Agencies in this issue—
The President
Agricultural Research Service
Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Coast Guard
Commodity Credit Corporation
Comptroller of the Currency
Consumer and Marketing Service
Defense Department
Emergency Preparedness Office
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
Hazardous Materials Regulations Board
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Transportation Safety Board
Packers and Stockyards Administration
Securities and Exchange Commission
Small Business Administration

Detailed list of Contents appears inside.
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1936–1969

The full text of Presidential proclamations, Executive orders, reorganization plans, and other formal documents issued by the President and published in the Federal Register during the period March 14, 1936–December 31, 1969, is available in Compilations to Title 3 of the Code of Federal Regulations. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

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Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

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Washington, D.C. 20402
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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1970, and specifies how they are affected.

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Title 3—THE PRESIDENT

Executive Order 11549

REVOKING EXECUTIVE ORDER NO. 10361 OF JUNE 11, 1952,
ESTABLISHING THE WHITTIER DEFENSIVE SEA AREA, ALASKA

By virtue of the authority vested in me by Section 2152 of Title 18,
United States Code, and as President of the United States, Executive
Order No. 10361¹ of June 11, 1952, establishing the Whittier Defensive
Sea Area, Alaska, is hereby revoked.

THE WHITE HOUSE,

Richard Nixon

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Correction

In F.R. Doc. 70-3268, appearing at page 11580 of the issue for Saturday, July 18, 1970, the following changes should be made:

1. In the table under § 718.4 on page 11581 in the last column headed “Sec. 718.11 measurement refund”, the entry for Idaho should be deleted and “0.1 acre for tobacco” should be inserted in the line for Indiana.

2. In the fifth line of § 718.6(c) (1) reading “zioni (i) and (ii) of this subparagraph”, the word “and” should be changed to “or”.

3. In the fifth line of the introductory text of § 718.7, the word “country” should read “county”.

4. In the last line of § 718.8(g) (1), the word “thousands” should read “thousandths”.

5. In § 718.14, paragraph (3) under the state of Kansas should read:

(c) Corn and grain sorghums—August 5. All counties.

6. In § 718.14 under Texas, the county in (2) (ii) reading “Arkansas” should read “Arizona” and in (3) (ii) the last county listed reading “Zavala” should read “Zavalia”.

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Regulation 815.11, Amdt. 1]

PART 815—ALLOTMENT OF THE DIRECT-CONSUMPTION PORTION OF MAINLAND SUGAR QUOTA FOR PUERTO RICO

1970

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (hereinafter called the Act) for the purpose of amending Sugar Regulation 815.11 (35 F.R. 174), which established allotments of the direct-consumption portion of the 1970 mainland quota for Puerto Rico.

This amendment of S.R. 815.11 is necessary (1) to substitute in the allotment formula final 1969 data on entries of direct-consumption sugar for estimates of such quantities, (2) to give effect to the direct-consumption portion of the 1970 mainland quota for Puerto Rico amounting to 174,000 short tons, raw value, as established in S.R. 811, Amendment § 35 (F.R. 11183) for 1970, and (3) to allot the entire direct-consumption portion of the 1970 quota. Previous 1970 allotments were limited to 90 percent of the direct-consumption portion of the quota in effect on January 1, 1970.

The substitution of final data for estimates of 1969 direct-consumption entries in finding (7) results in the 1965-69 average annual marketings and 1965-69 highest annual marketings as follows, which are used herein in determining the allotments:

<table>
<thead>
<tr>
<th>Processor or refiner</th>
<th>Average annual marketings 1965-69</th>
<th>Highest annual marketings 1965-69</th>
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<tr>
<td></td>
<td>(short tons, raw value)</td>
<td>Percent of total</td>
</tr>
<tr>
<td></td>
<td>(1)</td>
<td>(2)</td>
</tr>
<tr>
<td>Central Roig Refining Co -------</td>
<td>151,051</td>
<td>100.000</td>
</tr>
<tr>
<td>Western Sugar Refining Co ------</td>
<td>24,205</td>
<td>15.062</td>
</tr>
<tr>
<td>San Rancco Co -----------------</td>
<td>4,191</td>
<td>0.000</td>
</tr>
<tr>
<td>Total</td>
<td>174,000</td>
<td>100.000</td>
</tr>
</tbody>
</table>

Limitation of handling

§ 815.634 Valencia Orange Regulation 324.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 928, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the

FEDERAL REGISTER, VOL. 35, NO. 147—THURSDAY, JULY 30, 1970

12193
PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

Termination of Regulation

Findings. (a) Pursuant to Marketing Agreement No. 114 and Order No. 947, both as amended (7 CFR Parts 947), regulating the handling of Irish potatoes grown in the production area defined in such Marketing Agreement, the termination of the effective period of this Marketing Agreement under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of information available, it is hereby found that this regulation has been superseded by a new regulation, § 947.329 (35 F.R. 11013); and, therefore, it is no longer necessary.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the Federal Register (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed before the effective date hereof. Such committee meeting was held on July 23, 1970.

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS


PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 Crop Barley Loan and Purchase Program

Correction

In F.R. Doc. 70-8809 appearing at page 11168 in the issue for Saturday, July 11, 1970, the following changes should be made:

1. In § 1421.74(a) the deduction for grains stored prior to May 16, 1970, now reading "23", should read "13".

2. In § 1421.76(a) the entry for "Lemhi" under Idaho should read "Lemhi" and the entry for "Putman" under Indiana should read "Putnam".

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 5, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.3, in paragraph (e)(14) relating to the State of Virginia, subdivision (viI) relating to Surry, Isle of Wight, Southampton, and Sussex Counties is amended to read:

(e) (14) Virginia. . . .

(vii) The adjacent portions of Isle of Wight and Southampton Counties bounded by a line beginning at the junction of Secondary Highway 626 and the Isle of Wight-Surry County line; thence, following Secondary Highway 626 in a generally southeasterly direction to Secondary Highway 621; thence, following Secondary Highway 621 in a generally southeasterly direction to State Highway 680; thence, following Secondary Highway 680 in a generally southeasterly direction to Highway 651; thence, following Secondary Highway 651 in a generally southeasterly direction to Secondary Highway 652; thence, following Secondary Highway 652 in a southeasterly direction to U.S. Highway 380; thence, following U.S. Highway 380 in a generally southeasterly direction to Secondary Highway 605; thence, following Secondary Highway 605 in a southeasterly direction to the Isle of Wight-Nansemond County line; thence, following the Isle of Wight-Nansemond County line in a southeasterly direction to U.S. Highway 460; thence, following U.S. Highway 460 in a northeasterly direction to Secondary Highway 610; thence, following Secondary Highway 610 in a generally southeasterly direction to Secondary Highway 603; thence, following Secondary Highway 603 in a generally northeasterly direction to Secondary Highway 641; thence, following Secondary Highway 641 in a generally northeasterly direction to Secondary Highway 603; thence, following Secondary Highway 603 in a generally southeasterly direction to Secondary Highway 655; thence, following Secondary Highway 655 in a northeasterly direction to
Secondary Highway 600; hence, following Secondary Highway 600 in a northwesterly direction to Secondary Highway 623; then, following Secondary Highway 623 in a northeasterly direction to Secondary Highway 626; hence, following Secondary Highway 626 in a generally northwesterly direction to Secondary Highway 631; hence, following Secondary Highway 631 in a northeasterly direction to Secondary Highway 614; hence, following Secondary Highway 614 in a generally northeasterly direction to Secondary Highway 600; hence, following Secondary Highway 600 in a northeasterly direction to Secondary Highway 616; hence, following Secondary Highway 616 in a generally northeasterly direction to Secondary Highway 600; hence, following Secondary Highway 600 in a northeasterly direction to the Southampton-Sussex County line; hence, following the Southampton-Sussex County line in a northeasterly direction to the Southampton-Sussex County line; hence, following the Southampton-Sussex County line in a northeasterly direction to the Isle of Wight-Surry County line; hence, following the Isle of Wight-Surry County line in a northeasterly direction to its junction with Secondary Highway 626.

§ 40.63 Source Material Reporting Requirements

(j) Each licensee who transfers, receives, imports or exports at any one time, 1,000 kilograms or more of uranium or thorium, or any combination thereof, shall complete and distribute a Nuclear Material Transfer Report on Form AEC-741, in accordance with the printed instructions for completing the form. Each licensee who transfers or exports such material shall submit a completed copy of Form AEC-741 to the Commission and to the receiver of the material promptly at the transfer or export place. Each licensee who receives or imports such material shall submit a completed copy of Form AEC-741 to the Commission within ten (10) days after the material is received. The reports shall be submitted to the U.S. Atomic Energy Commission, Post Office Box E, Oak Ridge, Tenn., 37830.

(b) Except as specified in paragraph (d) of this section, each licensee who is authorized to possess at any one time and location more than 1,000 kilograms of uranium or thorium, or any combination thereof, shall submit to the Commission within thirty (30) days after

---1--- and within thirty (30) days after June 30 of each year thereafter, a statement of his stock in trade inventory. The reports shall be submitted to the U.S. Atomic Energy Commission, Post Office Box E, Oak Ridge, Tenn., 37830, and shall include the Reporting Identification Symbol (RIS) assigned by the Commission to the licensee.

(d) Each licensee who transfers, receives, imports or exports at any one time, 1,000 kilograms or more of uranium or thorium, or any combination thereof, shall complete and distribute a Nuclear Material Transfer Report on Form AEC-741, in accordance with the printed instructions for completing the form. Each licensee who transfers or exports such material shall submit a completed copy of Form AEC-741 to the Commission and to the receiver of the material promptly at the transfer or export place. Each licensee who receives or imports such material shall submit a completed copy of Form AEC-741 to the Commission within ten (10) days after the material is received. The reports shall be submitted to the U.S. Atomic Energy Commission, Post Office Box E, Oak Ridge, Tenn., 37830.

---1--- Effective date of this amendment.

GEORGE W. IRVING, JR.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-7678; Filed, July 29, 1970; 8:46 a.m.]
provided that the thorium content in the alloys does not exceed 4 percent by weight; or

(3) Chemical catalysts containing uranium depleted in the $^{235}U$ isotope to 0.4 percent or less, provided that the uranium content of the catalyst does not exceed 15 percent by weight.

(Sec. 65, 191st, 68 Stat. 933, 948; 42 U.S.C. 2095, 2201(b))

3. Section 150.10 of 10 CFR Part 150 is amended to read as follows:

§ 150.10 Persons exempt.

Except as provided in §§ 150.15, 150.16, and 150.17, any person in an Agreement State who manufactures, produces, receives, possesses, uses, or transfers by-product material, source material, or special nuclear material in quantities not sufficient to form a critical mass is exempt from the requirements for a license contained in Chapters 6, 7, and 8 of the Act, regulations of the Commission imposing licensing requirements upon persons who manufacture, produce, receive, possess, use, or transfer such materials, and from regulations of the Commission applicable to licensees. The exemptions in this section do not apply to agencies of the Federal Government as defined in § 150.2.

4. A new § 150.17 is added to 10 CFR Part 150 to read as follows:

§ 150.17 Submission to Commission of source material reports.

(a) Except as specified in paragraphs (b) and (d) of this section, each person who, pursuant to an Agreement State license, transfers or receives at any one time or place 1,000 kilograms or more of uranium or thorium, or any combination thereof, or who imports such material pursuant to § 40.24 of this chapter, shall complete and distribute to the Commission a completed copy of Form AEC-741 to the Director, Division of Nuclear Materials Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545, by telephone, telegram, or teletypewriter in which an attempt has been made or is believed to have been made to commit a theft or unlawful diversion of such material. The initial report shall be followed within a period of fifteen (15) days by a written report submitted to the Director, Division of Nuclear Materials Safeguards, which sets forth the details of the incident and its consequences.

(b) Subsequent to the submission of the written report required by this paragraph, each person subject to the provisions of this paragraph, shall promptly inform the Director, Division of Nuclear Materials Safeguards by means of a written report of any substantive additional information, which becomes available to such person, concerning an attempted or apparent theft or unlawful diversion of source material.

(c) The reports described in paragraphs (a), (b), and (c) of this section are not required for:

(1) Processed ores containing less than five (5) percent of uranium or thorium, or any combination thereof, by dry weight.

(2) Thorium contained in magnesium-thorium and tungsten-thorium alloys, provided that the thorium content in the alloys does not exceed 4 percent by weight.

(3) Chemical catalysts containing uranium depleted in $^{235}U$ isotope to 0.4 percent or less, provided that the uranium content of the catalyst does not exceed 15 percent by weight.

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(1) Processed ores containing less than five (5) percent of uranium or thorium, or any combination thereof, by dry weight.

(2) Thorium contained in magnesium-thorium and tungsten-thorium alloys, provided that the thorium content in the alloys does not exceed 4 percent by weight.

(3) Chemical catalysts containing uranium depleted in $^{235}U$ isotope to 0.4 percent or less, provided that the uranium content of the catalyst does not exceed 15 percent by weight.

§ 150.17 is added to 10 CFR Part 150 to read as follows:

§ 150.17 Submission to Commission of source material reports.

(a) Except as specified in paragraphs (b) and (d) of this section, each person who, pursuant to an Agreement State license, transfers or receives at any one time or place 1,000 kilograms or more of uranium or thorium, or any combination thereof, or who imports such material pursuant to § 40.24 of this chapter, shall complete and distribute to the Commission a completed copy of Form AEC-741 to the Director, Division of Nuclear Materials Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545, by telephone, telegram, or teletypewriter in which an attempt has been made or is believed to have been made to commit a theft or unlawful diversion of such material. The initial report shall be followed within a period of fifteen (15) days by a written report submitted to the Director, Division of Nuclear Materials Safeguards, which sets forth the details of the incident and its consequences.

(b) Subsequent to the submission of the written report required by this paragraph, each person subject to the provisions of this paragraph, shall promptly inform the Director, Division of Nuclear Materials Safeguards by means of a written report of any substantive additional information, which becomes available to such person, concerning an attempted or apparent theft or unlawful diversion of source material.

(c) The reports described in paragraphs (a), (b), and (c) of this section are not required for:

(1) Processed ores containing less than five (5) percent of uranium or thorium, or any combination thereof, by dry weight.

(2) Thorium contained in magnesium-thorium and tungsten-thorium alloys, provided that the thorium content in the alloys does not exceed 4 percent by weight.

(3) Chemical catalysts containing uranium depleted in $^{235}U$ isotope to 0.4 percent or less, provided that the uranium content of the catalyst does not exceed 15 percent by weight.
Authority is issuing these bonds to finance a Sheriff's Station and related facilities in the Norwalk Civic Center.

