books and training aids as specified under this contract: number and date of applicable contract and Contractor's receipt appropriately detailed as to quantity, description and price.

(e) For all other services or items which may be specified under this contract: A list of such services or items, amount of such service or item and basis for reimbursement claimed therefor.

(f) A certificate signed by an authorized representative of the Institution as follows:
"The undersigned hereby certifies: (1) That payment of the sum claimed under the cited contract is proper and due and that appropriate refund to A.I.D. will be made promptly upon request of A.I.D. in the event of nonperformance, in whole or in part, under the contract or for any breach of the terms of the contract, (2) that information on the fiscal report is correct and such detailed supporting information as A.I.D. may require will be furnished on request, and (3) that all services called for by the contract to the date of this certification have been met.

By _____
Title _____
Date _____"

(g) Where State law requires that the Institution retain all receipts or invoices the Institution may include a reference to such law and furnish, in lieu thereof, a detailed itemization of such receipts or invoices with payment indicated by the Institution's applicable check number.

§ 7-7.5301-8 Examination of records.

Insert the clause set forth in AIDPR 7-7.5201-8.

§ 7-7.5301-9 Audit and records.

Insert the clause set forth in AIDPR 7-7.5201-9.

§ 7-7.5301-10 Inspection.

Insert the clause set forth in AIDPR 7-7.5201-10.

§ 7-7.5301-11 Modification or amendment.

Insert the clause set forth in AIDPR 7-7.5201-12.

§ 7-7.5301-12 Material change in conditions.

Insert the clause set forth in AIDPR 7-7.5201-13.

§ 7-7.5301-13 Termination.

Insert the clause set forth in AIDPR 7-7.5201-14.

§ 7-7.5301-14 Disputes.

Insert the clause set forth in AIDPR 7-7.5201-15.

§ 7-7.5301-15 Assignment of claims.

Insert the clause set forth in AIDPR 7-7.5201-16.

§ 7-7.5301-16 Convict labor.

Insert the clause set forth in FPR 1-12.203.

§ 7-7.5301-17 Officials not to benefit.

Insert the clause set forth in FPR 7-101.19.

§ 7-7.5301-18 Covenant against contingent fees.

Insert the clause set forth in FPR 1-1.503.

§ 7-7.5301-19 Equal opportunity.

Insert the clause set forth in AIDPR 7-7.5201-20.

§ 7-7.5301-20 Utilization of concerns in labor surplus areas.

Insert the clause set forth in FPR 1-1.805-3(a).

§ 7-7.5301-21 Utilization of small business concerns.

Insert the clause set forth in FPR 1-1.710-3(a).

§ 7-7.5301-22 Notices.

Insert the clause set forth in AIDPR 7-7.5201-23.

PART 7-15—CONTRACT COST PRINCIPLES AND PROCEDURES

Subpart 7-15.2—Principles and Procedures for Use in Cost-Reimbursement Type Supply and Research Contracts With Commercial Organizations

§ 7-15.205-6 [Amended]

1. Section 7-15.205-6(b) (1) is revised to delete the first sentence and insert, in lieu thereof, "Reimbursement will not be allowed with respect to any salary or wage charged as a direct cost which exceeds the annual rate specified for the maximum level of Foreign Service Reserve Class I (or a daily rate to be determined by dividing such annual salary by 260, if payment is not on an annual basis) as set forth in Manual Order 432.3 entitled "Payment Schedules, Uniform State/AID/USIA Regulations," as from time to time amended, without written approval of the Contracting Officer. Consultants or experts shall not be paid a daily rate exceeding the amount determined by dividing the maximum annual salary of the Foreign Service Reserve Class I by 260 nor may they be employed for more than ninety (90) days in any 12-month period without written approval of the Contracting Officer.

PART 7-16—PROCUREMENT FORMS

1. The Table Contents of Part 7-16 are revised to add the following:

Subpart 7-16.5—Forms for Advertised and Negotiated Nonpersonal Service Contracts (Other Than Construction)

Sec.
7-16.500 Scope of subpart.
7-16.550 [Reserved]

Sec.
7-16.551 [Reserved]
7-16.552 Cover page for Basic Ordering Agreement (Participant Training).
7-16.553 Forms for Task Orders for Participant Training: Individual and Group.
7-16.554 Cover page for Contracts for Participant Training: Individual and Group.

Subpart 7-16.9—Illustrations of Forms

7-16.956-1 Cover page for Basic Ordering Agreement (Participant Training).
7-16.956-2 Task Order for Participant Training (Individual).
7-16.956-3 Task Order for Participant Training (Group).
7-16.957-1 Cover page for Contract for Participant Training (Individual).
7-16.957-2 Cover page for Contract for Participant Training (Group).

Subpart 7-16.5—Forms for Advertised and Negotiated Nonpersonal Service Contracts (Other Than Construction)

§ 7-16.500 Scope of subpart.

This subpart prescribes forms for use in advertised and negotiated nonpersonal service contracts other than construction.

§ 7-16.550 [Reserved]

§ 7-16.551 [Reserved]

§ 7-16.552 Cover page for Basic Ordering Agreement (Participant Training).

This form is for use with the General Provisions for Basic Ordering Agreements (Participant Training). Use of the Cover page is mandatory as are the General Provisions set forth in AIDPR 7-7.52.

§ 7-16.553 Forms for Task Orders for Participant Training: Individual and Group.

These forms are for use in issuing Task Orders under the Basic Ordering Agreements for Participant Training. Use of the appropriate form is mandatory.

§ 7-16.553 Cover page for Contracts for Participant Training: Individual and Group.

These forms are for use with the General Provisions for Contracts for Participant Training. Use of the appropriate Cover page is mandatory, as are the General Provisions set forth in AIDPR 7-7.53.

Subpart 7-16.9—Illustrations of Forms

§ 7-16.952 [Amended]

1. Paragraph (2) of General Provision 5 of § 7-16.952 is revised to delete the phrase "\$30 per day" and insert, in lieu thereof, "the maximum rates set forth in the Standardized Government Travel Regulations, as from time to time amended."

2. General Provision 21 of § 7-16.952 is deleted in its entirety and the following substituted therefor:

21. UTILIZATION OF CONCERNS IN LABOR SURPLUS AREAS

It is the policy of the Government to place contracts with concerns which will perform

such contracts substantially in or near concentrated unemployment or under employment sections of States or in areas of persistent or substantial labor surplus where this can be done, consistent with the efficient performance of the contract, at prices no higher than are obtainable elsewhere. The Contractor agrees to use his best efforts to place his subcontracts in accordance with this policy. In complying with the foregoing and with paragraph (b) of the clause of the contract entitled "Utilization of Small Business Concerns", the Contractor in placing his subcontracts shall observe the following order of preference:

- (a) Certified-eligible concerns which are also small business concerns;
- (b) Other certified-eligible concerns;
- (c) Persistent labor surplus area concerns which are also small business concerns;
- (d) Other persistent labor surplus area concerns;
- (e) Substantial labor surplus area concerns which are also small business concerns;
- (f) Other substantial labor surplus area concerns; and
- (g) Small business concerns which are not labor surplus area concerns.

3. General Provision 32 of § 7-16.952 is revised to delete footnote 1 in its entirety and the reference mark in paragraph (g).

4. Additional General Provision 43 of § 7-16.952 is revised to delete the word "and" at the end of paragraph (m) (1) (vi).

§ 7-16.953 [Amended]

5. General Provision 6 of § 7-16.953 is revised to:

(a) Delete the phrase "\$30 per day" in paragraph (a) (2) and insert, in lieu thereof, "the applicable maximum amount allowable under section 6.12 of the Standardized Government Travel Regulations, as from time to time amended."

(b) Delete the word "and" at the end of paragraph (b) (13) (i) (IV).

6. General Provision 31 of § 7-16.953 is deleted in its entirety and the following substituted therefor:

31. UTILIZATION OF CONCERNS IN LABOR SURPLUS AREAS

It is the policy of the Government to place contracts with concerns which will perform such contracts substantially in or near concentrated unemployment or underemployment sections of States or in areas of persistent or substantial labor surplus where this can be done, consistent with the efficient performance of the contract, at prices no higher than are obtainable elsewhere. The Contractor agrees to use his best efforts to place his subcontracts in accordance with this policy. In complying with the foregoing and with paragraph (b) of the clause of the contract entitled "Utilization of Small Business Concerns", the Contractor in placing his subcontracts shall observe the following order of preference:

- (a) Certified-eligible concerns which are also small business concerns;
- (b) Other certified-eligible concerns;
- (c) Persistent labor surplus area concerns which are also small business concerns;
- (d) Other persistent labor surplus area concerns;
- (e) Substantial labor surplus area concerns which are also small business concerns;
- (f) Other substantial labor surplus area concerns; and
- (g) Small business concerns which are not labor surplus area concerns.

7. General Provision 41 of § 7-16.953 is revised to delete footnote 1 in its entirety and the reference mark in paragraph (g).

§ 7-16.954 [Amended]

8. General Provision 5 of § 7-16.954 is revised to:

(a) Delete the phrase "\$30 per day" in paragraph (a) (2) and insert, in lieu thereof, "the applicable maximum amount allowable under section 6.12 of the Standardized Government Travel Regulations, as from time to time amended."

(b) Delete the word "and" at the end of paragraph (b) (8) (i) (VI).

9. General Provision 29 of § 7-16.954 is deleted in its entirety and the following substituted therefor:

29. UTILIZATION OF CONCERNS IN LABOR SURPLUS AREAS

It is the policy of the Government to place contracts with concerns which will perform such contracts substantially in or near concentrated unemployment or underemployment sections of States or in areas of persistent or substantial labor surplus where this can be done, consistent with the efficient performance of the contract, at prices no higher than are obtainable elsewhere. The Contractor agrees to use his best efforts to place his subcontracts in accordance with this policy. In complying with the foregoing and with paragraph (b) of the clause of the contract entitled "Utilization of Small Business Concerns", the Contractor in placing his subcontracts shall observe the following order of preference:

- (a) Certified-eligible concerns which are also small business concerns;
- (b) Other certified-eligible concerns;
- (c) Persistent labor surplus area concerns which are also small business concerns;
- (d) Other persistent labor surplus area concerns;
- (e) Substantial labor surplus area concerns which are also small business concerns;
- (f) Other substantial labor surplus area concerns; and
- (g) Small business concerns which are not labor surplus area concerns.

10. General Provision 39 of § 7-16.954 is revised to delete footnote 1 in its entirety and the reference mark in paragraph (g).

§ 7-16.955 [Amended]

11. Paragraph 3 of the "Instructions to Offerors" on the form set forth in § 7-16.955 is revised to read as follows:

3. The offeror must also submit the supplementary data as detailed in the footnotes on the reverse side.

12. New § 7-16.956-1 is added as follows:

§ 7-16.956-1 Cover page for Basic Ordering Agreement (Participant Training).

AID Form 1420-27—Basic Ordering Agreement (Participant Training) filed as part of the original document.

13. New § 7-16.956-2 is added as follows:

§ 7-16.956-2 Task Order for Participant Training (Individual).

AID Form 1420-29—Task Order for Participant Training (Individual) filed as part of the original document.

14. New § 7-16.956-3 is added as follows:

§ 7-16.956-3 Task Order for Participant Training (Group).

AID Form 1420-30—Task Order for Participant Training (Group) filed as part of the original document.

15. New § 7-16.957-1 is added as follows:

§ 7-16.957-1 Contract for Participant Training (Individual).

AID Form 1420-31—Contract for Participant Training (Individual) filed as part of the original document.

16. New § 7-16.957-2 is added as follows:

§ 7-16.957-2 Contract for Participant Training (Group).

AID Form 1420-32—Contract for Participant Training (Group) filed as part of the original document.

Effective date. This amendment is effective 90 days after publication in the FEDERAL REGISTER, but may be observed earlier.

JAMES M. KEARNS,
Acting Assistant Administrator
for Administration.

JULY 9, 1970.

[F.R. Doc. 70-9081; Filed, July 15, 1970; 8:49 a.m.]

Chapter 14H—Bureau of Indian Affairs, Department of the Interior PART 14H-1—GENERAL Limitation of Contracting Officer Authority

JULY 9, 1970.

On August 26, 1969, at 34 F.R. 13659 there was published Chapter 14H of Title 41 of the Code of Federal Regulations. Chapter 14H contains the Bureau of Indian Affairs Procurement Regulations (BIAPR).

Pursuant to the authority contained in the Act of November 2, 1921, C.115, 42 Stat. 208 (25 U.S.C. 13) and 41 CFR 14-1.008, Chapter 14H of Title 41 of the Code of Federal Regulations is revised to add a § 14H-1.451-6 *Limitation of contracting officer authority.*

Part 14H-1 is amended by adding the following:

§ 14H-1.451-6 Limitation of contracting officer authority.

Contract Engineering Advisor, Portland, Oreg., is limited to the approval of nonnegotiated construction contracts not exceeding \$25,000.

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

LOUIS R. BRUCE,
Commissioner.

[F.R. Doc. 70-9072; Filed, July 15, 1970; 8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4864]

[Sacramento 080091 and 2217]

CALIFORNIA

Powersite Restoration No. 646; Powersite Cancellation No. 236; Partly Revoking Powersite Reserves Nos. 87, 236, 261, 325, 436; and Powersite Classifications Nos. 28, 30, 86, 141

By virtue of the authority contained in section 24 of the Act of June 10, 1920, 41 Stat. 1075, as amended, 16 U.S.C. § 818 (1964), and pursuant to the determination of the Federal Power Commission in DA-1088-California, as amended November 19, 1969, it is ordered as follows:

1. Executive Orders of December 20, 1909 (ratified by Executive Order of July 2, 1910), December 16, 1911, April 19, 1914, creating Powersite Reserves Nos. 87, 236, 261, 325, and 436; and Departmental Orders of April 20 and 22, 1922, January 24, 1925, and April 28, 1926, creating Powersite Classifications Nos. 28, 30, 86, and 141, respectively, are hereby revoked so far as they affect the following described land:

MOUNT DIABLO MERIDIAN

POWERSITE RESERVE NO. 87

T. 6 N., R. 12 E.,
Sec. 1, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ (lots 1, 2, 3, 6, 7, 8, and 9);
Sec. 13, NW $\frac{1}{4}$ (lots 3, 4, 5, and 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$), N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (lot 1) and E $\frac{1}{2}$ SE $\frac{1}{4}$ (lot 2 and SE $\frac{1}{4}$ SE $\frac{1}{4}$);
Sec. 23, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 6 N., R. 13 E.,
Sec. 5, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 6, lots 6 and 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, lots 2, 3, 6, and 7, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 18, lots 2 and 3, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ (lots 1, 2, 3, and 4 and min. lot 74).
T. 7 N., R. 13 E.,
Sec. 24, lots 1, 2, 3, 5, and 6;
Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 32, lots 2 and 3 in SW $\frac{1}{4}$, and 6 (SW $\frac{1}{4}$ NE $\frac{1}{4}$), and SE $\frac{1}{4}$ NW $\frac{1}{4}$, except patented mineral entries;
Sec. 33, N $\frac{1}{2}$ SW $\frac{1}{4}$ except patented mineral entries (lots 5, 6, and 7);
Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 6 N., R. 14 E.,
Sec. 4, lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 20, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (lot 2) except patented mineral entry;
Sec. 33, N $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 7 N., R. 14 E.,
Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 13, N $\frac{1}{2}$;
Sec. 14, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 17, SE $\frac{1}{4}$;
Sec. 19, lots 2, 3, 9, 10, 11, and 12, S $\frac{1}{2}$ lot 13, S $\frac{1}{2}$ lot 14, and E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$.

POWERSITE RESERVE NO. 236

T. 7 N., R. 14 E.,
Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 11, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$.

POWERSITE RESERVE NO. 261

T. 6 N., R. 12 E.,
Sec. 13, E $\frac{1}{2}$ (lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$);
Sec. 23, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ (lots 1, 2, 3, and 4, portion mineral lot 41, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$).
T. 6 N., R. 13 E.,
Sec. 2, lot 21, portion M.S. 2908 in SW $\frac{1}{4}$ NE $\frac{1}{4}$, and portion M.S. 2611 in SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$ (lots 3 and 4, formerly lots 1 and 2);
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 18, S $\frac{1}{2}$ S $\frac{1}{2}$ (lots 4, 7, and 8, portion mineral survey 4272, and SE $\frac{1}{4}$ SW $\frac{1}{4}$);
Sec. 19, lots 3 and 4 and N $\frac{1}{2}$ (lots 1 to 7, inclusive, 10, 11, 13, and 14 former lot numbers).
Sec. 20, lots 1, 2, 3, 6, and 7;
Sec. 21, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ (lots 1, 2, 3, 4, and 6, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and min. lots 37, 39, and 51) and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ (lot 10 and NW $\frac{1}{4}$ SW $\frac{1}{4}$).
T. 6 N., R. 14 E.,
Sec. 18, SE $\frac{1}{4}$;
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 29, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30, NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ (lot 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$);
Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

POWERSITE RESERVE NO. 325

T. 5 N., R. 10 E.,
Sec. 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$ (lot 1 and por. min. lot 38).
T. 5 N., R. 11 E.,
Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, lots 5 and 16.
T. 6 N., R. 14 E.,
Sec. 31, lot 2.

POWERSITE RESERVE NO. 436

T. 6 N., R. 12 E.,
Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 7 N., R. 13 E.,
Sec. 27, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 31, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (lot 5).

POWERSITE CLASSIFICATION NO. 28

T. 6 N., R. 12 E.,
Sec. 11, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 6 N., R. 13 E.,
Sec. 6, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

POWERSITE CLASSIFICATION NO. 30

T. 5 N., R. 14 E.,
Sec. 1, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, lot 4, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$.

POWERSITE CLASSIFICATION NO. 141

T. 4 N., R. 10 E.,
Sec. 3, lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$).

POWERSITE CLASSIFICATION NO. 86

T. 5 N., R. 10 E.,
Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$.

The areas described aggregate approximately 13,341 acres of private, public, and national forest lands in Amador and Calaveras Counties.

2. In its order of October 22, 1969 (DA 1088-California), as amended, the Federal Power Commission determined that the lands described in paragraph 1 of this order are surplus to the needs of either existing or proposed projects or are adequately protected by withdrawals under section 24 of the Federal Power Act of June 10, 1920, supra, pursuant to the filing of applications for permits or licenses for power projects under the act.

Some or all of the lands listed in Tps. 5, 6, and 7 N., R. 14 E., are in the Stanislaus and Eldorado National Forests. Much of the lands listed in paragraph 1 are either patented or are included in other withdrawals. Some of the lands have heretofore been restored to mining only and/or to other appropriation, subject to the provisions of section 24 of the Federal Power Act, supra. The effect of this order is to relieve these restored lands of the limitations prescribed by said section 24.

The State of California failed to exercise its preference right of application for highway rights of way and material sites afforded it by section 24 of the Federal Power Act, supra, when notified of the proposed restoration of the public and national forest lands from the powersite withdrawals.

3. At 10 a.m. on August 13, 1970, the unreserved public lands outside of the national forests shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 13, 1970, shall be considered to be simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. At 10 a.m. on August 13, 1970, the national forest lands, not otherwise withdrawn or appropriated, shall be open to all forms of disposition as may by law be made of such lands.

The public and national forest lands have been and continue to be open to applications and offers under the mineral leasing laws, and to location under the United States mining laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

HARRISON LOESCH,
Assistant Secretary of the Interior.

JULY 8, 1970.

[F.R. Doc. 70-9077; Filed, July 15, 1970;
8:49 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18758, RM-1514; FCC 70-750]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments for Television Broadcast Stations, Hugo, Okla., and Paris, Tex.

1. In response to a petition of Eastern Oklahoma Television Co., Inc., RM-1514, filed on October 6, 1969, the Commission adopted on December 3, 1969, a notice of proposed rule making, released December 5, 1969 (FCC 69-1324) in the above-entitled matter which proposed three alternative television allocation plans to provide a commercial television channel assignment in the Hugo, Okla.-Paris, Tex. area:

Alternative 1:	Channel
Hugo, Okla.-----	*42
Hugo, Okla.-Paris, Tex.-----	15
Alternative 2:	
Hugo, Okla.-----	15, *42
Alternative 3:	
Hugo, Okla.-----	*42
Paris, Tex.-----	15

Interested parties were afforded an opportunity to comment on or before January 12, 1970, and to reply to such comments (after the issuance of an extension of time) on or before February 24, 1970. Comments were filed by the Oklahoma Educational Television Authority (OETA) and the Land Mobile Communications Council (LMCC). A comment and reply comment were filed by petitioner, Eastern Oklahoma Television Co., Inc. (Oklahoma Television).

2. Oklahoma Television's original proposal was that of Alternative 1 above. It was filed in light of petitioner's desire to bring the Hugo-Paris area commercial service (satellite)¹ and the following facts: Hugo (population 6,287) is located in Choctaw County, which has 15,637 residents. The community has one tele-

vision assignment, noncommercial educational Channel *15, which has no application pending for its use. Paris, located in Lamar County (respective populations 20,977 and 34,234) is approximately 24 miles distant from Hugo and has no television allocation.² The two counties are adjacent, separated by the Red River.

3. OETA is an arm of the State of Oklahoma, charged with responsibility for the development and operation of educational broadcasting facilities to serve the people of the State. It is the licensee of noncommercial educational television stations KETA-TV, Oklahoma City, Okla., and KOED-TV, Tulsa, Okla. It asserts that it is presently undertaking the task of implementing a third educational television facility in the Hugo area of Oklahoma. OETA, in view of its function and plans, vigorously opposes petitioner's proposal to deprive it of the use of reserved Channel *15 at Hugo. It maintains, in brief, that Oklahoma Television should have an opportunity to bring the Hugo area of Oklahoma commercial television service but that that service should be on proposed Channel 42 (the channel Oklahoma Television proposed for new assignment to Hugo for educational service in place of its present allocation of Channel *15).

4. LMCC is a nonprofit association, the purpose of which is to achieve an allocation of radio frequencies for the Land Mobile Radio Services sufficient in their view to meet their immediate and long-term requirements. It brings to our attention the proceedings in Dockets Nos. 18261 and 18262 wherein there was a pending proposal to have a geographic sharing or allocation of various UHF-TV channels with the Land Mobile Radio Services in and near the 25 largest urbanized areas. It further points out that the adoption of Alternative 1 (the hyphenation of the assignment of Channel 15 between Hugo and Paris) or Alternative 3 (the reassignment of Channel 15 to Paris) might nullify possible Commission action³ in the above set out dockets by further limiting the use of television Channel 15 (476-482 MHz) by the Land Mobile Radio Services in the Dallas, Tex., metropolitan area. Hugo is 112 miles from Dallas while Paris is only 94 miles from that city. In view of the below set out considerations and the actions taken in our first report and order in Docket No. 18261 (adopted May 20, 1970, released May 21, 1970, FCC 70-521) and our first report and order and second notice of inquiry in Docket 18262 (adopted May 20, 1970, released May 21, 1970, FCC 70-519) the considerations set out by LMCC concerning the use of Channel *15 in the Hugo, Okla.-Paris, Tex., area have become moot.

5. Oklahoma Television's position in its comment and reply comment in respect to the opposition of OETA set out above simply is a reaffirmation of its

desire to have presently reserved Channel *15 at Hugo reallocated as a commercial assignment (for the establishment of a satellite) to Hugo-Paris. In support of its position, first, it maintains that it is important for its proposed commercial operation to be located on a low UHF channel (particularly in what it asserts will be a marginal market) in that it is its belief that regional and national advertisers prefer placing advertisements with stations located on low UHF channels as opposed to operations higher in the UHF band. Second, it suggests that proposed Channel 42 is superior to Channel 15 as an educational assignment in southeastern Oklahoma in that in view of the present television assignments in the area there is much more flexibility in respect to the location of a Channel 42 transmitter. Its engineering study states: " * * * An additional area over twice as great in extent would be available for a Channel 42 assignment but not suitable for Channel 15. The additional area suitable for Channel 15 but not suitable for Channel 42 is only 6 percent of the size of the area suitable for either channel. Stated in another way, the area suitable for assignment of Channel 42 within the State of Oklahoma (not including the panhandle to the west) is three times the area in Oklahoma suitable for the assignment of Channel *15." It suggests that the flexibility in location of an educational television facility is important in that in the area in which Channel *15 can be located, there is only one institution of higher education which could service the station whereas in the substantially larger area in which a Channel 42 educational service could be located there are a number of institutions of higher education which could provide assistance to the operation.

6. In respect to petitioner's first point, i.e., that it is important for its proposed commercial operation to be located on a low UHF channel because it believes that regional and national advertisers prefer placing advertisements with stations located on low UHF channels as opposed to operations higher in the UHF band, we point out that if it establishes a commercial service in the Hugo-Paris area on Channel 42, its service would be operating on the lowest UHF commercial channel in the area—indeed the only local commercial service in the area. In respect to Oklahoma Television's second point—i.e., that the proposed Channel 42 is more desirable as an educational assignment due to the flexibility possible in the locating of its transmitter near to a variety of institutions of higher education and the choice of assistance that the station could therefore receive in respect to programming from a suitable institution—we must state that we believe that OETA, an arm of the State of Oklahoma and an experienced educational broadcaster in Oklahoma, has the best expertise to determine the most desirable and prudent location for the third arm of its educational television service. From the pleadings in this proceeding it clearly appears that OETA has

¹ Population figures are from the 1960 U.S. Census.

² This comment was filed with the Commission on Jan. 12, 1970.

³ Oklahoma Television is presently the licensee of television station KTEH, Channel 10, Ada, Okla.

[FCC 70-737]

PART 73—RADIO BROADCAST SERVICES

Experimental Operation of Noncommercial Educational FM Broadcast Stations

1. The purpose of this Order is to amend § 73.562 of the Commission's rules, governing experimental operation of noncommercial educational FM broadcast stations, to relax limitations to the same extent that § 73.262, governing experimental operation of FM broadcast stations on commercial channels, permits experimental operation.

2. Prior to amendment of § 73.262 in 1967 relaxing limitations for experimental operation of commercial FM broadcast stations,¹ both that section and § 73.562 of the rules prescribed the same conditions for experimental operation to test and maintain apparatus of commercial and noncommercial educational FM facilities. The rule for educational FM stations was not amended in 1967 more or less through oversight, it not being realized that these stations engage in experimental operation to a substantial extent. The two classes of stations are generally subject to the same standards, and experimental operation by educational stations should be permitted on the same basis as for commercial FM stations. From review of our 1967 decision relaxing limitations for experimental operation of commercial FM stations, and the letters and requests for waiver and relaxation of § 73.562 received from educational FM licensees, we are convinced that there is no valid public interest or other reason for continuing to make conditions for experimental operation of educational FM stations more restrictive than for commercial stations and that permitting educational FM licensees to conduct experimental operations under the same conditions as commercial FM licensees may do, would be equally beneficial to them and should be permitted.

3. Accordingly, we are amending the noncommercial educational FM broadcast rules (§ 73.562), which now limit the permissible period for experimental operation to test and maintain apparatus of station facilities to the time between 1 a.m. and 6 a.m., local time, to extend the time of permissible experimental operation by 1 hour, from 12 midnight to 6 a.m., prevailing local time. Provision is also being made in § 73.562 for experimental operation during other time periods upon prior notification and under specified conditions, as well as for experimentation with other than a standard FM signal upon informal application and notification under specified conditions, as do the commercial FM broadcast rules (§ 73.262).

4. Authority for the attached amendments is contained in sections 4(i) and

determined that the area in which Channel *15 can be located is the most appropriate zone for new educational television in Oklahoma. We note, from the pleadings, that its plans for the activation of a station in southeastern Oklahoma have progressed to the point where it has submitted a budget proposal to the Director of State Finance which requests funds for the creation of the third educational television facility. It is true that many educational stations receive some programming assistance from local institutions of higher education and that in some instances such interrelationships can prove mutually beneficial. However, in this instance it appears that OETA's plans are to rely primarily on its existing and proven programming in an attempt to provide the citizens of Oklahoma with, as much as possible, a professional product.⁴ In view of this discussion and the facts appearing in the previous paragraphs, we have come to the conclusion that we cannot make a finding that de-reservation of Channel *15 at Hugo, Okla., presently reserved for noncommercial educational use is necessary, desirable or in the public interest.

7. Notwithstanding the above, we are of the view that petitioner's desire to bring the Hugo, Okla.-Paris, Tex., area its first local commercial television service is meritorious and should be encouraged. Hence, we are making Channel 42 available for commercial service in the area.

8. The last question before us is, should Channel 42 be assigned to Hugo, Paris, or to both communities as a hyphenated assignment? In response to our notice's request for discussion of this question petitioner has pointed out "... The geographical location of Paris, Tex., the county seat of Lamar County, and Hugo, Okla., the county seat of Choctaw County, places these two cities only 24 miles apart, and even though they are in separate States, the population maintains a high degree of local community interests. Both counties lie in the Red River lowland; both counties are highly engaged in agriculture; both counties are among the lower counties in the United States as far as per capita income is concerned; both counties are struggling desperately for economic growth and development and both counties desperately need all of the most modern methods of communications which, of course, must include television." Too, petitioner indicates that in its view it is necessary to have a hyphenated assignment of a commercial station in this area before the channel's activation is economically feasible, in that, it is asserted, that a hyphenated assignment will be favored by advertisers whereas a nonhyphenated assignment would not have the economic potential needed for

activation. We note the community of interests between Hugo and Paris, cited above, the view of petitioner as to the requirement of hyphenation of a commercial assignment for economic feasibility, and the fact that none of the participating parties objects to the hyphenated assignment of Channel 42 to Hugo-Paris. Although it is our desire to avoid where possible hyphenated assignments, the circumstances in this proceeding bring us to the conclusion that it is in the public interest to assign Channel 42 to Hugo, Okla.-Paris, Tex. We wish to emphasize that this decision to hyphenate the assignment of Channel 42 is made in light of the specific circumstances in this case, and that we are not establishing a precedent for other assignments involving other circumstances.

9. However, while we are departing from the usual practice and making a hyphenated assignment in section 73.606 of the rules, we point out that this does not mean that the station using the assignment, if and when applied for and authorized, will be licensed to both cities. This is never done for commercial stations in television, a rule-making proceeding contemplating dual-city licenses in some cases having been terminated in 1957 without adopting the proposed change (Docket 11660). The station may nonetheless be able to obtain authority to identify itself with both cities, under waiver of sections 73.652(a) and 73.1201, if it puts a principal-city signal over both, as specified in section 73.685(a). This is irrespective of the matter of assignment in the table.

10. Authority for the action taken herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

11. In view of the foregoing: *It is ordered*, That, effective August 17, 1970, the Table of Assignments in § 73.606(b) of the Commission's rules is amended, to read as follows with respect to the assignment of Channel 42 to Hugo, Okla.-Paris, Tex. (an existing entry of Channel *15 at Hugo to remain as at present):

State and city	Channel No.
Oklahoma:	
Hugo-Paris (Texas).....	42
Texas:	
Paris-Hugo (Oklahoma).....	42

12. *It is further ordered*, That, this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: July 8, 1970.

Released: July 10, 1970.

FEDERAL COMMUNICATIONS COMMISSION,⁵

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-9088; Filed, July 15, 1970; 8:50 a.m.]

⁵ Commissioner Bartley absent; Commissioner Cox concurring in result.

⁴ Its budget proposal includes a request for funds for a microwave link between its proposed service and its operation on KETA-TV at Oklahoma City.

¹ Report and order, adopted Dec. 13, 1967, Docket No. 17660, 10 F.C.C. 2d 878.

303(r) of the Communications Act of 1934, as amended. Inasmuch as the amendments ordered impose no new requirements but relieve restrictions on noncommercial educational FM broadcast stations which were inadvertently not removed by the action mentioned in paragraph 2, and will permit greater consistency in regulation of commercial and noncommercial educational FM stations, compliance with the prior notice, procedural, and effective date provisions of the Administrative Procedure Act, 5 U.S.C. 553, is unnecessary.

5. In view of the foregoing: *It is ordered*, Effective July 17, 1970, that section 73.562 of the Commission's rules and regulations is amended to read as set forth.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Adopted: July 8, 1970.

Released: July 10, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

1. Section 73.562 is amended to read as follows:

§ 73.562 Experimental operation.

(a) The period between 12 midnight and 6 a.m., prevailing local time, may be used for experimental purposes in testing and maintaining apparatus by the licensee of any noncommercial educational FM broadcast station on its assigned frequency and not in excess of its authorized power, without specific authorization from the Commission.

(b) FM broadcast stations may (with prior notification to the Commission and the Engineer in Charge of the radio district in which the station is located) test, maintain, and adjust the apparatus at the station during other time periods; and may (upon informal application) conduct technical experimentation directed to the improvement of technical phases of operation during other time periods, and for such purposes may utilize a signal other than the standard FM signal, subject to the following conditions:

(1) That emissions outside the authorized bandwidth shall comply with § 73.317(a) and that no interference is caused to the transmissions of other FM broadcast stations.

(2) No charges either direct or indirect shall be made by the licensee of a noncommercial educational FM broadcast station for the production or transmission of programs when conducting technical experimentation.

[F.R. Doc. 70-9089; Filed, July 15, 1970; 8:50 a.m.]

² Commissioner Bartley absent.

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[4th Rev. S.O. 1041]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of July 1970.

It appearing, that an acute shortage of certain plain boxcars exists on the railroads named in section (a) paragraph (1) herein; that shippers located on the lines of these carriers are being deprived of such cars required for loading, resulting in a severe emergency and causing grain elevators to be unable to accept newly harvested grain, or to store grain on the ground, thus creating economic loss; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of boxcars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1041 Service Order No. 1041.

(a) Distribution of boxcars. Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Return to owners empty, except as otherwise authorized in paragraph (2) herein, all plain boxcars which are listed in the Official Railway Equipment Register, ICC R.E.R. 375, issued by E. J. McFarland, or reissues thereof, as having mechanical designation XM, with inside length 44 feet 6 inches or less and equipped with doors less than 9 feet wide, owned by the following railroads:

Burlington Northern Inc.
Chicago and North Western Railway Co.
Chicago, Milwaukee, St. Paul and Pacific Railroad Co.
Chicago, Rock Island and Pacific Railroad Co.
Soo Line Railroad Co.

(2) Boxcars described in paragraph (1) herein, may be loaded to stations on the lines of the owning railroad, or to any other station which is closer to the

car owner than the station at which loaded. After unloading at a junction with the car owner such cars shall be delivered to the car owner at that junction, either loaded or empty.

(3) In determining distances to the car owner from the points of loading or unloading, tariff distances applicable via the lines of the carriers obligated under Car Service Rules 1 and 2 to move the car shall be used.

(4) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any loaded boxcar for movements contrary to the provisions of paragraph (2) of this section.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., July 13, 1970.

(d) *Expiration date.* This order shall expire at 11:59 p.m., August 15, 1970, unless otherwise modified, changed, or suspended by order this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-9095; Filed, July 15, 1970; 8:51 a.m.]

[Rev. S. O. 1043]

PART 1033—CAR SERVICE

Return of Hopper Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of July 1970.

It appearing, that an acute shortage of hopper cars exists in certain sections of the country; that shippers are being deprived of hopper cars required for loading coal, resulting in an emergency, forcing curtailment of their operations, and thus creating great economic loss and reduced employment of their personnel;

that coal stockpiles of several utility companies are being depleted; that hopper cars, after being unloaded, are being appropriated and being retained in services for which they have not been designated by the car owners; that present regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of hopper cars are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1043 Service Order No. 1043.

(a) *Regulations for return of hopper cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Exclude from all loading hopper cars owned by The Baltimore and Ohio Railroad Co., the Chesapeake and Ohio Railway Co., the Louisville and Nashville Railroad Co., the Norfolk and Western Railway Co., the Penn Central Transportation Co., and the Bessemer and Lake Erie Railroad Co., and return empty to the owning line, either direct or via the reverse of the service route.

(2) Carriers named in paragraph (1) above are prohibited from loading all hopper cars foreign to their lines and must return such cars to the owner, either direct or via the reverse of the service route.

(b) For the purpose of improving car utilization and the efficiency of railroad operations, or alleviating inequities or hardships, modifications may be authorized by the Chief Transportation Officer of the car owner. Such modifications must be confirmed in writing to W. H. Van Slyke, Chairman, Car Service Division, Association of American Railroads, Washington, D.C., for submission to R. D. Pfahler, Director, Bureau of Operations, Interstate Commerce Commission.

(c) No common carrier by railroad subject to the Interstate Commerce Act shall accept any hopper car offered for movement loaded contrary to the provisions of paragraphs (a) and (b) of this order.

(d) The term "hopper cars," as used in this order, means freight cars having a mechanical designation "HD," "HM," "HK," or "HT" in the Official Railway Equipment Register, ICC R.E.R. No. 375, issued by E. J. McFarland, or reissues thereof.

(e) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(f) *Effective date.* This order shall become effective at 12:01 a.m. July 14, 1970.

(g) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., September 30, 1970, unless otherwise

modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies secs. 1(10-17), 15 (4), and 17(2), 40 Stat. 101, as amended; 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-9096; Filed, July 15, 1970; 8:51 a.m.]

[S.O. 1047]

PART 1033—CAR SERVICE

Illinois Terminal Railroad Co. Authorized To Operate Over Trackage of Chicago and North Western Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of July 1970.

It appearing, that because of severe damage to portions of its line between Edwardsville, Ill., and Benld, Ill., the Illinois Terminal Railroad Co. is unable to serve shippers routing traffic over this line; that the Chicago and North Western Railway Co. has consented to the use of its trackage between Edwardsville, Ill., and Benld, Ill., a distance of approximately 22.9 miles, by the Illinois Terminal Railroad Co.; that the Commission is of the opinion that operation by the Illinois Terminal Railroad Co. over this trackage of the Chicago and North Western Railway Co., pending disposition of the application of the Illinois Terminal Railroad Co., in Finance Docket No. 26019, for permanent authority to operate over this trackage, is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1047 Service Order No. 1047.

(a) *Illinois Terminal Railroad Co. authorized to operate over trackage of Chicago and North Western Railway Co.* The Illinois Terminal Railroad Co. be, and it is hereby, authorized to operate over trackage of the Chicago and North Western Railway Co. between Edwardsville, Ill., and Benld, Ill., a distance of approximately 22.9 miles.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic, as well as to interstate traffic.

(c) *Rates applicable.* Inasmuch as this operation by the Illinois Terminal Railroad Co. over trackage of the Chicago and North Western Railway Co. is deemed to be due to carrier's disability, the rates applicable to traffic moved by the Illinois Terminal Railroad Co. over this trackage of the Chicago and North Western Railway Co. shall be the rates which were applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 12:01 a.m., July 11, 1970.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., December 31, 1970, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies sec. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-9097; Filed, July 15, 1970; 8:51 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Crab Orchard National Wildlife Refuge, Ill.

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

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

ILLINOIS

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Public hunting of black, gray, and fox squirrels on the Crab Orchard National Wildlife Refuge, Ill., is permitted, from sunrise August 1, 1970, to sunset November 15, 1970, only on the area designated by signs as open to hunting. This open area, comprising 9,380 acres is delineated on a map available at the

refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55408. Hunting shall be in accordance with all applicable State regulations concerning the hunting of squirrels.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges gen-

erally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 15, 1970.

L. A. MEHRHOFF, Jr.,
*Project Manager, Crab Orchard
National Wildlife Refuge,
Carterville, Ill. 62918.*

JUNE 26, 1970.

[F.R. Doc. 70-9078; Filed, July 15, 1970;
8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Oil Import Administration

[32A CFR Ch. X]

[Oil Import Reg. 1 (Rev. 5)]

ALLOCATIONS OF FINISHED PRODUCTS DISTRICTS I-IV, DISTRICTS II-IV AND DISTRICT V

Notice of Proposed Rulemaking

Upon inception of the Mandatory Oil Import Program in 1959, finished product import allocations in Districts I-IV and District V, including residual fuel oil import allocations in Districts II-IV, were made and have continued to be made to those persons who imported finished products in 1957. These allocations were instituted in order to avoid disruption of normal trade patterns and operations. Ample time has now passed during which trade patterns and adjustments to operations could have been made. Therefore, it is proposed, with the approval of the Director of the Office of Emergency Preparedness, to terminate, with the allocation period commencing January 1, 1971, the making of allocations of finished products in Districts I-IV, Districts II-IV and District V on the basis of such imports in 1957.

Interested persons may submit written comments, suggestions or objections with respect to the proposal to the Administrator, Oil Import Administration, Washington, D.C. 20240 not later than 30 days after publication of this notice.

Each person who submits comments is asked to provide 10 copies.

R. W. SNYDER, JR.
Deputy Administrator,
Oil Import Administration.

JULY 14, 1970.

[F.R. Doc. 70-9233; Filed, July 15, 1970;
10:50 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1032, 1050]

[Dockets Nos. AO-355-A8, AO-313-A19]

MILK IN CENTRAL ILLINOIS AND SOUTHERN ILLINOIS MARKETING AREAS

Partial Decision on Proposed Amendments to Marketing Agreements and to Orders

A public hearing was held upon proposed amendments to the marketing agreements and the orders regulating the handling of milk in the Central Illinois and Southern Illinois marketing

areas. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice (7 CFR Part 900), at Peoria, Ill., May 13, 1970, pursuant to notices thereof issued on April 8, 1970 (35 F.R. 6009), April 23, 1970 (35 F.R. 6712), and April 30, 1970 (35 F.R. 7082).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on June 17, 1970 (35 F.R. 10154), filed with the Hearing Clerk, U.S. Department of Agriculture, his partial recommended decision containing notice of the opportunity to file written exceptions thereto.

This decision deals only with the issues relating to the handling of milk in the Southern Illinois marketing area. All other issues are reserved for a later decision.

The material issues, findings and conclusions, rulings, and general findings of the partial recommended decision are hereby approved and adopted and are set forth in full herein subject to the following modifications:

1. Under the subheading "1. Diversions of producer milk", the 7th paragraph is revised and a new paragraph is added immediately thereafter.

2. Under the subheading "2. Location adjustments", two new paragraphs are added at the end of the discussion.

The material issues on the record of the hearing relating to the Southern Illinois marketing area concern:

1. Diversions of producer milk; and
2. Location adjustments.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Diversions of producer milk.* The provision relating to the diversion of producer milk should be revised to permit diversions in the month of July on the same basis as now provided for May and June.

Presently, the order permits unlimited diversions of producer milk to nonpool plants that are not other order plants only during the months of May and June. During each of the other months, diversions to such plants are limited to 8 days. Diversions between pool plants and to other order plants are allowed each month for not more days of production of a producer than they are physically received at the pool plant from which diverted.

Three cooperative associations proposed that the month of July be added to the months of unlimited diversions to nonpool plants that are not other order plants. They testified that it has been necessary each year since the Southern

Illinois order was promulgated on January 1, 1967, to suspend the 8-day limit for the month of July. There was no opposition to this proposal.

The provisions for diversion of producer milk should be related to the reserve needs of the market. Nearly 1,000 of the 2,429 producers delivering to pool plants regulated under the Southern Illinois order in December 1969 live in the States of Iowa, Minnesota, and Wisconsin. When milk is not needed at pool plants from these distant producers, it is more efficient to divert their milk to manufacturing plants located near their farms.

May and June are the months of highest milk production for the Southern Illinois market. This causes the percentage of producer milk classified as Class II during these 2 months to be among the highest of the year. However, due to the relatively low volume of Class I sales during July which is attributable, in part, to the closing of schools and factories, the percentage that Class II milk is of total producer receipts in July is higher than it is in May and not significantly lower than it is in June. For example, in 1969 the annual percentage of Class II utilization was 36 while in May it was 43.7, in June 49.8, and in July 44.4. Comparable patterns also existed in 1967 and 1968. May, June, and July are the 3 months of the year when the proportions of producer milk that must be utilized in Class II outlets are the greatest.

For the reasons set forth above, it is appropriate to include the month of July along with May and June as a month of unlimited diversions of producer milk to nonpool plants that are not other order plants.

Several cooperative associations requested unlimited diversions for the months of August and December. The recommended decision contained findings denying unlimited diversion status for these months. In their exceptions, the cooperative associations suggested that while the surplus situation is not the same in the months of August and December as it is in the months of May through July, more liberal diversions should be permitted during these months. The proportion of Class II milk marketed during these 2 months is concentrated highly in approximately 2 weeks of each of the months. The excessive surplus situation confronting handlers during the months of August and December creates a necessity to have more liberal diversion privileges. Thus, while the months of August and December do not present the same surplus situation as May, June, and July, these 2 months are unique in the concentrated span of time in which the excessive surplus situation manifests itself. One of the cooperative associations requested 2 additional days of diversion while another cooperative requested 6 additional days of diversion.

Diversion privileges to nonpool plants that are not other order plants should be increased to 12 days' production per producer from the current 8 days' production during August and December. Application of the diversion privilege to an additional 4 days of production per producer will increase the volume that may be diverted by approximately 50 percent. Such additional volume should adequately accommodate the need to divert the surplus to manufacturing plants.

An alternative provision to allow diversions of producer milk during the months of August through April on a percentage basis was suggested at the hearing. However, proponents did not offer any specific examples to demonstrate the need for this type of provision in the Southern Illinois order. Accordingly, the suggestion is denied at this time.

Another change in the provisions relating to transfers and diversions was proposed by cooperatives. Presently, the order provides for automatic Class I classification of fluid milk products transferred or diverted to nonpool plants located more than 500 miles from the city hall of Vandalia, Ill. Although this provision has not interfered with the diversion of producer milk to nonpool plants, it could affect the orderly disposition of reserve milk supplies in the future, especially in view of the substantial number of producers delivering to the market who are located in the States of Iowa, Minnesota, and Wisconsin.

Milk must be classified and priced on the basis of the form in which, or the purpose for which, used or disposed of by handlers. Originally, it was considered economically feasible to move milk beyond the 500-mile limit only if it were intended for Class I use. Because Class II milk brings the same price at all locations, it was uneconomical to transport it long distances for Class II use. However, under today's marketing conditions milk associated with this market might be handled at manufacturing plants located more than 500 miles from the basing point of Vandalia, Ill.

Also, limiting such transfers or diversions to Class I earlier tended to save some administrative costs. The cost involved in checking utilization at distant plants is less today because the Federal order system is extensive. The 68 Federal milk orders are located throughout the continental United States with exception of a few States, and arrangement for checking utilization at distant nonpool plants is feasible through the facilities of neighboring market administrators' offices.

Accordingly, the order should be amended to remove the automatic Class I classification of fluid milk products transferred or diverted to nonpool plants located more than 500 miles from Vandalia, Ill.

2. *Location adjustments.* The provisions which establish a location adjustment on Class I milk received at plants located outside the marketing area, and to the uniform price for milk received at such plants, should be revised. The Class I and uniform prices should be reduced 7

cents for milk received at a plant that is located in the Indiana counties of Fountain, Parke, Vermillion, and Warren. No change would be made with respect to the proviso that milk received at a plant located outside the marketing area but in the State of Illinois south of the northernmost boundaries of Adams and Schuyler Counties, Ill., shall be subject to the prices applicable in the northern zone.

Presently, the order provides for 15-cent location adjustment on milk received at plants located 100 miles or more from the nearest of the three basing points, plus an additional 1.5 cents for each 10 miles or fraction thereof that such distance exceeds 110 miles. Also, there are three pricing zones established under the Southern Illinois order. The announced Class I and producer blend prices apply to milk received at pool plants located in the base zone. The southern zone Class I and producer blend prices are 7 cents higher than prices in the base zone, while the northern zone Class I and producer blend prices are 7 cents lower than prices in the base zone.

Producer milk has been diverted in the past from a pool plant located in the northern zone to a manufacturing plant located outside the marketing area but in a county adjacent to the northern zone. Such milk was subject to the base zone blend price because the receiving plant is within 100 miles of the nearest of the three basing points described in the order, all three of which are located in the base zone. The diverted milk therefore was priced at the 7-cent higher base zone price even though the receiving plant was located in an area adjacent to the northern zone.

Two cooperative associations proposed that the pricing of diverted milk should be at the location of the plant to which delivered, except that such price should not exceed the price applicable at the pool plant from which diverted. This proposal was made to prevent the payment from the pool plant at the higher blend price now payable to the producers whose milk was diverted for manufacturing use. There was no opposition to this proposal.

While the proposal made would accommodate the specific situation described on the record, there is a more appropriate method which would have general application. The problem which proponents sought to remedy through a change in the diversion rules arises because the present location adjustment as it applies in the particular area to which this milk has been diverted is no longer appropriate.

Class I and producer blend prices at plants located just outside the northern zone should be at the same level as at plants located within such zone rather than 7 cents higher. There is insufficient distance involved to warrant different prices between such locations. The present price relationship can be corrected by revising the location adjustment provisions to include the territory in Fountain, Parke, Vermillion, and Warren Counties, Ind., in the same location

price adjustment zone as now applies in the northern zone. This change will complement the present provision which establishes the same price as the northern zone price in the Illinois counties that are just west of the northern zone. Accordingly, the order should be so amended.

In its exception, one cooperative association requested that the northern zone prices apply in the Missouri counties of Marion and Ralls. The cooperative stated that the same considerations apply in these counties as apply in the four Indiana counties which were added to the northern pricing zone.

The considerations involved with these two counties, however, do not parallel those of the Indiana counties. The Indiana counties are adjacent to the marketing area and have had prices which are 7 cents higher than prices in the northern zone. The purpose for changing prices in Indiana was to prevent the pool plant from paying higher blend prices to producers whose milk is diverted to the Indiana plant for manufacturing use. It was concluded above that the distance is insufficient to warrant different prices between such locations. On the other hand, the Missouri counties are located some distance from the marketing area in a region where competitive prices are at a lower level than to the East. The prices in the Southern Illinois order are zoned to result in 15-cent lower prices in zones over 100 miles from the basing points and are decreased an additional 1.5 cents for each 10 miles thereafter. Accordingly, this proposal is denied.

RULINGS ON EXCEPTIONS

In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are two documents, a marketing agreement regulating the handling of milk, and an order amending the order regulating the handling of milk in the Southern Illinois marketing area which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That this entire decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of the marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which is published with this decision.

DETERMINATION OF PRODUCER APPROVAL AND REPRESENTATIVE PERIOD

April 1970 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of

the order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Southern Illinois marketing area is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on July 10, 1970.

RICHARD E. LYNG,
Assistant Secretary.

Order¹ Amending the Order, Regulating the Handling of Milk in the Southern Illinois Marketing Area.

FINDINGS AND DETERMINATIONS

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings.* A public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Southern Illinois marketing area. The hearing was held pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure (7 CFR Part 900).

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act:

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply in demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in

the Southern Illinois marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as amended, and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the partial recommended decision issued by the Deputy Administrator, Regulatory Programs, on June 17, 1970, and published in the FEDERAL REGISTER on June 20, 1970 (35 F.R. 10154), shall be and are the terms and provisions of this order, amending the order, and are set forth in full herein subject to the revisions of § 1032.14.

1. In § 1032.14(b) subparagraph (2) is revised as follows:

§ 1032.14 Producer milk.

(b) * * *

(2) Milk of a producer diverted from a pool plant to a nonpool plant(s) at which the handling of milk is not fully subject to the pricing and pooling provisions of another order issued pursuant to the Act on any day during the months of May, June and July, during the months of August and December for not more than 12 days of production of producer milk by such producer, and in any other month for not more than 8 days of production of producer milk by such producer;

2. In § 1032.43 paragraph (d) is deleted and the introductory text of paragraph (e) preceding subparagraph (1) is revised as follows:

§ 1032.43 Transfers and diversions.

(d) [Reserved]

(e) As Class I milk, if transferred or diverted in bulk to a nonpool plant that is neither an other order plant nor a producer handler plant unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph, except that cream so transferred may be classified as Class II, if the handler claims Class II use and establishes that such cream was transferred to a nonpool plant without Grade A certification and that each container was labeled or tagged to indicate that the contents were for manufacturing use and that the shipment was so invoiced:

3. In § 1032.53 paragraph (a) is revised as follows:

§ 1032.53 Location adjustment to handlers.

(a) For producer milk and other source milk which is classified as Class I at a plant located outside the marketing area, the price specified in § 1032.51 (a) (1) for the base zone shall be reduced 15 cents if such plant is 100 or more miles by the shortest highway distance, as determined by the market administrator from the nearer of the city or village

limits of Alton, Robinson, or Vandalia, Ill., plus an additional 1.5 cents for each 10 miles or fraction thereof that such distance exceeds 110 miles: *Provided*, That the Class I price at a plant outside the marketing area and in the State of Illinois south of the northernmost boundaries of the Illinois counties of Adams and Schuyler and at a plant in the Indiana counties of Fountain, Parke, Vermillion, and Warren shall be the Class I price applicable at a pool plant located in the northern zone; and

4. In § 1032.82 paragraph (a) is revised as follows:

§ 1032.82 Location differentials to producers and on nonpool milk.

(a) The uniform price for producer milk, received at a pool plant located outside the marketing area, shall be reduced according to the location of the pool plant at the rates set forth in § 1032.53: *Provided*, That the uniform price at a plant outside the marketing area and in the State of Illinois south of the northernmost boundaries of the Illinois counties of Adams and Schuyler and at a plant in the Indiana counties of Fountain, Parke, Vermillion, and Warren shall be the uniform price applicable at a pool plant located in the northern zone;

[F.R. Doc. 70-9123; Filed, July 15, 1970; 8:53 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 1]

MISLEADING REPRESENTATIONS ON FOOD LABELING CONCERNING ORIGIN OF FOOD OR INGREDIENT

Extension of Time for Filing Comments

The notice published in the FEDERAL REGISTER of June 12, 1970 (35 F.R. 9214), proposing 21 CFR 1.15(c) concerning food misbranded due to misleading representations as to origin, provided for the filing of comments within 30 days after said date.

The Commissioner of Food and Drugs has received a request for an extension of this time and, good reason therefor appearing, the time for filing comments on the subject proposal is extended to September 10, 1970.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403(a), 701(a), 52 Stat. 1047, 1055; 21 U.S.C. 343(a), 371 (a)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: July 9, 1970.

SAM D. FINE,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-9027; Filed, July 15, 1970; 8:45 a.m.]

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 10184]

BRITISH AIRCRAFT CORPORATION MODEL BAC 1-11 200 AND 400 SERIES AIRPLANES

Withdrawal of Proposed Airworthiness Directive

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the rudder feel unit warning system to introduce a time delay unit on British Aircraft Corporation Model BAC 1-11 200 and 400 series airplanes was published in the FEDERAL REGISTER, 35 F.R. 4638. The introduction of the time delay unit was proposed in order to eliminate reported blinking of the rudder feel warning system light on these airplanes.

Upon further consideration, and in the light of comments received in response to the notice of proposed rule making, the FAA has determined that the blinking of the rudder feel warning system light is of shorter duration than originally believed and does not constitute an unsafe condition. Therefore, the proposed AD is not necessary.

Withdrawal of this notice of proposed rule making constitutes only such action, and neither precludes the FAA from issuing another notice in the future, nor commits it to any course of action at a later time.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, the proposed airworthiness directive published in the FEDERAL REGISTER on March 17, 1970, 35 F.R. 4638, is hereby withdrawn.

Issued in Washington, D.C., on July 8, 1970.

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

[F.R. Doc. 70-9031; Filed, July 15, 1970;
8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SW-44]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Dallas, Tex. (Redbird Airport), control zone.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office

Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conference must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.171 (35 F.R. 2054), the Dallas, Tex. (Redbird Airport), control zone is amended by deleting " * * * within 2 miles each side of the 159° bearing from the Duncanville RBN, extending from the 5-mile radius zone to 8 miles south of the RBN * * * " and substituting " * * * within 3.5 miles each side of the 165° bearing from the Duncanville RBN extending from the 5-mile radius zone to 10 miles south of the RBN * * * " therefor.

The Duncanville RBN is to be relocated to latitude 32°40'35" N., longitude 96°52'15" W. after June 22, 1970. The new site is on Redbird Airport. Notice of the proposed relocation was issued May 28, 1970 (nonrule-making airspace case 70-SW-6-NR). Relocation of the RBN and application of Terminal Instrument Procedures (TERPs) and current airspace criteria require alteration of the control zone extension as proposed herein to provide controlled airspace protection for aircraft executing approach/departure procedures at Redbird Airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on July 2, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-9033; Filed, July 15, 1970;
8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SO-54]

CONTROL ZONES AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that

would alter the Greer, S.C. (Greenville-Spartanburg Airport) and Greenville, S.C., control zones, and the Greenville, S.C., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

The Greer (Greenville-Spartanburg Airport) and Greenville control zones described in § 71.171 (35 F.R. 2054) would be redesignated as:

GREER (GREENVILLE-SPARTANBURG AIRPORT)

Within a 5-mile radius of Greenville-Spartanburg Airport (lat. 34°53'48" N., long. 82°13'04" W.); within 1 mile each side of Greenville-Spartanburg ILS localizer northeast course, extending from the 5-mile radius zone to 6.5 miles northeast of the airport; within a 5-mile radius of Donaldson Center Airport (lat. 34°45'30" N., long. 82°22'35" W.); within a 5-mile radius of Greenville Municipal Downtown Airport (lat. 34°50'53" N., long. 82°21'04" W.); excluding the portion within Greenville control zone.

GREENVILLE

Within a 5-mile radius of Greenville Municipal Downtown Airport (lat. 34°50'53" N., long. 82°21'04" W.); within a 5-mile radius of Donaldson Center Airport (lat. 34°45'30" N., long. 82°22'35" W.); excluding the portion within a 5-mile radius of Greenville-Spartanburg Airport (lat. 34°53'48" N., long. 82°13'04" W.); effective from 0700 to 2300 hours local time daily.

The Greenville transition area described in § 71.181 (35 F.R. 2134) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Greenville Municipal Downtown Airport (lat. 34°50'53" N., long. 82°21'04" W.); within an 8.5-mile radius of Donaldson Center Airport (lat. 34°45'30" N., long. 82°22'35" W.); within a 9.5-mile radius of Greenville-Spartanburg Airport (lat. 34°53'48" N., long. 82°13'04" W.); within 4 miles each side of Greenville-Spartanburg ILS localizer northeast course, extending from the 9.5-mile radius area to 15 miles northeast of the airport.

The application of Terminal Instrument Procedures (TERPs) and current airspace criteria to Greenville terminal area requires the following actions:

Control zones—Greer (Greenville-Spartanburg Airport). 1. Reduce the extension predicated on the Greenville-Spartanburg ILS localizer northeast course 2 miles in width.

2. Revoke the extension predicated on the extended centerline of Runway 4.

Greenville. Revoke the extension predicated on the extended centerline of Runway 4.

Transition area. 1. Increase the basic radius circles, as follows:

a. Greenville-Spartanburg Airport from 7 to 9.5 miles.

b. Greenville Municipal Downtown Airport from 8 to 8.5 miles.

c. Donaldson Center Airport from 7 to 8.5 miles.

2. Increase the extension predicated on the Greenville-Spartanburg ILS localizer NE course 4 miles in width and decrease it 5 miles in length.

3. Revoke the extension predicated on the Greenville Downtown Airport localizer S course.

The proposed alterations are required to provide controlled airspace protection for IFR operations in climb to 1,200 feet above the surface and in descent from 1,500 feet above the surface.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on July 2, 1970.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 70-9032; Filed, July 15, 1970;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 17]

[Docket No. 18909; FCC 70-725]

ANTENNA TOWERS

Increase in Maximum Width of Painted Bands

In the matter of amendment of Part 17 of the Commission's rules to increase the maximum width of painted bands on antenna towers from 40 to 100 feet; Docket No. 18909.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. Section 17.23 of the Commission's rules currently requires that antenna structures be painted throughout their height with alternate bands of aviation surface orange and white, terminating with aviation surface orange at both top and bottom. It further specifies that the width of the bands shall be equal and approximately one-seventh the height of the structure, provided however, that the bands shall not be more than 40 feet nor less than 1½ feet in width.

3. In the light of their responsibility for promoting safety in air commerce,

the Federal Aviation Administration describes the standards in FAA Advisory Circular AC 70/7460-1 as the most effective means of indicating the presence of obstruction to pilots.

4. The FAA conducted tests to determine the most suitable width for the painted bands on tall surface structures. Based on the results of these tests, the FAA has found that the wider bands provide better conspicuity for these structures. Accordingly, the FAA has prepared a change in Advisory Circular AC 70/7460-1 to specify an increase in the maximum width of the aviation surface orange and white painted bands for display on towers, and other similar structures, from 40 feet to 100 feet. Other specifications that the bands be of equal width and approximately one-seventh the length of the major axis of the obstruction are not changed.