(2) The County has unconditionally promised in the lease rental agreement to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as other necessary expenses. The County which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

(c) Ruling. It is our conclusion that the $7,500,000 Los Angeles County-Norwalk Sheriff's Station Authority Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Acting Comptroller's letter dated May 18, 1970.)

§ 1.263 San Bernardino Public Safety Authority.

(a) Request. The Comptroller of the Currency has been requested to rule on the eligibility of the $7,500,000 San Bernardino Public Authority Revenue Bonds for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) Opinion. (1) The San Bernardino Public Safety Authority is a public entity created under the laws of California by an agreement between the City of San Bernardino and the County of San Bernardino. Under this agreement, the Authority is authorized to acquire, construct, maintain, operate and lease public buildings and related facilities to be leased to and operated by the City, and to issue bonds to finance such projects. The Authority is issuing these bonds to finance the acquisition and construction of a parking structure which will be leased to the City.

(2) Under the lease rental agreement the City has unconditionally promised in the lease rental agreement to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as other necessary expenses. The City expects that funds may be available for the payment of its lease rental obligation from three specific sources: parking revenues, rentals from a commercial village to be developed on the top of the parking structure, and tax increment payments which the Redevelopment Agency for the City has agreed to make to the City of the benefits derived from the parking structure by the redevelopment project. The obligation of the City to pay the rentals is, however, a general obligation and is not limited to payment from a specific source. The City which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

(c) Ruling. It is our conclusion that the $11,880,000 Revenue Bonds of the Parking Authority of the City of Redondo Beach are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Acting Comptroller's letter dated June 29, 1970.)

§ 1.264 Parking authority of the City of Redondo Beach.

(a) Request. The Comptroller of the Currency has been requested to rule on the eligibility of the $11,880,000 Revenue Bonds of the Parking Authority of the City of Redondo Beach for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) Opinion. (1) The Parking Authority of the City of Redondo Beach is a public entity created by the laws of California but authorized to function only upon a finding of need. The City Council of the City of Redondo Beach has made the appropriate finding and, in accordance with the law, has declared itself to be the Parking Authority. Under the law a parking authority is authorized to issue revenue bonds to finance such projects and may issue such bonds without obtaining the approval of the electors of the city where the bonds are issued to finance a project which is to be financed by the City and where the principal of and interest on the bonds are to be payable from rentals paid by the city under such lease. The Authority is issuing these bonds to finance the acquisition and construction of a parking structure which will be leased to the City.

(2) Under the lease rental agreement the City has unconditionally promised in the lease rental agreement to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as other necessary expenses. The City which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

(c) Ruling. It is our conclusion that the $6 million San Bernardino Civic Center Authority City Hall and Exhibit Hall Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated July 22, 1970.)


(3) Under the lease rental agreement the City has unconditionally promised in the lease rental agreement to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as other necessary expenses. The City which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 70-WE-27-AD; Amdt. 39-1051]

PART 39—AIRWORTHINESS DIRECTIVES

Beeing Model 747—100 Series Airplanes

There has been an incident involving the steering system on 747—100 series airplanes in which the nose gear steering mechanism failed to return to neutral, thereby causing unwanted nose and body steering during airplane takeoff roll. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to prescribe special surveillance by the pilot and testing and modification of the nose gear steering mechanism valve on Boeing Model 747—100 airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure herein 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 (31 F.R. 13689), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

FEDERAL REGISTER, VOL. 35, NO. 147—THURSDAY, JULY 30, 1970
Compliance required as indicated. To prevent unsafe conditions resulting from malfunction of the ground steering system and to eliminate causes for such malfunction, accomplish the following:

a. Within 10 hours' time in service after the effective date of this AD, unless already accomplished, (1) establish and maintain pilot surveillance over landing gear steering inputs through an FAA-approved training program presented by an operator which follows the recommendations in Boeing Flight Crew Training Bulletin No. 70-20, dated July 14, 1970, or (2) follow an equivalent pilot surveillance procedure approved by the Chief, Aircraft Engineering Division, FAA Western Region, or (3) install a placard with the following wording in clear view of the captain and first officer:

Be alert for any unexplained steering inputs during takeoff and landing as indicated by unusual directional control problems or a chattering nose gear due to tire scrubbing. Take immediate positive action with the steering tiller to correct any suspected steering problems. Under no circumstances steer the airplane until the nose gear steering metering valve passes the test prescribed by Boeing Aircraft Co., Seattle, Wash., 98124 which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at FAA Western Region headquarters.

b. Within the next 25 hours' time in service after the effective date of this AD, unless already accomplished:

(1) Test the inherent centering capability of the nose gear steering metering valve in the manner described by Boeing Alert Service Bulletin No. 32-2041.

(2) Test the inherent nose gear centering capability provided by the tiller system, in the manner also described by Boeing Alert Service Bulletin No. 32-2041.

d. Replace any nose gear steering metering valve prior to further flight if both of the test requirements of c(1) and c(2), above, are not passed, with valve P/N 60B00210-1 or with another valve P/N 60B00210-1 which has been found and tested to pass those test requirements.

e. Inspect and correct any tiller steering system prior to further flight when the nose gear steering metering valve passes the test requirements of c(1), above, but does not pass the test requirements of c(2), above, in accordance with established B-747 maintenance procedures.

f. A nose gear steering metering valve which does not meet the test requirements of c(1) but passes the test requirements of c(2) may be continued in service for a period not to exceed 300 hours after the effective date of this AD, provided the test prescribed by c(2) is repeated at intervals not to exceed 25 hours' time in service and the tiller system is corrected as necessary to assure continued satisfactory tiller centering action.

g. Within the next 600 hours' time in service after the effective date of this AD, unless already accomplished, replace the nose gear steering metering valve, P/N 60B00210-1, with nose gear steering metering valve P/N 60B00210-2, or with another valve approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective July 30, 1970.

(Secs. 315(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))

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 553(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to The Boeing Co., Seattle, Wash. 98124.

These documents may also be examined at FAA Western Region headquarters, 5651 West Manchester Avenue, Los Angeles, Calif., and at FAA headquarters, 800 Independence Avenue SW., Washington, D.C., FAA, which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at FAA Western Region headquarters.

Issued in Los Angeles, Calif., on July 20, 1970.

James V. Nielsen, Acting Director, FAA Western Region.

The incorporation by reference provisions in this document were approved by the Director of the Federal Register on July 20, 1970.

[F.R. Doc. 70-6831; Filed, July 23, 1970; 8:49 a.m.]

[Docket No. 70-EA-61; Amdt. 59-1044]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to Piper PA-30 type airplanes.

There had been a report of excessive vibration in the empennage which could result in damage or failure of the stabilizer. Since this condition was likely to exist or develop in other airplanes of the same type design, an airmail distribution was made of the following airworthiness directives to Piper PA-30s which required reduction of the maximum speed of the aircraft to 230 m.p.h. calibrated air speed.

Since the foregoing situation existed, notice and public procedures were impractical and good cause existed for issuing an airworthiness directive applicable to Piper PA-30 type airplanes.

This amendment becomes effective September 17, 1970.

(Secs. 315(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 Jamaica, N.Y., on July 13, 1970.

Wayne Hendriksen, Acting Director, Eastern Region.

[F.R. Doc. 70-6830; Filed, July 29, 1970; 8:49 a.m.]

[Airspace Docket No. 60-WA-61]
PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On page 3823 of the Federal Register dated February 23, 1970, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Hastings, Mich.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below:

This amendment shall be effective 0901 G.m.t., September 17, 1970.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1346; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on July 14, 1970.

B. E. BARROW,
Acting Director, Central Region.

In § 71.181 (35 F.R. 2134), the following transition area is added:

HASTINGS, MICH.

That airspace extending upward from 700 feet above the surface within a 6½ mile radius of Hastings Municipal Airport (latitude 43°59'50" N., longitude 85°20'50" W.; and within 2 miles each side of the Grand Rapids, Mich., VOR 141° radial extending from the 6½ mile radius area; the airspace overlying Grand Rapids, Mich., 700-foot floor transition area.

[F.R. Doc. 70-9859; Filed, July 29, 1970; 8:31 a.m.]

[Airspace Docket No. 70-CE-10]

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

Designation of Transition Area

On page 3923 of the Federal Register dated May 7, 1970, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Spirit Lake, Iowa.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below:

This amendment shall be effective 0901 G.m.t., September 17, 1970.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1346; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on July 14, 1970.

B. E. BARROW,
Acting Director, Central Region.

In § 71.181 (34 F.R. 4637), the following transition area is added:

SPIRIT LAKE, IOWA

That airspace extending upward from 700 feet above the surface within a 6½ mile radius of Spirit Lake Municipal Airport (latitude 43°53'05" N., longitude 95°08'10" W.; and within 3 miles each side of the 350° bearing from Spirit Lake Municipal Airport, extending from the 6½ mile radius to 8 miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles east and 9½ miles west of the 350° bearing from Spirit Lake Municipal Airport, extending from the airport to 18½ miles north of the airport.

[F.R. Doc. 70-9881; Filed, July 29, 1970; 8:51 a.m.]
Since this regulation is a rule of agency practice and procedure, notice and public procedure hereon are not required. The Board finds that the charges set forth in this amendment are fair and equitable, taking into consideration direct and indirect cost to the Government. The Board also finds that the need for and the public benefits flowing from making the computer tapes immediately available to the public for copying constitute good cause for this amendment to be made effective upon less than 30 days' notice.

Accordingly, the National Transportation Safety Board hereby amends Subpart C—Fees for Special Services, effective as of the date of publication in the Federal Register.

In § 401.10, a new paragraph (e) is added as follows:

§ 401.10 Services available.
   (e) Copying computer tapes of the Board.

2. Add a new § 401.16a, as follows:

§ 401.16a Copying computer tapes of the Board.
   (a) Computer tapes containing public data on aircraft accidents or data processing programs will be provided upon written request to the Chief, Accident Data Branch, Bureau of Aviation Safety. In those instances where a tape contains data which has been withheld from public disclosure by the Board, only the non-administrative portion of the tape will be copied.
   (b) Charges for this service are as follows: 25 cents per tape; 5 cents per reel of tape or fraction thereof, $40. This fee includes the blank tapes upon which the information will be copied, the computer cost associated with copying the tapes, and costs of mailing the tapes to the requester.


By the National Transportation Safety Board.

LOUIS M. THAYER,
Acting Chairman.

July 24, 1970.

[F.R. Doc. 70-9832; Filed, July 29, 1970; 3:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 71—SPECIAL 30-DAY LEAVE BASED ON VOLUNTARY TOUR EXTENSIONS IN HOSTILE FIRE AREAS

The Deputy Secretary of Defense approved the following:

Sec. 71.1 Purpose.

71.2 Applicability and scope.

71.3 Policies and responsibilities.

Authority: The provisions of this Part are issued under 80 Stat. 1163, 10 U.S.C. 705(b).

§ 71.1 Purpose.

This part establishes Department of Defense uniform policies to assure compliance with Public Law 91-302, "To extend the authority to grant a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas," enacted July 2, 1970.

§ 71.2 Applicability and scope.

The provisions of this part apply to the Military Departments, and cover all members of the Armed Forces of the United States on active duty.

§ 71.3 Policies and responsibilities.

The Secretaries of the Military Departments will issue uniform implementing regulations consistent with the following:

(a) General. (1) Military personnel completing the prescribed tour of twelve (12) months in Vietnam who volunteer and are approved by competent authority for a tour extension in Vietnam of at least six (6) months duration will be authorized a special 30-day leave at any desired location selected by the member, except locations where military personnel are restricted from traveling when in a leave status. The special 30-day leave shall be exclusive of travel time and the tour extension shall be exclusive of both the 30-day special leave and travel time.

(2) These special leave privileges may also be extended to other Southeast Asia assignees who are regularly engaged in operations in a hostile fire area and who extend their assignments in a hostile fire area for a period of at least six (6) months beyond the prescribed 12-month tour.

(3) In a situation where an individual's voluntary extension has been approved, but he is transferred from Vietnam as part of a unit or otherwise at the convenience of the Government prior to:

(i) Serving the full period of his extension, he will be entitled to his special 30-day leave provided:

(a) He has completed or is taking his leave at the time of the transfer of his unit from Vietnam;

(b) He has completed his prescribed tour of twelve (12) months in Vietnam, and is, in fact, actually serving his extension at the time of the transfer of his unit.

(ii) Completing his prescribed tour of twelve (12) months and prior to departing on his special 30-day leave, the extension will be considered as canceled and the member will no longer be eligible for the special leave.

(4) A member may volunteer to remain in Vietnam after his unit is transferred in order to complete his previously approved extension provided military requirements for unit integrity (see Part 75 of this subchapter) do not override such action.

(b) Eligibility criteria. To be eligible for special leave and transportation under this policy, the member must:

(1) Be permanently assigned to an Armed Forces military unit stationed in Vietnam or permanently assigned on a 12-month Southeast Asia unaccompanied tour and regularly engaged in operations in a hostile fire area. (Eligibility for special leave continues for each subsequent voluntary extension of at least six (6) months.)

(2) Agree in writing to serve in a hostile fire area for at least six (6) months (exclusive of special leave and travel time) beyond the normal expiration of his 12-month tour. If the member's term of active service will expire (ETS) prior to completing a normal 12-month tour, the minimum time beyond ETS for which he must agree to extend, in writing, in order to be eligible for special leave and transportation is subject to the restrictions contained in § 71.3(d).

(3) For subsequent extensions and entitlements, agree, in writing, to serve in a hostile fire area for at least six (6) months (exclusive of special leave and travel time) beyond the adjusted tour length resulting from his prior extension.

(4) Reenlist or execute a voluntary extension of his term of service in any instance where he does not have sufficient obligated active duty service remaining to complete the tour extension and

(5) Be approved for tour extension by competent military authority.

(c) Administrative instructions. (1) Round-trip leave transportation will be furnished at Government expense to the leave site selected.

(2) Mode of transportation will be determined in accordance with pertinent regulations, using the most expeditious means available. Military owned or controlled transportation will be used to the maximum extent practicable.

(3) Special leave must be taken in one (1) increment, and need not be charged or credited to leave already accrued or to leave which may accrue.

(4) Special leave shall not commence earlier than ninety (90) days before or later than thirty (30) days after the members' completion of twelve (12) months service in the hostile fire area. Where operational commitments or unusual circumstances preclude leave from being taken, the Secretary of the Military Department, or his designee, may authorize the commencement of leave up to sixty (60) days subsequent to completion of twelve (12) months service in the hostile fire area.