5. The Commission proposes to amend § 17.23 of the rules to specify a maximum band width of 100 feet in conformance with FAA Advisory Circular AC 70/7460-1, and to rewrite § 17.43 of the rule, as set forth below, to provide for the implementation of the new band width standards. Any antenna structure which is required to be obstruction marked and which is erected after the effective date of the proposed amendment would be affected immediately. Existing structures would be brought into compliance when they require repainting but, in any case, not later than 7 years following the effective date of the amendment.

6. Authority for the proposed amendment is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

7. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 14, 1970, and reply comments on or before August 28, 1970. All relevant and timely filed comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into consideration other relevant information before it, in addition to the specific comments invited by this notice.

8. In accordance with the provisions set forth in § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 8, 1970.

Released: July 10, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

1. Section 17.23 is amended to change the figure 40, in the second sentence, to 100. As amended § 17.23 reads as follows:
§ 17.23 Specifications for the painting of antenna structures in accordance with § 17.21.

Antenna structures shall be painted throughout their height with alternate

¹ Commissioner Bartley absent.

bands of aviation surface orange and white, terminating with aviation surface orange bands at both top and bottom. The width of the bands shall be equal and approximately one-seventh the height of the structure, provided however, that the bands shall not be more than 100 feet nor less than 1½ feet in width.

2. Section 17.43 is amended to read as follows:

§ 17.43 Painting and lighting of new and existing structures.

(a) The provisions of this part of the rules with respect to antenna structures required to be painted and/or lighted shall be effective ----- for any new antenna structure and for any change in the height or location of an existing antenna structure.

(b) All existing antenna structures required to be painted shall be painted in the manner set forth in § 17.23 at the time when the antenna structure is repainted (see § 17.50) or in no event later than -----.

(c) All existing antenna structures required to be illuminated shall be brought into conformity herewith within 6 months after September 5, 1970, at any station for which the authorization is renewable on or prior to that date, and within 3 months following the renewal of an authorization renewable after September 5, 1970.

(d) Nothing in the notification criteria concerning antenna structures or locations, as set forth in Subpart B of this part, shall apply to painting and lighting those structures authorized prior to September 5, 1967, except where lighting and painting requirements are reduced, in which case the lesser requirements may apply upon approval of an application to Commission for such reduction.

[F.R. Doc. 70-9090; Filed, July 15, 1970;
8:50 a.m.]

[47 CFR Part 87]

[Docket No. 18910; FCC 70-728]

AVIATION SERVICES

Use of Private Aircraft Frequencies by Certain Air Carrier Aircraft

In the matter of amendment of Part 87 of the rules to permit air carrier aircraft weighing 12,500 pounds or less to use private aircraft frequencies; Docket No. 18910.

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. The Commission's rules specify in § 87.183 the frequencies that are available for use by airborne stations; and, in § 87.201, the additional frequencies that are available for use by private aircraft stations. A private aircraft station is defined in § 87.5 of the rules as a station on board an aircraft not operated as an air carrier. At the option of the licensee, an air carrier aircraft weighing less than 10,000 pounds may be classified as private aircraft even though used in

air carrier operations. By making this choice, the station licensee has access to the private aircraft frequencies.

3. Private aircraft and air carrier radio stations both use generally the same frequencies for their radio communications needs such as contacting control towers operated by the Federal Aviation Administration, or others, at major airports. The reservation of certain frequencies for use only by private aircraft stations, however, provides channels for communications without competition from air carriers. The exception for aircraft of less than 10,000 pounds is to provide for communication needs at locations where air traffic control, flight services and aeronautical enroute stations may not be available, but services for private aircraft only are available.

4. The Federal Aviation Administration has requested us to change our rules so that aircraft up to 12,500 pounds, maximum certified takeoff gross weight, will be permitted to use the private aircraft frequencies. The FAA points out that both the CAB and the FAA use the 12,500 pound weight determination to distinguish between small and large aircraft. We believe that logic dictates that we here follow the FAA and CAB and that the recommended changes in our rules are reasonable and desirable. In addition to amending the definition section of our rules, we are also, for clarity and the convenience and easy reference of the public, inserting this provision elsewhere in Part 87 of our rules, as shown below.

5. The proposed amendments as set forth below are issued pursuant to the authority contained in section 4(i) and 303(b)(c) and (r) of the Communications Act of 1934, as amended.

6. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 17, 1970, and reply comments on or before August 27, 1970. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into consideration other relevant information before it, in addition to the specific comments invited by this notice.

7. In accordance with the provisions set forth in § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: July 8, 1970.

Released: July 10, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

Part 87 of the rules is amended as shown below:

1. In § 87.5 the definitions of an "Air carrier aircraft station" and a "Private

aircraft station" are amended to read as follows:

§ 87.5 Definition of terms.

* * * * *

Air carrier aircraft station. An aircraft station on board an aircraft engaged in, or essential to, transportation of passengers or cargo for hire.

* * * * *

Private aircraft station. An aircraft station on board an aircraft not operated as an air carrier, or an aircraft station that has been licensed pursuant to § 87.29 (a) (4) as a private aircraft station on board an air carrier weighing less than 12,500 pounds, maximum certified takeoff gross weight.

* * * * *

2. Section 87.29(a) is amended by adding a new subparagraph (4) as follows:

§ 87.29 Application for aircraft radio station license.

(a) * * *

(4) A station on board an air carrier aircraft weighing less than 12,500 pounds, maximum certified takeoff gross weight, may, at the option of the applicant, be licensed as a private aircraft station, even though actually engaged in air carrier operations.

[F.R. Doc. 70-9091; Filed, July 15, 1970;
8:50 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 204]

RESERVES OF MEMBER BANKS

Counting Silver Coin as Reserves; Extension of Time

Notice of proposed rule making regarding an amendment to § 204.1(j) (Regulation D) was published in the FEDERAL REGISTER on June 9, 1970 (35 F.R. 8892). The purpose of the proposed amendment was to exclude from the scope of the present definition of "currency and coin" any coin that is being held principally for its bullion value (or numismatic value). Under the new definition such coin could no longer be counted as reserves by member banks. Comments on the proposal were to have been received not later than July 13, 1970.

The Board has decided to extend until August 10, 1970, the period within which interested persons are invited to submit relevant data, views, or arguments regarding the proposal.

This notice is published pursuant to section 553(b) of title 5, United States Code, and § 262.2(a) of the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2(a)).

As before, all material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. Such material will be made available for inspection

and copying upon request, except as provided in § 261.6(a) of the Board's Rules Regarding Availability of Information.

By order of the Board of Governors,
July 9, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-9086; Filed, July 15, 1970;
8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-8930]

SECURITIES EXCHANGE ACT OF 1934

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to adopt Rule 13e-2 (17 CFR 240.13e-2) and amend Rule 10b-6 (17 CFR 240.10b-6) under the Securities Exchange Act of 1934 ("the Act"). Proposed Rule 13e-2 would specify the conditions under which issuers covered by the rule may repurchase their own securities in the open market or in individually negotiated transactions. The Rule would be adopted under the provisions of sections 13(e), 10(b) and 23(a) of the Act. The proposed amendment to Rule 10b-6 would provide for an exemption from the prohibitions of that rule to purchases by an issuer, if the prohibition applies only because of outstanding convertible securities, provided that there is compliance with Rule 13e-2.

Section 13(e)(1) of the Act makes it unlawful for an issuer which has a class of equity securities registered pursuant to section 12 of the Act, or which is a closed-end investment company registered under the Investment Company Act of 1940, to purchase any equity security issued by it in contravention of rules and regulations of the Commission which define or are designed to prevent acts and practices which are fraudulent, deceptive or manipulative. Section 10(b) of the Act prohibits any person, including an issuer, from carrying out any manipulative or deceptive device or contrivance which occurs in connection with the purchase or sale of any security in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors. Section 23(a) of the Act authorizes the Commission to adopt rules and regulations necessary to carry out its functions under the Act.

With certain exceptions, an issuer's repurchase activities would be governed under the proposed rule by specified price and volume limitations and related conditions. If the principal market for the securities is a national securities exchange and the transactions are effected on such exchange, the bids and purchases would have to be under the supervision and control of only one broker on

¹ Commissioner Bartley absent.

any given day, and no bid or purchase would be permitted until after the opening transaction or within 1/2 hour before the close of trading on such exchange. The price of said security could be no higher than the highest current independent bid price, or the last sale price on such exchange, whichever is higher; and the amount of securities purchases on any one day could not exceed 15 percent of the average daily volume in such security on such exchange in the 4 calendar weeks preceding the week in which the purchases are made. With respect to the securities the principal market for which is on an exchange, the price and volume limitations applicable would be the same whether purchases are effected on an exchange or over the counter. However, with respect to a block purchase of a security, the principal market for which is a national securities exchange, if the purchase involves not less than 10 units of trading and an aggregate price of not less than \$250,000, the number of units thus purchased in such a block would not have to be included in computing the specified volume limitations of the rule, provided that the price paid per unit is in accordance with the restrictions of the rule.

If the principal market for the security is otherwise than on a national securities exchange, bids and purchases could be made at a total cost no higher than the mean between the highest current independent bid price and the lowest current independent asked price for such security, plus an amount equal to a minimum stock exchange commission.¹ The volume of purchases of such securities would be limited to an amount per week which does not exceed one twenty-fifth of 1 percent of the number of units of the security issued and outstanding at the time of the purchases, with the proviso that at least one trading unit of the security may be purchased on any one day. Block purchases of not less than 10 units of trading and an aggregate price of \$250,000 or more, would also be excluded from the volume limitations if the total cost per unit is not higher than the highest current independent bid plus an amount equal to a minimum stock exchange commission.

In a purchase which is solicited by the issuer, directly or indirectly and which does not involve a broker or dealer, no volume restrictions would apply to the transaction; however, the price limitations would be applicable. A complete exemption from the volume and price limitations is provided for unsolicited purchases not made from or through a broker or dealer.

Additional exemptions from the operation of the rule are provided for purchases of (1) "exempted securities" as defined in section 3(a)(12) of the Act; (2) redeemable securities issued by an open-end management company or unit investment trust, as defined in the In-

vestment Company Act of 1940; (3) securities issued by a public utility holding company registered under the Public Utility Holding Company Act of 1935 or by any subsidiary company thereof; (4) securities by the issuer in compliance with Rule 10b-6 (17 CFR 240.10b-7) or Rule 10b-8 (17 CFR 240.10b-8) in connection with a distribution of securities being made by the issuer; (5) any security, the payment, call or redemption of which is in accordance with the terms and conditions provided for in applicable indentures, corporate charters or other governing instruments; (6) any security issued by a person organized and operated exclusively for religious, educational, benevolent, fraternal, charitable or reformatory purposes and not for profit, no part of the net earnings of which inures to the benefit of any person, private stockholder or individual; (7) any security, evidenced by a scrip certificate, order form or similar security, if the fractional interest (i) resulted from a stock dividend, stock split, reverse stock split, conversion, merger or a similar transaction, and (ii) is purchased pursuant to arrangements for the purchase and sale of fractional interests among the persons entitled to such fractional interests for the purpose of combining such interests into whole shares or for the purpose of compensating security holders for any such fractional interest not so combined; (8) securities by an issuer pursuant to a statutory procedure for the purchase of dissenting shareholders' securities; (9) a specified class of security pursuant to a bona fide tender offer made to all holders of such security; and (10) securities, the purchases of which the Commission, upon written request or upon its own motion, exempts either unconditionally or upon specified terms or conditions, as not constituting a manipulative or deceptive device or contrivance comprehended within the purpose of this rule.

The proposed rule finally provides that the purchase by or on behalf of any bonus, profit-sharing, pension, retirement, thrift, savings, incentive, stock purchase, or similar plan of the issuer for its employees is to be deemed a purchase by the issuer unless the plan is operated and the purchases are made by an independent trustee. Under the proposed rule a trustee would not be deemed to be independent if the trustee or the issuer, or an affiliate of either, directly or indirectly, controls, is controlled by, or is under common control with the other (but a common directorship would not by itself affect the trustee's independence); or if the issuer, directly or indirectly, has any control or influence over the time, amount, or price of purchase, or the selection of the broker or dealer from or through whom the securities are to be purchased.

Concurrently with the adoption of Rule 13e-2 it is proposed that Rule 10b-6 under the Act be amended by redesignating paragraph (f) thereof as (g) and adding a new paragraph (f) which would provide that if Rule 10b-6 would otherwise apply to bids for or purchases of a

security by an issuer solely because the issuer has outstanding other securities exchangeable for or convertible into such security, the prohibitions of Rule 10b-6 would not apply to such bids or purchases if they were made in accordance with the terms and conditions of Rule 13e-2.

The text of proposed § 240.13e-2 of Chapter II of Title 17 of the Code of Federal Regulations is as follows:

§ 240.13e-2 Purchase of equity securities by issuer thereof.

(a) It shall be unlawful as acts and practices which are fraudulent, deceptive, or manipulative and as a manipulative or deceptive device or contrivance for an issuer whose securities are registered pursuant to section 12 of the Act, or for any close-end investment company registered under the Investment Company Act, directly or indirectly, to purchase by use of any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange any equity security it has issued unless:

(1) If bids or purchases are made on any national securities exchange:

(i) Such bids and purchases are made on its behalf under the supervision and control of only one broker on any one day;

(ii) No bid or purchase is made until after the opening transaction or within one-half hour before the close of trading on such exchange;

(iii) No bid or purchase is made at a price higher than the highest current independent bid price, or the last sale price, on such exchange, whichever is higher;

(iv) The amount of securities purchased on any one day on such exchange does not exceed 15 percent of the average daily volume of trading in such security on such exchange in the 4 calendar weeks preceding the current week, and the broker employed to effect the purchase is instructed to endeavor to keep the amount of securities purchased during the day equal to or below 15 percent of that day's volume of trading on such exchange: *Provided, however,* That these volume limitations shall not prohibit (a) the purchase of one unit of trading in any security on any exchange on any day, or (b) the purchase of a block of securities involving not less than 10 units of trading at an aggregate price of not less than \$250,000, if the price per unit is not higher than the highest current independent bid or the last sale price on such exchange, whichever is lower.

(2) If bids or purchases are made otherwise than on a national securities exchange from or through a broker or dealer:

(i) Such bids and purchases are made on its behalf by only one broker on any one day; or if purchases are not made through a broker, purchases may be made directly by the issuer from one dealer; and other purchases may be made directly from other dealers on any day in compliance with subdivisions (ii) and

¹ This price limitation would not, of course, permit a dealer to charge a price not reasonably related to the currently prevailing market price for the security.

(iii) of this paragraph (a)(2) if the issuer establishes that such purchases were not solicited, directly or indirectly, by the issuer or on its behalf;

(ii) No bid or purchase is made at a total cost to the issuer higher than the following, (a) if the principal market for such security is a national securities exchange, the higher of the highest current independent bid or the last sale price on such exchange, plus an amount equal to the minimum stock exchange commission on such exchange, except that, with respect to the purchase of a block of securities involving not less than 10 units of trading and not less than \$250,000, the total cost to the issuer of each trading unit involved does not exceed the lower of the highest current independent bid or the last sale price on such exchange, plus an amount equal to the minimum stock exchange commission, or (b) if the principal market for such security is otherwise than on a national securities exchange, the mean between the highest current independent bid price and the lowest current independent asked price for such security, plus an amount equal to a minimum stock exchange commission.

(iii) (a) If the principal market for such security is a national securities exchange, the amount of securities purchased on any one day on one or more national securities exchange plus the amount of such securities purchased otherwise than on national securities exchange from or through brokers or dealers, does not exceed 15 percent of the average daily volume in such security on all such exchanges in the 4 calendar weeks preceding the current week; *Provided, however*, that this volume limitation shall not apply to a block of securities involving not less than 10 units of trading and an aggregate price of not less than \$250,000 if the price per unit is not higher than the highest current independent bid or the last sale price on the exchange which is the principal market for such security, whichever is lower plus an amount equal to the minimum stock exchange commission, or

(b) If the principal market for such security is otherwise than on a national securities exchange, the amount of securities purchased in any one week does not exceed one twenty-fifth of 1 percent of the number of units of the security of the same class outstanding: *Provided, however*, That this volume limitation shall not prohibit the purchase of one unit of trading on any day, and shall not apply to a block of securities involving not less than 10 units of trading and an aggregate price of not less than \$250,000, if the total cost per unit does not exceed the highest current independent bid plus an amount equal to a minimum stock exchange commission.

(3) If any of such securities are purchased in transactions otherwise than on a national securities exchange and not involving a broker or dealer:

(i) If the principal market for such security is a national securities exchange, no purchase is made at a price higher than the last sale price or the highest

current independent bid on such exchange, whichever is higher; or

(ii) If the principal market for such security is otherwise than on a national securities exchange, no purchase is made at a price higher than the mean between the highest current independent bid and the lowest current independent offer for such security in such market.

(b) The provisions of this section shall not apply:

(1) To the purchase of "exempted securities" as defined in section 3(a)(12) of the Act;

(2) To the purchase of redeemable securities issued by an open-end management company or unit investment trust, as defined in the Investment Company Act of 1940;

(3) To the purchase of securities issued by a public utility holding company registered under the Public Utility Holding Company Act of 1935 or by any subsidiary company;

(4) To bids for or purchases of securities by the issuer in compliance with § 240.10b-7 or § 240.10b-8 in connection with a distribution of securities being made by the issuer;

(5) To the repayment, call or redemption of any security in accordance with the terms and conditions provided for in applicable indentures, corporate charters or other governing instruments;

(6) To the purchase of any security issued by a person organized and operated exclusively for religious, educational, benevolent, fraternal, charitable or reformatory purposes and not for profit, no part of the net earnings of which inures to the benefit of any person, private stockholder or individual;

(7) To the purchase of any security, evidenced by a scrip certificate, order form or similar document which represents a fractional interest in a share of stock or similar security, if the fractional interest (i) resulted from a stock dividend, stock split, reverse stock split, conversion, merger or similar transaction, and (ii) is purchased pursuant to arrangements for the purchase and sale of fractional interests among the persons entitled to such fractional interests for the purpose of combining such interests into whole shares or for the purpose of compensating security holders for any such fractional interest not so combined;

(8) To the purchase by an issuer of securities of dissenting shareholders who have asserted rights of appraisal with respect to their shares in the course of a proceeding instituted in accordance with statutory provisions;

(9) To the purchase of a specified class of security pursuant to a bona fide tender offer made to all holders of such security or to all holders of less than a specified number of units of such security;

(10) To the purchase of a security otherwise than on a national securities exchange not made from or through a broker or dealer, if the transaction is not solicited directly or indirectly by the issuer;

(11) To any purchase or purchases which the Commission, upon written re-

quest or upon its own motion, exempts either unconditionally or upon specified terms or conditions, as not constituting a manipulative or deceptive device or contrivance comprehended within the purpose of this section.

(c) For the purpose of this section, a purchase by or on behalf of any bonus, profit-sharing, pension, retirement, thrift, savings, incentive, stock purchase, or similar plan of the issuer or its employees shall be deemed to be a purchase by the issuer, unless the plan is operated and purchases are made by a trustee who is independent of the issuer. A trustee shall not be deemed independent of the issuer if the trustee or the issuer, or an affiliate of either, directly or indirectly controls, is controlled by, or is under common control with the other (provided that a common directorship shall not alone affect the trustee's independence), or if the issuer directly or indirectly has any control or influence over the time when or the price at which securities may be purchased, the amount of securities to be purchased, or the selection of the broker or dealer through or from whom they are to be purchased.

The proposed amendments of § 240.10b-6 of Chapter II of Title 17 of the Code of Federal Regulations are as follows: Section 240.10b-6 would be amended by redesignating paragraph (f) thereof as (g) and adding a new paragraph (f) as follows:

§ 240.10b-6 Prohibitions against trading by persons interested in a distribution.

(f) If the provisions of this section would otherwise apply to bids for or purchases of a security by an issuer solely because the issuer has outstanding other securities exchangeable for or convertible into such security, such provisions shall not apply to such bids or purchases if they are made in accordance with the terms and conditions of § 240.13e-2.

(g) This rule shall not prohibit any transaction or transactions if the Commission, upon written request or upon its own motion, exempts such transaction or transactions, either unconditionally or on specified terms and conditions, as not constituting a manipulative or deceptive device or contrivance comprehended within the purpose of this rule.

All interested persons are invited to submit their views and comments on these proposals in writing to the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, on or before August 15, 1970. All such communications will be available for public inspection.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

JULY 13, 1970.

[F.R. Doc. 70-9079; Filed, July 15, 1970; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1048]

[Ex Parte Nos. MC-81, MC-37 (Sub-No. 4A)]

NASHVILLE AND DAVIDSON COUNTY, TENN.

Commercial Zones and Terminal Areas; Interpretation of Operating Authorities

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 26th day of June 1970.

It appearing, that as disclosed by the record in No. MC-C-6310, Marvin Hayes Lines, Inc., et al. v. Gateway Transportation Co., Inc., 111 M.C.C. 778, the city of Nashville, Tenn., and Davidson County, Tenn., no longer appear to be legal entities, and, in their stead now exists the metropolitan government of Nashville and Davidson County, Tenn.;

It further appearing, that for the reasons noted in the above-cited report, it would be in the public interest to institute rulemaking proceedings to determine (1) the legal status and significance upon the Commission's regulatory functions of the metropolitan government of Nashville and Davidson County; (2) the proper interpretation of certificates, permits, and licenses authorizing service at Nashville, or those worded similarly as to points within specified mileages of Nashville; and (3) the limits, if any, of the commercial zone of the metropolitan government of Nashville and Davidson County, Tenn.;

It further appearing, that it is hereby proposed that certificates, permits, and

licenses authorizing service at Nashville, or points within a number of miles of Nashville, shall be interpreted as authorizing service to that area within, or within a number of miles of the last defined limits of the former city of Nashville;

And it further appearing, that it is also hereby proposed that the limits of the commercial zone of the metropolitan government of Nashville and Davidson County shall be coextensive with the limits of the metropolitan government and that all carriers presently holding authority to serve points within such area will be bound by this determination:

It is ordered, That joint proceedings be, and they are hereby, instituted under the authority of part II of the Interstate Commerce Act, and sections 553 and 557 of the Administrative Procedure Act (1) to inquire into the present status of Nashville, Tenn., as a city; Davidson County, Tenn., as county; and metropolitan government of Nashville and Davidson County, Tenn., as a municipality; (2) to interpret certificates, permits, and licenses authorizing service at Nashville and Davidson County, Tenn.; (3) to interpret certificates, permits, and licenses authorizing service within specified mileages of Nashville or Davidson County, Tenn.; (4) to define the limits of the commercial zone of the metropolitan government of Nashville and Davidson County, Tenn.; and (5) to take such other and further action as the facts and circumstances may justify or require.

It is further ordered, That no oral hearing be scheduled for the receiving of testimony in these proceedings unless a need therefor should later appear, but that any interested person may participate in these proceedings by submitting for consideration written statements of

facts,¹ views, and arguments on the subjects mentioned above, or any other subject pertinent to these proceedings.

It is further ordered, That any person intending to participate in these proceedings by submitted initial statements or reply statements shall notify the Commission, by filing with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before August 10, 1970, the original and one copy of a statement of his intention to participate; that the Commission shall then prepare and make available to all such persons a list containing the names and addresses of all parties to these proceedings, upon whom copies of all statements must be filed; and that at the time of the service of the service list the Commission will fix the time within which initial statements and reply statements must be filed.

And it is further ordered, That a copy of this order be posted in the Office of the Secretary, Interstate Commerce Commission, for public inspection and that a copy be delivered to the Director, Office of the Federal Register for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-9094; Filed, July 15, 1970;
8:50 a.m.]

¹In lieu of verification under oath, any prepared statement may be subject to the following declaration: "I solemnly declare that I have examined the foregoing document and that the statements of fact contained therein are true." (Signature)

Notices

DEPARTMENT OF THE TREASURY

Comptroller of the Currency
NEW ENGLAND BANKCARD
ASSOCIATION INC.

Notice of Application for Exemption

JULY 9, 1970.

Notice is hereby given that the New England Bankcard Association Inc., a Massachusetts corporation (applicant), 150 Tremont Street, Boston, Mass., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, (Act) for an exemption from sections 12(g), 13, and 14 of the Act for the applicant and its Merchant Stock pursuant to the exemption powers granted to the Comptroller of the Currency by sections 12(h) and 12(i) of the Act.

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

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

Section 12(i) vests in the Comptroller of the Currency certain powers, functions and duties to administer and enforce sections 12, 13, 14(a), 14(c), 14(d), 14(f), and 16 with respect to national banks.

The applicant represents that it was organized as a Massachusetts business corporation to serve as the operating entity for a New England Area bank-sponsored credit card plan using the name and logotype of Master Charge. Approximately 114 banks and 12,154 merchants were participating in the plan in March 1970. It is hoped that eventually as many as 150 banks and 30,000 merchants will participate.

The articles of organization provide that applicant is designed to be a cost sharing organization rather than a profit making organization. Applicant's capital stock was divided into two classes. The

"Bank Shares" which are issued to participating commercial banks, have the right collectively, to cast 60 percent of the votes represented by all outstanding shares. The "Merchant Shares" are issued on the basis of one share at a purchase price of \$10 to each participating merchant and collectively, the holders of such shares have the right to cast 40 percent of the votes on all matters put to the vote of shareholders. The merchant shares are redeemable and nontransferable, are issued on the basis of one share to each participating merchant, and, upon redemption or upon separation of the merchant from the plan, the \$10 purchase price will be refunded. At the present time three major national banks guarantee to the holders of "Merchant Shares" that the purchase price of \$10 will be refunded upon separation of any such holders. It is the intention that such guarantee will be removed if the requested exemption pursuant to section 12(h) is granted.

Notice is further given that any interested person may not later than July 31, 1970, at 5:30 p.m., submit to the Comptroller of the Currency in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Comptroller should order a hearing thereon. Any such communication should be addressed: Office of the Comptroller of the Currency, Attention: Mr. Robert Bloom, Chief Counsel, Treasury Building, Washington, D.C. 20220. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date an order disposing of the application herein may be issued by the Comptroller of the Currency upon the basis of the information stated in the application, unless an order for hearing upon said application shall be issued upon request or upon the Comptroller'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 Comptroller of the Currency pursuant to delegated authority.

[SEAL]

J. T. WATSON,
Deputy Comptroller
of the Currency.

[F.R. Doc. 70-9082; Filed, July 15, 1970;
8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-2837]

IDAHO

Notice of Proposed Classification of Public Lands in Bennett Hills Area for Multiple Use Management

JULY 7, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-180), and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple-use management the public lands within the area described below. Publication of this notice has the effect of segregating the public domain lands from appropriation only under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws, with the exception of the lands described in paragraph 3 of this notice, which are further segregated from the operations of the general mining laws (30 U.S.C., Ch. 2). Until classification action is final on those lands covered by pending petition-applications, which are in conflict with this proposed classification, the segregative effect does not apply. As used herein, "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 Federal use or purpose.

2. The public lands are located within the areas described below and are shown on maps in the District Office, Bureau of Land Management, Shoshone, Idaho, and the Land Office, Bureau of Land Management, Boise, Idaho.

BOISE MERIDIAN, IDAHO

TYPE I

Blaine County

T. 1 S., R. 17 E.,
Secs. 24, 25, and 36.
T. 2 S., R. 17 E.,
Secs. 1 and 12.
T. 1 S., R. 18 E.,
Secs. 19 through 36, inclusive.
T. 2 S., R. 18 E.,
All.
T. 1 S., R. 19 E.,
Secs. 19 through 25, inclusive;
Sec. 28, SW 1/4 SE 1/4;
Secs. 30 through 36, inclusive.
T. 2 S., R. 19 E.,
All.
T. 1 S., R. 20 E.,
Sec. 29, W 1/2 SW 1/4;

Sec. 30, lots 2, 3, and 4, $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Secs. 31 through 35, inclusive.
T. 2 S., R. 20 E.,
All.
T. 2 S., R. 21 E.,
Sec. 18, lots 3 and 4, $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Secs. 19 through 30, inclusive;
Sec. 31, lot 1.

Camas County

T. 2 S., R. 12 E.,
Sec. 19, lots 2, 3, and 4, $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Sec. 20, $SW\frac{1}{4}$;
Sec. 24, $S\frac{1}{2}SW\frac{1}{4}$;
Sec. 25, $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, and $SE\frac{1}{4}$;
Sec. 26, $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Sec. 27, $S\frac{1}{2}N\frac{1}{2}$, and $S\frac{1}{2}$;
Sec. 28, $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, and $SE\frac{1}{4}$;
Secs. 29 and 30;
Secs. 32 through 36, inclusive.
T. 2 S., R. 13 E.,
Sec. 8, $SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
and $W\frac{1}{2}SE\frac{1}{4}$;
Sec. 13, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 17;
Sec. 19, lot 1, $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, and
 $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 20, lot 4, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$
 $SW\frac{1}{4}$, and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 21, $NE\frac{1}{4}SW\frac{1}{4}$ and $S\frac{1}{2}S\frac{1}{2}$;
Sec. 22, $S\frac{1}{2}SW\frac{1}{4}$;
Secs. 24 and 25;
Sec. 26, $E\frac{1}{2}$;
Sec. 27, $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $NW\frac{1}{4}SE\frac{1}{4}$, and
 $S\frac{1}{2}SE\frac{1}{4}$;
Secs. 28 through 36, inclusive.
T. 2 S., R. 14 E.,
Sec. 4, lot 2, $S\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Sec. 6, $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 7, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}$
 $SE\frac{1}{4}$, and $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 8, $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, and
 $S\frac{1}{2}$;
Sec. 9;
Sec. 11, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, and $W\frac{1}{2}$
 $SE\frac{1}{4}$;
Sec. 12, $E\frac{1}{2}E\frac{1}{2}$;
Sec. 13, $E\frac{1}{2}E\frac{1}{2}$;
Sec. 14, $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}$, and $SE\frac{1}{4}$;
Sec. 15, $W\frac{1}{2}E\frac{1}{2}$, $W\frac{1}{2}$;
Secs. 16 and 17;
Sec. 18, lots 2, 3, and 4, $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
 $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Secs. 19 through 21, inclusive;
Sec. 22, $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $NW\frac{1}{4}SE\frac{1}{4}$, and
 $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 23, $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$, $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 24, $E\frac{1}{2}NE\frac{1}{4}$ and $S\frac{1}{2}$;
Secs. 25 through 36, inclusive.
T. 1 S., R. 15 E.,
Sec. 26, $SE\frac{1}{4}SW\frac{1}{4}$ and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 27, $E\frac{1}{2}SE\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 33, $SE\frac{1}{4}SW\frac{1}{4}$ and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 34, $E\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$, and $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 35.
T. 2 S., R. 15 E.,
Secs. 1, 2, and 3;
Sec. 4, lots 1, 2, and 3, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
and $S\frac{1}{2}$;
Sec. 5, $SW\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}$, and
 $NE\frac{1}{4}SE\frac{1}{4}$;
Sec. 6, $SE\frac{1}{4}SW\frac{1}{4}$ and $S\frac{1}{2}SE\frac{1}{4}$;
Secs. 7 through 36, inclusive.
T. 1 S., R. 16 E.,
Sec. 13, $NW\frac{1}{4}SW\frac{1}{4}$ and $S\frac{1}{2}S\frac{1}{2}$;
Sec. 14, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}$, and $NE\frac{1}{4}SE\frac{1}{4}$;
Sec. 15, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$,
and $SE\frac{1}{4}$;
Sec. 17, $S\frac{1}{2}$;
Sec. 18, $N\frac{1}{2}SE\frac{1}{4}$ and $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 19, $NE\frac{1}{4}NE\frac{1}{4}$;
Secs. 20 through 28, inclusive;
Sec. 29, $E\frac{1}{2}$ and $N\frac{1}{2}NW\frac{1}{4}$;
Secs. 31 through 36, inclusive.
T. 2 S., R. 16 E.,
All.
T. 1 S., R. 17 E.,

Secs. 14 through 23, inclusive;
Secs. 26 through 35, inclusive.
T. 2 S., R. 17 E.,
Secs. 2 through 11, inclusive;
Secs. 13 through 36, inclusive.

Elmore County

T. 3 S., R. 10 E.,
Sec. 1, lots 1 and 2, $S\frac{1}{2}NE\frac{1}{4}$, and $SE\frac{1}{4}$;
Sec. 12, $NE\frac{1}{4}$.
T. 4 S., R. 10 E.,
Sec. 25, $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, and $S\frac{1}{2}$;
Sec. 26, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, and $S\frac{1}{2}$;
Sec. 27, $E\frac{1}{2}SE\frac{1}{4}$ east of King Hill Creek;
Sec. 34, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, and $NE\frac{1}{4}$
 $SE\frac{1}{4}$;
Secs. 35 and 36.
T. 3 S., R. 11 E.,
Sec. 1, lots 1, 2, 3, and 4, $S\frac{1}{2}N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$,
and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 2, lots 1, 2, 3, and 4, $S\frac{1}{2}N\frac{1}{2}$, $NE\frac{1}{4}SW\frac{1}{4}$;
and $N\frac{1}{2}SE\frac{1}{4}$;
Sec. 3, lot 1, $SE\frac{1}{4}NE\frac{1}{4}$ and $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 4, $S\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$, and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 5, $S\frac{1}{2}S\frac{1}{2}$;
Sec. 6, lots 3 through 7, inclusive, $SE\frac{1}{4}$
 $NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, and $S\frac{1}{2}SE\frac{1}{4}$;
Secs. 7 through 36 inclusive.
T. 4 S., R. 11 E.,
All east of district boundary.
T. 5 S., R. 11 E.,
Secs. 1 through 4, inclusive;
Sec. 5, lots 1 through 4, inclusive, $S\frac{1}{2}N\frac{1}{2}$,
and $SE\frac{1}{4}$;
Sec. 6, lot 1;
Sec. 8, lot 3, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, and
 $SW\frac{1}{4}SE\frac{1}{4}$;
Secs. 9 through 36, inclusive, north and
east of Snake River.
T. 6 S., R. 11 E.,
Secs. 1 through 3, inclusive;
Secs. 9 through 16, inclusive, north and
east of Snake River.

Gooding County

Tps. 3 and 4 S., R. 12 E.,
All.
T. 5 S., R. 12 E.,
Sec. 1;
Sec. 2, lots 1 and 2, $SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}$, and
 $NE\frac{1}{4}SE\frac{1}{4}$;
Sec. 4, lots 1 through 4, inclusive;
Secs. 6 and 7;
Sec. 8, $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 10, $E\frac{1}{2}W\frac{1}{2}$ and $SE\frac{1}{4}$;
Secs. 11 through 14, inclusive;
Sec. 15, $NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, and $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 17, $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$, and
 $SW\frac{1}{4}SE\frac{1}{4}$;
Secs. 18 through 20, inclusive;
Sec. 22, $NE\frac{1}{4}NE\frac{1}{4}$;
Sec. 23, $N\frac{1}{2}N\frac{1}{2}$, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}$
 $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$;
Sec. 24, $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$;
Sec. 27, $W\frac{1}{2}SW\frac{1}{4}$;
Sec. 28, $NW\frac{1}{4}SW\frac{1}{4}$ and $S\frac{1}{2}S\frac{1}{2}$;
Secs. 29 through 32, inclusive;
Sec. 33, $NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, and
 $SE\frac{1}{4}$;
Sec. 34, $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 35, $SE\frac{1}{4}$.
T. 6 S., R. 12 E.,
Secs. 1 through 6, inclusive;
Secs. 7 through 12, inclusive, north of
Snake River.
Tps. 3 and 4 S., R. 13 E.,
All.
T. 5 S., R. 13 E.,
Secs. 1 through 28, inclusive;
Sec. 29, $NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}$
 $S\frac{1}{2}$, and $NE\frac{1}{4}SE\frac{1}{4}$;
Sec. 30, lot 1, $N\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$;
Sec. 31, lots 3 and 4, $E\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
 $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Sec. 32, $N\frac{1}{2}$ and $N\frac{1}{2}S\frac{1}{2}$;
Secs. 33 through 36, inclusive.
T. 6 S., R. 13 E.,

Sec. 1, lots 1, 2, 3, and 4, $S\frac{1}{2}N\frac{1}{2}$, and
 $N\frac{1}{2}S\frac{1}{2}$;
Sec. 2, lots 1, 2, 3, and 4, $S\frac{1}{2}N\frac{1}{2}$, and
 $N\frac{1}{2}S\frac{1}{2}$;
Sec. 3, lots 1, 2, 3, and 4, $S\frac{1}{2}N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$,
and $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 4, lots 1, 2, 3, and 4, $S\frac{1}{2}N\frac{1}{2}$ and
 $N\frac{1}{2}SE\frac{1}{4}$;
Sec. 6, lots 3, 4, and 5, and $SE\frac{1}{4}NW\frac{1}{4}$.
T. 3 S., R. 14 E.,
All.
T. 4 S., R. 14 E.,
Secs. 1 through 27, inclusive;
Sec. 28, $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $SW\frac{1}{4}SW\frac{1}{4}$, and $SE\frac{1}{4}$
 $SE\frac{1}{4}$;
Secs. 29 through 32, inclusive;
Sec. 33, $E\frac{1}{2}NE\frac{1}{4}$;
Sec. 34, $N\frac{1}{2}$;
Sec. 35, $N\frac{1}{2}$.
T. 5 S., R. 14 E.,
Secs. 5 through 8, inclusive;
Sec. 9, $S\frac{1}{2}N\frac{1}{2}$ and $S\frac{1}{2}$;
Sec. 10, $S\frac{1}{2}NW\frac{1}{4}$;
Sec. 15, $S\frac{1}{2}SW\frac{1}{4}$;
Secs. 16 through 21, inclusive;
Sec. 22, $NW\frac{1}{4}NW\frac{1}{4}$;
Sec. 28, $NW\frac{1}{4}NE\frac{1}{4}$ and $W\frac{1}{2}$;
Secs. 29 through 32, inclusive;
Sec. 33, $W\frac{1}{2}$ and $W\frac{1}{2}SE\frac{1}{4}$.
T. 6 S., R. 14 E.,
Sec. 4, lots 3 and 4, $S\frac{1}{2}NW\frac{1}{4}$ and $W\frac{1}{2}$
 $SW\frac{1}{4}$;
Sec. 5, lots 1 through 4, inclusive, $S\frac{1}{2}N\frac{1}{2}$,
 $N\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
Sec. 6, lots 1 through 6, inclusive, $S\frac{1}{2}NE\frac{1}{4}$,
 $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, and $N\frac{1}{2}SE\frac{1}{4}$.
T. 7 S., R. 14 E.,
Sec. 1, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 3, $SW\frac{1}{4}$ and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 10, $E\frac{1}{2}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, and
 $NE\frac{1}{4}SW\frac{1}{4}$;
Secs. 11 and 12;
Sec. 13, $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 14, $N\frac{1}{2}N\frac{1}{2}$, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
 $NE\frac{1}{4}SW\frac{1}{4}$, and $N\frac{1}{2}SE\frac{1}{4}$;
Sec. 15, $NE\frac{1}{4}NE\frac{1}{4}$;
Sec. 24, $E\frac{1}{2}NE\frac{1}{4}$.
T. 3 S., R. 15 E.,
All.
T. 4 S., R. 15 E.,
Secs. 1 through 24, inclusive;
Sec. 25, $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, and $S\frac{1}{2}SW\frac{1}{4}$;
Secs. 26 through 30, inclusive;
Sec. 31, lots 1 and 2, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, and
 $N\frac{1}{2}SE\frac{1}{4}$;
Secs. 32 through 35, inclusive.
T. 5 S., R. 15 E.,
Sec. 2, lots 1 through 4, inclusive, $S\frac{1}{2}N\frac{1}{2}$,
and $N\frac{1}{2}SE\frac{1}{4}$;
Sec. 3, lots 1 through 4, inclusive, $S\frac{1}{2}N\frac{1}{2}$,
and $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 4, lots 1 through 4, inclusive, $S\frac{1}{2}NW\frac{1}{4}$,
 $NW\frac{1}{4}SW\frac{1}{4}$, and $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 5, lots 1 through 3, inclusive;
Sec. 12, $SE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$, and $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 13, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, and
 $S\frac{1}{2}$;
Sec. 14, $SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, and $S\frac{1}{2}$;
Sec. 15, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, and
 $SE\frac{1}{4}$;
Sec. 21, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 22, $N\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, and $W\frac{1}{2}$;
Sec. 23, $E\frac{1}{2}E\frac{1}{2}$, $S\frac{1}{2}SW\frac{1}{4}$, and $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 24;
Sec. 25, $N\frac{1}{2}$ and $N\frac{1}{2}S\frac{1}{2}$;
Sec. 26, $NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}$
 $SW\frac{1}{4}$, and $N\frac{1}{2}SE\frac{1}{4}$;
Sec. 27, $N\frac{1}{2}N\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$,
 $NW\frac{1}{4}SW\frac{1}{4}$, and $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 28, $E\frac{1}{2}NE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 33, $N\frac{1}{2}N\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$.
T. 6 S., R. 15 E.,
Sec. 11, $SE\frac{1}{4}$;
Sec. 12, $SE\frac{1}{4}SW\frac{1}{4}$;
Sec. 13;
Sec. 14, $E\frac{1}{2}$ and $SW\frac{1}{4}$;
Sec. 15, $N\frac{1}{2}N\frac{1}{2}$, $S\frac{1}{2}NE\frac{1}{4}$, and $E\frac{1}{2}SE\frac{1}{4}$;
Sec. 19, $SE\frac{1}{4}SE\frac{1}{4}$;

Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 21, S $\frac{1}{2}$;
 Sec. 22, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
 Secs. 23 through 29, inclusive;
 Sec. 30, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 31, lot 4, E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Secs. 32 through 36, inclusive.
T. 7 S., R. 15 E.,
 Secs. 1 through 18, inclusive;
 Sec. 19, lots 1 and 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 22, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23;
 Sec. 24, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 27, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 3 S., R. 16 E.,
 Secs. 6 and 7;
 Secs. 18 and 19;
 Secs. 30 and 31.
T. 4 S., R. 16 E.,
 Secs. 6 and 7;
 Secs. 18 and 19;
 Sec. 30, lots 1 through 3, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 5 S., R. 16 E.,
 Sec. 7, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 18 and 19;
 Sec. 30, lots 1 through 3, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$.
T. 6 S., R. 16 E.,
 Sec. 6, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Secs. 18 and 19;
 Secs. 30 and 31.
T. 7 S., R. 16 E.,
 Secs. 6 and 7;
 Sec. 18;
 Sec. 19, lots 1 and 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$.

Jerome County

T. 7 S., R. 16 E.,
 Secs. 1 through 5, inclusive;
 Secs. 8 through 10, inclusive;
 Sec. 11, N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, N $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 14, NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 15, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 17;
 Sec. 20, E $\frac{1}{2}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 7 S., R. 17 E.,
 Secs. 1 and 2;
 Sec. 3, lots 1 and 2, and SE $\frac{1}{4}$;
 Sec. 6, lots 2 through 5, inclusive, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, lot 1 and NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 10, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 12, E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 13, NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 9 S., R. 17 E.,
 Sec. 14; S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 15, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 21 through 23, inclusive;
 Sec. 24, E $\frac{1}{2}$;
 Secs. 25 and 26;
 Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 7 S., R. 18 E.,
 Secs. 5 through 8, inclusive;
 Secs. 16 and 17;
 Sec. 18, lot 1 and N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 19, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
 Secs. 21 through 29, inclusive;
 Sec. 30, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;

Sec. 31, lots 3 and 4, NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 32, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 33, N $\frac{1}{2}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 34 through 36, inclusive.
T. 8 S., R. 18 E.,
 Secs. 1 through 3, inclusive;
 Sec. 4, lots 1 and 2, S $\frac{1}{2}$ N $\frac{1}{2}$, and W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 10 through 15, inclusive;
 Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 22 through 24, inclusive;
 Sec. 25, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 26, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 9 S., R. 18 E.,
 Sec. 12, S $\frac{1}{2}$ S $\frac{1}{2}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 13;
 Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, W $\frac{1}{2}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Secs. 19 through 24, inclusive;
 Sec. 25, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 26 through 30, inclusive;
 Sec. 31, lots 1, 4, and 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Secs. 32 and 33, north of Snake River;
 Sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 10 S., R. 18 E.,
 Sec. 3, lots 4 and 5;
 Sec. 4, lots 1 and 2.
T. 7 S., R. 19 E.,
 Secs. 19 through 36, inclusive.
T. 8 S., R. 19 E.,
 Secs. 1 through 24, inclusive;
 Sec. 25, W $\frac{1}{2}$;
 Sec. 26, NW $\frac{1}{4}$;
 Sec. 28, W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Secs. 29 and 30;
 Sec. 31, lot 1, NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 9 S., R. 19 E.,
 Sec. 4, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, lot 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, lots 1 through 4, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 8, S $\frac{1}{2}$ S $\frac{1}{2}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, S $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Secs. 13 through 15, inclusive;
 Sec. 17;
 Sec. 18, lots 1 through 4, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 19;
 Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, NW $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 22, E $\frac{1}{2}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Secs. 23 and 24;
 Sec. 25, N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 26, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 29, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 30, lot 1 and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 7 S., R. 20 E.,
 Secs. 19 through 36, inclusive.
T. 8 S., R. 20 E.,
 Secs. 1 through 18, inclusive;
 Sec. 19, lots 1 through 8, inclusive, E $\frac{1}{2}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Secs. 20 through 28, inclusive;
 Sec. 29, E $\frac{1}{2}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 32, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ north of canal;
 Secs. 33 through 36, inclusive.
T. 9 S., R. 20 E.,
 Sec. 1, lots 1 through 4, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Secs. 2 and 3;
 Sec. 4, lots 1 through 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 5, lots 5, 6, 9, and 10, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 8, NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 11, N $\frac{1}{2}$;
 Sec. 12, W $\frac{1}{2}$;
 Sec. 17, W $\frac{1}{2}$;
 Sec. 18, lots 3 through 8, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Secs. 19 and 20;
 Sec. 21, SW $\frac{1}{4}$;
 Sec. 24, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Secs. 27 through 30, inclusive;
 Sec. 35, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 8 S., R. 21 E.,
 Secs. 1 through 3, inclusive;
 Sec. 4, lots 1 through 4, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Secs. 5 through 7, inclusive;
 Sec. 8, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$;
 Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 10, NW $\frac{1}{4}$;
 Sec. 11, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 13;
 Sec. 14, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Secs. 17 through 20, inclusive;
 Sec. 21, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 23, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 24, N $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Sec. 28, W $\frac{1}{2}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 29 through 31, inclusive;
 Sec. 32, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 9 S., R. 21 E.,
 Secs. 18 and 19, south of canal.

Lincoln County

T. 3 S., R. 16 E.,
 Secs. 1 through 5, inclusive;
 Secs. 8 through 17, inclusive;
 Secs. 20 through 29, inclusive;
 Secs. 32 through 36, inclusive.
T. 4 S., R. 16 E.,
 Secs. 1 through 5, inclusive;
 Secs. 8 through 17, inclusive;
 Sec. 20, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 21 through 24, inclusive;
 Sec. 25, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 26, N $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$;
 Sec. 28, N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 5 S., R. 16 E.,
 Sec. 13;
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 15, S $\frac{1}{2}$;
 Sec. 17;
 Secs. 20 through 29, inclusive;
 Sec. 32, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Secs. 33 through 36, inclusive.
T. 6 S., R. 16 E.,
 Secs. 1 through 5, inclusive;
 Secs. 8 through 17, inclusive;
 Secs. 20 through 29, inclusive;
 Secs. 32 through 35, inclusive.
T. 3 S., R. 17 E.,
 All.
T. 4 S., R. 17 E.,
 Secs. 1 through 21, inclusive;
 Sec. 22, N $\frac{1}{2}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 23 and 24;
 Sec. 25, E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 26;
 Sec. 27, E $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 28, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 34, N $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 35, N $\frac{1}{2}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 5 S., R. 17 E.,
 Sec. 14, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$,
 and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, south of Big Wood River;
 Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Secs. 18 through 33, inclusive;
 Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$.

T. 6 S., R. 17 E.,
 Sec. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 3, lots 3, 4, and 7, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and
 W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 4 through 29, inclusive;
 Sec. 30, lots 1 through 3, inclusive, NE $\frac{1}{4}$,
 E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$
 SE $\frac{1}{4}$;
 Sec. 32, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 33 through 36, inclusive.

T. 3 S., R. 18 E.,
 Secs. 1 through 24, inclusive;
 Sec. 25, NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Secs. 26 through 35, inclusive.

T. 4 S., R. 18 E.,
 Sec. 1, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Secs. 2 through 11, inclusive;
 Sec. 12, W $\frac{1}{2}$ and SE $\frac{1}{4}$;
 Secs. 13 through 16, inclusive;
 Sec. 17, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Secs. 18 and 19;
 Sec. 21, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 22 through 27, inclusive;
 Sec. 28, E $\frac{1}{2}$ E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, lots 1 and 2, E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 33, E $\frac{1}{2}$;
 Secs. 34 through 36, inclusive.

T. 5 S., R. 18 E.,
 Secs. 1 through 3, inclusive;
 Sec. 4, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$;
 Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Secs. 9 through 12, inclusive;
 Sec. 13, N $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 15 and 16;
 Sec. 17, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Secs. 19 through 21, inclusive;
 Sec. 22, N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 28, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
 SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 29 and 30;
 Sec. 31, lots 1 and 2, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$
 NW $\frac{1}{4}$;
 Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
 N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 6 S., R. 18 E.,
 Sec. 7, lots 3 and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$
 SE $\frac{1}{4}$;
 Sec. 17, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Secs. 18 and 19;
 Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and
 W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 28, S $\frac{1}{2}$;
 Sec. 29, SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 30 through 33, inclusive;
 Sec. 34, W $\frac{1}{2}$.

T. 7 S., R. 18 E.,
 Secs. 1 through 4, inclusive;
 Secs. 9 through 16, inclusive.

T. 3 S., R. 19 E.,
 Secs. 1 through 12, inclusive;
 Sec. 13, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$
 SE $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$;
 Sec. 15, N $\frac{1}{2}$;
 Sec. 16, N $\frac{1}{2}$;
 Sec. 17, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 18, lots 1 through 4, inclusive, E $\frac{1}{2}$
 NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 19;
 Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$
 SW $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 29, NW $\frac{1}{4}$;
 Sec. 30, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 31;
 Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 4 S., R. 19 E.,
 Sec. 7, lot 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 and SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 17, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 18;
 Sec. 19, lots 1 through 4, inclusive, and
 E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 30, lots 1 through 3, inclusive, E $\frac{1}{2}$
 NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 5 S., R. 19 E.,
 Sec. 6, lot 7;
 Sec. 7, lots 1 through 4, inclusive, NE $\frac{1}{4}$
 NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 18, lot 1.

T. 6 S., R. 19 E.,
 Sec. 13, S $\frac{1}{2}$;
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
 Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Secs. 23 through 26, inclusive;
 Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 35 and 36.

T. 7 S., R. 19 E.,
 Sec. 1;
 Sec. 2, lots 1 through 3, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$,
 SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 4 through 18, inclusive.

T. 3 S., R. 20 E.,
 Secs. 1 through 11, inclusive;
 Sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$
 SW $\frac{1}{4}$;
 Secs. 15 through 22, inclusive;
 Secs. 27 through 33, inclusive;
 Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 4 S., R. 20 E.,
 Sec. 4, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 5, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 6 S., R. 20 E.,
 Sec. 16, S $\frac{1}{2}$;
 Sec. 17, S $\frac{1}{2}$;
 Sec. 18, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Secs. 19 through 24, inclusive;
 Sec. 25, N $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 26 through 34, inclusive;
 Sec. 35, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$.

T. 7 S., R. 20 E.,
 Sec. 1, lots 3 and 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Secs. 2 through 18, inclusive.

T. 6 S., R. 21 E.,
 Sec. 19, lots 1 through 12, inclusive, NE $\frac{1}{4}$,
 and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
 Sec. 28, S $\frac{1}{2}$;
 Sec. 29, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, lots 2 through 4, inclusive;
 Sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 32, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
 W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 33;
 Sec. 34, W $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 7 S., R. 21 E.,
 Secs. 1 through 3, inclusive;
 Sec. 4, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7;

Sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 10 through 14, inclusive;
 Sec. 17, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Secs. 18 and 19;
 Sec. 20, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and
 SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 23 through 26, inclusive;
 Sec. 27, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Secs. 29 through 32, inclusive;
 Sec. 33, S $\frac{1}{2}$;
 Sec. 34, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 35, E $\frac{1}{2}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 36.

T. 6 S., R. 22 E.,
 Sec. 29, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, lots 6 through 12, inclusive, S $\frac{1}{2}$
 NE $\frac{1}{4}$, and SE $\frac{1}{4}$;

Sec. 31;
 Sec. 32, lots 1 through 4, inclusive, S $\frac{1}{2}$
 NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 33, lots 1 through 4, inclusive, NW $\frac{1}{4}$,
 and N $\frac{1}{2}$ S $\frac{1}{2}$.

T. 7 S., R. 22 E.,
 Secs. 1 through 11, inclusive;
 Sec. 12, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Secs. 14 through 23, inclusive;
 Secs. 26 through 35, inclusive.

T. 7 S., R. 23 E.,
 Secs. 5 and 6, south of Union Pacific Rail-
 road;
 Sec. 7, lots 1 through 3, inclusive, and
 E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$.

Minidoka County

T. 8 S., R. 22 E.,
 Sec. 4, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Secs. 5 through 7, inclusive;
 Sec. 8, NE $\frac{1}{4}$ and W $\frac{1}{2}$;
 Sec. 17, W $\frac{1}{2}$;
 Sec. 18;
 Sec. 19, lots 1 through 4, inclusive, E $\frac{1}{2}$ E $\frac{1}{2}$,
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 20, W $\frac{1}{2}$.

The public lands in the area described
 above aggregate about 841,490.66 acres.

BOISE MERIDIAN, IDAHO

TYPE II

Blaine County

T. 1 N., R. 16 E.,
 All.
 T. 2 N., R. 16 E.,
 Secs. 25 and 26;
 Secs. 35 and 36.

T. 1 S., R. 16 E.,
 Sec. 1, lots 1 through 4, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$,
 and E $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 1 N., R. 17 E.,
 All.
 T. 2 N., R. 17 E.,
 Secs. 1 and 2;
 Secs. 11 through 16, inclusive;
 Secs. 20 through 36, inclusive.

T. 3 N., R. 17 E.,
 Secs. 1 and 2;
 Secs. 11 through 14, inclusive;
 Secs. 23 through 26, inclusive;
 Secs. 35 and 36.

T. 4 N., R. 17 E.,
 Sec. 1;
 Secs. 12 and 13;
 Secs. 24 and 25;
 Sec. 36.

T. 5 N., R. 17 E.,
 Sec. 36.
 T. 1 S., R. 17 E.,
 Secs. 1 through 5, inclusive;
 Sec. 6, lot 4;
 Secs. 10 through 12, inclusive;
 Secs. 13, 14, and 15 in Blaine County.

T. 1 N., R. 18 E.,
 Secs. 2 through 11, inclusive;
 Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Secs. 17 through 21, inclusive;
 Secs. 29 through 32, inclusive.

T. 2 N., R. 18 E.,
 Secs. 1 and 2;
 Sec. 3, lots 1 through 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$,
 N $\frac{1}{2}$ S $\frac{1}{2}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Secs. 5 through 8, inclusive;
 Sec. 10, E $\frac{1}{2}$;
 Secs. 11 through 14, inclusive;
 Sec. 15, E $\frac{1}{2}$;
 Secs. 17 through 21, inclusive;
 Sec. 22, E $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Secs. 23 through 36, inclusive.

T. 3 N., R. 18 E.,
 All.

T. 4 N., R. 18 E.,
All outside Sawtooth National Forest.

T. 5 N., R. 18 E.,
Secs. 31 and 32.

T. 1 S., R. 18 E.,
Secs. 5 through 8, inclusive;
Secs. 17 and 18.

T. 1 N., R. 19 E.,
Secs. 1 through 17, inclusive;
Secs. 21 through 27, inclusive;
Secs. 34 through 36, inclusive.

T. 2 N., R. 19 E.,
All.

T. 3 N., R. 19 E.,
All outside Sawtooth National Forest.

T. 4 N., R. 19 E.,
Secs. 28 through 33, inclusive.

T. 1 S., R. 19 E.,
Sec. 1, lots 1 and 2, SE $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Tps. 1 and 2 N., R. 20 E.,
All.

T. 3 N., R. 20 E.,
Secs. 19 through 36, inclusive.

T. 1 S., R. 20 E.,
Secs. 1 through 15, inclusive;
Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Secs. 23 through 26, inclusive.

Tps. 1 and 2 N., R. 21 E.,
All.

T. 3 N., R. 21 E.,
All outside Sawtooth National Forest.

T. 1 S., R. 21 E.,
Secs. 1 and 2;
Sec. 3, lot 1 and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 4, lots 1 through 4, inclusive, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 5, lot 1;
Sec. 6;
Sec. 7, lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 10, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$;
Sec. 18;
Secs. 28 through 33, inclusive.

T. 2 S., R. 21 E.,
Secs. 4 through 9, inclusive;
Sec. 17;
Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$.

Tps. 1 and 2 N., R. 22 E.,
All.

T. 3 N., R. 22 E.,
All outside Sawtooth National Forest.

T. 1 S., R. 22 E.,
Sec. 5, lot 4;
Sec. 6, lot 1.

T. 1 N., R. 23 E.,
All.

T. 2 N., R. 23 E.,
All in Blaine County.

T. 3 N., R. 23 E.,
All in Blaine County and outside Sawtooth National Forest.

Tps. 1 and 2 N., R. 24 E.,
All in Blaine County.

Camas County

T. 1 N., R. 15 E.,
All.

T. 1 N., R. 16 E.,
Secs. 3 through 9, inclusive;
Secs. 16 through 21, inclusive;
Secs. 27 through 33, inclusive.

T. 2 N., R. 16 E.,
Sec. 26 in Camas County;
Secs. 27 through 34, inclusive.

The public lands in the area described above aggregate approximately 233,410.67 acres.

3. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws:

BOISE MERIDIAN, IDAHO

Magic Reservoir

T. 2 S., R. 18 E.,
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, that portion above the high water line in SW $\frac{1}{4}$ SW $\frac{1}{4}$.

This site contains about 62 acres.

Lower No. 93 Campground

T. 3 S., R. 18 E.,
Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, that portion along Big Wood River, both sides of Old Highway No. 93.

This site contains about 10 acres.

Cottonwood Recreation Site

T. 2 S., R. 18 E.,
Sec. 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

This site contains 40 acres.

City of Rocks

T. 3 S., R. 14 E.,
Portions of Secs. 23 and 26.

This site contains about 320 acres.

Mormon Reservoir

T. 2 S., R. 14 E.,
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

This site contains 40 acres.

Cherry Creek

T. 2 N., R. 16 E.,
Sec. 30, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

This site contains 20 acres.

Peck's Meadow

T. 3 S., R. 14 E.,
Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

This site contains 40 acres.

Benchmark Waterholes

T. 3 S., R. 13 E.,
Sec. 26, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.
Sec. 32, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

This site contains 80 acres.

Magic Extension

T. 2 S., R. 18 E.,
Sec. 7, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

This site contains 120 acres.

Arrow Rimrock

Sec. 28, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 3 S., R. 12 E.,

This site contains 80 acres.

Arrow Waterhole

T. 3 S., R. 12 E.,
Sec. 33, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

This site contains 40 acres.

Clay Banks

T. 1 S., R. 17 E.,
Sec. 25, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

This site contains 100 acres.

Meander Waterhole

T. 3 S., R. 12 E.,
Sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$;

This site contains 40 acres.

Indian Writing Waterhole

T. 3 S., R. 12 E.,
Sec. 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

This site contains 40 acres.

Indian Waterhole Canyon

T. 3 S., R. 12 E.,
Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

This site contains 200 acres.

Lava Creek

T. 1 S., R. 17 E.,
Sec. 35, that portion above the high water line in SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

This site contains about 108 acres.

Fish Creek Reservoir

T. 1 N., R. 22 E.,
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

This site contains 120 acres.