(5) When the member departs on special leave prior to the normal expiration of his tour of duty, the unserved portion of his normal tour will be added to the period of his extension.

(6) Leave rations are authorized for the period of special leave and authorized travel time.

(d) Restrictions. Tour extension agreements shall not be approved:

(1) If the member is serving in a temporary duty status;
PART 239a—DEPARTMENT OF DEFENSE HOUSING REFERRAL PROGRAM

The Deputy Secretary of Defense approved the following policy which has been in effect for about 4 months:

Sec. 239a.1 Purpose and objectives.
This Part sets forth Department of Defense policies governing the establishment and operation of Housing Referral Offices to assure that military personnel authorized to reside off-base are quickly, adequately, suitably and economically housed in quarters within reasonable proximity of their duty stations.

Sec. 239a.2 Applicability and scope.
This Part applies to the Military Departments, Defense Agencies, and other DOD activities (hereinafter referred to collectively as "DOD Components") which have military personnel assigned who are authorized to live in the civilian community.

Sec. 239a.3 Policies and responsibilities.
(a) Heads of the DOD Components will provide for the establishment and operation of Housing Referral Offices at each installation in the United States under their jurisdiction having more than 500 military personnel assigned.

(b) Each Housing Referral Office will offer complete referral services and a full range of personal assistance to all military personnel (and/or dependents) who require and are authorized to occupy off-base housing. This assistance will be available to all military personnel and dependents, regardless of their pay grade, years of service, or marital status.

(c) The housing of DOD military personnel will be conducted on a nondiscriminatory basis. All housing activity will be free from racial discrimination, and provide equal opportunity and treatment for all military personnel irrespective of their race, color, creed, or national origin.

(3) The Housing Referral Offices will be established as components of installation level Family Housing Offices. Any exceptions to this policy will be specifically approved by the Assistant Secretary of Defense (Installations and Logistics).

(b) At smaller installations (500 or less military personnel assigned) housing referral services will be performed to the extent required, however, full advantage will be taken of housing referral services offered by larger installations in the area. Where a military family housing inventory exists, these referral services will be performed by the family housing office.

(c) Housing Referral Offices and services may be established in overseas areas at the discretion of the head of each DOD Component concerned, after approval by the Assistant Secretary of Defense (Installations and Logistics). Where such service is provided, there will be full coordination between and among affected DOD Components.

(d) The Assistant Secretary of Defense (Installations and Logistics) will develop and issue supplementary DOD instructions governing the operation of the Housing Referral Program, and review and evaluate compliance therewith.

(e) The Assistant Secretary of Defense (Manpower and Reserve Affairs) will review and evaluate compliance relating to Equal Opportunity in off-base housing including required surveys to measure progress in the area of off-base discrimination.

(f) The Assistant Secretary of Defense (Comptroller) is responsible for issuing policy and procedures for the financing of the Housing Referral Program.

(g) The Secretaries of the Military Departments and Directors of Defense Agencies are responsible for the establishment and operation of the Housing Referral Offices and the performance of housing referral and related services.

Sec. 239a.4 Programing, budgeting and financing.

(a) Resources required for the Housing Referral Program will be programmed, budgeted and financed under the Family Housing Management Account or the applicable Military Personnel Appropriation.

(b) Costs of housing referral services (exclusive of costs related to military personnel) are chargeable to the Family Housing Management Account under the Major Functional Category: Operation and Maintenance; Immediate Subordinate Account: Operations; Subaccount: Administration. Applicable costs charged to this account will be determined in accordance with the principles set forth in DOD Instruction 710.6 for charging administrative and related support costs. Appropriate DOD issuances will be revised accordingly.

(c) Costs of military personnel engaged in this program will be charged to the applicable Military Personnel Appropriation.

Maurice W. Roche, Director, Correspondence and Directives Division, OASD (Administration).

PART 239b—HOUSING REFERRAL OFFICES AND SERVICES

The Assistant Secretary of Defense (Installations and Logistics) approved the following policy which has been in effect for about 4 months:

Sec. 239b.1 Purpose.
This part supplements Part 239a of this subchapter and provides guidance for (a) establishment and operation of Housing Referral Offices, (b) performance of housing referral services, and (c) reporting requirements.

Sec. 239b.2 Applicability and scope.
The provisions of this part apply to all DOD Components (the Military Departments, Defense Agencies and other DOD activities) which have military personnel assigned who are authorized to live in the civilian community.

Sec. 239b.3 Program objectives.
(a) The Housing referral program is to provide military personnel authorized to live in the civilian community with a personalized and conveniently available service to assist them in locating suitable off-base housing. Communities near military installations are relied on as a primary source of housing for military personnel.

(b) Where government quarters are available, assignments are made in accordance with existing instructions (see DOD Instruction 4165.44).

(c) In providing full and complete Housing Referral Services to all military personnel, it is the intent to avoid duplication and overlapping where two or more installations are located in the same general area and draw upon the same community support.

Sec. 239b.4 General guidelines.

(a) In appropriate geographic areas, maximum intra- and inter-service coordination will be effected in performing
housing referral services. A single (joint) referral office should be considered where suitable and where more than one installation draws upon the same community support.

(b) The housing referral services will be established under the centralized Family Housing Offices as prescribed by Part 239a of this Subchapter unless specifically exempted by the ASD(JEL). Operations will be performed by personnel assigned to the centralized Family Housing Offices as the degree possible. Family or community services volunteers may be utilized, but only to assist personnel responsible for providing such services. Military personnel or civilian personnel may be used as required.

(c) In order to provide maximum assistance, procedures will be established whereby military personnel are processed through the appropriate housing referral office prior to the execution of a commitment for obtaining private housing. In this manner, personnel can be provided the information on availability of public quarters, types and costs of available private rental housing, schools, shopping, and other community services. Each military person shall retain his freedom to operate within the selection of private accommodations, except in those situations where competent authority has imposed restrictive sanctions against certain rental properties when there is a requirement to occupy Military Family Housing; in this connection, efforts should be made to avoid hardship on the serviceman. DOD Instruction 4165.44\(^1\) establishes criteria for considering hardship cases.

(d) In all instances, positive, aggressive action will be taken to secure the maximum number of suitable listings (vacancies) of properties which are available for occupancy by military personnel.

(e) Establishment of housing referral service is not intended to intrude on the normal relations between real estate brokers, rental agents, sales agents, and their customers.

§ 239b.5 Functions and responsibilities.

(a) Large installations (more than 500 military personnel assigned). Under the general supervision of heads of DOD Components each Housing Referral Office will perform the following:

1. Obtain nondiscriminatory listings (vacancies) of housing units in the commuting area. Inspect property submitted for listing when there is a question of suitability based on environmental conditions, including health and safety considerations.

2. Maintain listings, as applicable, of housing against which sanctions have been imposed.

3. Provide housing information to military personnel and dependents of all components of DOD.

4. Counsel all military personnel processed through the referral service concerning standards of conduct and on availability of assistance in resolving complaints between tenant and landlord.

5. Secure reports from personnel of housing obtained from any source or reasons for failure to obtain suitable housing.

6. Maintain continuous liaison with the real estate interests and the community to advise of military housing needs, to obtain listings of available units and to encourage open housing for military personnel.

7. Maintain liaison with other Government agencies regarding availability of housing assets to satisfy DOD housing needs.

8. Stay abreast of housing activity in the community and community services and provide this information to interested personnel.

9. Assist, as required, in assuring that only nondiscriminatory advertisements of rental or sale housing units appear in media under control of the command (see DOD Instruction 1636.1 and 5120.4\(^1\)).

10. Exchange housing listings and data with other Housing Referral Offices as appropriate.

11. Maintain signed acknowledgment of notification to military units by members of any units restricted by official sanction.

12. Maintain data and submit reports, as required, regarding progress on obtaining listings and referrals and placements made, and related matters.

13. Verify availability of houses for sale or rent prior to referring personnel to them. Contact apartment owners or operators as necessary to assure knowledge of current rental policies, practices, and rates.

14. Provide a point of contact for real estate interests and military personnel in regard to complaints associated with housing and provide a mediation service. In the event of complaints pertaining to racial discrimination the provisions of DOD Instruction 1636.15\(^1\) will be followed.

15. Withhold authorization of leases or rental agreements by military personnel in disfavor.

(b) Small installations (500 or less military personnel assigned). Under the general supervision of heads of DOD Components each installation commander will:

1. Assure that full advantage is taken of housing referral services offered by larger installations in the area.

2. Make available referral services and, in addition, personal assistance described in paragraph (a) of this section to the extent required by the local environment.

3. Withhold authorization of leases or rental agreements by military personnel in discriminatory facilities.

§ 239b.6 Criteria for establishing joint or coordinated offices.

(a) Joint office. A single (joint) housing referral office serving all installations in the area may be established if all installations agree that the single referral office will not cause personal inconvenience or lessen the effectiveness of referral service for military personnel in the area. When a single housing referral office is established, one installation will be responsible for all functions and responsibilities listed in § 239b.5. This includes single reporting for the area, and followup action on complaints reported by military personnel. Services and property owners, as deemed appropriate. A single referral office may be jointly manned, as agreed locally.

(b) Coordinated offices. In areas where more than one installation draws upon the same commuting area, coordinated offices may be established. Each (joint) referral office is not appropriate, one installation may be designated as central coordinator for the area. The central coordinator will serve as a single point of contact for DOD prime agency for contacts between the military and community officials and local, state, and federal agencies. In coordinated areas, each installation will be responsible for providing referral service. Two methods of operating coordinated offices are:

1. Divide the area among offices. The geographical area may be divided among several installations based on their size and interest. Each installation will be charged with all the functions and responsibilities of the referral service that pertain to his area, except the overall coordination and operation of the central coordinator. Under this arrangement, each installation commander will be responsible for contacting individual landlords to obtain referral listings within the specifically assigned geographical area of responsibility. As appropriate, referral offices will exchange information on listings and each will counsel and refer its own applicants.

2. Coordinating office make contacts and obtain listings. The central coordinator may operate as a joint activity responsible for housing referral functions for all installations in the area, with the exception of counseling and providing assistance to members reporting to individual installation referral offices. Referral offices at each installation may operate as branch offices of the central coordinator or as separate referral offices. In either case each office will receive consolidated referral information from the central coordinator and will counsel and refer its own applicants.

§ 239b.7 Housing referral office—procedures and reports.

(a) Housing listings (vacancies). No effort should be spared in obtaining the maximum number of housing listings (vacancies) required for use as referrals for those personnel assigned to live off base. Listings must be documented, however, with written assurance of availability (see paragraph (b) of this section) to all military personnel without regard to race, creed, color or national origin.

1. Rental listings. Listings of housing units available for rent to military personnel shall be obtained from owners, their representatives or from real estate agents.

(ii) The owner or manager or agent of the property being listed shall be requested to sign a "Family Housing Information Sheet" (DD Form 1666) 2 or

See footnotes at end of document.
provide other assurances that the property is available to all military personnel. The documentation shall be retained in files for needed purposes.

(iii) A more detailed rental listing card (DD Form 1669) which shall be completed for each facility and cross referenced to the signed “Family Housing Information Sheet” or other assurance of availability to all military personnel that is provided.

(iv) The data on the listing cards should be checked for accuracy and currency.

(v) The property owner, manager, or agent who makes the listing should be requested to advise the Housing Referral Office when the unit is rented or when it is no longer available for rent. This notification may be accomplished by telephone or any other means of communication.

(vi) The “Detailed Sales/Rental Listing Card” (DD Form 1667) shall be filed in the appropriate “for rent” file and used as appropriate in making referrals.

(2) Listings. (i) Listings of housing units available for sale to military personnel shall be obtained from owners, their representatives or from real estate agents.

(ii) The owner or manager or agent of the property being listed shall be requested to sign a “Family Housing Information Sheet” (DD Form 1666) or provide other assurances that the property is available to all military personnel. The documented assurance shall be retained in files for record purposes.

(ii) The “Detailed Sales/Rental Listing Card” (DD Form 1667) shall be completed for each facility and cross referenced to the signed “Family Housing Information Sheet” (DD Form 1666) or other documented assurance of availability to all personnel.

(iv) The detail on the listing cards should be checked for accuracy and currency.

(v) The property owner, manager, or agent who makes the listing should be requested to advise the Housing Referral Office when the unit is sold or when it is no longer available for sale. This notification may be accomplished by telephone or any other means of communication.

(vi) The “Detailed Sales/Rental Listing Card” (DD Form 1667) shall be filed in the appropriate “for sale” file and used in making referrals.

(b) Assurance of availability to all military personnel. (1) Property may be qualified for listing with the Housing Referral service by completion of the “Family Housing Information Sheet” (DD Form 1666) by the owner or manager of the property, or through an exchange of letters, or by other means devised locally so long as the result is a written assurance of nondiscrimination which can be retained in the referral files. Where the

“Family Housing Information Sheet” (DD Form 1666) is not used, the information obtained shall be recorded in file and retained on file.

(2) When the Housing Referral Office or the installation commander is unable to obtain a written assurance of availability to all military personnel from an owner, manager, or agent who nevertheless asserts that he follows this policy, the facility may be listed for referral if there is on file in the Housing Referral Office:

(a) A statement signed personally by the installation commander or his deputy, as appropriate, or his specific designee, that in his opinion the assurance of availability to all military personnel has been furnished him by the owner or manager in question; and

(b) Information required to complete the “Family Housing Information Sheet” (DD Form 1666).²

(c) Processing personnel. In accordance with established procedures, assurance that a particular off-base housing are reporting to the appropriate Housing Referral Office prior to obtaining off-base housing. The counseling should include a discussion of the availability of assistance in resolving complaints between tenants and landlords. The counseling should include a discussion of tenants’ rights, the desirability of obtaining lease clauses in all rental contracts, and the availability of legal assistance in the review of proposed leases and sales contracts to protect the interests of military personnel.

(10) Applicants displaying interest in home purchase will be advised to contact the responsible officer for determination of eligibility for payment by the Department of Housing, Veterans Administration, Home Loan Guarantees are also available for qualified personnel and should be explained if the applicant is interested.

(11) Inform each person processed that he is not authorized to rent or lease a housing unit to which racial discrimination is applied.

(e) Geographical area information. Each Referral Office will compile information concerning schools (public, private, and parochial), shopping areas, recreational facilities, transportation,
and other community facilities and services in its geographical area and assemble this information as hand out material to personnel seeking off-base housing (see also paragraph (d) (7) of this section).