Devil's Corral Area (includes three sites),
Vinyard Lake, Devil's Corral, Devil's Corral Springs

T. 9 S., R. 18 E.,
Sec. 28, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 29, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 32, lot 5, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 33, lot 1, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 10 S., R. 18 E.,
Sec. 3, lots 4 and 5;
Sec. 4, lots 1 and 2.

These sites contain 1,277.68 acres.

Wilson Lake Access

T. 9 S., R. 20 E.,
Sec. 35, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

This site contains 80 acres.

Wilson Butte Cave

T. 7 S., R. 19 E.,
Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

This site contains 10 acres.

Milner-Gooding Canal Stop

T. 8 S., R. 19 E.,
Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

This site contains 40 acres withdrawn by Milner-Gooding Canal Co.

Notch Butte Lookout

T. 6 S., R. 17 E.,
Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

This site contains 10 acres.

The total area described above aggregates approximately 2,897.68 acres.

4. For a period of sixty (60) days from the day of publication of this notice in the FEDERAL REGISTER all persons who wish to submit comments, suggestions, or objections concerning the proposed classification may present their views in writing to the District Manager, Shoshone District Office, Post Office Box 308, Shoshone, Idaho 83352, for the respective classification areas within this district boundary.

5. A public hearing on this proposed classification will be held at 10 a.m. on July 21, 1970, in the Lincoln County Courthouse, Shoshone, Idaho.

JOE T. FALLINI,
State Director.

[F.R. Doc. 70-8968; Filed, July 15, 1970; 8:45 a.m.]

CHIEF, DIVISION OF ADMINISTRATION

Delegation of Authority Regarding Procurement

Pursuant to delegation of authority contained in Bureau Manual 1510.03C,

the Chief, Division of Administration is authorized:

1. To enter into contracts with established sources for supplies and services, excluding capitalized equipment, regardless of amount, and

2. To enter into contracts on the open market for supplies and materials, excluding capitalized equipment, not to exceed \$2,500 per transaction (\$2,000 for construction), provided that the requirement is not available from established sources.

DON C. MELLGREN,
District Manager.

[F.R. Doc. 70-9073; Filed, July 15, 1970;
8:49 a.m.]

[Montana 14191]

MONTANA

Notice of Classification of Public Lands for Multiple-Use Management, and Opening Order

JULY 8, 1970.

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 area described below are hereby classified for multiple use management. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171), and from exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315g), and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "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. No adverse comments were received following issuance of a notice of proposed classification on November 13, 1969. The record of this case is on file and can be examined in the Miles City District Office, Miles City, Mont. The public lands affected by this classification are located within the following described area and are shown on maps designated SE 7, in the Miles City District Office, and at the Land Office of the Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

PRAIRIE COUNTY

T. 10 N., R. 54 E.,
Sec. 26, NW¼;
Sec. 27, SW¼;
Sec. 28, NE¼, E½NW¼, and N½SE¼;
Sec. 31, All.

The lands described above aggregate 1,274.88 acres.

3. These lands were reconveyed to the United States under provisions of section 8 of the Act of June 28, 1934 (48 Stat.

1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g) and at 10 a.m. on August 27, 1970, shall be open to location, entry and selection consistent with paragraph 1 of this order.

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. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240.

JAMES M. LINNE,
Acting State Director.

[F.R. Doc. 70-9074; Filed, July 15, 1970;
8:49 a.m.]

[Serial No. N-2474]

NEVADA

Notice of Proposed Classification of Public Lands for Multiple-Use Management; Correction

JULY 8, 1970.

1. Notice of proposed classification, Serial No. N-2474, for multiple-use management, was published as F.R. Doc. No. 70-7686 of the issue for Thursday, June 18, 1970.

2. The 10th line of paragraph 1 should be corrected to read " * * * tural land laws (43 U.S.C. Parts 7 and 9; * * *

MARTIN W. BUZAN,
Acting State Director, Nevada.

[F.R. Doc. 70-9100; Filed, July 15, 1970;
8:51 a.m.]

[New Mexico 824]

NEW MEXICO

Notice of Proposed Classification of Public Lands for Transfer Out of Federal Ownership

JULY 9, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412) it is proposed to classify the public lands described below for transfer out of Federal ownership for educational purposes under the Recreation and Public Purposes Act of June 14, 1926 (44 Stat. 741), as amended.

2. Publication of this notice segregates the affected lands from all other forms of disposal under the public land laws, including the general mining laws but not the mineral leasing laws, except the form of disposal for which it is proposed to classify the lands.

3. The public lands affected by this proposed classification are shown on maps on file and available for inspection in the Las Cruces District Office, 1705 North Seventh Street, Post Office Box 1420, Las Cruces, N. Mex. 88001 and in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building (Post Office Box 1449), Santa Fe, N. Mex. 87501. The lands are located in Grant County and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 S., R. 14 W.,
Sec. 4, lots 12, 15, 24, 25, 26, and 27.

The area described aggregates 111.87 acres, more or less.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Post Office Box 1420, Las Cruces, N. Mex. 88001.

ROBERT O. BUFFINGTON,
Acting State Director.

[F.R. Doc. 70-9075; Filed, July 15, 1970;
8:49 a.m.]

[New Mexico 0557669]

NEW MEXICO

Notice of Proposed Classification of Public Lands for Transfer Out of Federal Ownership

JULY 9, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412) it is proposed to classify the public lands described below for transfer out of Federal ownership by public sale under section 2455 of Revised Statutes (43 U.S.C. 1171).

2. Publication of this notice segregates the affected lands from all other forms of disposal under the public land laws, including the general mining laws but not the mineral leasing laws, except the form of disposal for which it is proposed to classify the lands.

3. The public lands affected by this proposed classification are shown on maps on file and available for inspection in the Las Cruces District Office, 1705 North Seventh Street, Post Office Box 1420, Las Cruces, N.M. 88001 and in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building (Post Office Box 1449), Santa Fe, N. Mex. 87501. The lands are located in Grant County and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 17 S., R. 14 W.,
Sec. 33, lots 2, 3, 5, 6, 7, 8, 9, 10, and NE¼ NW¼.

T. 18 S., R. 14 W.,
Sec. 4, lots 18;
Sec. 21, NE¼NE¼.

T. 18 S., R. 15 W.,
Sec. 1, lots 3, 4, S½NW¼, and S½.

The area described aggregates 713.05 acres, more or less.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Post Office Box 1420, Las Cruces, N. Mex. 88001.

ROBERT O. BUFFINGTON,
Acting State Director.

[F.R. Doc. 70-9076; Filed, July 15, 1970;
8:49 a.m.]

**National Park Service
SHENANDOAH NATIONAL PARK
Notice of Intention To Issue
Concession Permit**

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent, Shenandoah National Park, proposes to issue a concession permit to Virginia Stage Lines, Inc., authorizing it to provide bus services for the public at Shenandoah National Park, for a period of approximately 3 months, from July 25, 1970, through October 24, 1970.

The foregoing concessioner has performed its obligations under an existing permit to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the issuance of a new permit. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the date of publication of this notice.

Interested parties should contact the Superintendent, Shenandoah National Park, Luray, Va. 22835, for information as to the requirements of the proposed permit.

Dated: June 15, 1970.

R. TAYLOR HOSKINS,
*Superintendent,
Shenandoah National Park.*

[F.R. Doc. 70-9028; Filed, July 15, 1970; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

GENERAL SALES MANAGER AND ASSISTANT SALES MANAGERS FOR EXPORT CREDIT, BARTER, AND COMMODITY EXPORTS; EXPORT MARKETING SERVICE

Designation as Claims Official and Delegation of Authority Relating to Claims by or Against Commodity Credit Corporation

Pursuant to the authority vested in the Executive Vice President, Commodity Credit Corporation, by the Board of Directors of the Commodity Credit Corporation, the Vice President, CCC, who is the General Sales Manager, Export Marketing Service, and the Assistant Sales Managers for Export Credit, Barter, and Commodity Exports, are hereby designated claims officials of the Commodity Credit Corporation. There are hereby delegated to them the authority and responsibility to collect, adjust, compromise, terminate collection activity, and refer for litigation the fol-

lowing types of claims by or against the Commodity Credit Corporation, with a monetary limitation of \$20,000 on adjustment, compromise, and termination, subject to and in accordance with applicable rules and regulations promulgated by the Commodity Credit Corporation:

Claims, other than those arising solely under sales announcements and those involving banks and other financing institutions, arising under programs within their jurisdiction, including claims under the Export Credit Sales Program, the barter programs, programs under title I, Public Law 480, as amended, and export sales and payment programs.

Additional Export Marketing Service personnel may be authorized in writing to exercise all or a part of the foregoing authority, as CCC claims officers, within specified monetary limitations, by the Vice President, CCC who is the General Sales Manager, Export Marketing Service, and, subject to the approval of the General Sales Manager, by the Assistant Sales Managers for Export Credit, Barter, and Commodity Exports. The names of such CCC claims officers and information with respect to their authority shall be filed with and may be obtained from the Secretary, Commodity Credit Corporation, Washington, D.C. 20250.

All matters involving the interpretation of claims policies affecting programs and functions of Commodity Credit Corporation shall require the concurrence of the Deputy Vice President, Commodity Credit Corporation, who is Deputy Administrator, Commodity Operations, Agricultural Stabilization and Conservation Service, before being put into effect.

Effective date. This designation and delegation of authority shall be effective on publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 10, 1970.

KENNETH E. FRICK,
*Executive Vice President,
Commodity Credit Corporation.*

[F.R. Doc. 70-9047; Filed, July 15, 1970; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

BATTELLE-NORTHWEST

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the

Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00453-00-46040. Applicant: Battelle-Northwest, Post Office Box 999, Richland, Wash. 99352. Article: Dark field accessory for JEM-7 electron microscope, Model ABD-2. Manufacturer: Japan Electron Optics Laboratory Co., Japan.

Intended use of article: The article is an accessory to an existing electron microscope used for research.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be adapted to the instrument with which the article is intended to be used.

CHARLEY M. DENTON,
*Assistant Administrator for
Industry Operations, Business
and Defense Services Admin-
istration.*

[F.R. Doc. 70-9108; Filed, July 15, 1970; 8:52 a.m.]

CASE WESTERN RESERVE UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00324-99-46040. Applicant: Case Western Reserve University, School of Medicine, 2109 Adelbert Road, Cleveland, Ohio 44106. Article: Electron microscope, Model EM 9A. Manufacturer: Carl Zeiss, West Germany.

Intended use of article: The article will be used by the Department of Anatomy primarily for teaching electron microscopy and secondarily for research. Formal training in the use of electron microscopy in biological and medical research is provided through a course entitled Applied Electron Microscopy

(Anatomy 495), which is a 16-week course with a minimum of 6 hours per week. Numerous lectures, demonstrations and practical exercises will be utilized to cover all aspects of electron microscopy in order to obtain adequately prepared specimens and practical operating experience.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forglor Corp. (Forglor). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 26, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9112; Filed, July 15, 1970; 8:52 a.m.]

CORNELL UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00528-33-46040. Applicant: Cornell University Medical College, New York, N.Y. 10021. Article: Electron microscope, Model EM6B. Manufacturer: Associated Electrical Industries, United Kingdom.

Intended use of article: The article will be used primarily for research and also for teaching purposes to demonstrate the ultrastructure of normal and virus-infected tissues, and to illustrate the principles of virus fine-structure. The research aimed at elucidating various basic aspects of the nature of arthropod-borne viruses (arboviruses), and the possible means by which they induce disease in man and lower animals, is being conducted in the applicant's laboratories.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides specimen holders which will hold three grids. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America (RCA) and which is currently being supplied by Forglor Corp. (Forglor). We are advised by the Department of Health, Education, and Welfare (HEW) in a memorandum dated June 5, 1970, that the multiple specimen holder of the foreign article is pertinent to the applicant's research studies. HEW further advises that the EMU-4B does not have an equivalent multiple specimen holder. We, therefore, find that the EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9107; Filed, July 15, 1970; 8:52 a.m.]

LOYOLA UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

tific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00536-33-46040. Applicant: Loyola University School of Dentistry, 2160 South First Avenue, Maywood, Ill. 60153. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, West Germany.

Intended use of article: The article will be used to prepare teaching material in ultrastructure for pathology, histology, microbiology, and materials and will be the only training instrument for undergraduate dental students, graduate students and faculty. The research projects include studies of hard and soft tissues from human and animal sources; of the ultrastructure of benign and malignant tumors, inflammatory cellular exudate, bone, dentine and enamel, oral mucosa, salivary glands and supporting soft tissues; and of identification of virus particles in gland explants and transmission to blood vessels.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forglor Corp. (Forglor). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated June 5, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9113; Filed, July 15, 1970; 8:52 a.m.]

MASSACHUSETTS GENERAL HOSPITAL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00546-33-43780. Applicant: Massachusetts General Hospital, Fruit Street, Boston, Mass. 02114. Article: 12 total hip joint replacements. Manufacturer: Protek Ltd., Switzerland. Intended use of article: The articles will be used for a study and scientific assessment of hip reconstructions, using total hip replacement in contrast to previously existing modes of reconstructive hip surgery.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The article is a combination of the Charnley apparatus which combines a metal femoral head prosthesis with a head diameter of 32 millimeters and a high density polyethylene acetabulum which accepts only this sized head, and the Mueller apparatus which has a larger femoral head size and an acetabular component made of metal but with three polyethylene bearing points in the cup.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated June 10, 1970, that the combination of characteristics described above is pertinent to the purposes for which the article is intended to be used. HEW further advises that it knows of no equivalent prosthesis which is being manufactured in the United States which provides this combination of characteristics.

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

CHARLEY M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-9103; Filed, July 15, 1970;
8:51 a.m.]

MASSACHUSETTS GENERAL HOSPITAL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00506-33-43780. Applicant: The Massachusetts General Hospital, Fruit Street, Boston, Mass. 02114. Article: Total hip joint replacements, three each. Manufacturer: Protek Ltd., Switzerland.

Intended use of article: The article will be used for a study and scientific assessment of hip reconstructions, using total hip replacement in contrast to previously existing modes of reconstructive hip surgery.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The article is a combination of the Charnley apparatus which combines a metal femoral head prosthesis with a head diameter of 32 millimeters and a high density polyethylene acetabulum which accepts only this sized head, and the Mueller apparatus which has a larger femoral head size and an acetabular component made of metal but with three polyethylene bearing points in the cup.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 27, 1970, that the combination of characteristics described above is pertinent to the purposes for which the article is intended to be used. HEW further advises that it knows of no equivalent prosthesis which is being manufactured in the United States which provides this combination of characteristics.

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

CHARLEY M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-9106; Filed, July 15, 1970;
8:51 a.m.]

MEDICAL UNIVERSITY OF SOUTH CAROLINA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00480-33-46040. Applicant: Medical University of South Carolina, 80 Barre Street, Charleston, S.C. 29401. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for research work on ultrastructural alterations in drug-induced cardiomyopathies; for studies on liver and kidney fine structural changes produced by chlorinated phenolic compounds; and for research on human intestinal specimens. Graduate and undergraduate students will be taught the techniques and applications of electron microscopy in two courses, "Electron Microscopy in Pharmacology" and "Electron Microscopy in Cell and Molecular Biology."

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is an intermediate electron microscope which in terms of sophistication and capabilities, lies between the simple, portable electron microscope and the highly complex research types. The applicant requires the foreign article to train undergraduate and graduate students for early work in research, the use of the electron microscope and interpretation of results. The foreign article is a relatively simple instrument providing characteristics that make it suitable for teaching. Among these are a device for a lower contamination rate, allowing thereby prolonged observation; simplified column alignment; and calibrated digital focusing steps. The most closely comparable domestic electron microscope is the Model EMU-4B, which was formerly manufactured by the Radio Corp. of America (RCA), and is currently being produced by the Forghio Corp. (Forghio). The Model EMU-4B electron microscope is a highly sophisticated and relatively complex research electron microscope.

For this reason, we find that the relatively simple design and ease of operation of the foreign article are pertinent

to the purposes for which the foreign article is intended to be used.

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

CHARLEY M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-9111; Filed, July 15, 1970;
8:52 a.m.]

MICHIGAN STATE UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00457-00-84500. Applicant: Michigan State University, AEC Plant Research Laboratory, Wilson Road, East Lansing, Mich. 48823. Article: Electron beam gun and apparatus. Manufacturer: Balzers High Vacuum Corp., Liechtenstein.

Intended use of article: The article will be used with a high vacuum freeze etch system for research concerning basic properties such as organization of macromolecules, and shadowcasting of macromolecules and membranes by tantalum.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be adapted to the instrument with which the article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-9109; Filed, July 15, 1970;
8:52 a.m.]

NEW YORK MEDICAL COLLEGE

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00444-00-86500. Applicant: New York Medical College, Fifth Avenue at 106th Street, New York, N.Y. 10029. Article: Twin filter unit for Model R 17 Weissenberg rheogoniometer. Manufacturer: Sangamo Controls Ltd., United Kingdom.

Intended use of article: The article is a part for a Weissenberg rheogoniometer used for biological research.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be adapted to the instrument with which the article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-9105; Filed, July 15, 1970;
8:51 a.m.]

NEWARK COLLEGE OF ENGINEERING

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00531-00-86500. Applicant: Newark College of Engineering, Chemical Engineering Department, 240 High Street, Newark, N.J. 07102. Article: Accessories for Model R-18 rheogoniometer. Manufacturer: Sangamo Controls, Ltd., United Kingdom.

Intended use of article: The article will be used for the Model R-18 Weissenberg rheogoniometer already in the possession of the applicant.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article consists of accessories for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessories being manufactured in the United States, which is interchangeable with or can be adapted to the instrument with which the article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-9101; Filed, July 15, 1970;
8:51 a.m.]

ROCKEFELLER UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00662-00-46040. Applicant: The Rockefeller University, Purchasing Department, 66th Street and York Avenue, New York, N.Y. 10021. Article: Shutter/exposure meter. Manufacturer: Siemens A.G., West Germany.

Intended use of article: The article is an accessory for an existing electron microscope used in research in the field of cell biology and in the training of graduate students.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be adapted to the instrument with which the article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9110; Filed, July 15, 1970; 8:52 a.m.]

ROCKLAND STATE HOSPITAL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. A70-00450-00-11000. Applicant: Rockland State Hospital, Research Center, Orangeburg, N.Y. 10962. Article: Mass marker, Model LKB 9010. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article is an accessory for an existing instrument.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be adapted to the instrument with which the article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9102; Filed, July 15, 1970; 8:51 a.m.]

UNIVERSITY OF MINNESOTA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00556-92-46040. Applicant: University of Minnesota, Department of Zoology, Minneapolis, Minn. 55455. Article: Electron microscope, Model EM-801. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom.

Intended use of article: The article will be used for research projects concerning a comparative study of the DNA molecules in the kinetoplasts of trypanosomatid protozoa; a study of cell junctions concentrating on the possible function true tight and gap junctions as pathways for intercellular exchange in rat Novikoff hepatomas; and section studies of thick and thin muscle filaments in spider cardiac muscle.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a guaranteed resolving power of 5 angstroms and is equipped with a tilt stage which is guaranteed to operate without loss of resolution. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America (RCA) and which is currently being supplied by Forghio Corp. (Forghio). The Model EMU-4B has a guaranteed resolving power of 5 angstroms and can be equipped with a tilt stage. The tilt stage of the EMU-4B, however, is not guaranteed to operate at 5 angstroms resolution.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated June 10, 1970, that a tilt stage guaranteed to allow 5 angstroms resolution is pertinent to the applicant's research studies. We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for the purposes for which such

article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9104; Filed, July 15, 1970; 8:51 a.m.]

UNIVERSITY OF NORTH CAROLINA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00520-99-46040. Applicant: University of North Carolina, Chapel Hill, N.C. 27514. Article: Electron microscope, Model JEM-T7. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan.

Intended use of article: The article will be used by the Surgical Pathology Division of the Department of Pathology as an instrument for training medical students, residents and fellows in ultrastructural investigation of clinical problems occurring in the routine service of the division. Much of the use of the article will be at relatively low magnification for location of cells within the general structural organization of the tissue so that ultrastructural changes in cells can be correlated with their location and general organizational changes in tissues.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forghio Corp. (Forghio). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare (HEW)

in its memorandum dated May 27, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLES M. DENTON,
Assistant Administrator for In-
dustry Operations, Business
and Defense Services Admin-
istration.

[F.R. Doc. 70-9114; Filed, July 15, 1970;
8:52 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

REGIONAL ADMINISTRATORS AND DEPUTY REGIONAL ADMINISTRA- TORS

Redelegations of Authority

The redelegations of authority to Regional Administrators and Deputy Administrators published at 31 F.R. 8966, June 29, 1966, as amended at 32 F.R. 11391, August 5, 1967; 34 F.R. 20225, December 24, 1969; 35 F.R. 1023, January 24, 1970; and 35 F.R. 5835, April 9, 1970, are further amended in the following respects:

(1) Under section A, paragraph 1 (Slum Clearance and Urban Renewal Program), by revising subparagraph g to read as follows:

g. Approve applications for Federal loan or grant assistance, and make allocations of funds and authorize contracts and commitments therefor: *Provided, however, That each Regional Administrator and Deputy Regional Administrator is authorized to approve applications for grants under section 115(b) of the Housing Act of 1949 (42 U.S.C. 1466(b)) to rehabilitate real property to meet insurance underwriting standards under a HUD-approved statewide plan to assure fair access to insurance requirements (FAIR) under title XII of the National Housing Act (12 U.S.C. 1749bbb-1749bbb-21).*

(2) Under section C, by revising paragraph 1 to read:

1. Authorize loans, grants, and advances and amend or modify the terms thereof: *Provided, That this exception shall not be applicable with respect to:*

a. Rehabilitation grants under section 115(b) of the Housing Act of 1949 (42 U.S.C. 1466(b)) to rehabilitate real property to meet insurance underwriting standards under a HUD-approved statewide plan to assure fair access to insurance requirements (FAIR) under

title XII of the National Housing Act (12 U.S.C. 1749bbb-1749bbb-21).

b. The Rehabilitation Loan Program.

(Secretary's delegations of authority published at 31 F.R. 8964, June 29, 1966, as amended at 32 F.R. 624, Jan. 19, 1967; 32 F.R. 11390, Aug. 5, 1967; 33 F.R. 10161, July 16, 1968; and 35 F.R. 2748, Feb. 7, 1970)

Effective date. This amendment of redelegations of authority is effective as of May 1, 1970.

LAWRENCE M. COX,
Assistant Secretary for
Renewal and Housing Management.

[F.R. Doc. 70-9120; Filed, July 15, 1970;
8:53 a.m.]

REGIONAL ADMINISTRATORS AND DEPUTY REGIONAL ADMINISTRA- TORS

Redelegation of Authority

The redelegation of authority to Regional Administrators and Deputy Regional Administrators with respect to the College Housing Program published at 34 F.R. 17041, October 18, 1969, is amended under section A by adding a new paragraph 4 to read as follows:

4. Consent to the modification of any agreement to which the Government is a party with respect to time of payment of any installment of principal or interest due the Government or with respect to any required deposit into a fund or reserve, under section 402(c)(8) of the Housing Act of 1950 (12 U.S.C. 1749a(c)(8)), or authorize postponement of a scheduled payment due the Government or deferment of any required deposit into a fund or reserve.

(Secretary's delegation of authority published at 34 F.R. 17041, Oct. 18, 1969, as amended at 35 F.R. 2747, Feb. 7, 1970)

Effective date. This amendment of redelegation of authority shall be effective as of July 16, 1970.

LAWRENCE M. COX,
Assistant Secretary for
Renewal and Housing Management.

[F.R. Doc. 70-9121; Filed, July 15, 1970;
8:53 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-187]

NORTHROP CORP.

Notice of Issuance of Amendment to Facility License

The Atomic Energy Commission ("the Commission") has issued, effective as of the date of issuance, Amendment No. 6 to Facility License No. R-90 dated March 4, 1963. The license presently authorizes the Northrop Corp. to possess, use, and operate the TRIGA Mark F nuclear reactor located on Northrop's plantsite in Hawthorne, Calif. The amendment authorizes the use of 85 grams of plutonium 239 contained in threshold detectors and a neutron source in connection with op-

eration of the reactor. The amendment also extends the expiration date of the license from July 20, 1970 to July 20, 1990.

By letter dated October 24, 1968, Northrop Corp. requested an authorization to transfer threshold detectors and a neutron source containing plutonium now held under a special nuclear material license to its facility license for use in connection with operation of the reactor. By application dated June 8, 1970, Northrop also requested extension of the expiration date of the facility license to July 20, 1990. We have determined that the use of the plutonium for the stated purpose, the extension of the expiration date, and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen (15) days from the date of publication of the notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated October 24, 1968, and June 8, 1970, and (2) the amendment to the facility license, which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of the amendment may be obtained upon request sent to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 7th day of July 1970.

For the Atomic Energy Commission.

PAUL F. COLLINS,
Acting Assistant Director for
Reactor Operations, Division
of Reactor Licensing.

[F.R. Doc. 70-9070; Filed, July 15, 1970;
8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22360; Order 70-7-54]

CHICAGO/ATLANTA-JAMAICA

Order Regarding Service Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of July 1970.

On October 2, 1969, the United States concluded a bilateral Air Transport Agreement with the Jamaican Government authorizing nonstop air services between both Chicago and Atlanta, on the one hand, and points in Jamaica, on the

other hand, by designated U.S.-flag carriers. At present there is no usable single-carrier service between Atlanta and Jamaica, nor is there nonstop service between Chicago and Jamaica.¹ The Jamaican Government has designated Air Jamaica to provide Chicago-Jamaica service, inter alia, and that carrier's application for amendment of its foreign air carrier permit in Docket 21824 was granted by Order 70-6-1, served June 2, 1970.

Delta Air Lines, Inc. (Delta), has filed a motion for immediate hearing of its application for Atlanta-Jamaica authority in Docket 20030, and has urged that hearing on the Chicago-Jamaica issue be deferred in light of the requirement in the bilateral that such service not be implemented until 1971.² Delta further suggested that any Atlanta-Jamaica proceeding be confined to the issue of the selection of a U.S.-flag carrier, and urged that the Board resolve the issue of need for this service by the issuance of an order to show cause why a U.S.-flag carrier should not be designated to provide the Atlanta-Jamaica service covered by the bilateral. In support of its motion for immediate consideration, Delta relies primarily on the absence of single-plane service in the market, and on the recently-negotiated bilateral which would permit the designation of a U.S.-flag carrier to provide Atlanta-Jamaica service.

Answers to Delta's application and motion have been filed by Eastern Air Lines, Inc., Pan American World Airways, Inc., the Detroit Parties,³ and the Atlanta Parties.⁴ Each of the answering parties supports Delta's motion for an immediate hearing, although both Eastern and Pan American urge that the scope of any immediate hearing be expanded to include Chicago-Jamaica service, and both carriers oppose the use of show-cause procedures with respect to the issue of need for service.⁵

Upon consideration of the foregoing pleadings and other relevant facts, we have decided to institute an investigation into the need for certification of a U.S.-flag carrier or carriers to serve the Chicago/Atlanta-Jamaica nonstop markets, pursuant to the U.S.-Jamaican bilateral air transport agreement.

In addition, because of the relatively small amount of historic traffic moving

between Atlanta and Jamaica—3,130 passengers in 1968⁶—we will also place in issue Chicago-Jamaica one-stop service via Atlanta, and we will consider the award of stopover or fill-up traffic rights between Chicago and Atlanta, subject to a long-haul restriction that all such flights must serve Jamaica.⁷ This will permit applicants to show the effect of of Atlanta-Jamaica service supported by Chicago-Jamaica and Chicago-Atlanta traffic, and give the Board the greatest flexibility in determining carrier selection issues.

In view of the foregoing determinations, we will deny Delta's motion for an immediate hearing limited to Atlanta-Jamaica service issues and its petition for issuance of an order to show cause. While we recognize that Chicago-Jamaica nonstop service cannot be inaugurated, under the terms of the bilateral, until January 1, 1971, we do not believe that this consideration warrants hearing the service issues on a piecemeal basis. On the contrary, a consideration of all of the issues above described is warranted, in our view, in order to properly evaluate Atlanta and Chicago-Jamaica service requirements.⁸

We will direct that applications and motions to consolidate and motions or petitions seeking modification or reconsideration of this order be filed no later than 20 days after the service of this order, and answers to such pleadings be filed within 15 days thereafter.

Accordingly, it is ordered, That:

1. An investigation designated the Chicago/Atlanta-Jamaica Service Investigation, be and it hereby is instituted in Docket 22360 pursuant to sections 204(a) and 401(g) of the Federal Aviation Act of 1958, as amended, to consider the need for authorization of a U.S.-flag carrier or carriers to provide service between Chicago and Atlanta, on the one hand, and points in Jamaica, on the other hand, as set forth in paragraph 2 below;

2. The scope of the issues in this proceeding shall include consideration of whether authority shall be awarded to engage in interstate air transportation between Chicago and Atlanta on flights also serving a point in Jamaica; and whether, if domestic traffic rights are not awarded, the awards should include the right to permit passengers to stop over at Atlanta;

3. Applications and motions to consolidate and motions or petitions seeking modification or reconsideration of this order shall be filed no later than 20 days after the service of this order, and answers to such pleadings shall be filed within 15 days thereafter;

⁶ International O&D Survey, calendar year 1968.

⁷ Similar interstate issues were included in the Bermuda Service Investigation, Docket 18361.

⁸ In light of our denial of Delta's request that only Atlanta-Jamaica service be considered immediately, we will not consolidate Delta's application in Docket 20030 at this time, but will await the filing of a motion to consolidate its application in accordance with the procedure set forth in ordering paragraph 3, herein.

4. This proceeding shall be set for hearing at a time and place to be designated hereafter;

5. The motion and petition of Delta Air Lines, Inc., for immediate consideration and for issuance of an order to show cause, except to the extent granted herein, be and they hereby are denied; and

6. A copy of this order shall be served upon Delta Air Lines, Inc., and each carrier and civic party designated for service in the Motion for Expedited Consideration filed by Delta Air Lines in Docket 20030, dated January 26, 1970, and on the Detroit Aviation Commission, the Wayne County Board of Road Commissioners, the Greater Detroit Chamber of Commerce, and the Aviation Committee, Atlanta Chamber of Commerce.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-9117; Filed, July 15, 1970;
8:52 a.m.]