(f) Complaints. Complaints of off-base housing problems of any nature from military personnel or from others/mangers of lists of facilities must be investigated when there is a reason to question the suitability of the housing based on environmental conditions, including health and safety considerations. When, in the opinion of the command, reasonable cause is found, measures must be taken to correct the situation.

(g) Inspections. Inspection of rental property is for the protection of the military family moving into the community. Property should be inspected when there is a reason to question the suitability of the housing based on environmental conditions, including health and safety considerations. When, in the opinion of the command, reasonable cause is found, measures must be taken to correct the condition.

(h) Community Liaison. Close community contact and liaison are required. Maintain continuous liaison with local community offices, officials, and organizations who have an interest in community housing policies and programs. Every effort shall be made to publicize the need for military family housing in the community on the basis of availability to all military personnel. Contacts should include, but not be limited to, real estate boards, fair housing boards, and representatives of the Federal Housing Administration and Veterans Administration.

(i) Approval of Advertising. Consistent with established command procedures, the Housing Referral Office will assist, as required, to ensure positive control of the advertising of rental or lease property in accordance with official channels. Every effort shall be made to publicize the need for military family housing in the community on the basis of availability to all military personnel. Contacts should include, but not be limited to, real estate boards, fair housing boards, and representatives of the Federal Housing Administration and Veterans Administration.

(j) Hours of Operation. Hours of operation of the Housing Referral Office shall be established to meet the needs of and provide convenience for military families who desire assistance in obtaining suitable off-base housing. The hours of operation should be widely publicized in order that personnel will know when the service is available. During hours when the office is not open, arrangements should be made with an office, e.g., duty officer, charge of quarters, etc., to furnish sufficient housing referral information and a listing or restricted housing facilities to which official sanctions have been applied which will be adequate for the use of the housing office.

(k) Standards of Conduct. (1) Reference is made to Standards of Conduct for Armed Forces Personnel (Part 40 of Subchapter B of this Title 32). All military and civilian personnel assigned, attached to, or employed in the Housing Referral Office shall be required to have possession of this booklet.

(l) Publications. Publications that are inconsistent with policy of availability of housing on an equal basis to all military personnel, will not be used or distributed by the Housing Referral Office. Some commercial publications list the availability of housing that is not listed with the Housing Referral Office, and whose owners have not provided assurances of availability for all military personnel. These facilities cannot be recognized or recommended by the Office of Housing Referral.

(m) Reports—(1) Reporting Requirements. (i) A quarterly report is required for each month of the fiscal year. A quarterly report shall cover the previous fiscal quarter of the fiscal year. The report shall cover the previous fiscal quarter of the fiscal year. The report shall be prepared on DD Form 1656-A. Each report shall summarize the activity for the previous quarter. The report shall be submitted to the Office of Housing Referral for each quarter ending with March, June, September, and December. The summary will contain the number of installations reporting, number of referrals, number of complaints, number of grievances, number of sanctions, and number of inspections. This report shall be used by the various agencies and other DOD Components to measure the progress, usage and effectiveness of the local Housing Referral Office and the Housing Referral Services. Joint Housing Referral Offices are responsible for all functions and responsibilities listed in this part, including single reporting on DD Form 1656-A for all the installations served. Installations operating as a co-sponsor, or under the control of an office of joint activity, particularly by division of geographic area or as a joint activity, each office shall be required to perform the aforementioned services.

(n) Inspections. Inspection of rental property is for the protection of the military family moving into the community. Property shall be inspected when there is a reason to question the suitability of the housing based on environmental conditions, including health and safety considerations. When, in the opinion of the command, reasonable cause is found, measures must be taken to correct the condition.

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**PART 273—RESEARCH GRANTS AND TITLE TO EQUIPMENT PURCHASED UNDER GRANTS**

**Grant Agreements**

The following amendment to Part 273 has been approved: Sec. 273.6 has been amended by adding a new paragraph (e). Section 273.6(e) now reads as follows:

§ 273.6 Grant agreements.

Grant agreements shall be brief, containing only those provisions required by statutes, or for the protection of the fundamental interests of the Government. Provision shall be made for:

- * * * * *

(e) The use of GSA supply sources if appropriate. This will be accomplished by a letter of authorization provided to the grantee by the GSA. The letter of authorization must reference this Part in order to identify the authorization as being related to a research grant.

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Maurice W. Roché, Director, Correspondence and Directives Division, OASD (Administration).

[F.R. Doc. 70-3981; Filed, July 29, 1970; 8:46 a.m.]

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**PART 56—PIPING SYSTEMS AND APPURTENANCES**

5. Amendatory paragraph 70(c), appearing on page 5979, is corrected to read as follows:

70. Section 56.80-15 is amended as follows:

(1) In the heading of the section, the introductory text of paragraph (a), and in the paragraphs (a) (1) and (3), the word “nodular” is changed to “ductile” wherever it appears.

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**PART 58—MAIN AND AUXILIARY MACHINERY AND RELATED SYSTEMS**

6. Amendatory paragraph 79, appearing on page 9960, is corrected by changing in lines 6 and 7 “58.30-30(a)” to “58.03-30(a)”.

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**PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS**

7. Amendatory paragraph 100–e, appearing on page 9962, is corrected by changing in lines 3 and 4 “Outaging” to “Outside packaging”.

8. Amendatory paragraph 103–c, appearing on page 9963, is corrected by changing in line 3 of Note 1, “§ 146.24.21” to “§ 146.24–21”.

Dated: July 22, 1970.

C.R. Bender, Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 70-9851; Filed, July 29, 1970; 8:50 a.m.]

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**Title 46—SHIPPING**

Chapter I—Coast Guard, Department of Transportation

[CGFR 69-127]

**MISCELLANEOUS AMENDMENTS TO CHAPTER**

In F.R. Doc. 70-7254, commencing at page 3074. In the issue of Wednesday, June 17, 1970, the following corrections are made:

**PART 52—POWER BOILERS**

1. In ¶ 52.01–140, appearing on page 9976, paragraph (e) is corrected in the first sentence by changing “FC-109” to “FC-109”.

2. In ¶ 52.01–145, appearing on page 9976, the heading is corrected by changing “FC-112” to “FC-112”.

**PART 54—PRESSURE VESSELS**

3. On page 9977, below the words “Subpart 54.25—Construction With Carbon, Alloy, and Heat Treated Steels”, the following words are added: “4. Section 54.25–7, is revised to read as follows”.

**PART 55—NUCLEAR PRESSURE VESSELS**

4. In ¶ 55.15–10, appearing on page 9978, the heading is corrected by changing “§ 55.10” to “§ 55.15–10”.

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**Title 47—TELECOMMUNICATION**

Chapter I—Federal Communications Commission

[ FCC 70-600]

**PART 1—PRACTICE AND PROCEDURE**

Renewal of Auxiliary Radio Broadcast License

Order. 1. The Commission here amends § 1.539(d) of its rules to specify use of a new form (FCC Form 313–R) in making application for renewal of station license in the auxiliary radio broadcast services in the event there has been no change in the information previously filed with the Commission on FCC Form 313 in the initial application for license. The section is also amended and FCC Form 313 is revised to specify use of FCC Form 313 for making application for renewal of license of auxiliary broadcast stations only when there has been a change in such information.

2. All applications for authorizations in the Auxiliary Radio Broadcast Services, including those for renewal of station license, are currently required to be

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**FEDERAL REGISTER, VOL. 35, NO. 147—THURSDAY, JULY 30, 1970**
filed on FCC Form 313, a form requesting
detailed information from an applicant.
Since the information submitted in such
license renewal applications is generally
the same as that submitted in the
initial application for license, the use of
Form 313 for license renewal applications
often imposes a needless burden on
licensees. The Commission in processing the
huge volume of such re-
newal applications which it receives
annually. These considerations convince
us that it is desirable in the public inter-
est to use a new form (FCC Form 313-R),
requiring much less information than FCC Form 313, for license renewal
applications when there has been no
change in the information contained in the
initial application for license.

(4) FCC Form 313-R “Application for
Renewal of Auxiliary Broadcast License
(Short Form).” To be used for
applications for renewal of licenses of
auxiliary broadcast stations when there has
been no change in the information
contained in the initial application for license.

* * * * * (F.B. Doc. 70-9637; Filed, July 29, 1970;
8:49 a.m.)

[Docket No. 12321; FCC 70-787]

PART 91—INDUSTRIAL RADIO
SERVICES

Single Sideband Systems

Report and Order. In the matter of
amendment of Part 91 (formerly 11) of
the Commission’s rules to provide tech-
nical standards for the governing of
single sideband systems operating on
frequencies below 10 MHz, RM-1039. Petition
of the American Petroleum Institute to
amend Part 91 of the Commission’s
rules to regularize the use of single side-
band and convert operations on the fre-
quencies 2292, 2398, and 4697.5 kHz to its
use.

1. On October 21, 1957, the Commis-
sion issued a notice of proposed rule mak-
ing known looking towards the establish-
ment of technical standards for single sideband systems for use in
the Industrial Radio Services. The notice was
duly published in the Federal Register on
October 24, 1957 (32 F.R. 8387). Com-
ments were requested by February 3,
1958, and only comments by Feb-
uary 13, 1958.

2. As can be seen, action in this pro-
cceeding has been unusually delayed. This
was due in part to the need for study of
SSB technical standards in develop-
mental and regular operations in other
radio services in order to determine the
proper nature of such standards for the
Industrial Radio Services and the extent
to which they be implemented or
made mandatory.

3. Still valid are the comments origi-
nally filed by the Radio Corp. of America
(RCA), Barker and Williamsons Inc.
(B&W), Motorola Inc. (Motorola), the
Communications Section of the Ameri-
can Petroleum Institute (APD), and
J. Ray McDermott & Co., Inc.
(McDermott), Seismograph Service Corp.
(Seismograph) filed a letter after the
close of the comment period stating that
the corporation had not filed comments
on the assumption that the proceeding
was to make provision for SSB oper-
ation in voice telephony communica-
tions. Seismograph suggested that the matter
be clarified in the final action in the
proceeding.

4. In regard to the Seismograph let-
ter, the proposed rules did concern the
use of SSB radiotelephony, as was
shown by the use of the emission desig-
nator “A3J” in § 11.111(a). At the time,
this was the only emission available for
SSB radiotelephony, with the letter “a” indicating use of “reduced carrier.”
Now the suppressed carrier mode of SSB
operation may be specifically designated
by use of the letter “J” in the designator,
as set forth in Part 2 of the Commission’s
regulations (see § 2.301, Emission, modulation and transmission characteristics). The
emission designator has accordingly been
changed to “A3J” in the rules below.

5. While there were no objections to
the inclusion of the SSB standards, as such, a number of suggestions for
revision of the proposed standards were
submitted. RCA and B&W suggested
that a carrier frequency tolerance re-
quirement of 20 Hz may be too stringent.
B&W believed that such a requirement
could inhibit the development of reason-
able priced equipment, especially for
mobile use. They recommended the use of a
frequency vernier (clarifier) in mobile
units. RCA recommended 30 Hz as a
satisfactory frequency tolerance require-
ment. Motorola advocated operation with
the carrier 13 to 20 dB below peak en-
velope power so that the frequency toler-
ance requirements could be relaxed with
attendant benefits in economics and main-
tenance. Availability of this amount of
carrier would allow for use of tech-
niques to eliminate frequency errors
which otherwise could be a problem in
the use of selective calling and data sys-
tems. It supported the idea of limiting
the suppression of the carrier 50 dB below peak envelope power for voice communica-
tions, but suggested that the trans-
mission of some greater, but unspecified
amount of carrier, be permitted for special emission for geophysical
operations.

6. RCA and B&W raised questions
about the proposed emission bandwidth
of 27 kHz and RCA amended the base of
the bandwidth should be 4 kHz. McDermott
described the performance of their SSB
voice equipment in double sideband
(DSB) channels under developmental
authorization. The company suggested
that the SSB carrier frequency be per-
mited to be sufficiently removed from the
dSB carrier frequencies to permit
compatible operation of both systems
simultaneously.

7. In arriving at final technical stan-
dards for use of SSB radiotelephony under
Part 91 of the rules, we have taken into
account the comments submitted in re-
sponse to the proposed rule making, ex-
perience with developmental operation
under Part 91, and developments in rules
and use of SSB in the MF and HF bands
by other radio services. Technical stand-
ards for MF and HF SSB radiotele-
phone transmitters have been contained
in the maritime service rules, Parts 91
and 93. As such, the SSB technical
standards currently in use are based on
the MSC standards. In the case of
SSB transmitters on board ship are licensed for operation in both the Industrial
and Maritime Mobile Radio Services. We are
adopting standards which do not exceed
marine requirements and which will per-
mit use of mobile equipment under Part
91. Our changes in the proposed standards also, for the most part, accommodate the comments suggesting revision of the standards.

8. In brief, we have relaxed the proposed frequency of 40 dB below the mean frequency. This tolerance is the same as that required for ship stations in the maritime service and should be adequate for base, mobile, and fixed station operation in the Industrial Radio Services. We have translated the proposed maximum transmitter power to be authorized, which was in terms of transmitter input power, to an equivalent peak envelope power, which is output power. The emission limitations have been modified to require a lesser attenuation in the region between 100 and 1000 percent of the authorized bandwidth from the assigned frequency as suggested by RCA and B&W. Since the limitations are for a particular bandwidth, we have changed the percentage figures to specific kHz figures. The emission bandwidth in our proposal was predicated on a three SSB channel for one DSB channel frequency split. Developmental operation has shown this aspect of our proposal to be satisfactory, and we propose to continue it as our practice in the Industrial Radio Services.

10. In view of the foregoing: It is ordered, That, pursuant to the authority contained in sections 4(i) and 303 (c), (e) and (f) of the Communications Act of 1934, as amended, Part 91 of the Commission's rules is amended effective August 31, 1970, as set forth below. The petition filed by the API (RM-1039) is granted to the extent indicated herein and denied in all other respects. It is further ordered, That the proceeding in Docket No. 12221 is hereby terminated.

11. In view of the foregoing:

(a) The use of A3J emission (single sideband radiotelephony) in these services on frequencies below 10 MHz shall be in accordance with the provisions of this section, notwithstanding any other technical provisions of this part to the contrary.

(b) The frequency coinciding with the center of the authorized frequency band of emission shall be the assigned frequency. Both the authorized carrier frequency and assigned frequency shall be specified in the authorization. The authorized carrier frequency shall be at least 40 dB below the peak envelope power. The assigned carrier frequency shall be at least 30 dB below the mean output power of the transmitter in watts. The assigned carrier frequency shall be at least 15 dB above the double sideband radiotelephony assigned frequency.

(f) Authorized power shall be in terms of peak envelope power, which is the average power supplied to the antenna transmission line by a transmitter during one radio frequency cycle at the highest crest of the modulation envelope, taken under conditions of normal operation. The maximum assigned carrier power for single sideband operation is 2 W.

(g) The maximum audio frequency to be transmitted is 2600 Hz.

The technical standards for SSB voice communications adopted in this rule making will be applicable to SSB equipment operated on any high frequencies made available under the proceedings in Docket No. 18539 for interconnected or coordinated electric utility system command and control networks in the Power Radio Service. Since SSB will be used on the frequencies from the inception of the network operation, the requirements for shift to SSB adopted in this proceeding will not affect the network operations.

Title 49—Transportation

Chapter I—Hazardous Materials Regulations, Department of Transportation

[Docket No. RM-43; Amtd. 173-29] PART 173—Shippers

Oil Well Cartridges

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to authorize an increase in the propellant powder grain content of oil well cartridges.
RULES AND REGULATIONS

On March 7, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-43; Notice No. 70-1 (35 F.R. 2677), proposing to amend the regulations as stated above.

Interested parties were invited to give their views on this proposal. Of the comments received, no objection was taken to the provisions of the basic proposal.

Accordingly, 49 CFR Part 173 is amended as follows:

In § 173.100 paragraph (v) is amended to read as follows:

§ 173.100 Definition of Class C explosives.

* * * * *

(v) Oil well cartridges are tubular devices each containing not more than 350 grains of propellant powder and having no ignition device or element. Cartridges must be constructed and packed so that they will be incapable of functioning en masse as a result of exposure to external flame.

* * * * *

This amendment is effective October 30, 1970. However, compliance with the regulations, as amended herein, is authorized immediately.

(See 831-835, title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657)

C. R. Bender, Admiral, U.S. Coast Guard, Commandant.

C. V. Lyon, Acting Administrator, Federal Railroad Administration.

Section 173.100 is amended to read as follows:

§ 173.100 Definition of Class C explosives.

* * * * *

(v) Oil well cartridges are tubular devices each containing not more than 350 grains of propellant powder and having no ignition device or element. Cartridges must be constructed and packed so that they will be incapable of functioning en masse as a result of exposure to external flame.

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This amendment is effective October 30, 1970. However, compliance with the regulations, as amended herein, is authorized immediately.

(See 831-835, title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657)

C. R. Bender, Admiral, U.S. Coast Guard, Commandant.

C. V. Lyon, Acting Administrator, Federal Railroad Administration.

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

Public hunting of deer with long bow and arrow on the Holla Bend National Wildlife Refuge, Ark., is permitted. This area, comprising approximately 1,208 acres, is delineated on a map available at Refuge headquarters, Russellville, Ark., and effective through October 31, 1970.

(2) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(3) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(4) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(5) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(6) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(7) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(8) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(9) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(10) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(11) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(12) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(13) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(14) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(15) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(16) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(17) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(18) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(19) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(20) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(21) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(22) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(23) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(24) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(25) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(26) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(27) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(28) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(29) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(30) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(31) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(32) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(33) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(34) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(35) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(36) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(37) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(38) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(39) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(40) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(41) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(42) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(43) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(44) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(45) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(46) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(47) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(48) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(49) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(50) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(51) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(52) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(53) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(54) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(55) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(56) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(57) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(58) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(59) Bow and arrow hunt only: October 19, 20, and 21, 1970.

(60) Bow and arrow hunt only: October 19, 20, and 21, 1970.
Shotgun hunt only: October 24, 26, 27, and 28, 1970.

(2) Bag limits: One deer, either sex.

(3) All participants in the deer hunt must report at designated check station before entering or leaving the refuge. All deer killed must be presented for examination at the check station.

(4) Hunters may not enter the refuge before three-quarters hour before sunrise and must check out no later than 1 hour after sunset.

(5) Possession of loaded weapons before or after legal hunting hours is prohibited.

(6) All hunters must enter and leave the refuge by way of State Road 445 only. Entry by boat is prohibited.

(7) Dogs are prohibited.

(8) Unauthorized entry into any building or designated "Closed Area" is prohibited.

(9) Hunters must not hunt or possess loaded guns or arrows notched in bow on the county roads or designated parking areas.

(10) During the shotgun hunt all hunters must furnish and wear, so as to be readily noticeable, red, yellow, or orange caps, hats, vests, shirts, or coats while on the hunting area.

(11) Hunters under 18 years of age must be accompanied by an adult.

(12) Hunters shall not disturb, damage, or destroy any unharvested crops.

(13) Camping and fires are prohibited.

(14) A Federal permit will be required of all participants in the deer hunts. Permits will be limited to 350 per day for the bow and arrow hunt and 150 per day for the firearms hunt. They will be issued in advance of the season to hunters selected by an impartial drawing of applications received. Applications must be received no later than September 10, 1970, at the Eastern Neck National Wildlife Refuge, Route 2, Box 225, Rock Hall, Md. 21661. Permits will not be transferable.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1970.

ERNIE C. MARTIN,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JULY 22, 1970.

[FR Doc. 70-9783; Filed, July 29, 1970; 8:45 a.m.]

PART 32—HUNTING

Valentine National Wildlife Refuge, Nebr.

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.

NEBRASKA

VALENTINE NATIONAL WILDLIFE REFUGE

The public hunting of prairie grouse and pheasants on the Valentine National Wildlife Refuge, Nebr., shall be permitted only on areas designated by signs as open to hunting. The open areas are delineated on maps available at refuge headquarters, Valentine, Nebr. 69301, and from the Office of the Regional Director, Federal Building, Fort Snelling, Twin Cities, Minn., 55111.

Hunting shall be in accordance with all applicable State regulations governing the hunting of prairie grouse and pheasants subject to the following special conditions:

(1) The refuge will be closed to prairie grouse and pheasant hunting during the regular State duck hunting season.

(2) The open season for hunting prairie grouse on the refuge extends from October 3, 1970, through the closing date of the regular State prairie grouse season, or until the opening date of the regular State duck hunting season, whichever comes first. In the event the State of Nebraska selects a split duck hunting season, the refuge will be closed to prairie grouse hunting during such split seasons and open otherwise within the regular State prairie grouse season. The open area shall include 49,765 acres or 91 percent of the refuge.

(3) The open season for hunting pheasants on the refuge extends from November 7, 1970, or the close of the regular State duck hunting season, whichever is later, to the close of the regular State pheasant hunting season. In the event the State of Nebraska selects a split duck hunting season the refuge will be closed to pheasant hunting during such split seasons and open otherwise within the regular State pheasant hunting season. The open area shall include 70,085 acres or 98 percent of the refuge.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1970.

NEO I. PEABODY,
Refuge Manager, Valentine National Wildlife Refuge, Valentine, Nebr.

JULY 9, 1970.

[FR Doc. 70-9843; Filed, July 29, 1970; 3:50 a.m.]

PART 32—SPORT FISHING

Valentine National Wildlife Refuge, Nebr.

The following special regulation is issued and is effective on date of publication in the Federal Register.

§ 32.32 Special regulations: sport fishing; for individual refuge areas.

NEBRASKA

VALENTINE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Valentine National Wildlife Refuge, Nebr., is permitted only on the area designated by signs as open to hunting. This open area, comprising 70,085 acres, is delineated on maps available at refuge headquarters, Valentine, Nebr., and from the Office of the Regional Director, Federal Building, Fort Snelling, Twin Cities, Minn., 55111.

Hunting shall be in accordance with all applicable State regulations governing the hunting of deer subject to the following special regulations:

(1) The open season for hunting deer with firearms on the refuge will extend from November 14, 1970, through November 22, 1970.

(2) The hunting season for deer on the refuge with bow and arrow will extend from September 19, 1970, through December 31, 1970, except for season open to hunting deer with firearms.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1970.

NEO I. PEABODY,
Refuge Manager, Valentine National Wildlife Refuge, Valentine, Nebr.

JULY 9, 1970.

[FR Doc. 70-9844; Filed, July 29, 1970; 3:50 a.m.]

PART 32—HUNTING

Valentine National Wildlife Refuge, Nebr.

The following special regulation is issued and is effective on date of publication in the Federal Register.
during the regular State duck hunting season.

(2) Hook and line, bow and arrow, and hand spearing fishing only are permitted.

(3) Boats are permitted on lakes opened to sport fishing, but boats with motors are prohibited.

(4) The use or possession of minnows, fish, or parts thereof, for bait, or the possession of any seine or net for capturing minnows is prohibited.

The provisions of this special regulation supplement the regulations which govern sport fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1971.

NEB I. PEARBRY,
Refuge Manager, Valentine Na
tional Wildlife Refuge, Valent
ine, Nebr.

JULY 9, 1970.

[F.R. Doc. 70-9645; Filed, July 28, 1970; 8:50 a.m.]
Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

12211

26 CFR Part 1 1

REPLACEMENT OF PROPERTY INVOLUNTARILY CONVERTED WITHIN A 2-YEAR PERIOD

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate, prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the Federal Register. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner of Internal Revenue, within the period of 30 days from the date of publication of this notice in the Federal Register. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the Federal Register.

The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68 Stat. 917; 26 U.S.C. 7805).

WILLIAM H. SMITH,
Acting Commissioner of Internal Revenue

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 381 and 1033 of the Internal Revenue Code of 1954 to section 915 of the Tax Reform Act of 1969 (83 Stat. 723), such regulations are amended as follows:

PARAGRAPH 1. Section 1.381(c)(13)–1 is amended by revising paragraph (c) (2) and (9) to read as follows:

§ 1.381(c)(13)–1 Involuntary conversions.

* * * * *

(c) Conversion into money or dissimilar property when disposition occurs after December 31, 1950—(1) General rule.

(2) Replacement period. The period during which the purchase of similar property or stock must be made in order to prevent the recognition of gain on the involuntary conversion terminates 2 years (or, in the case of a disposition occurring before Dec. 31, 1969, 1 year) after the date of the involuntary conversion in which any part of the gain upon the conversion is realized, or at the close of such later date as may be designated pursuant to section 1033(a) of the Act or in the case of a disposition occurring after Dec. 31, 1969, 1 year after that date in which gain is realized is the taxable year of the distributor or transferee corporation ending with the close of the date of distribution or transfer, the acquiring corporation will have a maximum of only 2 years (or, in the case of a disposition occurring before Dec. 31, 1969, 1 year) after that date in which to purchase the similar property or stock, unless an extension of time has been granted upon application by the distributor, transferee, or acquiring corporation within the time prescribed. See paragraph (c) (2) of § 1.1033(a)–2. Therefore, if, in a case to which this subparagraph applies, the first taxable year in which gain is realized is the taxable year of the distributor or transferee corporation ending with the close of the date of distribution or transfer, the acquiring corporation will have a maximum of only 2 years (or, in the case of a disposition occurring before Dec. 31, 1969, 1 year) after that date in which to purchase the similar property or stock, unless an extension of time has been granted upon application by the distributor, transferee, or acquiring corporation within the time prescribed. See paragraph (a) of § 1.381(b)–1 as to the termination of the taxable year of the distributor or transferee corporation. See paragraph (c) (3) of § 1.1033(a)–2 as to applications to extend the period within which to replace the converted property. In addition to the information otherwise required under paragraph (c) (3) of § 1.1033(a)–2, the application shall contain sufficient detail in connection with the distribution or transfer to establish paragraph 1.1033(a)–2 as to the involuntary conversion involved.

(3) Examples. The application of this paragraph may be illustrated by the following examples:

Example (1). A and B Corporations compute their taxable income on the basis of the calendar year, and both corporations use the cash method of accounting. During 1970, property of A Corporation is destroyed by fire, and in January 1971, A Corporation receives $15,000 from an insurance company as compensation for its loss of property. The adjusted basis of the property on the date of destruction is $10,000; as a consequence, A Corporation realizes a gain of $5,000. Upon the involuntary conversion; however, in its return for 1971, A Corporation reports all of the details in connection with the involuntary conversion but does not include the realized gain in gross income; thereby, A Corporation does not recognize the gain realized only to the extent provided in section 1033(a) (5). On June 15, 1971, B Corporation purports to purchase the property which is similar or related in service or use to the property previously destroyed in the hands of A Corporation. As a result of this replacement by B Corporation, none of the gain realized by A Corporation in 1971 is recognized. The replacement property which is purchased by B Corporation has a basis to that corporation of $15,000 on the date of its purchase, that is, the cost of such property ($20,000) decreased by the amount of gain not recognized to A Corporation on the involuntary conversion ($5,000).

Example (2). Assume the same facts as in example (1), except that B Corporation does not purchase similar property before June 30, 1971, and does not apply on or before that date (in accordance with paragraph (c) (2) of § 1.1033(a)–2) for an extension of time in which to make a replacement. In such event, the gain realized by A Corporation is recognized to that corporation for its taxable year ending June 30, 1971. A Corporation's tax liability for such taxable year must be recomputed in accordance with paragraph (c) (2) of § 1.1033(a)–2 in order to reflect this additional income.

Example (3). Assume the same facts as in example (1), except that the property of A Corporation is destroyed in 1969, A Corporation receives the $15,000 from an insurance company in January 1969, B Corporation acquires all of the assets of A Corporation on June 30, 1969, and A Corporation's return is filed for the short taxable year ending June 30, 1969. B Corporation would have to purchase property which is similar or related in service or use to the property previously destroyed by fire, but the insurance claim is not satisfied on or before June 30, 1970, the date on which N Corporation acquires all of the assets of A Corporation. In such event, the gain realized by A Corporation on the involuntary conversion would not be recognized to A Corporation on the involuntary conversion ($5,000).

Example (4). M and N Corporations compute their taxable income on the basis of the calendar year, and both corporations use the cash method of accounting. During 1969, property of M Corporation is destroyed by fire for which the adjusted basis of the property on the date of destruction is $10,000. The property is insured against loss by fire, but the insurance company is not satisfied on or before June 30, 1970, the date on which N Corporation acquires all of the assets of M Corporation. In such event, the gain realized by M Corporation on the involuntary conversion would not be recognized to M Corporation on the involuntary conversion ($5,000).