[Docket No. 21385; Order 70-7-53]

ALDO DEL NOCE AND AMERICAN AIRLINES, INC.

Order Regarding Flight Delay

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of July 1970.

This case originated upon a complaint of Aldo Del Noce charging that American Airlines, Inc. (American), failed to announce a flight delay, causing complainant's daughter, a tourist-class passenger, to miss a connecting flight and to be stranded for the night at the connecting city. Further, Mr. Del Noce charged discrimination in that the carrier failed to pay for his daughter's hotel room although it pays for such privileges for first-class passengers. American answered that an announcement of the flight delay had been made. It further stated that according to its tariff, it was not required to provide meals or hotel accommodations for any passengers in this situation but that, as a matter of policy, it provides hotel accommodations for first-class passengers. After informal complaint had been made to American and to the Board, but before these pleadings were filed, American sent complainant a check for \$10 to cover "a telephone call, ground transportation to a hotel, [and] a meal."

Upon consideration of the record, the Director, BOE advised Mr. Del Noce that no enforcement proceeding would be instituted with respect to his complaint because no violations of the Act or the Board's regulations appeared to be present and the institution of such a proceeding did not appear to be in the public interest or otherwise warranted. This determination was based upon a finding that the charge of poor flight information disclosed at most an isolated instance of service deficiency since no other

¹ Delta Air Lines provides a one-stop service between Chicago and Montego Bay via New Orleans, a route junction point.

² As amended, Delta's application in Docket 20030 seeks nonstop authority between Jamaica and both Atlanta and Chicago; however, it urges that an immediate hearing be confined to the Atlanta-Jamaica portion of its application.

³ Detroit Aviation Commission, Board of County Road Commissioners (County of Wayne, Mich.), Greater Detroit Chamber of Commerce.

⁴ City of Atlanta and the Atlanta Chamber of Commerce.

⁵ Pan American has filed an application in Docket 21640 which includes a request for Chicago-Jamaica authority, but has indicated in its answer to Delta's application that it will not seek consolidation of this portion of its application prior to an indication of how the Board chooses to proceed on the pending U.S.-Latin American requests.

complaints had been received alleging American's failure to announce the delay of this or other flights. It was further based upon the Director's conclusion that the additional benefit of hotel accommodations granted to first-class passengers did not appear to constitute so unreasonable a distinction in courtesy service as to raise an issue of discrimination between classes of passengers.

Complainant's motion for review alleges that he still maintains the discrimination issue, and, further, that he still maintains his contention that no announcement of the flight delay was made. Finally, he urges inadequacy of investigation by the Director, BOE, to determine whether other persons on this flight were inconvenienced. American's answer states that it concurs in the Director's determination that the matters raised in Mr. Del Noce's complaint have been fully answered, and that the motion for review raises no new matters of substance.

With respect to the question of whether announcement of the flight delay was made, the Director's determination not to institute a proceeding seems correct. True, the pleadings show a conflict as to the fact, but American's usual policy of making such announcements is clear and uncontradicted and the resolution of the particular conflict in this case, even if favorable to complainant, would lead to no remedial action vindicating complainant's interest or that of the public. The motion to review this issue should be denied. Under all the circumstances, we find that it would not be in the public interest to institute an enforcement proceeding with respect to the question of whether an announcement of the flight delay was made, and that the complaint does not state facts which would warrant such an investigation.

The Director's decision on the matter of discrimination, however, presents serious issues. American's pleading seems to disclose a policy of providing free hotel accommodations to first-class passengers in the situation under consideration while withholding such benefits from other classes of passengers, unless perhaps other such passengers complain sufficiently, in which event some money may be offered to them, as was true in the case at bar. Free hotel accommodations and \$10 checks are, in all likelihood, more than courtesy services, and their distribution on an unequal basis, either as between classes of passengers or within a class, may give rise to issues of unjust discrimination, undue preference or prejudice, or unreasonableness within the meaning of section 404(b) of the Act.¹ Further, in the absence of tariff provisions covering

such distributions, they may constitute unlawful rebates contrary to section 403(b) of the Act.² Accordingly, these matters require further consideration by the Board.

Since any determination by the Board in this case will serve as a precedent governing passengers and airlines generally in the future determinations of the Board, we will afford the parties and other airlines, passengers and interested persons an opportunity to present their views on the questions at issue, and defer any further action herein until after receipt and consideration of such views.

Comments should be directed to the following matters or issues, among others:

1. A description of the practices of the air carriers with respect to the provision to a passenger on a delayed or canceled flight of hotel accommodations, meals, telephone privileges, ground transportation, or the like, or reimbursement therefor.

2. Whether section 403(b) of the Federal Aviation Act of 1958, 49 U.S.C. 1373(b) is violated by rebating when a carrier either furnishes a passenger on a delayed or canceled flight hotel accommodations, meals, telephone privileges, ground transportation, or the like, or makes reimbursement therefor when no provision for these privileges or services is made in the tariff?

3. Whether the Board's tariff regulations (14 CFR 221) presently require air carriers to include their practices referred to in item 1, above, in their filed tariffs or whether such regulations require amendment to impose such an obligation?

4. Whether section 404(b) of the Act, 49 U.S.C. 1374(b) is violated through unjust discrimination, undue preference or prejudice, or unreasonableness if there is a variation as between classes of passengers on delayed or canceled flights with respect to the benefits extended by a carrier in regard to hotel accommodations, meals, telephone privileges, or ground transportation, or reimbursement therefor?

5. Whether section 404(b), 49 U.S.C. 1374(b), is violated by unjust discrimination if, within each class of service, the extension of privileges or services is not uniform but is based on the existence and character of the passenger complaint?

An original and 12 copies of such comments should be filed with the Board's Docket Section under Docket 21385.

¹ This subsection states, in part:

"No air carrier shall . . . extend to any person any privileges or facilities, with respect to matters required by the Board to be specified in . . . tariffs, except those specified therein."

By 14 CFR 221.3(a) the Board provides for tariff filings for "all . . . practices and services in connection with . . . air transportation." Extension of the privileges of free hotel accommodations may be a service or practice in connection with air transportation and one of a substantial nature; grant of such service or privilege may require support by a tariff filing when granted.

Accordingly, it is ordered, That

1. The motion of Aldo Del Noce for review of the decision of the Director, BOE, declining to institute an enforcement proceeding based upon his complaint in Docket 21385 be and it hereby is deferred in respect to issues of discrimination and rebating.

2. The motion for review be and it hereby is denied in all other respects.

3. This order shall be published in the FEDERAL REGISTER.

4. Aldo Del Noce, American Airlines, Inc., and all other interested persons may file comments on the issues elaborated above within 90 days from the date of publication of this order in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-9116; Filed, July 15, 1970;
8:52 a.m.]

[Docket No. 22282; Order 70-7-40]

EASTERN AVIATION CORP.

Order To Show Cause

Issued under delegated authority July 8, 1970.

A final service mail rate for the transportation of mail by aircraft, established by Order 70-6-24, dated June 3, 1970, is currently in effect for the above captioned air taxi, operating under 14 CFR Part 298. The service involved is that described in Notice of Intent 68-60 filed by the Postmaster General on June 28, 1968, for the route between Baltimore, Md., and Charlotte, N.C., via Richmond, Va.

The Postmaster General filed a petition on June 17, 1970, stating that a review of air taxi mail service reveals that week-end trips cannot be justified on this route in view of the volume of mail involved, and that he has been authorized by the carrier to petition for a new rate, based on five round trips per week, of 60.88 cents per great circle aircraft mile.

The carrier and the Post Office Department have agreed that the above proposed rate is a fair and reasonable rate for the services described in Notice of Intent 68-60 as amended by this petition.

The Board finds it is in the public interest to fix and determine the fair and reasonable rate of compensation to be paid by the Postmaster General for the transportation of mail by aircraft between the aforesaid points. Upon consideration of the petition and other matters officially noticed, it is proposed to issue an order¹ to include the following findings and conclusions:

On and after June 17, 1970, the fair and reasonable final service mail rate to be paid to Eastern Aviation Corp. entirely by the Postmaster General pursuant to section 406 of the Act for the

¹ This order to show cause is not a final action and is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

¹ This subsection states:

"No air carrier or foreign air carrier shall make, give, or cause any undue or unreasonable preference or advantage to any particular person, port, locality, or description of traffic in air transportation in any respect whatsoever or subject any particular person, port, locality, or description of traffic in air transportation to any unjust discrimination or any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Baltimore, Md., and Charlotte, N.C. via Richmond, Va., based on five round trips per week, shall be 60.88 cents per great circle aircraft mile.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and the Board's regulations 14 CFR Part 302, 14 CFR Part 298 and the authority duly delegated by the Board in its Organization Regulations 14 CFR 385.14(f),

It is ordered, That:

1. Eastern Aviation Corp., the Postmaster General and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, as the fair and reasonable rate of compensation to be paid to Eastern Aviation Corp.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, as specified in the attached appendix; and

3. This order shall be served upon Eastern Aviation Corp., and the Postmaster General.

This order will be published in the **FEDERAL REGISTER**.

[SEAL] HARRY J. ZINK,
Secretary.

APPENDIX

1. Further procedures related to the attached order shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed therein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

2. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed therein and fix and determine the final rate specified therein;

3. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307).

[F.R. Doc. 70-9118; Filed, July 15, 1970; 8:52 a.m.]

[Docket No. 21640; Order 70-7-55]

PAN AMERICAN WORLD AIRWAYS, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of July 1970.

On November 11, 1969, Pan American World Airways, Inc. (Pan American), filed an application in Docket 21640 seeking extensive revisions of its Latin Amer-

ican operating authority, including the designation of additional domestic coterminals and the elimination of various restrictions on its certificate for route 136. In a separate order, issued contemporaneously herewith, we are denying Pan American's motion for expedited consideration of the relief requested in its application.

We have tentatively concluded, however, that one modification of Pan American's present Latin American operating authority is in the public interest at this time. In its application, Pan American requested the modification of its certificate for route 136¹ so as to permit, inter alia, the carriage of stopover traffic between domestic coterminal points on selected sectors.²

Upon consideration of Pan American's filings and other relevant facts, we have decided to propose, through show cause procedures, the amendment of Pan American's certificate for route 136 so as to authorize the carriage of stopover traffic between U.S. coterminal points. Accordingly, we tentatively find and conclude that the public convenience and necessity require the foregoing modification of Pan American's certificate for route 136.

In support of this ultimate finding, we further tentatively find and conclude as follows: Pan American presently holds similar stopover traffic rights with respect to traffic moving between U.S. coterminals on its transatlantic and transpacific authorizations (routes 132 and 130), and there appears to be no justification for holding the carrier to more limited domestic traffic rights on its Latin American operations.

Moreover, the grant of stopover rights—as opposed to authority to carry purely domestic fill-up traffic—will have a negligible impact upon the present pattern of competition between Pan American's domestic coterminals on its Latin American authority. In the answers opposing Pan American's motion for immediate hearing no party has alleged that the very limited expansion of Pan American's domestic authority involved in the grant of stopover rights alone would result in any significant diversion of international traffic now moving on domestic carriers over these segments.

We further tentatively conclude that stopover traffic will provide additional traffic support for Pan American's Latin American operations and will thus be a step toward enabling the carrier to achieve profitable operations in its Latin America Division.

Accordingly, upon consideration of the foregoing, we tentatively find and con-

¹ Condition (8) prohibits Pan American from carrying "persons, property, or mail which, with respect to the points named herein, originate at any one of the domestic coterminal points and terminate at any of the other domestic coterminal points."

² Pan American also seeks authority to carry "fill-up" traffic between domestic coterminals. As indicated, we are denying Pan American's motion for expedited consideration of its application in Docket 21640 by separate order, including its request for fill-up rights over its domestic segments.

clude that the public convenience and necessity require the amendment of condition (8) of Pan American's certificate for route 136 by the addition of a proviso granting Pan American authority to carry stopover traffic between the domestic coterminals of its certificate for route 136, as set forth in ordering paragraph 1 below.

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific markets and to support such 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 and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he should expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained.

During the same 20-day period prescribed above we will expect Pan American to file with the Board an estimate, with supporting data, of the annual gross transport revenue increase for the first full year of operations to result from the award proposed herein. This data is necessary for the purpose of computing the license fee pursuant to § 389.25(a) (2) (i) of the Board's organization regulations.

Accordingly, it is ordered, That:

1. 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 amending Pan American's certificate for route 136 so as to modify condition (8) by adding thereto the following proviso:

Provided, however, That the holder may grant stopover privileges at any of the points in the United States named herein to passengers traveling between any of these points, on the one hand, and the various overseas and foreign points named herein, on the other hand (except that stopover privileges at Miami, Fla., shall be granted only to passengers traveling to or from points beyond the Bahamas or Cuba).

2. Any interested persons having objections to the 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.³

³ 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.

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. 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

5. A copy of this order shall be served upon Pan American World Airways, Inc., and each carrier and civic party designated for service in Pan American World Airways' Motion for Expedited Consideration in Docket 21640, dated December 4, 1969.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-9119; Filed, July 15, 1970;
8:52 a.m.]

[Docket No. 22136]

TRANS WORLD AIRLINES, INC., AC- QUISITION OF SUN LINE COMPANIES

Notice of Hearing

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that the above-entitled proceeding is hereby assigned for hearing on July 27, 1970, at 10 a.m., e.d.s.t. in Room 911, Universal Building, Connecticut and Florida Avenues N.W., Washington, D.C., before Associate Chief Examiner Ralph L. Wiser.

In this proceeding the Board will determine whether it should approve the application of Trans World Airlines, Inc., to acquire, through a majority-owned subsidiary, Oceanic Shipping Co. Inc., and Sun Line, Greece, which will engage in the operation of passenger cruise vessels and, if approved, the terms, conditions, and limitations, if any, to be attached to such approval.

For further details with respect to the issues involved in this proceeding, interested persons are referred to the orders and notices entered by the Board and the examiner, the documents filed by the parties, and the examiner's pre-hearing conference report, all of which are on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding shall file with the Board on or before July 20, 1970, a statement setting forth the issues of fact or law raised by this proceeding which he desires to controvert.

Dated at Washington, D.C. July 10, 1970.

[SEAL] RALPH L. WISER,
Associate Chief Examiner.

[F.R. Doc. 70-9115; Filed, July 15, 1970;
8:52 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, July 22, 1970, in the South Auditorium of the American Society for Testing and Materials Building, 1916 Race Street, Philadelphia, Pa., beginning at 2 p.m. The subject of the hearing will be proposals to amend the Comprehensive Plan so as to include therein the following projects:

1. *Borough of Swedesboro.* A replacement well and filtration facilities for the water supply system in the Borough of Swedesboro, Gloucester County, N.J. The replacement well and one existing well will have a combined withdrawal limit of 600,000 gallons per day.

2. *Lawrenceville Water Co.* A project to increase permissible withdrawal from two existing wells in the company's service area in Lawrence Township, Mercer County, N.J. Total combined withdrawal from the designated wells would be increased from 100,000 to 200,000 gallons per day.

3. *Lower Township Water Co.* A project to increase permissible withdrawal from two existing wells in the company's service area in the Township of Lower, Cape May County, N.J. Total combined withdrawal from designated wells No. 1 and No. 2 would be increased from 500,000 to 1 million gallons per day.

4. *Hamilton Square Water Co.* A well water supply project involving a replacement well in the company's service area in the Village of Hamilton Square, Mercer County, N.J. Designated as Well No. 11, the new facility will augment supplies from existing wells No. 9 and No. 10. Total combined withdrawal would be limited to 84 million gallons during any month.

5. *Hamilton Water Co., Inc.* A well water supply project to develop water supplies to serve a new subdivision development in Hilltown Township, Bucks County, Pa. The new facility has been designed to supply 144,000 gallons per day.

6. *Borough of Downingtown.* A new sewage treatment plant to serve the Borough of Downingtown and portions of Caln, East Caln, and Uwchlan Townships, all in Chester County, Pa. The new facility will remove 98 percent of BOD. Treated effluent up to 4 million gallons per day will discharge to the East Branch of Brandywine Creek.

7. *Pottstown Borough Authority.* A project to modify the existing waste treatment plant in the Borough of Pottstown, Montgomery County, Pa. The capacity of the treatment plant would be increased from 5.9 to 7.4 million gallons per day, and treatment levels will be upgraded to remove 95 percent of

BOD prior to discharge into the Schuylkill River.

Documents relating to the items listed for hearing may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission.

W. BRINTON WHITALL,
Secretary.

JULY 10, 1970.

[F.R. Doc. 70-9024; Filed, July 15, 1970;
8:45 a.m.]

FEDERAL RESERVE SYSTEM

FIRST WISCONSIN BANKSHARES CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by First Wisconsin Bankshares Corp., which is a bank holding company located in Milwaukee, Wis., for prior approval by the Board of Governors of the acquisition by applicant of not less than 80 percent of the voting shares of West Racine Bank, Racine, Wis.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than 30 days after the publication of this notice in the **FEDERAL REGISTER**, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Chicago.

By order of the Board of Governors,
July 10, 1970.

[SEAL]

KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-9084; Filed, July 15, 1970;
8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 500]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

JULY 13, 1970.

Pursuant to §§ 1.227(b) (3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

BEN F. WAPLE,
Secretary.

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign and nature of application

- 3041-C2-R-71—Southern Bell Telephone & Telegraph Co. (KIN644), Renewal of Developmental License expiring Aug. 1, 1970. Term: Aug. 1, 1970 to Aug. 1, 1971.
- 5588-C2-R-70—South Central Bell Telephone Co. (KLF514), Renewal of Developmental License expiring July 1, 1970. Term: July 1, 1970 to July 1, 1971.
- 8931-C2-P-70—Terry Clymer doing business as Mayfield Answering Service (New), C.P. for a new 2-way radio station. Base frequency: 152.06 MHz. Location: 0.25 mile northwest of Mayfield, on Jintown Road, Ky.
- 8932-C2-AL-70—Arthur E. Kost, doing business as Art Kost Service (KFL923), Consent to assignment of radio station license from Arthur E. Kost doing business as Art Kost Service, Assignor, to Kost Communications, Inc., Assignee (2-way station at North Mankato, Minn.).
- 5-C2-TC-71—Mid-Texas Telephone Co. (KLB616), Consent to transfer of control from Mid-Texas Telephone Systems, Inc., Transferor, to Mid-Texas Communications Systems, Inc., Transferee (2-way station at Harker Heights, Tex.).
- 7-C2-P-71—RAM Broadcasting of Alabama, Inc. (New), C.P. for a new air-ground station to be located at First Farmer's and Merchants National Bank, Church and South Three Notch Streets, Troy, Ala. Frequency 454.875 MHz and signaling frequency 454.675 MHz.
- 8-C2-P-71—Alabama Mobile Telephone Co. (New), C.P. for a new air-ground station to be located at Interstate U.S. 231 Bypass and State Road 21, Troy, Ala. Frequency 454.875 MHz and signaling frequency 454.675 MHz.
- 9-C2-P-71—Georgia Mobile Telephone Co. (New), C.P. for a new air-ground station to be located at Reservoir Hill, at end of Sixth Street, Columbia, Tenn. Frequency 454.975 MHz and signaling frequency 454.675 MHz.
- 8442-C2-MP-70—Gabriel Communications Corp., doing business as Boca Mobilphone (KRM962), Modification of C.P. to change antenna location from 303 Northwest First Avenue, Boca Raton, Fla. to 351 Southwest First Avenue, Boca Raton, Fla. to operate on 1-way-signaling frequency 158.70 MHz.
- 10-C2-P-71—New York Telephone Co. (New), C.P. for a new 2-way station to be located at location No. 1: Northwest corner of Adirondack Drive and Sunset Place, Selden, N.Y., to operate on base frequencies 454.425, 454.475, and 454.575 MHz and a test station to be located at 59 South Bicycle Path, Selden, N.Y., to operate on 459.425, 459.475, and 459.575 MHz; and location No. 2: 2.8 miles south-southwest of Riverhead, N.Y., to operate on 454.375, 454.525, 454.650 MHz and a test station to be located at 140 Griffing Avenue, Riverhead, N.Y., to operate on 459.375, 459.525, and 459.650 MHz. Control point to be at 199 Fulton Avenue, Hempstead, N.Y.
- 23-C2-P-71—RAM Broadcasting of the Caribbean, Inc. (New), C.P. for a new air-ground station to be located at Sugar Estate, Long Bay Road, Charlotte Amalie, St. Thomas, V.I. Frequency: 454.725 MHz and signaling frequency 454.675 MHz.
- 24-C2-P-71—RAM Broadcasting of the Caribbean, Inc. (New), C.P. for a new air-ground station to be located at 186 Rose Gate, 1.3 miles southwest of Christiansted, St. Croix, V.I. Frequency 454.700 MHz and signaling frequency 454.675 MHz.
- 25-C2-MI-71—New York Telephone Co. (KEC932), Modification of License to change the working frequency 454.900 MHz to 454.700 MHz at its air-ground station located at 744 Broad Street, Newark, N.J.
- 26-C2-P-71—Allied Telephone Co. of Arkansas, Inc. (KLB774), C.P. to change antenna system operating on 152.72 MHz at its station located at intersection of Highway No. 52 and U.S. Highway No. 165, north of Wilmot, Ark.
- 27-C2-P-71—Vernon H. Johnson (KKT397), C.P. for additional base 152.18 MHz and repeater 459.20 MHz facilities at location No. 1: LaMosca Peak, 16 miles northeast of Grants, N. Mex., and add control 454.20 MHz facilities at location No. 2: 1005 Uranium Street, Milan, N. Mex.
- 28-C2-P-71—The Diamond State Telephone Co. (KGA471), C.P. to add 157.83 and 158.04 MHz test facilities at its existing test station located at 901 Tatnall Street, Wilmington, Del.
- 29-C2-P-71—Sigma Communications (KCC484), C.P. for an additional base station to operate on 152.18 MHz at its existing site location No. 1: Top of Rattlesnake Mountain, near Farmington, Conn.
- 30-C2-P-71—Radio Communications & Electronics Co. (KIR202), C.P. for an additional base station to operate on 152.15 MHz at a new site identified at location No. 2: 307 Roosevelt Avenue, Albany, Ga.
- 33-C2-P-71—Area-Wide Paging System, Inc. (New), C.P. for a new 2-way radio station. Base frequency: 454.175 MHz. Location: Terminal Tower Building, Cleveland, Ohio.
- 50-C2-P-71—RAM Broadcasting of Florida, Inc. (New), C.P. for a new air-ground station to be located at Cape Royal Office Building, 1980 North Atlantic Avenue, Cocoa Beach, Fla. Frequencies 454.850 and 454.925 MHz, and signaling frequency 454.675 MHz.
- 51-C2-P-71—General Telephone Co. of the Southeast (New), C.P. for a new 1-way-signaling station. Frequency: 152.84 MHz. Location: 3.6 miles southeast of intersection of Routes 84 and 70N in Monterey, Tenn.
- 52-C2-P-71—General Telephone Co. of the Southeast (New), C.P. for a new 2-way station to be located 3.6 miles southeast of intersection Routes 84 and 70N in Monterey, Tenn. Base frequencies: 454.425 and 454.575 MHz.
- 53-C2-P-71—Martin J. Nunn (KEA776), C.P. for an additional transmitter to be identified as location No. 2: Star Hill, 3.45 miles west-northwest of Remsen, Rome, N.Y., to operate on authorized frequency 152.21 MHz.
- 54-C2-P-71—X. Nady, Jr. (KLB563), C.P. for additional channels, namely, 454.05, 454.10, and 454.15 MHz to operate from existing site at Broadway and Cherry Streets, 2 miles north of Amarillo, Tex.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—CONTINUED

55-C2-MP-(3)-71—Marianas Telephone Co. (WWA347), Modification of C.P. to change antenna system and replace transmitter for base frequency 152.21 MHz at location No. 1: Libugan Hill, Asan, Agana, Guam; also add repeater facilities 459.100 MHz at existing location No. 1 as specified above; add control facilities 454.100 MHz at a site to be identified as location No. 2: 1.9 miles southeast of Agana, Guam.

Major Amendment

7657-C2-P-(3)-70—Pacific Northwest Bell Telephone Co. (New), Change frequency from 152.84 MHz to 158.10 MHz. All other terms same as reported on Public Notice Report No. 494, dated June 1, 1970.

Correction

6939-C2-P-70—Home Telephone Co. (KLF624), Change File Number to read 7939-C2-P-70. All other particulars same as reported on Public Notice Report Number 495, dated June 8, 1970.

Informative

It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

New Hampshire

Comex, Inc., KCI295, File No. 4591-C2-P-70.

Massachusetts

RAM Broadcasting of Massachusetts Inc., New, File No. 6877-C2-P-70.

RURAL RADIO SERVICE

11-C1-P-71—Carolina Telephone & Telegraph Co. (KIC36), C.P. to change frequency 157.83 to 157.80 MHz at its interoffice station located at Engelhard, N.C.

12-C1-P-71—Carolina Telephone & Telegraph Co. (KIC87), C.P. to change frequency 152.57 to 152.54 MHz at its interoffice station located at rear of Wahab Village Hotel, Ocracoke, N.C.

31-C1-P-71—The Mountain States Telephone & Telegraph Co. (KVU98), C.P. to replace transmitter operating on 459.40 MHz at its rural subscriber station located at M. F. Gowin Ranch, 19.6 miles east-northeast of Powder River, Wyo.

32-C1-P-71—The Midland Telephone Co. (KPG62), C.P. and modify license to add frequency 158.04 MHz and 30 units to communicate with KLF567 east-southeast of Moab, Utah, to operate in any temporary fixed location within the territory of the grantee.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

8933-C1-AL-70—American Telephone & Telegraph Co. (KOU95), Consent to assignment of license from: American Telephone & Telegraph Co. to: The Mountain States Telephone & Telegraph Co.

1-C1-P-71—Illinois Bell Telephone Co. (KSN61), C.P. to change frequency 11,075 MHz to 11,035 MHz toward Lorenzo, Ill., and add frequencies 6360.3 and 10,715 MHz toward Lorenzo, Ill. Location: 2.8 miles east-southeast of Norway, Ill.

2-C1-P-71—Illinois Bell Telephone Co. (KSN63), C.P. to add frequencies 6256.5 and 10,835 MHz toward Lorenzo, Ill., and 6360.3 and 10,875 MHz toward Kankakee, Ill. Station location: 3.5 miles southeast of Braidwood, Ill.

3-C1-P-71—Illinois Bell Telephone Co. (KYC83), C.P. to change frequency 6123.1 to 6152.8 MHz toward Braidwood, Ill., and add frequencies 6034.2 and 11,285 MHz toward Braidwood and 6137.9 and 11,485 MHz toward Norway, Ill.

4-C1-P-71—Illinois Bell Telephone Co. (KSN64), C.P. to add frequencies 6137.9 and 11,485 MHz toward Braidwood, Ill. Station location: 475 East Oak Street, Kankakee, Ill.

13-C1-P-71—Citizens Utilities Co. of California (KNJ66), C.P. to delete frequency 6123.1 MHz toward Antelope Mountain, Calif., and change points of communication and frequencies of Black Mountain, Calif., to 6226.9 and 6315.9 MHz toward Herlong, Calif. Location: 1010 Main Street, Susanville, Calif.

14-C1-P-71—Citizens Utilities Co. of California (KMX51), C.P. to add frequencies 6004.5 and 6093.5 MHz toward Susanville, Calif., via passive reflector and delete the point of communication Antelope Mountain, Calif. Station location: Herlong, Calif.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—CONTINUED

15-C1-P-71—Indiana Bell Telephone Co. (KSP84), C.P. to add frequencies 6301.0 and 10,955 MHz toward Rolling Prairie, Ind. Station location: 307 South Main Street, South Bend, Ind.

16-C1-P-71—Indiana Bell Telephone Co. (KSP83), C.P. to add frequencies 6078.6 and 11,365 MHz toward Michigan City and 6049.0 and 11,405 MHz toward South Bend, Ind. Station location: 2.5 miles northeast of Rolling Prairie, Ind.

17-C1-P-71—Indiana Bell Telephone Co. (KSP82), C.P. to add frequencies 6330.7 and 10,915 MHz toward Rolling Prairie, Ind. Station location: 118 East Eighth Street, Michigan City, Ind.

American Telephone & Telegraph Co. Three C.P. applications to construct one pair of Western Electric Co. Type TD-3 radio channels for telephone use between New York, N.Y., and Stamford, Conn.

20-C1-P-71—American Telephone & Telegraph Co. (KEL79), Add frequencies 3750 and 3880 MHz toward Roslyn Harbor, N.Y. Station location: 811 10th Avenue, New York, N.Y.

21-C1-P-71—American Telephone & Telegraph Co. (KYS89), Add frequencies 3710 and 3790 MHz toward New York, N.Y., and 3870 MHz toward Stamford, Conn. Location: 0.1 mile northeast of Roslyn, N.Y.

22-C1-P-70—American Telephone & Telegraph Co. (KYS88), Add frequency 3910 MHz toward Roslyn Harbor, N.Y. Station location: Intersection of Catoona and Mayno Lane, Stamford, Conn.

49-C1-P-71—General Telephone Co. of the Northwest, Inc. (New), C.P. for a new station to be located at 426 Casino Road, Everett, Wash. Frequencies: 6241.7 and 6301.0 MHz toward Rattlesnake Ledge, Wash.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTTELEPHONE)

6-C1-TC-(5)-71—Telephone Utilities Services Corp., Consent to transfer of control from: Mid-Texas Telephone Systems, Inc., to: Mid-Texas Communications Systems, Inc. Stations: KLV63, Jonesboro, Tex.; KLV64, Copperas Cove, Tex.; KLV65, Walnut Springs, Tex.; KRW84, Nix, Tex.; KRW85, Belton, Tex.

47-C1-TC-(11)-71—Mid-Kansas, Inc., Consent to transfer of control from: Video Independent Theatres, Inc., to: RKO General, Inc. (pro forma). Stations: KBI91, Lawrence, Kans.; KBC59, St. Mary's, Kans.; KBC60, Manhattan, Kans.; KBC61, Abilene, Kans.; KBC62, Junction City, Kans.; KZA42, McPherson, Kans.; KZA43, Lyons, Kans.; KZA48, Galatia, Kans.; KAK36, Clay Center, Kans.; KAR81, Concordia, Kans.; KTQ45, Council Grove, Kans.

48-C1-TC-(19)-71—Cablecom-General, Inc., Consent to transfer of control from: Video Independent Theatres, Inc., to: RKO General, Inc. (pro forma). Stations: KLP95, Woodward, Okla.; KLR51, Bower's Ranch, Tex.; KLS33, Landonia, Tex.; KLS34, Paris, Tex.; KLT51, May, Okla.; KLU24, Pledger, Tex.; KLU25, Blessing, Tex.; KLU53, Hugo, Okla.; KLU60, Childress, Tex.; KLU99, Sherman, Tex.; KKY50, Headrick, Okla.; KLE35, Silvertown, Tex.; KLE36, Memphis, Tex.; KLE82, Muenster, Tex.; KLEJ73, Coldspring, Tex.; KLEJ74, Carmona, Tex.; KLM98, Selling, Okla.; KLO87, Zedletone Mountain, Okla.; KLO96, Gruver, Tex.

Correction

The Informative associated with Alabama Microwave, Inc., applications, file numbers 6017 through 6024-C1-P-70, appearing in Public Notice dated April 13, 1970, is corrected to read as follows:

Signals, customers, and drop points

WCIX-TV, WAJA-TV, WLBW-TV, WTHS-TV, WSMS-TV, Gulf Coast Television, Naples, Fla.

WCIX-TV, WAJA-TV, WLBW-TV, WTHS-TV, WSMS-TV, South Florida Cable TV Corp., Bonita Springs, Fla.

WCIX-TV, WAJA-TV, WLBW-TV, WSMS-TV, Southern Cablevision, Inc., Fort Myers, Fla.

WCIX-TV, WAJA-TV, WSMS-TV, South Florida Cable TV Corp., North Fort Myers, Fla.

WCIX-TV, WAJA-TV, WSMS-TV, Gulf Coast Teleception, Inc., Port Charlotte, Fla.

WCIX-TV, WAJA-TV, WSMS-TV, Gulf Coast Teleception, Inc., North Port Charlotte, Fla.

WCIX-TV, WAJA-TV, WSMS-TV, Venice Central Antenna Network, Inc., Venice, Fla.

WCIX-TV, WAJA-TV, WSMS-TV, Highlands Cable TV Corp., Sebring, Fla.

Major Amendments

- 4197-C1-P-70—Microwave Transmission Corp. (New), Application amended to change the location of the station at San Antonio Hill, Calif., to latitude 34°50'30" N., longitude 120°29'53" W., and change the azimuth toward Mount Lowell, Calif., to 346°35'. See public notices dated Feb. 9, and June 8, 1970, for other particulars.
- 6876-C1-P-66—Midwestern Relay, Inc. (New), Application amended to change point of communication to Merrill, Wis. (latitude 45°08'22" N., longitude 89°44'09" W.) on azimuth of 318°30', and add a second frequency 6123.1 MHz, toward same point of communication, Merrill, Wis.
- 6733-C1-P-65—Midwestern Relay, Inc. (New), Application amended to change frequency 6004.5 MHz to 6404.8 MHz toward Baraboo, Wis.
- 6734-C1-P-65—Midwestern Relay, Inc. (New), Application amended to change frequencies 5945.2 MHz and 6063.8 MHz to 5974.8 MHz and 6034.2 MHz toward Coloma, Wis.
- 6735-C1-P-65—Midwestern Relay, Inc. (New), Application amended to change azimuth toward Stevens Point, Wis., to 353°13'.
- 6736-C1-P-65—Midwestern Relay, Inc. (New), Application amended to add frequencies 6034.2 MHz and 6152.8 MHz, via power-split, toward new point of communication at Marshfield, Wis. (latitude 44°42'48" N., longitude 90°09'28" W.) on azimuth of 291°00'.

(Informative: Applicant proposes to deliver the television signals of stations WMVS and WVTW of Milwaukee, Wis., to Marshfield Valtronics, Inc., at Marshfield, Wis.; Valtronics of Wisconsin, Inc., at Merrill, Wis.; Teltron Cable TV at Wausau, Wis.; and WMVS only to Teltron Cable TV at Stevens Point, Wis. The signal WVTW, by this amendment, replaces the initially proposed signal of WGN-TV, Chicago, Ill. See public notices dated June 14, 1965; Aug. 30, 1965; Jan. 3, 1966; and June 20, 1966.)

Major Amendments

- 8371-C1-P-70—Microwave Communications, Inc. (New), Location corrected to read: Dubuque, Iowa, and geographic coordinates to latitude 42°30'03" N., longitude 90°36'56" W. All other particulars same as reported in Public Notice Report No. 497 dated June 22, 1970.
- 3971-C1-P-70—Microwave Relay Services, Inc. (New), Application amended to change frequencies to 3790, 3870, and 3950 MHz toward Hendry, Fla.
- 3972-C1-P-70—Microwave Relay Services, Inc. (New), Application amended to change frequencies to 3830, 3910, and 3990 MHz toward La Belle, Fla.
- 3973-C1-P-70—Microwave Relay Services, Inc. (New), Application amended to change frequencies to 3790, 3870, and 3950 MHz toward North Fort Myers, Fla.
- 3975-C1-P-70—Microwave Relay Services, Inc. (New), Application amended to change frequencies to 3830, 3910, and 3990 MHz toward Bonita Springs, Fla.
- 3976-C1-P-70—Microwave Relay Services, Inc. (New), Application amended to change frequencies to 3790, 3870, and 3950 MHz toward Naples, Fla. Other particulars are as reported on public notice dated Jan. 26, 1970. See also public notice dated Mar. 16, 1970.

[F.R. Doc. 70-9092; Filed, July 15, 1970; 8:50 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

MANDATORY OIL IMPORT PROGRAM

Historical Allocations of Crude Oil and Unfinished Oils, Districts I-IV and District V

In the FEDERAL REGISTER of May 21, 1970 (35 F.R. 7804), notice was given by the Oil Import Administration of a proposal to reduce from 30 percent to 20 percent, effective July 1, 1970, the percentage applied to the last allocations of imports of crude oil under the Voluntary Oil Import Program pursuant to paragraph (c) (1) of section 10 of Oil Import Regulation 1 (Revision 5), as amended, and effective January 1, 1971, to eliminate all historical crude and unfinished oil allocations relating to the last voluntary quotas except those reflecting imports of crude oil by overland means from the country of origin.

Timely comments were received from 10 persons. Of these, there were four that opposed the proposal, largely on the basis of the hardship that they alleged would be caused by the short time that would be provided for readjustment.

Upon full consideration by the Oil Policy Committee, it was decided not to reduce such historical allocations during

the last half of 1970, but to eliminate them in Districts I-IV and in District V effective January 1, 1971.

Dated: July 14, 1970.

G. A. LINCOLN,
Director,

Office of Emergency Preparedness.

[F.R. Doc. 70-9234; Filed, July 15, 1970;
10:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-5765]

FOUR SEASONS NURSING CENTERS OF AMERICA, INC.

Order Suspending Trading

JULY 10, 1970.

The common stock, 50 cents par value, of Four Seasons Nursing Centers of America, Inc., being traded on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and the Boston Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Four Seasons Nursing Centers of America, Inc., 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 above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 12, 1970 through July 21, 1970, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 70-9080; Filed, July 15, 1970;
8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 65]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

JULY 10, 1970.

The following applications are governed by § 247¹ of the Commission's general rules of practice (49 CFR 1100.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's

¹ Copies of § 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the *FEDERAL REGISTER* issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 25798 (Sub-No. 216), filed June 29, 1970. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburn, Ala. 36823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles* distributed by meat packinghouses as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from Plainview, Tex., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina. NOTE: Common control may be involved. No duplicating authority is sought. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 32882 (Sub-No. 54) Amendment, filed May 11, 1970, published in the *FEDERAL REGISTER* issue of June 11, 1970, amended June 24, 1970, republished as amended this issue. Applicant: MITCHELL BROS. TRUCK LINES, a corporation, 3841 North Columbia Boulevard, Portland, Ore. 97217. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1)

Tractors (not including tractors with vehicle beds, bed frames or fifth wheels); (2) *agricultural machinery and implements*; (3) *industrial and construction machinery and equipment*; (4) *equipment* designed for use in conjunction with tractors; (5) *trailers* designed for the transportation of commodities described above (other than those designed to be drawn by passenger automobiles); (6) *attachments* for commodities described above; (7) *internal combustion engines*; and (8) *parts* of the commodities described above when moving in mixed loads with such commodities, from Othello, Wash., to points in Idaho, Washington, and Oregon. NOTE: Applicant states that the requested authority can be tacked with its Sub No. 34. The purpose of this republication is to include the State of Idaho as a destination State, and to include tacking information. If a hearing is deemed necessary, applicant requests it be held at Portland, Ore., or Seattle, Wash.

No. MC 37896 (Sub-No. 24), filed June 24, 1970. Applicant: YOUNGBLOOD TRUCK LINES, INC., Post Office Drawer 38, Fletcher, N.C. 28732. Applicant's representative: Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and 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); (1) Regular Routes: Between Chicago, Ill., and Milwaukee, Wis., from Chicago, over U.S. Highway 41 and/or Interstate Highway 94 to Milwaukee, and return over the same routes, serving no intermediate points; and (2) Irregular Routes: Between Indianapolis, Ind., on the one hand, and, on the other, Milwaukee, Wis., and points in the Milwaukee, Wis., commercial zone; restricted in (1) and (2) above to the transportation of traffic moving from, to or through applicant's authorized service points in the States of Georgia, North Carolina, South Carolina, and Tennessee. NOTE: With respect to part (2) above, applicant states that it intends to tack at Indianapolis, Ind., with its existing authority to provide through service between Milwaukee, Wis., and points in the Milwaukee, Wis., commercial zone on the one hand, and, on the other, applicant's authorized service points in the States of Georgia, North Carolina, South Carolina, and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Asheville, N.C., Chicago, Ill., or Washington, D.C.

No. MC 41404 (Sub-No. 92), filed June 30, 1970. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, Post Office Box 440, Fulton Highway, Martin, Tenn. 38237. Applicant's representative: Tom D. Copeland (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Bananas, pineapples, coconuts, and agricultural commodities* which are exempt under the provisions of section

203(b)(6) of part II of the Interstate Commerce Act, when shipped in the same vehicle and at the same time with commodities subject to economic regulation, from Galveston, Tex., to points in Arkansas, Alabama (except Montgomery), Florida (except Pensacola), Georgia (except Atlanta), Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Minnesota, Missouri, Oklahoma, Ohio, Tennessee, Texas, and Wisconsin. NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., Houston, Tex., or Washington, D.C.

No. MC 42487 (Sub-No. 748), filed June 1, 1970. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representatives: V. R. Oldenburg, Post Office Box 5138, Chicago, Ill. 60680, and E. T. Lippert, Suite 1100, 1660 L Street NW., Washington, D.C. 20003. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, green hides, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Memphis, Tenn., and the junction of Interstate Highway 81 and U.S. Highway 30 near Chambersburg, Pa.; (1) from Memphis over Interstate Highway 40 to Knoxville, Tenn., thence over U.S. Highway 11W to junction Interstate Highway 81 near Bristol, Tenn., thence over Interstate Highway 81 to junction of Interstate Highway 81 and U.S. Highway 30 near Chambersburg, Pa., and return over the same routes serving no intermediate points, serving the junction of Interstate Highway 81 and U.S. Highway 30 near Chambersburg, Pa., for purposes of joinder only, as an alternate route for operating convenience only; and (2) from Memphis over Interstate Highway 40 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction of Interstate Highway 81 and U.S. Highway 30 near Chambersburg, Pa., and return over the same routes serving no intermediate points, serving the junction of Interstate Highway 81 and U.S. Highway 30 near Chambersburg, Pa., for purposes of joinder only, as an alternate route for operating convenience only. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 46219 (Sub-No. 9) (Correction), filed April 20, 1970, published in the *FEDERAL REGISTER* issue of May 28, 1970, republished, as corrected, this issue. Applicant: STERNBERGER MOTOR CORPORATION, 45-55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representatives: Kenneth T. Johnson and Ronald W. Malin, Bank of Jamestown Building, Jamestown, N.Y. 14701. Authority sought to operate as a *common carrier*, by motor carrier, over irregular

routes, transporting: *Voting machines, uncrated, and voting machine accessories*, between points in Jamstown, N.Y.; New York, N.Y.; Maine; New Hampshire; Vermont; Massachusetts; Connecticut; Rhode Island; Maryland; New Jersey; Pennsylvania; Virginia; West Virginia; Delaware; and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to conform to the wording of the application. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 47760 (Sub-No. 8), filed June 30, 1970. Applicant: DRENNING DELIVERY SYSTEM, a corporation, 2300 North Branch Avenue, Altoona, Pa. 16601. Applicant's representative: Paul S. Foreman, 1311 12th Street, Altoona, Pa. 16601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products* as defined by the Commission in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in refrigerated trucks, from Altoona, Pa., to points in Lackawanna, Luzerne, Pike, and Monroe Counties, Pa., and *rejected and refused shipments* on return. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Altoona, Pa.

No. MC 48958 (Sub-No. 108), filed June 23, 1970. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Morris G. Cobb, Post Office Box 9050, 601 Ross Street, Amarillo, Tex. 79105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and those injurious or contaminating to other lading), between Cheyenne, Wyo., and Oakland, Calif., from Cheyenne over Interstate Highway 80 and U.S. Highway 30 to Salt Lake City, Utah, thence over Interstate Highway 80 and U.S. Highway 40 to Oakland, Calif., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route authority between Cheyenne, Wyo., and Oakland, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 51146 (Sub-No. 164), filed June 18, 1970. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representatives: D. F. Martin (same address as applicant), and Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and plywood products, plywood and plywood*

products combined with veneer and plastics, paneling, doors, wood products, composition wood and composition wood products, and sash, from Merrill, Wis., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. *Returned shipments* of the above-specified commodities, and *equipment, materials and supplies* used in the manufacture and distribution of the commodities described in the paragraph above, except commodities in bulk, in tank vehicles, from points in the District of Columbia and points in the above-named destination States, to Merrill, Wis. NOTE: Applicant states requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61403 (Sub-No. 207), filed June 19, 1970. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium sulphate*, in bulk, in tank vehicles, from Lowland, Tenn., to Sharonville, Ohio. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charlotte, N.C.

No. MC 68860 (Sub-No. 13), filed May 25, 1970. Applicant: RUSSELL TRANSFER, INCORPORATED, 444 Glenmore Drive, Salem, Va. 24153. Applicant's representatives: Robert G. Perry and Robert E. Douglas, 1701 Charleston National Plaza, Charleston, W. Va. 25301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General and specified commodities* as described in applicant's certificate MC 68860; (1) from points in Roanoke County, Va., to points in Philadelphia, Pa., New York, N.Y., Chicago, Ill., and Jeffersonville, Ind.; (2) between points in Roanoke County, Va., on the one hand, and, on the other, Lynchburg, Norfolk, Richmond, Danville, Bristol, Narrows, and Grundy, Va.; Winston-Salem, Greensboro, Durham, Canton, Ashville, Charlotte, and Raleigh, N.C.; Washington, D.C., Baltimore, Md.; Wilmington, Del.; Philadelphia, Pittsburgh, Marcus Hook, York, and Harrisburg, Pa.; Newark and Swedesboro, N.J.; and Charleston, Bluefield, and Huntington, W. Va.; (3) from Baltimore, Md., to Christiansburg and Radford, Va., and points in Roanoke County, Va.; (4) from Baltimore, Md., to Christiansburg, Rad-

ford, Pulaski, and Blacksburg, Va., and points in Roanoke County, Va.; (5) from Baltimore, Md., to Pulaski and Christiansburg, Va., and points in Roanoke County, Va.; (6) from points in Roanoke County, Va., to Raleigh, Goldsboro, Charlotte, Walnut Cove, Gastonia, Clayton, Durham, Greensboro, Winston-Salem, and Salisbury, N.C., and points in Mercer and McDowell Counties, W. Va.;

(7) From Philadelphia, Pa., and Greensboro, Randleman, and Erwin, N.C., to points in Roanoke County, Va., and Christiansburg, Va.; (8) from points in Roanoke County, Va., to Winston-Salem, Greensboro, Durham, Reidsville, Thomasville, Mount Airy, Gibsonville, Spencer, Lexington, Hickory, High Point, Salisbury, Charlotte, Burlington, and Asheville, N.C.; (9) from New York, N.Y., Philadelphia, Pa., Frederick, Md., Swedesboro, N.J., and Wyoming, Dover, and Houston, Del., to points in Roanoke County, Va.; (10) from Philadelphia, Pa., to points in Roanoke County, Va.; (11) from points in Roanoke County, Va., to Philadelphia, Pa.; (12) from Abingdon, Bristol, Christiansburg, Galax, Tazewell, and Wytheville, Va., and points in Roanoke County, Va., to Washington, D.C., and Baltimore, Md.; (13) between points in Roanoke County, Va., and Christiansburg, Va., on the one hand, and, on the other, Philadelphia, Pa., New York, N.Y., and Norfolk, Va.; and (14) between points in South Carolina, on the one hand, and, on the other, points in Roanoke County, Va. NOTE: Applicant holds the above authority under MC 68860. The purpose of the instant application is to reflect "Roanoke County", Va., in lieu of the city Roanoke, Va., as shown in the said certificate. Applicant states that any joinder or tacking would remain as presently authorized under MC 68860, and the instant application would not create a new service beyond that asked. If a hearing is deemed necessary, applicant requests it be held at Roanoke, Va., or Washington, D.C.

No. MC 69036 (Sub-No. 11), filed June 22, 1970. Applicant: HEARTLAND EXPRESS, INC., 911 West Sheridan, Shenandoah, Iowa 51601. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities because of size or weight, require the use of special equipment), between Shenandoah, Iowa, and Kansas City, Mo., from Shenandoah over Iowa Highway 2 to junction U.S. Highway 71, thence over U.S. Highway 71 to junction Interstate Highway 29, thence over Interstate Highway 29 to Kansas City, Mo., and return over the same route, serving all intermediate points and off-route points in Missouri and Iowa on or north of U.S. Highway 36, on or west of U.S. Highway 169 and on or south of U.S. Highway 6 in connection with the described regular route and applicant's existing authority. NOTE:

Applicant states that substantial duplication with its present authority is involved, and that applicant would have no objection to a restriction against severance of authority sought from present authority if such would be deemed desirable. If a hearing is deemed necessary, applicant requests it be held at Shenandoah, Iowa.

No. MC 74321 (Sub-No. 40), filed June 25, 1970. Applicant: B. F. WALKER, INC., 650 17th Street, Denver, Colo. 80202. Applicant's representative: Richard P. Kissinger, Post Office Box 1148, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Antipollution systems and antipollution system parts* from points in Tulsa County, Okla., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment, and supplies* used in the manufacture and processing of antipollution systems and antipollution system parts, from points in the United States (except Alaska and Hawaii) to Tulsa County, Okla. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 76032 (Sub-No. 256), filed June 23, 1970. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers*, as described in sections A, B, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Greeley, Colo., to points in Arizona, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Nevada, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 83539 (Sub-No. 283), filed June 22, 1970. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, Post Office Box 5976, Dallas, Tex. 75222. Applicant's representatives: Kenneth Weeks (same address as above), and Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings, complete, knocked down or in sections, and equipment and materials incidental to the erection and completion of such buildings (except build-*

ings in sections when transported on wheeled undercarriages equipped with hitch ball connector), from Youngsville, La., to points in the United States (except Hawaii but including Alaska). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 84739 (Sub-No. 23), filed June 19, 1970. Applicant: SEVERSON TRANSPORT, INC., Route 1, Box 163, Edgerton, Wis. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, from the plantsites and warehouse facilities of the Oconomowoc Canning Co. at Sun Prairie, Waunakee, Poynette, Cobb, and Merrill, Wis., to points in Virginia; and (2) *milk tanks, milking machines, and equipment and parts and accessories* used in connection therewith, including parts for milking parlors when moving in the same vehicles with such tanks, machines, and equipment, from Madison, Wis., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or an unspecified point in Wisconsin.

No. MC 94350 (Sub-No. 266), filed June 22, 1970. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road, Greenville, S.C. 29602. Applicant's representatives: Mitchell King, Jr. (same address as applicant), and Ames, Hill and Ames, 666 11th Street NW., Suite 705, McLachlen Building, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles, in initial movements, from Bolivar, Mo., and Sedwich, Kans., to points in Arizona, Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Montana, Missouri, Nebraska, New Mexico, Nevada, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming, Illinois, and Tennessee*. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mo.

No. MC 94350 (Sub-No. 267), filed June 25, 1970. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road, Greenville, S.C. 29602. Applicant's representatives: Mitchell King, Jr. (same address as applicant), and Ames, Hill and Ames, 666 11th Street NW., Suite 705, McLachlen Building, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: Trailers designed to be drawn by passenger automobiles, in initial movements, and buildings, in sections, mounted on wheeled undercarriages, from points of manufacture; from points in McNairy County, Tenn., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 95540 (Sub-No. 780), filed June 22, 1970. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Fayette and Shelby Counties, Tenn., to points in Colorado, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Illinois, Wisconsin, Michigan, Indiana, Ohio, Kentucky, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, New Jersey, New York, and Massachusetts. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Washington, D.C.

No. MC 103993 (Sub-No. 541), filed June 19, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings*; and (2) *building section, building parts, building materials (except in bulk), and equipment and accessories* used in the erection and completion of commodities used in (1) and (2) above, from points in Wood County, W. Va., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, New Jersey, North Carolina, Pennsylvania, Rhode Island, South Carolina, Virginia, West Virginia, Vermont, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Utah, Idaho, Nevada, California, Oregon, Washington, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va.

No. MC 105045 (Sub-No. 24), filed June 22, 1970. Applicant: R. L. JEFFRIES TRUCKING CO., INC., 1020 Pennsylvania Street, Evansville, Ind. 47708. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum and aluminum articles*; and (2) *equipment, materials and supplies* used in the manufacture and

processing of aluminum and aluminum articles; (a) between the plantsites of National Southwire Aluminum Co. and National Aluminum Corp., near Hawesville, Ky., on the one hand, and, on the other, points in Indiana, Illinois, New York, North Carolina, and Pennsylvania; and (b) between the plant-site of Southwire Co., near Hawesville, Ky., on the one hand, and, on the other, points in Illinois, Indiana, Maine, and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 107012 (Sub-No. 107), filed June 22, 1970. Applicant: NORTH AMERICAN VAN LINES, INC., Post Office Box 988, Lincoln Highway East and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air moving equipment*, from Chicago and Wheeling, Ill., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 107295 (Sub-No. 398), filed June 26, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood lumber and laminated beams, and accessories therefor*, from points in Arkansas and Louisiana to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 107295 (Sub-No. 402), filed June 29, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and building products and accessories*, from points in Franklin County, Ohio, to points in the United States except Alaska and Hawaii. NOTE: Applicant states that tacking may take place at Columbus, Ohio, on traffic originating in Arkansas, Illinois, Indiana, Iowa, Michigan, Missouri, Kentucky, Tennessee, and Wisconsin for transportation beyond as authorized under MC 107295 (Part B). It further states no duplicate authority is being sought. If a hearing is deemed necessary,

applicant requests it be held at Columbus, Ohio.

No. MC 107295 (Sub-No. 408), filed July 2, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Galvanized sheets; and building component parts*, from Dover, Ohio, to points in the United States (except Washington, Oregon, California, Arizona, New Mexico, Utah, Idaho, Alaska, and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 107839 (Sub-No. 143), filed June 24, 1970. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 770 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Edward T. Lyons, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned vegetables and frozen vegetables* when moving with canned vegetables, from Lake Jem, Fla., to points in Alabama, Arizona, Arkansas, California, Colorado, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 112801 (Sub-No. 106), filed June 22, 1970. Applicant: TRANSPORT SERVICE CO., a corporation, Post Office Box 50272, Chicago, Ill. 60650. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Adhesives*, in bulk, from Chicago, Ill., to points in Wisconsin, Missouri, and Ohio; and (2) *chemicals*, in bulk, in tank vehicles, from Chicago, Ill., and its commercial zone to points in Illinois, Indiana, New York, Pennsylvania, Iowa, Michigan, Maryland, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112822 (Sub-No. 163), filed June 23, 1970. Applicant: BRAY LINES INCORPORATED, 1401 North Little, Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles requiring refrigeration, from the plantsite and warehouse facilities of

Avoset Food Corp., at or near Gustine, Calif., to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Utah, Wisconsin, and Wyoming. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Los Angeles, Calif.

No. MC 114890 (Sub-No. 46), filed June 22, 1970. Applicant: C. E. REYNOLDS TRANSPORT, INC., 2209 Range Line, Joplin, Mo. 64802. Applicant's representative: J. David Harden, Jr., 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from Bartlesville, Okla., to Beatrice, Nebr. NOTE: Applicant states that conceivably tacking could occur under its base certificate authorizing the transportation of sulphuric acid from Atlas, Mo., to points in Oklahoma for the performance of a through movement from Atlas, Mo., to Beatrice, Nebr., even though applicant has no present intention of conducting such tacking operations on a grant of this authority it opposes the imposition of a restriction against tacking. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Kansas City, Mo.

No. MC 115841 (Sub-No. 373) (Amendment), filed March 27, 1970, published in FEDERAL REGISTER issue of April 30, 1970, and republished, as amended, this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representatives: C. E. Wesley (same address as above), and E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products, and agricultural commodities* as defined in section 203(b)(6) of the Interstate Commerce Act, when transported at the same time and in the same vehicle with commodities subject to economic regulations, from Chicago, Ill., and points in its commercial zone, to points in Louisiana, Tennessee, and to Little Rock, Ark. NOTE: Applicant states that no present tacking is possible. Common control may be involved. The purpose of this republication is to broaden the scope of authority sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or New Orleans, La.

No. MC 115904 (Sub-No. 22), filed June 30, 1970. Applicant: LOUIS GROVER, 1710 West Broadway, Idaho Falls, Idaho 83401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise* handled by wholesale and retail drug store outlets, from Idaho Falls, Idaho, to Rock Springs and Riverton, Wyo. NOTE: Applicant states that the

requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho, or Butte, Mont.

No. MC 116073 (Sub-No. 123), filed June 29, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tessar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles and buildings, complete or in sections, from points in Goodhue and Wadena Counties, Minn., to points in the United States (except Hawaii).* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 116763 (Sub-No. 171), filed June 23, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared animal foods (except commodities in bulk), from Woburn, Mass., to points in Illinois and Indiana.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 116915 (Sub-No. 6), filed June 26, 1970. Applicant: ECK MILLER TRANSPORTATION CORPORATION, 1125 Sweeney Street, Post Office Box 1279, Owensboro, Ky. 42301. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum and aluminum articles*; and (2) *equipment, materials, and supplies used in the manufacture and processing of aluminum and aluminum articles, (a) between the plantsite of National Aluminum Corp. near Hawesville, Ky., on the one hand, and, on the other, points in Florida, North Carolina, Pennsylvania, South Carolina, New York, Arkansas, and Texas; (2) between the plantsite of National Southwire Aluminum Co. near Hawesville, Ky., on the one hand, and, on the other, points in North Carolina, Pennsylvania, New York, and New Jersey; and (3) between the plantsite of Southwire Company near Hawesville, Ky., on the one hand, and, on the other, points in Connecticut, New Jersey, New York, and Pennsylvania.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 117574 (Sub-No. 187), filed June 22, 1970. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same address as applicant). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Composition board, mineral wool, board, block or sheet, and materials, supplies and accessories used in the installation thereof, from the plantsite or storage facilities of the United States Gypsum Co., at Greenville, Miss., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.* NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 117686 (Sub-No. 117), filed June 8, 1970. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 Highway 75 North, Post Office Box 417, Sioux City, Iowa 51102. Applicant's representative: A. J. Swanson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soaps, toilet preparations, and cleaning compounds, from Eldora, Iowa, to points in Alabama, Arkansas, Louisiana, Oklahoma, Texas, and Mississippi.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, Kansas City, Mo., or Omaha, Nebr.

No. MC 118610 (Sub-No. 13), filed June 24, 1970. Applicant: L & B EXPRESS, INC., Post Office Box 1308, Owensboro, Ky. 42301. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum, aluminum products, equipment, materials, and supplies used in the manufacture and processing of aluminum and aluminum products, between the plantsites of National Southwire Aluminum, Southwire and National Aluminum Corp. at Hawesville, Ky., and Illinois, Indiana, Michigan, and Ohio.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Frankfort or Louisville, Ky.

No. MC 118989 (Sub-No. 48), filed June 22, 1970. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53211. Applicant's representative: Robert H. Levy, 29 South La. Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and cheese gift package, from*

points in Wisconsin to points in New Jersey, Connecticut, Massachusetts, New York, Ohio, Pennsylvania, Maryland, and to Atlanta, Ga.; Dallas, Tex.; Indianapolis, Ind.; Detroit and Livonia, Mich.; Chicago, Ill.; Minneapolis-St. Paul, Minn.; Nashville, Tenn.; St. Louis, Mo.; and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

No. MC 119493 (Sub-No. 58), filed June 23, 1970. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Post Office Box 1196, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempt, Post Office Box 1196, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed ingredients and feed supplements, from Houston, Tex., to points in Texas, Colorado, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, Mississippi, and Louisiana.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119546 (Sub-No. 2), filed June 15, 1970. Applicant: CONTINENTAL TRUCK & TOWING CO., 5753 South Alameda Street, Los Angeles, Calif. 90058. Applicant's representative: Will Freeman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or disabled trucks, tractors, trailers, and busses, weighing in excess of 8,000 pounds, from points in Nevada, Utah, Washington, Oregon, Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, and Texas to points in California and replacement vehicles when transported to points of pickup of wrecked or disabled vehicles in reverse direction.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 119777 (Sub-No. 184), filed June 22, 1970. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representatives: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101, and William G. Thomas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, skids, bases, containers, boxes, crating, veneer, baskets, oak treads, oak risers, oak sills, oak molding, cardboard cartons, nails, and lumber, from points in Grundy and Coffee Counties, Tenn., to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, and all States east thereof.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract authority under MC 126970 Sub 1, therefore dual operations may be involved. If a hearing is

deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 119789 (Sub-No. 32), filed June 15, 1970. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, Tex. 75222. Applicant's representative: James T. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Burris and Lubbock, Tex., to points in Alabama, Georgia, North Carolina, South Carolina, Pensacola, and Panama City, Fla., and points in Tennessee (except Memphis). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 120098 (Sub-No. 17), filed June 26, 1970. Applicant: UINTAH FREIGHTWAYS, 1030 South Redwood Road, Salt Lake City, Utah 84104. Applicant's representative: Irene Warr, Suite 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment); (1) between Vernal, Utah, and Craig, Colo.: From Vernal, Utah, over U.S. Highway 40 to Craig, Colo., and return over the same route; (2) between Vernal, Utah, and Craig, Colo.: From Bonanza, Utah, via unnumbered Utah and Colorado Highway to Rangely, Colo., thence via Colorado Highway 64 to Artesia (Dinosaur), Colo., thence over U.S. Highway 40 to Craig, Colo., and return over the same route, serving all intermediate points and serving the off-route points of Rangely and Meeker, Colo. in connection with (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Denver, Colo.