Example (5). B Corporation computes its taxable income on the basis of the calendar year, and both corporations use the cash method of accounting. During January 1970 property of R Corporation is destroyed by fire. The adjusted basis of the property on the date of destruction is $10,000. In anticipation of taking the benefit of section 1033(a) (3), B Corporation purchases for $20,000 on June 1, 1971, property which is similar or related in service or use to the property destroyed in the hands of R Corporation. In its return for 1971, R Corporation reports all of the details in connection with the replacement of the property, but the property is disposed of in 1972.
§1.1033(a)-2. The property destroyed in 1970 is insured against loss by fire, but the insurance claim is not satisfied on or before March 1, 1972; the date on which S Corporation acquires all of the assets (including the insurance claim) of R Corporation in a reorganization to which section 361(a) applies. On October 1, 1972, S Corporation receives $12,000 from the insurance company as compensation for the fire loss suffered by R Corporation. Upon receipt of the insurance proceeds, S Corporation realizes a gain of $2,000 upon the involuntary conversion; however, in its return for 1972, S Corporation elects under the provisions of paragraph (c) (2) of §1.1033(a)-2 to have the gain recognized only to the extent provided by section 1033(a)(2). As a result of the replacement by R Corporation, none of the gain realized by S Corporation in 1972 is recognized. Assuming there are no adjustments for depreciation, the replacement property has a basis on October 1, 1972, of $18,000, that is, the cost of such property ($20,000) decreased by the amount of gain not recognized to S Corporation on the involuntary conversion ($2,000).

Sec. 1033. Involuntary conversions.—(a) General rule.

(3) Conversion into money where disposition occurred after 1959.

(b) Period within which property must be replaced.

(1) Two years after the close of the first taxable year in which any part of the gain upon the conversion is realized, or

(2) The label of the animal feed bears the collective name(s) prescribed in paragraph (b) of this section in lieu of the corresponding common or usual names of the individual feed ingredients listed therein.

(3) The label of the animal feed otherwise conforms to the requirements of §1.1033(a)-2 of this act.

(b) Each collective name referred to in this paragraph may be used for the purpose of labeling where two or more of the ingredients listed for that collective name are present. The animal feed ingredients listed under each of the collective names shall be subject to the definitions of feed ingredients as established by the Association of American Feed Control Officials Inc.

The collective names are as follows:

(1) “Grain products” includes barley, grain sorghums, maize (corn), oats, rye, and wheat.

(2) “Processed grain byproducts” includes brewers dried grains, distillers grains, distillers solubles, flours, germ meals, gluten feeds, gluten meals, whole or dehulled, ground flaxseed meal, hot pressed safflower seed.

(3) “Plant protein products” includes algae meals, coconut meals (copra), cottonseed meals, dried yeasts (brewers, distillers, and torula), linseed meals, peanut meals, soybean meals, and whole or dehulled pressed cottonseed.

(4) “Dried forage” and/or “roughage products” include alfalfa, clover, timothy, lucerne, sorghum, and sudan grass.

(a) An animal feed shall be exempt from the requirements of section 403 (1) (2) of the act with respect to its label bearing the common or usual name of the animal feed ingredients listed in paragraph (b) of this section under the following prescribed conditions:

(1) The animal feed is intended solely for administration to livestock.

(2) The label of the animal feed bears the collective name(s) prescribed in paragraph (b) of this section in lieu of the corresponding common or usual names of the individual feed ingredients listed therein.

(b) Each collective name referred to in this paragraph may be used for the purpose of labeling where two or more of the ingredients listed for that collective name are present. The animal feed ingredients listed under each of the collective names shall be subject to the definitions of feed ingredients as established by the Association of American Feed Control Officials Inc.
this proposal. Comments may be accompanied by a memorandum or brief in support thereof.


Sax D. Finn,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70-9587; Filed, July 29, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

PROPOSED RULE MAKING

HAWKER SIDDELEY DE HAVILLAND MODEL DH.104 “DOVE” AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an Airworthiness Directive (AD) applicable to Hawker Siddeley de Havilland Model DH.104 “Dove” airplanes. There has been a report of failure of a flap datum hinge link similar to that which is used on the Model DH.104 “Dove” airplane which resulted in an asymmetric flap condition. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require inspection of the wall thickness of the bearing housing recess of the flap datum hinge links, replacement of defective links with serviceable links, and incorporation of Dove Modification 982 to introduce improved flap datum hinge assemblies on these airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before August 31, 1970, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423 and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, Ltd. Applies to de Havilland Model DH.104 “Dove” airplanes.

To prevent failure of the flap datum hinge assemblies, unless already accomplished, comply with the following within the next 3,000 hours’ time in service after the effective date of this AD, or by March 31, 1971, whichever occurs first:

(a) Inspect the wall thickness of the bearing housing recess of both the right wing and left wing flap datum hinge links in accordance with Hawker Siddeley Aviation, Limited, Technical Notice (TN) No. 315 Issue 1, June 5, 1970, or later ARB-approved issue or an FAA-approved equivalent. If the wall thickness is found to be less than 0.17 inches, replace the flap datum hinge link with a serviceable link of Modification 982 standard.

(b) Incorporate Modification 982 by replacing the flap datum hinge assemblies P/N 4WF.15A(R.H.) and P/N 4WF.15W(L.H.) with serviceable assemblies P/N 4WF.15A(L.H.) and P/N 4WF.15W(R.H.) in accordance with de Havilland Aircraft Co., Ltd., Modification No. Do.982 dated August 20, 1956, or later ARB-approved issue or an FAA-approved equivalent.


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

[F.R. Doc. 70-9587; Filed, July 29, 1970; 8:47 a.m.]

HAWKER SIDDELEY DE HAVILLAND MODEL DH.114 “HERON” AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an Airworthiness Directive (AD) applicable to Hawker Siddeley de Havilland Model DH.114 “Heron” airplanes. There has been a report of failure of a flap datum hinge link similar to that which is used on the Model DH.114 “Heron” airplane which resulted in an asymmetric flap condition. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require inspection of the wall thickness of the bearing housing recess of the flap datum hinge links, replacement of defective links with serviceable links, and incorporation of Heron Modification 837 to introduce improved flap datum hinge assemblies on these airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before August 31, 1970, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423 and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, Ltd. Applies to de Havilland Model DH.114 “Heron” airplanes.

To prevent failure of the flap datum hinge assemblies, unless already accomplished, accomplish the following within the next 3,000 hours’ time in service after the effective date of this AD, or by March 31, 1971, whichever occurs first:

(a) Inspect the wall thickness of the bearing housing recess of both the right wing and left wing flap datum hinge links in accordance with Hawker Siddeley Aviation, Limited, Technical Notice (TN) No. 315 Issue 1, June 5, 1970, or later ARB-approved issue or an FAA-approved equivalent. If the wall thickness is found to be less than 0.17 inches, replace the flap datum hinge link with a serviceable link of Modification 982 standard.

(b) Incorporate Modification 982 by replacing the flap datum hinge assemblies P/N 4WF.15A(R.H.) and P/N 4WF.15W(L.H.) with serviceable assemblies P/N 4WF.15A(L.H.) and P/N 4WF.15W(R.H.) in accordance with de Havilland Aircraft Co., Ltd., Modification No. Do.982 dated August 20, 1956, or later ARB-approved issue or an FAA-approved equivalent.


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

[F.R. Doc. 70-9587; Filed, July 29, 1970; 8:48 a.m.]

S.N.I.A.S. SUD MODEL SE.210, MK VI-R “CARAVELLE” AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to S.N.I.A.S. Sud Model SE.210, MK VI-R “Caravelle” airplanes. There has been a report of a possible overheat condition of the Green and Blue hydraulic system fluid. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require installation of a fluid overheat detection system in the Green and Blue hydraulic system on these airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire.
PROPOSED RULE MAKING

Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20504. All communications received on or before August 31, 1970, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 803 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1433) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)). In consideration of the foregoing, it is proposed to amend § 91.13 of Part 91 of the Federal Aviation Regulations by adding the following new airworthiness directive:


To prevent a possible fire due to unnoticed overheating of a hydraulic system, within the next 500 hours' time in service after the effective date of this AD, unless already accomplished, incorporate the S.N.I.A.S. Modification 1262 by installing a Green and Blue Hydraulic System Fluid Overhead Detection system in accordance with S.N.I.A.S. Bulletin No. 29-70, Revision 8, dated August 1, 1969, or later EAGC-approved issue or an FAA-approved equivalent.

Issued in Washington, D.C., on July 22, 1970.

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

[FR. Doc. 70-8829; Filed, July 29, 1970; 2:48 a.m.]

11 CFR Part 91

[Docket No. 10462; Notice No. 70-29]

GENERAL OPERATING AND FLIGHT RULES

VFR Flight Beneath Clouds

The Federal Aviation Administration is considering amending the flight rules of Part 91 to prohibit VFR flight within a control zone beneath clouds that are less than 1,000 feet above the surface.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before September 28, 1970, will be considered by the Administrator before taking action upon the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Under the flight rules of § 91.105(c), VFR flight is not permitted within a control zone beneath the ceiling when it is less than 1,000 feet above the surface. In addition, under the weather requirements of § 91.105(a), the flight cannot be flown less than 500 feet below any clouds.

As defined in Part 1 of the Federal Aviation Regulations, ceiling as used in § 91.105(c) means "the height above the earth's surface of the lowest layer of clouds or obscuring phenomena that is reported as 'broken,' 'overcast,' or 'obscuration,' and not classified as 'thin' or 'partial.'" However, under the summarization method used in reporting ceilings, clouds that cover less than six-tenths of the sky at the point of observation are reported as scattered and, therefore, do not constitute a ceiling under the foregoing definition. As a result, an aircraft operated VFR within a control zone where, for example, the base of clouds covering five-tenths of the sky is at 900 feet, would be required to maintain the horizontal and vertical distances specified in § 91.105(c) but, since the cloud condition is not reported as a ceiling, could fly beneath the clouds contrary to the intent of § 91.105(c).

It appears that the use of the term "clouds" instead of "ceiling" in § 91.105(c) would provide the needed protection to aircraft operated VFR within a control zone under all cloud conditions, regardless of the amount of cloud cover. With this change, the rule as proposed would prohibit VFR flight within a control zone beneath clouds that are less than 1,000 feet above the surface, regardless of the reported ceiling. Moreover, this change would eliminate an unnecessary flight restriction in the present rule by permitting flight to or from a satellite airport in the control zone regardless of the reported ceiling for the primary airport if that control zone is not conducted under any clouds that are less than 1,000 feet above the surface.

This proposal would not affect the distance from clouds requirements of § 91.105(a) as they apply to flights within a control zone beneath clouds that are less than 1,000 feet above the surface. Under these conditions, aircraft would be required to maintain horizontal and vertical distances specified in § 91.105(a).

In considering the foregoing, it is proposed to amend § 91.105(c) of the Federal Aviation Regulations to read as follows:

§ 91.105 Basic VFR weather minimums.

* * * *

(c) Except as provided in § 91.107, no person may operate an aircraft, under VFR, in the control zone beneath clouds that are less than 1,000 feet above the surface.

* * *

This amendment is proposed under the authority of sections 307 and 313 of the Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354; and section 6(e) of the Department of Transportation Act; 49 U.S.C. 1655(e).

Issued in Washington, D.C., on July 30, 1970.

WILLIAM M. FLICKER,
Director, Air Traffic Service.

[F.R. Doc. 70-9829; Filed, July 29, 1970; 8:48 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 544]

[I.D. No. 70-88]

FEDERAL SAVINGS AND LOAN SYSTEM

Bylaws for Charter K Associations


Resolved that the Federal Home Loan Bank Board considers it advisable to amend Part 544 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 544) for the purpose of codifying the prescribed bylaws for Federal savings and loan associations having a Charter K, for the purpose of clarifying the procedure for amendment of the bylaws of such associations; for the purpose of revising the procedure for notice of annual and special meetings of such associations; and for the purpose of amending the procedure for amendment of the bylaws of such associations. Accordingly, the Board hereby proposes to amend said Part 544 by adding a new § 544.5-1 to read as follows:

§ 544.5-1 Prescribed form for associations having Charter K.

A Federal association that has a Charter K shall operate under the following prescribed bylaws, unless and until such bylaws are amended in accordance with the procedure therein set forth:

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FEDERAL SAVINGS AND LOAN ASSOCIATION

1. Annual meetings of members. The annual meeting of the members of the association for the election of directors and for the transaction of any other business of the association shall be held at its home office at 2 o'clock in the afternoon on the third Wednesday in March of each year, if not a legal holiday, or if a legal holiday then on the next succeeding day not a legal holiday. The annual meeting may be held at such other time on such day or at such other place in the same community as the board of directors may determine. At each annual meeting, the officers shall present a full report of the financial condition of the association and of its progress for the preceding year, and shall outline a program for the succeeding year.

2. Special meetings of members. Special meetings of the members of the association may be called at any time by the president or the board of directors, and shall be called by the president, a vice president, or the secretary upon the written request of members holding of record in the aggregate at least one-tenth of the share capital of the association. Such written request shall state the purposes of the meeting and shall be delivered at the home office of the association addressed to the president.
PROPOSED RULE MAKING

3. Notice of meetings of members. (a) Notice of each annual meeting shall be given in accordance with regulations made by the Federal Home Loan Bank Board. (b) Notice of each special meeting shall be published once a week in a newspaper printed in the English language and of general circulation in the city or county in which the home office of the association is located, and mailed, postage prepaid, at least 10 days prior to the date on which such special meeting shall convene, in a newspaper published once a week in the center of the same community as the board of directors meeting to be held at any place in the territory in which the association may be located, and not more than 30 days prior to the date on which such special meeting shall convene, in newspapers published once a week in the center of the same community as the board of directors meeting to be held at any place in the territory in which the association may be located, and not less than 15 days prior to the date on which such special meeting shall convene. Such notice shall state the purpose or purposes for which the meeting is called, the place, time, and date fixed for the meeting, and the time when it shall convene. A similar notice shall be posted in a conspicuous place in each of the offices of the association during the 15 days immediately preceding the date on which such special meeting shall convene.

4. Meetings of the board of directors. The board of directors shall meet regularly without notice at the home office of the association at least four times each calendar year, at such time and date as may be fixed by resolution of the board of directors, provided that the place of meeting may be elsewhere. General meetings or special meetings of the board of directors may be held at any place in the territory in which the association may be located and not more than 30 days prior to the date on which such meeting shall convene, or at any time in the meeting place the notice of which shall be given in writing to each director, at least 10 days prior to the date on which such meeting shall convene. Such notice shall state the place, time, and purpose of such meeting. A majority of the directors shall constitute a quorum for the transaction of business. The seal shall be used at all meetings of the board of directors present at any meeting at which there is a quorum or at the home office of the association, as provided in the bylaws of such associations, and the act of a majority of the directors present at any meeting at which there is a quorum or at the home office of the association shall be the act of the board of directors. It is understood that the board of directors may authorize the president or any two of the directors to sign such instruments executed in the name of the association, and that no instrument so signed shall be binding upon the association unless the same is countersigned by the president or any two directors. The president shall have power to sign such instruments in the name of the association when so authorized by resolution of the board of directors. The board of directors, at any meeting at which there is a quorum, shall have power to fill any vacancies in the board of directors and to remove any director at any time, with or without cause, and the president or such director as may be so removed shall have power to sign any instrument executed for the association in the name of the association pending the election and qualification of his successor. (g) To exercise any and all of the powers of the association not expressly reserved by the charter or bylaws.