No. MC 123069 (Sub-No. 11) (Amendment), filed May 7, 1970, published in FEDERAL REGISTER issue of May 28, 1970, amended June 12, 1970, and republished, as amended, this issue. Applicant: ALLER & SHARP, INC., 817 West Fifth Avenue, Columbus, Ohio 43212. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, except commodities in bulk, in tank vehicles, from Washington, Evansville, and Indianapolis, Ind., and Louisville, Ky., to points in Pennsylvania, Michigan, Illinois, Tennessee, Ohio, West Virginia, and Kentucky. NOTE: Applicant states that it could tack with its present authority in MC 123069, whereas it is authorized to operate between points in Ohio, Kentucky, Indiana, and West Virginia. The purpose of this republication is to reflect tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 443), filed June 25, 1970. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon dioxide*, from Lima, Ohio, to points in New York. NOTE: Applicant states it intends to tack with its (Sub-No. 225) at Lima, Ohio, to serve points in New York. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 127651 (Sub-No. 8), filed June 25, 1970. Applicant: EVERETT G. ROEHL, 201 West Upham Street, Marshfield, Wis. 54449. Applicant's representative: Nancy J. Johnson, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Wisconsin and Minnesota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 127978 (Sub-No. 2), filed June 26, 1970. Applicant: NEWSPRINT TRUCKING CO., a corporation, 11 Commerce Street, Newark, N.J., 07102, also Post Office Box 144, Garfield, N.J. 07026. Applicant's representative: Herman B. J. Weckstein, 60 Park Place, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint and waste paper*, between Garfield, N.J., and points in Virginia under contract with Garden State Paper Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or Washington, D.C.

No. MC 128510 (Sub-No. 1), filed June 8, 1970, published in the FEDERAL REGISTER issue of July 2, 1970, corrected this issue. Applicant: RAY L. STOTTS TRUCKING CO., a corporation, Route 7, Zanesville, Ohio 43701. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. NOTE: The purpose of this republication is to reflect the correct docket number as MC 128510 (Sub-No. 1) in lieu of MC 128510, as shown in previous publication. The rest of the application remains the same.

No. MC 129054 (Sub-No. 8), filed June 30, 1970. Applicant: GILDER TRUCKING COMPANY, a corporation, 280 Memorial Drive SE., Atlanta, Ga. 30312. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ceramic foam, plastics, plastic products, and plastic coated metal* (except in bulk), from the plantsite and warehouse facilities of The Dow Chemical Co. at Findlay, Ohio; Lawrence and Scioto Counties, Ohio; and Royersford, Pa.; to points in Virginia, West Virginia, Kentucky, Tennessee,

North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Atlanta, Ga.

No. MC 129727 (Sub-No. 1), filed June 8, 1970. Applicant: CAROLL TRUCK LINES, INC., Highway 51, 5 miles south, Box 147, Winona, Miss. 38967. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty National Bank Building, Post Office Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prefabricated metal buildings*, complete, knocked down, and in sections (except metal buildings which are designed to be drawn by passenger vehicles); *prefabricated metal decking and siding*, and *metal concrete forms*, from the plantsite of Anel Engineering Industries, Inc., located on U.S. Highway 51, 5 miles south of Winona, Miss., to points in Idaho, Maryland, Montana, Nebraska, New Jersey, Pennsylvania, Virginia, West Virginia, Wyoming, and South Dakota, under continuing contracts with Anel Engineering Industries, Inc., and Benco, Inc.; and (2) *storage and conveyor systems* for dry bulk materials, complete, knocked down, and in sections; *components, replacement parts, and controls* for dry bulk material handling system, from the plantsite of Anel Engineering Industries, Inc., located on U.S. Highway 51, 5 miles south of Winona, Miss., to points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Maine, New Jersey, New York, New Hampshire, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, under a continuing contract with Anel Engineering Industries, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 129972 (Sub-No. 1), filed June 26, 1970. Applicant: GERALD D. WRIGHT, an individual, 1303 10th Street SE., Jamestown, N. Dak. 58401. Applicant's representative: Thomas J. Van Osdel, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and articles* dealt in or used by wholesale beverage distributors, from Minneapolis, St. Paul, and Shakopee, Minn.; La Crosse and Milwaukee, Wis.; Belleville, Ill.; and St. Louis, Mo.; to points in North Dakota and Glendive, Mont., restricted against service to Fargo and Portland, N. Dak., and the warehouse and storage facilities of Valley Sales Co., Inc., at Jamestown and Valley City, N. Dak. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority.

If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or Minneapolis, Minn.

No. MC 133490 (Sub-No. 3), filed June 22, 1970. Applicant: LEE'S TRUCKING, INC., 1-19th Avenue South, Minneapolis, Minn. 55404. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glassware*, from Brockway, Pa., Clarksburg, W. Va., Columbus, Ohio, Gas City, Ind., Jeannette, Pa., Lancaster, Ohio, Marion, Ind., and Toledo, Ohio, to Minneapolis, Minn., under contract with Twin City Bottle Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 133646 (Sub-No. 4), filed June 25, 1970. Applicant: YELLOWSTONE MOLASSES SERVICE, INC., Post Office Box 404, Billings, Mont. 59103. Applicant's representative: J. F. Meglen, Post Office Box 1581, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feeds*, in bulk, between Billings, Mont., on the one hand, and, on the other, points in Idaho, Oregon, and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 133840 (Sub-No. 2), filed June 25, 1970. Applicant: TROY L. SMITH, doing business as TROY L. SMITH TRUCKING COMPANY, 2228 South Santa Fe, Post Office Box 94788, Oklahoma City, Okla. 73109. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, Post Office Box 75124, Oklahoma City, Okla. 73107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Oleo*, in bulk, packages, and containers, from Los Angeles, Calif., to Oklahoma City, Okla., under contract with Wilsey Foods Inc., San Francisco, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC-134282 (Sub-No. 2) (amendment), filed May 20, 1970, published in FEDERAL REGISTER issue of June 18, 1970, amended June 11, 1970, and republished as amended this issue. Applicant: ENNIS TRANSPORTATION CO., INC., Post Office Box 447, Ennis, Tex. 75119. Applicant's representative: William D. White, Jr., 3505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum articles and accessories* used in the installation thereof, from the plantsite of Celotex Corp. 7 miles southwest of Hamlin, Fisher County, Tex., to points in Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Tennessee, Colorado, Missouri, Alabama, Arizona, Iowa, and Kentucky. NOTE: Applicant states that the requested authority cannot be tacked

with its existing authority. The purpose of this republication is to add Colorado, Missouri, Alabama, Arizona, Iowa, and Kentucky, as additional destination States. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex.

No. MC 134347 (Sub-No. 1), filed June 3, 1970. Applicant: SAMUEL M. COKER, doing business as COKER TRUCK LINE, 305 Blue Hills Drive, Nashville, Tenn. 37214. Applicant's representative: Samuel M. Coker (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Newspapers and automobile parts and accessories*, new and used, between Nashville, Tenn., on the one hand, and, on the other, points in Colbert, Limestone, Lauderdale, Madison, and Morgan Counties, Ala., and in Allen, Barren, Christian, Logan, Simpson, Todd, Trigg, and Warren Counties, Ky., under contract with Newspaper Printing Corp. and Automotive Distributors, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 134678, filed June 3, 1970. Applicant: FRED HANDLEY, Route 1, Box 14-A, Quincy, Wash. 98848. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cottonseed meal*, from Fresno, and points in Kern Counties, Calif., to points in Washington and Montana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle or Spokane, Wash.

No. MC 134726, filed June 23, 1970. Applicant: ELMER W. MOORE, doing business as ERW FILM SERVICE, 7804 Aley Road, Camp Springs, Md. 20031. Applicant's representative: Nicholas A. Addams, 1707 N Street NW, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Motion picture film, "paper", trailers, accessories, materials, and equipment* incident to the operation of motion picture theaters, between Washington, D.C., and points in Maryland; Philadelphia, Pa.; Charlottesville, Waynesboro, Stanton, Blue Grass, Harrisonburg, New Market, Woodstock, Strasburg, Washington, Stephens City, Winchester, Purcellville, Colonial Beach, Bowling Green, Triangle, Woodridge, Springfield, Chincoteague, Wattsville, Onancock, Bell Haven, Exmore, and Cape Charles, Va.; and Franklin, Elkins, Petersburg, Moorefield, Romney, Wardensville, Burlington, Keyser, Berkeley Springs, Bolivar, Ranson, Martinsburg, and Buckeye, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134728, filed June 22, 1970. Applicant: W. L. LOGAN TRUCKING CO., a corporation, 3224 Navarre Road SW., Canton, Ohio 44706. Applicant's representative: James Muldoon, 50 West Broad Street, Suite 1310, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Fabricated steel and fabricated steel articles, and parts and accessories* used in the assembly and erection thereof, from the plantsites of Macomber, Inc., at and near Canton, Ohio, to points in Connecticut, Delaware, District of Columbia, Kentucky, Maryland, Massachusetts, New Hampshire, New Jersey, points in New York, on and east of New York Highway 98, beginning at Carlton, N.Y., thence south to junction of New York Highway 98 and Interstate Highway 16 at York-shire, N.Y., thence south on Interstate Highway 16 to the New York-Pennsylvania State line, points in Pennsylvania, on and east of U.S. Highway 15, points in Tennessee and Virginia, and points in West Virginia, on and east of U.S. Highway 219. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 134730, filed June 22, 1970. Applicant: METALS TRANSPORT, INC., 2469 North 100th Street, Wauwatosa, Wis. 53226. Applicant's representative: Nancy J. Johnson, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum ingots and liquid metal* and on return, *materials, equipment, and supplies* used in the manufacture of aluminum alloys and, *rejected, damaged, or returned shipments*, from Oak Creek, Wis., to points in lower Michigan, Illinois, Indiana, Minnesota, Iowa, and Ohio, under contract with Vulcan Materials Co., A & M Division. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 134733, filed June 24, 1970. Applicant: ASHCRAFT EXCAVATING CO., INC., Pennsylvania Avenue, Apalachin, N.Y. 13732. Applicant's representative: Donald C. Carmiet, 500 O'Neil Building, Binghamton, N.Y. 13901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment*, between points in Tioga, Chemung, and Broome Counties, N.Y., on the one hand, and, on the other, points in Susquehanna, Bradford, Wyoming, Lackawanna, and Luzerne Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Binghamton, or Syracuse, N.Y.

No. MC 134735, filed June 25, 1970. Applicant: EDWIN J. ROLPH, 2931 West Pierson, Phoenix, Ariz. 85017. Applicant's representative: Donald E. Fernaays, 4114 A North 20th Street, Phoenix, Ariz. 85016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel roof decking and sheet steel coiled*, between Phoenix, Ariz., on the one hand, and, on the other, points in California, Nevada, Utah, Colorado, New Mexico, and Texas, under contract with Verco Manufacturing, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

MOTOR CARRIERS OF PASSENGERS

No. MC 107583 (Sub-No. 47), filed June 23, 1970. Applicant: SALEM TRANSPORTATION CO., INC., 1222 Jerome Avenue, Bronx, N.Y. 10452. Applicant's representative: George H. Rosen, 265 Broadway, Monticello, N.Y. 12701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, express and newspapers* in the same vehicle with passengers in special and charter operations, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, between points in Mercer County, N.J., on the one hand, and, on the other, Philadelphia, Pa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Trenton, N.J.

No. MC 129098 (Sub-No. 3), filed June 29, 1970. Applicant: GOLDEN CIRCLE TOURS, INC., 40 East Center Street, Kanab, Utah 84741. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special and charter operations, between points in Iron, Kane, Garfield, and Washington Counties, Utah; Mohave and Coconino Counties, Ariz.; and Clark County, Nev. NOTE: Applicant states tacking possibilities with its presently held authority MC 129098 and subs. If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev., or Kanab, Utah.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 133928 (Sub-No. 4), filed June 24, 1970. Applicant: ANTHONY H. OSTERKAMP, JR., doing business as OSTERKAMP TRUCKING, 764 North Cypress Street, Orange, Calif. 92666. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: *Gypsum, gypsum products, and building materials, and materials and supplies* used in the manufacture, installation, or distribution thereof, from points in Los Angeles, Calif., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington, under a continuing contract with United States Gypsum Co.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-8991; Filed, July 15, 1970;
8:45 a.m.]

[Notice 113]

MOTOR CARRIER TEMPORARY
AUTHORITY APPLICATIONS

JULY 10, 1970.

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 1131), 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 protests 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 field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 1641 (Sub-No. 89 TA), filed July 8, 1970. Applicant: PEAKE TRANSPORT SERVICE, INC., Post Office Box 366, Chester, Nebr. 68327. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt road oil and residual fuel oil*, in bulk in tank vehicles, from Phillipsburg, Kans., to points in Kit Carson County, Colo., for 150 days. Supporting shipper: Farmland Industries, Inc., Post Office Box 7305, Kansas City, Mo. 64116. Send protests to: District Supervisor Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 2900 (Sub-No. 200 TA), filed July 8, 1970. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Post Office Box 2408 (ZIP 32203), Jacksonville, Fla. 32203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard sheets, wood particle boards and plywood*, from Catawba, S.C. to points in Alabama and Florida, for 180 days. Supporting shipper: U.S. Plywood-Champion Papers, Inc., Knightsbridge Drive, Hamilton, Ohio. Send protests to: District Supervisor G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 103926 (Sub-No. 23 TA), filed July 7, 1970. Applicant: W. T. MAYFIELD SONS TRUCKING CO. (a corporation), 1560 Bankhead Highway,

Mableton, Ga. 30059. Mail: 1038 West Peachtree Street NW., Atlanta, Ga. 30309. Applicant's representative: William H. Driskell, Post Office Box 43171, Industrial Branch, Atlanta, Ga. 30336. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prestressed and precast concrete and prestressed and precast concrete products*, from Peachtree City, Ga., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia, for 180 days. NOTE: Applicant does intend to task with its existing authority. Supporting shipper: Exposaic Industries, Inc., 390 South Stratford Road, Post Office Box 15027, Winston-Salem, N.C. 27103. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 109649 (Sub-No. 10 TA), filed July 8, 1970. Applicant: L. P. TRANSPORTATION, INC., Main and Cross Streets, Chester, N.Y. 10918. Applicant's representative: John L. Alfano, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied natural gas*, in bulk, in tank vehicles, from points of entry on the United States-Canada border at or near Rouses Point, N.Y. to Fall River, Mass., for 150 days. Supporting shipper: Fall River Gas Co., 155 North Main Street, Fall River, Mass. Send protests to: Charles F. Jacobs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Building, Albany, N.Y. 12207.

No. MC 118336 (Sub-No. 3 TA), filed July 8, 1970. Applicant: W. B. GIBSON, Route 16, Grantsville, W. Va. 26147. Applicant's representative: John Friedman, 410 Lawson Street, Post Office Box No. 426, Hurricane, W. Va. 25526.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and plastic pipe fittings*, from Glenville (Gilmer County), W. Va., to Talladega, Ala.; Allendale, Pa.; Orwigsburg, Pa.; and Morgan, Utah, for 180 days. Supporting shipper: Four D Manufacturing Co., Post Office Box No. 397, Glenville, W. Va. Attention: Mr. Ronald Parsons, Distribution Manager. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3108 Federal Office Building, 500 Quarrier Street, Charleston, W. Va. 25301.

No. MC 119767 (Sub-No. 248 TA), filed July 8, 1970. Applicant: BEAVER TRANSPORT CO., 100 South Calumet Street, Post Office Box 339, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonalcoholic beverages*, in containers, and *related advertising materials*, from Watertown, Wis., to

Davenport and Dubuque, Iowa, and to points in the Upper Peninsula of Michigan, for 150 days. Supporting shipper: Wis-Pak, Inc., 860 West Street, Post Office Box 196, Watertown, Wis. 53094 (Charles D. West) (General Manager). 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 125417 (Sub-No. 14 TA), filed July 8, 1970. Applicant: BULK FREIGHTWAYS, 8332 Wilcox Avenue, Post Office Box 1069, South Gate, Calif. 90280. Applicant's representative: David P. Christianson, 825 City National Building, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Spent silica gel catalyst*, in bulk, in pneumatic trailer equipment, from Martinez, Calif., to Odessa, Tex., for 150 days. Supporting shipper: Shell Oil Co., Shell Building, Post Office Box 2099, Houston, Tex. 77001. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 129054 (Sub-No. 9 TA), filed July 8, 1970. Applicant: GILDER TRUCKING COMPANY, 280 Memorial Drive SW., Atlanta, Ga. 30303. Applicant's representative: Virgil H. Smith, 431 Title Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tile grout, mortar, tile, adhesive, paint and cement products*, from the plantsite of Stone Mountain Marble Manufacturing Co., Division of Bil-Dry, Grip-On Corp., at or near Lithonia, Ga., to points in the United States on and east of U.S. Highway 85, for 180 days. Supporting shipper: Stone Mountain Marble Manufacturing Co., Division of Bil-Dry, Grip-On Corp., Post Office Box 266, 2495-B Lithonia Industrial Boulevard, Lithonia, Ga. 30058. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 129352 (Sub-No. 4 TA) filed July 8, 1970. Applicant: CREAGER TRUCKING CO., INC., 2201 6th Avenue South, Seattle, Wash. 98134. Applicant's representative: George R. LaBissioniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Iron and aluminum rolls, rebar and plate*, from Los Angeles, and Berkeley, Calif., to Portland, Ore., and Kent, Wash., for 150 days. Supporting shipper: Ducommun Metals & Supply Co., 8212 South 196th Street, Kent, Wash. 98031. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 134523 (Sub-No. 1 TA), filed July 8, 1970. Applicant: COMMERCIAL CARTAGE CO., 4524 South 13th Street, Milwaukee, Wis. 53221. Applicant's representative: Gene Guy (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh meat, frozen meat, and packinghouse products*, from Cudahy, Wis., to points in the Chicago, Ill. commercial zone and points within a 50-mile radius, for 180 days. Supporting shipper: Patrick Cudahy, Inc., Cudahy, Wis. 53110 (E. A. Udovich, Traffic Manager). 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 134555 (Sub-No. 2 TA), filed July 8, 1970. Applicant: EXPERT TANK TRANSPORT, INC., Post Office Box 3067, 281 Northeast 185th Street, Miami, Fla. 33169. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Citrus products*, in bulk, in tank vehicles, from Avon Park, Dade City, and Dunedin, Fla., to Canton, Mass.; Riverton, N.J. and Meriden, Conn., for 180 days. Supporting shipper: Cumberland Farms Dairy, Inc., 777 Dedham Street, Canton, Mass. 02021. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5720 Southwest 17th Street, Room 105, Miami, Fla. 33155.

No. MC 134636 TA (Amendment) filed May 26, 1970, published in the FEDERAL REGISTER issue of June 10, 1970, and republished as amended this issue. Applicant: PALLMAN ENTERPRISES, INC., Summit Lake Road, South Abington Township, Lackawanna County, Pa. 18411. Applicant's representative: William D. Morgan, 310-320 Scranton Electric Building, 507 Linden Street, Scranton, Pa. 18503. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Salt and salt and pepper* from the site of the International Salt Co., plant at Watkins Glen, N.Y., and salt from the site of the International Salt Co. plant at Retsof, N.Y., to points in Bradford, Columbia, Lackawanna, Potter, Montour, Union, Tioga, Sullivan, Wyoming, Susquehanna, Wayne, Luzerne, Clinton, Snyder, Northumberland, and Lycoming Counties, Pa., for 180 days. NOTE: The purpose of this republication is to re-describe the authority sought. Supporting shipper: International Salt Co., Clarks Summit, Pa. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 134646 TA (Correction) filed May 28, 1970, published in the FEDERAL REGISTER issue of June 20, 1970 and republished as corrected, this issue. Applicant: L & H TRANSPORT, INC., 12010 North Portland Road, Portland, Ore. 97203. Applicant's representative: Sey-

mour L. Coblens, 510 Corbett Building, Portland, Ore. 97204. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: 1. *Iron or steel articles*, cast, forged or wrought, rough or machined, painted or unpainted, and new and used machinery for the mining and construction industry between places of manufacture, warehousing, or disembarkation, from points in Washington, Oregon, California, and Arizona to points in Montana, Idaho, Utah, Nevada, Arizona, and New Mexico, and between points in New York, New Jersey, Illinois, Indiana, Pennsylvania, Ohio, Kentucky, Michigan, Minnesota, Wisconsin, and Missouri, and points in Utah, New Mexico, Idaho, Montana, Arizona, California, and Washington, and between each of them. All of the foregoing transportation to be limited to contracts with American-Western Foundries. 2. (a) *Heavy electrical equipment, including transformers, switchgear, motors and other similar equipment*; (b) (1) between points in each of the following States to points in any one or all of the other States mentioned in this paragraph 2(b) (1): Washington, Oregon, Idaho, California, Arizona, Montana, and Utah. (2) From manufacturers and dealers located in the States of New York, Illinois, Pennsylvania, Ohio, Michigan, Minnesota, Mississippi, Florida, and North Carolina to Lake Oswego, Ore., or from such foregoing States to customers located in the States mentioned in paragraph 2(b) (1) above. (c) All of the foregoing transportation in this paragraph 2 to be limited to contracts with Martin Electric Co. 3. *Machine tools, fabricating equipment, and tools for metal fabricating*, between points in Oregon, Washington, Idaho, Montana, California, Texas, North Carolina, Ohio, Indiana, Illinois, Michigan, Wisconsin, and Iowa. All of the foregoing transportation in this paragraph 3 to be limited to contracts with Fahey Machinery Co., Inc., for 180 days. NOTE: The purpose of this republication is to correct the authority sought in (1) above. Supporting shippers: Martin Electric Co., Post Office Box 588, Lake Oswego, Ore. 97034; American-Western Foundries, Post Office Box 1288, Santa Barbara, Calif. 93102; Fahey Machinery Co., Inc., Post Office Box 23393, Portland, Ore. 97223. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest 4th Avenue, Portland, Ore. 97204.

No. MC 134702 (Sub-No. 1 TA), filed July 8, 1970. Applicant: NORTON TRUCKLINES, INC., 290 West Sixth South Street, Provo, Utah 84601. Applicant's representative: A. Dennis Norton, Seventh Floor, Continental Bank Building, Salt Lake City, Utah 84101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Tires, tire tubes, tire recapping materials and supplies, and tire tools and equipment*, between Provo, Utah, and Boise, Idaho, under a continuing contract with Commercial Tire Service, for 180 days. Supporting shipper:

Commercial Tire Service, 1461 North State Street, Provo, Utah 84601 (Clifford D. Foutin, General Manager). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-9098; Filed, July 15, 1970;
8:51 a.m.]

[Notice 114]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 13, 1970.

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 1131) 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 protests 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 field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 22229 (Sub-No. 63 TA), filed July 7, 1970. Applicant: TERMINAL TRANSPORT CO., INC., 248 Chester Avenue SE., Atlanta, Ga. 30316. Applicant's representative: Ralph B. Matthews (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 Birmingham, Ala., on the one hand, and, on the other, points served by Terminal Transport Co., Inc., in Florida, Georgia, Tennessee, Kentucky, Indiana, Illinois, Missouri, Michigan, Ohio, Arkansas, and Mississippi, and return over same route; serving no intermediate points (for those segments of Interstate 20 that are incomplete, using U.S. Highway 78 and such access roads as are necessary), for 180 days. Note: Applicant intends to tack with MC 22229 and Subs thereto and tack at Atlanta, Ga. Supporting shippers: There are approximately 16 state-

ments 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: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 76025 (Sub-No. 19 TA), filed July 8, 1970. Applicant: OVERLAND EXPRESS, INC., 651 First Street SW., Post Office Box 2667, New Brighton, Minn. 55112. Applicant's representative: James F. Sexton (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and advertising materials* (except commodities in bulk), from points in Cottonwood, Dakota, Douglas, Freeborn, Goodhue, Hennepin, Jackson, Meeker, Olmsted, Pine, Ramsey, Rice, Waseca, and Washington Counties, Minn.; and Clark, Chippewa, Columbia, Eau Claire, Green, Juneau, Marathon, Sauk, Trempealeau, and Wood Counties, Wis., to points in Virginia, for the account of Land O'Lakes Creameries, Inc., for 180 days. Supporting shipper: Land O'Lakes Creameries Inc., Minneapolis, Minn. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 94350 (Sub-No. 271 TA), filed July 8, 1970. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road at Transit Drive, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages, from points of manufacture of J. K. Parker Co. of Virginia Beach, Va., to points in the United States east of the Mississippi River, including Louisiana and Minnesota, for 180 days. Supporting shipper: J. K. Parker Co., Inc., 120 Parker Lane, Virginia Beach, Va. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, S.C. 29201.

No. MC 99735 (Sub-No. 2 TA), filed July 8, 1970. Applicant: SMITH AND WATERS, INC., Nation Road, Ware Shoals, S.C. 29692. Applicant's representative: W. D. Dunlap, (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Abbeville and McCormick Counties, S.C., on the one hand, and, on the other, Greenville County, S.C., for interchange with interstate motor common carriers, for 180 days. Note: Applicant will intend to tack at Greenville County, S.C. Supporting shippers: Caudle Motor, Post Office Box 488, McCormick, S.C. 29835;

Deering Milliken, Inc., Post Office Box 4396, Spartanburg, S.C. 29303; R-C Motor Lines, Jacksonville, Fla.; and E.T. & W.N.C. Transportation Co., Johnson City, Tenn., supporting as connecting carriers. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, S.C. 29201.

No. MC 107295 (Sub-No. 409 TA), filed July 8, 1970. Applicant: PRE-FAB TRANSIT CO., Post Office Box 146, 100 South Main Street, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, paneling and particle board*, from the plantsite and warehouse facilities of Evans Products Co. at Memphis, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, North Carolina, Ohio, Oklahoma, Pennsylvania, Texas, Virginia, and Wisconsin, for 180 days. Supporting shipper: Evans Products Co., Post Office Box 880, Corona, Calif. 91720. Send protests to: Harold Joliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 113024 (Sub-No. 92 TA), filed July 8, 1970. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Zinc borate*, in containers, from Boron, Calif., to Kensington, Ga., for account of Standard Brands Chemical Industries, Inc., for 180 days. Supporting shipper: Standard Brands Chemical Industries, Inc., Dover, Del. 19901. Manager, Physical Distribution. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 206 Old Post Office Building, 129 East Main Street, Salisbury, Md. 21801.

No. MC 115273 (Sub-No. 10 TA), filed July 8, 1970. Applicant: ACME CARRIERS, INC., 216 Third Street, Brooklyn, N.Y. 11215. Applicant's representative: George A. Olsen, 69 Tonnel Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (usual exceptions), from New York, N.Y., to St. Louis, St. Joseph, and Kansas City, Mo.; Fort Wayne, South Bend, and Indianapolis, Ind.; Cleveland, Ohio; Milwaukee and Madison, Wis.; Rockford, La Salle, and Morris, Ill.; and Wichita, Kans., for 120 days. Supported by: Applying only for duration of strike by Teamsters at Chicago, Ill. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 115669 (Sub-No. 112 TA), filed July 8, 1970. Applicant: HOWARD N.

DAHLSTER, doing business as DAHLSTER TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt, salt products, and mineral mixtures*, in bulk, from the plantsite of Morton Salt Co., at Hutchinson, Kans., to St. Louis, Mo., for 150 days. Supporting shipper: Morton Salt Co., 9575 West Higgins Road, Rosemont, Ill. 60018. Send protests to: District Supervisor Johnston, Interstate Commerce Commission, Bureau of Operations, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 125140 (Sub-No. 12 TA), filed July 8, 1970. Applicant: RICHARD B. BRUNZLICK, Augusta, Wis. 54722. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, fruit juices, and fruit drinks*, from Rochester, Minn., to Chippewa Falls, Galesville, La Crosse, and Whitehall, Wis., for 180 days. Supporting shipper: Land O'Lakes Creameries, Inc., Minneapolis, Minn. Send protests to: District Supervisor A. E. Rathert, Interstate

Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 134711 (Sub-No. 1 TA), filed July 8, 1970. Applicant: DAN LAIR-MORE'S ARMORED CAR SERVICE, INC., 1128½ South Elgin Street, Tulsa, Okla. 74120. Applicant's representative: Richard D. Bryan (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Banking items*, including checks, deposit slips, accounting reports, statements, cash letters, and data processing reports, between Tulsa, Okla., and points in Jasper, Newton, McDonald, Barton, Lawrence, and Green Counties, Mo., and Cherokee, La-bette, Crawford, Montgomery, Neosho, and Bourbon Counties, Kans., for 180 days. Supporting shipper: National Bank of Tulsa, B. M. Hatchett, Assistant Vice President, Post Office Box 2300, Tulsa, Okla. 74102. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

MOTOR CARRIER OF PASSENGERS

No. MC 134751 TA, filed July 8, 1970. Applicant: R. J. KRACH, doing business as DON JAIME'S MINIBUSES, 211 North Meadow, Laredo, Tex. 78040. Applicant's representative: R. J. Krach (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, in nonscheduled door-to-door service, limited to the transportation of not more than 19 passengers in any one vehicle (not including the driver thereof), between Laredo, Tex., and Chicago, Ill., for 180 days. Supported by: Letters from 21 individual passengers located in Laredo, Tex., and Chicago, Ill., which may be examined at the field office named below. Send protests to: Richard H. Dawkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 301 Broadway, Room 206, San Antonio, Tex. 78205.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-9099; Filed, July 15, 1970;
8:51 a.m.]

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