7. Execution of instruments, generally. All documents and instruments or writings of any nature, whether received, verified, acknowledged, and delivered by such officers, agents, or employees of the association or any one of them and in such manner as to constitute a resignation, effective when such resignation is accepted by the president or an officer designated by him, and in such manner as to constitute a resignation, effective when such resignation is accepted by the president or an officer designated by him, shall take effect upon receipt thereof in accordance with Robert's Rules of Order.

8. Resignation. Any director may resign at any time by sending a written notice of such resignation to the president of the association. Unless otherwise specified therein, such resignation shall take effect upon receipt thereof by the president. Any director who shall cease to be a director of the association at any time after the date of such notice of resignation shall be deemed to have resigned effective as of the date of the notice of resignation. Such notice shall state the name of the association, the purpose or purposes for which the meeting is called, the place, time, and date fixed for the meeting. The notice of each annual meeting shall be given in accordance with regulations made by the Federal Home Loan Bank Board, and shall be ineffective until the president or the president's designee accepts the resignation. Endorsements for deposit to the credit of the association in any of its duly authorized depositories shall be made in such manner as the board of directors may from time to time determine. Proxies to vote with respect to shares or accounts of other associations or stock of other corporations owned by or standing in the name of the association may be executed and delivered from time to time on behalf of the association by the president or a vice president and the secretary or an assistant secretary of the association or by any other person or persons thereunto authorized by the board of directors.

9. Membership certificates. One of the officers or employees designated by the board of directors shall manually sign and deliver to a member a membership certificate upon receipt of the initial payment on a share account in the association or upon the making of a real estate loan by the association.

10. Seal. The seal shall be two concentric circles between which shall be the name of the association, the word "incorporated," or an emblem may appear in the center.

11. Amendment. These bylaws may be amended at any time by a two-thirds affirmative vote of the board of directors or by a vote of the members of the association. Each and every amendment shall be subject to the approval of the Federal Home Loan Bank Board, and shall be ineffective until such approval shall be given, except that, without the approval of the Federal Home Loan Bank Board, section 1 of the bylaws may be amended so that the time of day for convening the annual meeting may be fixed at any hour not earlier than 10 a.m. or later than 9 p.m., and a new section providing to a bonus interest, in view of a companion regulatory proposal to include the substance thereof in Subchapter D of Chapter V of Title 12 of the Code of Federal Regulations (12 CFR Chapter V, Subchapter D). Accordingly, the Board hereby proposes to amend said Parts 544 and 545 as follows:

1. Amend § 544.4 by amending sections 1, 3, and 11 of the prescribed bylaws set forth in said section to read as follows:

1. Annual meetings of members. The annual meeting of the members of savings and loan associations shall be held at its home office at 2 o'clock in the afternoon on the Wednesday in March of each year, if not a legal holiday, or if a legal holiday then on the next succeeding day not a legal holiday. The annual meeting shall be held at other times on such day or at such other place in the same community as the board of directors may determine. At each annual meeting, the officers shall make a full report of the financial condition of the association and of its progress for the preceding year, and shall outline a program for the succeeding year. Annual meetings of the members shall be conducted in accordance with Robert's Rules of Order...

2. Notice of meeting of members. (a) Notice of each annual meeting shall be given in accordance with regulations made by the Federal Home Loan Bank Board.

(b) Notice of each special meeting shall be published once a week for the 2 consecutive calendar weeks (in each instance on any day of the week) beginning on the day in the week in which such special meeting shall convene, in a newspaper printed in the English language and of general circulation in...
the city or county in which the home office of the association is located and mailed postage prepaid at least 15 days and not more than 30 days prior to the date on which such special meeting shall convene to each of its members of record at his last address appearing on the books of the association. Such notice shall contain the same name of the association, the purpose or purposes for which the meeting is called, the place of the special meeting and the time when it shall convene. A similar notice shall be posted in a conspicuous place in each of the offices of the association during the 14 days immediately preceding the date on which such special meeting shall convene.

11. Amendment. These bylaws may be amended by two-thirds vote of the active board of directors, or by a vote of the members of the association. Each and every amendment shall be subject to the approval of the Federal Home Loan Bank Board, and shall be ineffective until such approval shall be given: Provided, That, without the approval of the Federal Home Loan Bank Board, section 1 of the bylaws may be amended so that the time of day for convening the annual meeting may be fixed at any hour not earlier than 10:00 a.m. and not later than 9:00 p.m., and a section providing for a bonus may be adopted: Provided, That, with the approval of the Federal Home Loan Bank Board, section 1 of the bylaws may be amended at any time during the fiscal year by a two-thirds vote of the association's directors or members as the case may be: Provided, That, with the approval of the Federal Home Loan Bank Board, section 1 of the bylaws may be amended at any time during the fiscal year by a two-thirds vote of the association's directors or members as the case may be.

5. Revise § 545.6-10 to read as follows: § 545.6-10 Initial loan charges.

Resolutions further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20555, by September 15, 1970, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] GENEVIEVE L. MILLARD, JR., Assistant Secretary.

[F.R. Doc. 70-8655; Filed, July 29, 1970; 5:51 a.m.]

[12 CFR Parts 563, 569, 571]

[No. 70-03]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Conflicts of Interest, Annual Reports, and Proxies


Resolved that the Federal Home Loan Bank Board considers it advisable to amend the Rules and Regulations for Insurance of Accounts (12 CFR Part 563, Subpart V, Subchapter D) by amending Parts 563 and 569 and by adding a new Part 569 for the purpose of regulating certain transactions among insured institutions, affiliated persons of such institutions and members of such institutions; for the purpose of requiring that annual reports and notice of annual meetings be sent to security holders of insured institutions; for the purpose of regulating proxies and proxy solicitation respecting voting rights in insured institutions; and for the purpose of clarifying the policy of the Board regarding the concept of an interest. Accordingly, the Board proposes to amend said Rules and Regulations for Insurance of Accounts as follows:

1. Amend Part 563 by adding, immediately after § 563.32 thereof, new §§ 563.33, 563.34, and 563.35, to read as follows:

§ 563.33 Transactions with affiliated persons.

(a) Definitions. For the purposes of this section—

(1) Affiliated person. The term "affiliated person" means:

(i) Any director, officer, employee, or controlling person of an insured institution or any attorney regularly serving the institution in the capacity of attorney at law;

(ii) Any officer of the immediate family of any of the persons enumerated in subdivision (i) of this subparagraph.

(iii) Any partner in which any of the persons enumerated in subdivisions (i) and (ii) of this subparagraph are general or limited partners; and

(iv) Any corporation in which 10 percent or more of the stock is directly or
indirectly owned or controlled by any of the persons enumerated in subdivisions (i), (ii), or (iii) of this subparagraph, acting either individually or in concert.

(2) Controlling person. The term "controlling person" means any person who, directly or indirectly or acting in concert with one or more other persons, owns, controls, or holds (with the power to vote) more than a specified fraction of the voting shares of an insured institution or proxies representing such shares.

(3) Immediate family. The term "immediate family" means (i) father, mother, stepfather, stepmother, brother, sister, stepbrother, stepsister, grandparent, or grandchild (whether by the full or half blood or by way of adoption) and (ii) husband or wife, or the husband or wife of any of the persons enumerated in subdivision (i) of this subparagraph.

(b) Prohibited transactions. No insured institution may, directly or indirectly—

(1) Make a real estate loan to an affiliated person except as follows:

(a) A real estate loan may be made to an employee on the security of a first lien on a home (as defined in § 541.10-2 of this chapter) or combination of home and business property (as defined in § 541.11-1 of this chapter) owned and occupied by such employee, and, as an additional form of compensation, such loan may be on terms more favorable than prevailing market terms;

(b) A real estate loan may be made to an affiliated person (other than an employee) on the security of a first lien on a home (as defined in § 541.10-2 of this chapter) or on combination of home and business property (as defined in § 541.11-1 of this chapter) owned and occupied by such affiliated person, but such loan may not be on terms more favorable than prevailing market terms; and

(ii) Real estate loans may be made to an affiliated person which is a service corporation if such loans, together with all other loans to and investments in service corporations by the insured institution, do not exceed the limit imposed on a Federal savings and loan association by § 545.9-1 of this chapter. For the purposes of this subdivision, the term "service corporation" means any service corporation in which a Federal savings and loan association is authorized to invest pursuant to § 545.9-1 of this chapter or a similar service corporation in which an insured institution other than a Federal savings and loan association is authorized to invest under the laws of the State in which it is located.

(2) Purchase or lease from, or sell to, an affiliated person any real property or participation interest in any real property;

(3) Participate with an affiliated person in the purchase of any real property;

(4) Enter into any contract with an affiliated person for the improvement of any real property;

(5) Participate with an affiliated person in any loan;

(6) Purchase from an affiliated person any loan or participation interest in any loan;

(7) Pay an affiliated person, or knowingly permit him to receive from any other source: (i) Any fee or other compensation of any kind in connection with the procuring of any loan from or by such insured institution;

(ii) Any discount, rebate, or commission on any initial loan charge paid by a borrower (or any other person) in connection with the making of a loan; or

(iii) Pay a greater return on any savings account held by an affiliated person than that paid to other holders of similar savings accounts in such institution.

(c) Exception for office building. (1) Notwithstanding any prohibition contained in paragraph (b)(2) of this section, an insured institution may, with the prior written approval of the Corporation, purchase or lease from an affiliated person any office building or any portion thereof or any land on which to erect an office building.

(d) Any request for such Corporation approval shall be filed with a Supervisory Agent of the Corporation at the Federal Home Loan Bank of the district in which the institution is located.

§ 563.34 Selection of depositary.

(a) Except with the prior written approval of the Corporation, no insured institution may deposit any of its funds with a depository in which any affiliated person (as defined in § 563.33) is an officer, director, trustee, or owner of 10 percent or more of the stock.

(b) Any request for such Corporation approval shall be filed with a Supervisory Agent of the Corporation at the Federal Home Loan Bank of the district in which the institution is located.

§ 563.35 Certain conditions prohibited.

(a) No insured institution or director, officer or employee thereof may require, as a condition to the granting of any loan or extension of any other service by the institution, that a borrower contract for any of the following with any specific company, firm, agency, or person:

(1) Insurance;

(2) Building materials;

(3) Legal services;

(4) Services of a real estate agent.

(b) The prohibition contained in subparagraph (3) of paragraph (a) of this section shall not be construed to apply to a requirement by the institution that a borrower pay an initial loan charge to reimburse the institution for legal services rendered to the institution by an attorney selected by the institution in connection with the processing and closing of a loan (such as title examination and drafting of the mortgage instruments).

2. Add a new Part 569 to read as follows:

PART 569—ANNUAL REPORTS AND PROXIES

§ 569.1 Definitions.

§ 569.2 Requirement of annual report; financial statements; notice of annual meeting.

(a) Each insured institution having assets of $10 million or more shall annually mail a written report to every security holder (except security holders who are security holders solely by virtue of any indebtedness to the institution) containing, as a minimum, the financial and other information required by § 569.3. The annual report shall be mailed

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in time to be received by the institution’s security holders 20 days before the institution’s annual meeting or 60 days after the close of the fiscal year, whichever date is sooner.

(b) Each insured institution having assets of less than $10 million shall annually either mail to each security holder, or publish in a newspaper printed in the English language and of general circulation in the county in which the institution’s home office is located, financial statements as prescribed in § 569.3, together with a notice of the time, date and place of the institution’s annual meeting. Such mailing or publication shall occur at least 30 days before the institution’s annual meeting or 60 days after the close of the fiscal year whichever date is sooner.

(c) (1) Not later than the date on which an insured institution first mails the annual report required by paragraph (a) of this section to its security holders, such institution shall mail three copies of such report to a Supervisory Agent of the Federal Home Loan Bank of the district in which the institution is located. Copies of the annual report will be available for public inspection at the office of the Supervisory Agent.

(2) Within 5 days after the mailing or publication of the financial statements and notice of meeting required by paragraph (b) of this section, each insured institution (with assets of less than $10 million) shall send to a Supervisory Agent of the Corporation at the Federal Home Loan Bank of the district in which the institution is located. Copies of the annual report will be available for public inspection at the office of the Federal Home Loan Bank of the district in which the institution is located. Copies of the annual report will be available for public inspection at the office of the Supervisory Agent.

§ 569.3 Form and content of annual report.

(a) Each annual report required under § 569.2(a) shall contain the items of information required by the following form. This form is not to be used as a blank form but as a guide in the preparation of the annual report. The report shall consist of statements and captions of all items of information in the form but the text of any such item may be omitted if such item is inapplicable and the report so states. Except as otherwise noted, information shall be given of the end of an insured institution’s fiscal year or of the latest practicable date subsequent thereto.

ANNUAL REPORT
For the fiscal year ended

(Exact name of insured institution as specified in charter)

(Address)

Item 1. Annual Meeting. State the time, date, and place of the next annual meeting of the security holders.

Item 2. Securities Outstanding. As to each class of permanent stock, guaranty stock, permanent or any similar type of capital stock or nonwithdrawable capital issued by the institution, state the title of each class and the number of holders of record of each such class.

Item 3. Financial Statements. Set out, in columnar form, a statement of condition as of the close of the last fiscal year prepared in accordance with generally accepted accounting principles or as otherwise required by the Corporation. A copy of this statement shall be certified by the institution’s Chief Financial Officer, Financial Vice President, or other officer or employee having principal responsibility for the maintenance of the institution’s accounts.

Item 4. Availability of Other Information. (a) A list or diagram of the relationship of the institution to all affiliates and, as to each affiliate named, an indication of the percentage of the ownership thereof, or other basis of control which establishes the affiliation relationship.

(b) Changes in business. A brief description of any material change in the business during the fiscal year in the business of the institution.

(c) State whether or not a material change in the business of the institution, as defined in the Rules and Regulations for Insurance of Accounts, has occurred during the last fiscal year and indicate which of the material changes therein defined has occurred.

Item 5. Signatures. Provide the written, printed, or facsimile signature of the Chairman of the Board, Managing Director, President, or other chief executive officer of the institution.

(b) The following information shall be made available under Item 4 of the annual report required by § 569.2(b):

1. Corporate structure. A list or diagram of the relationship of the institution to all affiliates and, as to each affiliate named, an indication of the percentage of the ownership thereof, or other basis of control which establishes the affiliation relationship.

2. Changes in business. A brief description of any material change during the fiscal year in the business of the institution and its affiliates. The term "material change" includes:

(i) A change in control of the institution for which a report is required to be filed under § 563.18-1 (a) or (b) of this chapter;

(ii) The acquisition or disposition of a significant amount of assets by the institution or any of its affiliates, otherwise than in the ordinary course of business;

(iii) Any significant legal proceeding, other than routine litigation incidental to the business, to which the institution or any of its affiliates has become a party or to which any of their property has become subject;

(iv) The termination of any such legal proceeding previously reported;

(v) Any default in the payment of principal, interest, or a sinking or purchase fund installment, or (b) Any other default not cured within 30 days with respect to any indebtedness of the institution or any of its affiliates which exceeds 5 percent of the total assets of the institution and its consolidated affiliates;

(vi) A material modification, whether through the issuance or modification of any class of securities or otherwise, in the constituent instruments defining the rights of holders of any class of securities of the institution or any of its affiliates (except accounts of an insurable type);

(vii) An increase or decrease in the outstanding amount of any class of securities of the institution or any of its affiliates (except accounts of an insurable type) which exceeds 5 percent of the amount of each such class of securities outstanding as of the end of the previous fiscal year; and

(viii) A realization in material amount of the assets of the institution or any of its affiliates.

(c) Principal holders of voting securities. If any person owns of record, or is known by the institution to own beneficially, more than 5 percent of the outstanding voting securities of a stock institution or any of its affiliates, the name of each such person, the approximate amount of such securities owned of record but not owned beneficially, the approximate amount owned beneficially, and the percentage of outstanding voting securities represented by the amount owned by him in each such manner.

(d) Annual Report. As of the most recent practicable date, the approximate total amount of each class of voting securities of the institution or any of its affiliates, other than directors qualifying shares, owned directly and beneficially by him.

(b) Mutual institutions. As of the most recent practicable date, the approximate percentage of all the proxies representing voting rights in the institution owned of record or beneficially by him individually or as a member of a group or committee of proxy holders. State also the approximate total amount of each class of voting securities of any
of the institution's affiliates owned directly and beneficially by him.

(5) Remuneration of directors and officers. (i) The aggregate personal remuneration paid by the institution during the last fiscal year for services in all capacities to all of the officers and directors of the institution as a group and without naming them, but stating the total number of persons included. The amount of remuneration shall be net of any ordinary business expenses incurred in the production of the income, calculated in accordance with generally accepted accounting principles.

(ii) The amount set aside or accrued during the last fiscal year for all pension and retirement benefits to be paid by all affiliates of the institution to all directors and the three highest paid officers, as a group and without naming them, but stating the number of persons included.

§ 569.4 Requirements as to proxies.

Every form of proxy solicited by any person with respect to voting rights in an institution shall conform to the following requirements:

(a) The proxy shall be revocable at will by the person giving it. The power to revoke may not be conditioned on any event or circumstance other than the occurrence of an event or circumstance which has demonstrably resulted in a change in the circumstances under which it is made, in false or misleading with respect to any material fact, or that omits to state any material fact, or that is false, misleading, or slanderous in any material respect.

(b) Notwithstanding the provisions of paragraph (a) of this section, no insured institution shall be required to mail any part of a security holder's material that is false, misleading, or slanderous in any material respect.

(c) An insured institution shall perform such of the following acts as may be requested in writing by any security holder, who shall first drain the reasonable expenses to be incurred by the holder, who shall first drain the reasonable expenses associated with the proposal contained therein.

(i) It may be omitted from the proxy statement relating to any annual meeting of security holders held within the preceding 3 calendar years after the latest previous submission if: (1) The proposal was submitted at only one meeting during such preceding period and received less than 20 percent of the total number of votes cast in regard thereto.

(ii) The proposal was submitted at only one meeting during such preceding period and received at the time of its latest submission less than 10 percent of the total number of votes cast in regard thereto. If the proposal was submitted at only one meeting during such period and received at the time of its latest submission less than 20 percent of the total number of votes cast in regard thereto.

(iii) The rights afforded to security holders of an insured institution by this section are cumulative to any other rights provided by law and shall not be construed in derogation of any such rights.

3. Revise § 571.7 to read as follows:

§ 571.7 Conflicts of interest.

(a) The Board has a paramount interest in the prevention and elimination of practices and conditions which adversely affect the interests of members in insured institutions; the soundness of such institutions; the prevention of excessive volume for the nation; and the accomplishment of the other purposes of title IV of the National Housing Act, as amended.

(b) Among the practices and conditions which have such adverse effects are conflicts between the accomplishment of the purposes of title IV set forth in paragraph (a) of this section and the personal financial interests of directors, officers, and other affiliated persons of insured institutions. Conflicts of this type which have demonstrably resulted in such adverse effects are considered by the Board to be inherently unsafe and unsound practices and conditions. The Board accordingly holds that each director, officer, or other affiliated person of an insured institution has a fundamental duty to avoid placing himself in a position which creates, or which leads to or could lead to, a conflict of interest.
or the appearance of a conflict of interest having such adverse effects.

(c) The Board recognizes that it is impossible to define every practice or condition which falls within the broad concept of objectionable conflict of interest. The Board has nevertheless issued various regulations to limit or prohibit certain conflicts of interest to reflect its conclusion that the conflicts so limited or prohibited are especially inimical to the accomplishment of the purposes of title IV. However, the omission by the Board to specifically limit or prohibit other conflicts of interest should not be interpreted as an implied approval thereof. The Board or its Supervisory Agents will continue to examine those conflict-of-interest situations which are not specifically limited or prohibited under the regulations and will, when circumstances so warrant, take appropriate action to prevent, circumcribe or eliminate such situations.


Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by September 15, 1970, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.6). By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr., Assistant Secretary.

[FR Doc. 70-9556; Filed, July 29, 1970; 8:51 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 154, 157, 250 ]

[Docket No. R-368]

EXEMPTION OF SMALL PRODUCERS FROM REGULATION

Notice of Proposed Rule Making

JULY 23, 1970.

Notice is hereby given pursuant to 5 U.S.C. 553 and sections 4, 5, 7 and 10 of the Natural Gas Act that the Commission proposes prospectively to exempt from regulation under the Natural Gas Act all existing and all future jurisdictional sales made by small producers, as hereinafter defined. This would not include percentage sales made by small producers pursuant to percentage sales contracts. Nor would it include sales to interstate pipeline companies by their affiliates.

As a result of the promulgation of § 157.40 of the Commission’s regulations under the Natural Gas Act (18 CFR 157.40) in Order No. 228 issued October 29, 1965 (34 FPC 1202) small producers were accorded some relief from the filing requirements in sections 4 and 7 of the Natural Gas Act for sales in the Permian Basin area. The groundwork for this rule was done in Opinion No. 488 (34 FPC 169). Subsequently, the same treatment was extended to sales in Southern Louisiana in Opinion No. 546 (40 FPC 539). Specifically, if a producer received a certificate of public convenience and necessity limited or prohibited under the Natural Gas Act solely to the extent necessary to permit the tracking by pipeline purchasers and by pipelines purchasers of rate increase resulting from the exemption of small producers: Provided, That with respect to

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such pipelines which are not presently authorized to track supplier increases either through approved settlements or outstanding orders of the Commission for the same or are subject to reduction and refund from the effective date of such increased rate or rates.


All interested persons may submit to the Federal Power Commission, Washington, D.C., 20503, or later than September 8, 1970, data, views, comments, and suggestions, in writing, concerning the proposed amendments to the regulations and the proposed exemption application and annual statement forms under the provisions of the Federal Reports Act of 1940. Where the Commission determines to discuss the proposed amendments to the regulations and the proposed forms. The Commission will consider all such written submissions before acting on the matters herein proposed.

A. The following are proposed amendments to Part 157, Chapter 1, Title 18 of the Code of Federal Regulations. Revise § 157.40, Small producer certificates of public convenience and necessity so that it will read as follows:

§ 157.40 Exemption of small producers.

(a) Definitions. (1) A “Small Producer” is an independent producer of natural gas as defined in § 154.91 of this chapter, who is not affiliated with a natural gas pipeline company and whose total jurisdictional sales on a nationwide basis, together with such sales of “affiliated producers” are not in excess of 10,000,000 Mcf at 14.65 Mcf/psig, during any calendar year. As used in this section, the term “jurisdictional sales” includes volumes of gas paid for but not taken under prepayment clauses or otherwise, and volumes of gas sold under other independent producer rate schedules in the proportion that the independent producer seeking to come within this section has an interest in such sales, but does not include sales made pursuant to percentage sales contracts.

(b) Requirements for exemption. (1) Small producers may apply for exemption to cover all previous and all future jurisdictional sales, which do not raise the total jurisdictional sales on a nationwide basis above 10,000,000 Mcf during any calendar year. Applications by these producers shall include the following information: (i) Total jurisdictional sales on a nationwide basis for the year preceding the application; (ii) a list of outstanding certificates and rate schedules together with names and percentage of interest of other interest owners under such rate schedules; (iii) a list of outstanding rate schedules of others in which applicant owns an interest together with applicant’s percentage of interest; and (iv) the names of all stockholders, partners, joint venturers, etc. of the applicant with an interest of 10 percent or more, their percentage of ownership in the applicant and in any other natural gas company and any positions such owners may hold with another natural gas company.

(2) An applicant for exemption who has no outstanding certificate issued by the Federal Power Commission for the sale of natural gas shall include the following information in his application:

(i) A list of all contracts to sell natural gas by substitution or otherwise, and
(ii) Source of production, total rate and the annual volume delivery obligations of the producer under each such contract, together with names and percentage of interest of other interest owners under such contract, and
(iii) A list of owners of the applicant with an interest of 10 percent or more, their percentage of ownership in the applicant and in any other natural gas company and any positions such owners may hold with another natural gas company.

(3) The application shall contain the information required by the form set out in § 250.10 of this chapter. A conformed copy shall be served upon each of the applicant’s purchasers. The Commission in its own motion or on application terminates such certificate because the producer no longer qualifies as a small producer or fails to comply with the terms of the exemption. Upon, or the Commission upon receipt of the application, shall be required to file separate certificate applications and individual rate schedules for future sales but the exemption will still be effective as to those made under such contracts dated prior to such termination.

B. The following are proposed amendments to Part 154, Chapter 1, Title 16 of the Code of Federal Regulations. Revise paragraph (f) of §§ 154.81, 154.104 and 154.110. As revised, these portions of Part 154 will read:

§ 154.91 Applicability.

* * * * *

(1) Filings by certain nonsignatories. Where the operator and the signatory coowners in a particular sale have secured exemption pursuant to § 157.40 of this chapter covering the sale, and where any nonsignatory coowner’s interests are not covered by such exemption, such coowner may file rate schedules, rate changes, or certificate applications in respect to such interests notwithstanding the provisions of paragraph (d) of this section.

§ 154.104 Annual statements by small producers.

Annual statements certifying to the matters enumerated in the form set out in § 250.11 of this chapter shall be filed by all producers, either individually or by groups, who have been exempted under the provisions of § 157.40 of this chapter. The statements shall be submitted by April 1 of each year for the preceding calendar year.

§ 154.110 Applicability of §§ 154.92 through 154.102.

Sections 154.92 through 154.102 shall apply only to those persons specified in §§ 154.81, 154.104 and shall apply to small producer sales which are exempt under § 157.40 of this chapter.

C. The following are proposed amendments to Part 250, Forms, Chapter 1, Title 18 of the Code of Federal Regulations.

1. Revise the title of § 250.10 to read: § 250.10 Application for small producer exemption, and revise the text of § 250.10 to read: "Application for Small Producer Exemption" as set forth below.

FEDERAL REGISTER, VOL. 35, NO. 147—THURSDAY, JULY 30, 1970
§ 250.11 Annual statement for independent producers holding small producer exemptions.

(See § 157.104 of this chapter.)

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

Gordon M. Grau,
Secretary.

[F.R. Doc. 70-9740; Filed, July 20, 1970; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 171

CONSERVATION OF ENDANGERED SPECIES AND OTHER FISH OR WILDLIFE

Notice of Proposed Rule Making

By publication in the FEDERAL REGISTER, Appendix A of the regulations (the Endangered Species List) was amended by the deletion of all species of fish and wildlife which had not previously appeared in a notice of proposed rule making, with opportunity for public comment.

The Department of the Interior now proposes to further amend Appendix A by adding most of these same species back to the Endangered Species List as well as several additional species which are proposed on the basis of additional information from other countries. Interested persons may submit written comments, suggestions, or objections with respect to this proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

It is proposed to amend Appendix A to read as follows:
<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Where found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sperm whale</td>
<td>Physeter catodon</td>
<td>Oman, China</td>
</tr>
<tr>
<td>Humpback whale</td>
<td>Megaptera novaeangliae</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Blue whale</td>
<td>Balaenoptera musculus</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Fin whale</td>
<td>Balaenoptera physalus</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Humpback dolphin</td>
<td>Sotalia cf. guianensis</td>
<td>Brazil, Indonesia</td>
</tr>
<tr>
<td>Gray whale</td>
<td>Eschrichtius robustus</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Killer whale</td>
<td>Orcinus Orca</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Frilled shark</td>
<td>Chlamydoselachus anguineus</td>
<td>Australia</td>
</tr>
<tr>
<td>Great white shark</td>
<td>Carcharodon carcharias</td>
<td>Australia, South Africa</td>
</tr>
<tr>
<td>Indian manta</td>
<td>Manta birostris</td>
<td>India, Indonesia</td>
</tr>
<tr>
<td>Whale shark</td>
<td>Rhincodon typus</td>
<td>India, Indonesia</td>
</tr>
<tr>
<td>Killer whale</td>
<td>Orcinus Orca</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Tiger shark</td>
<td>Galeocerdo cuvier</td>
<td>Australia, South Africa</td>
</tr>
<tr>
<td>Porbeagle</td>
<td>Lamna nasus</td>
<td>USA, Alaska</td>
</tr>
</tbody>
</table>

**PROPOSED RULE MAKING**

**Mammals—Continued**

**Common name** | **Scientific name** | **Where found**
---|---|---
**PROPOSED RULE MAKING**

**Mammals—Continued**

<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Where found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern elephantiasis</td>
<td>P. t. australis</td>
<td>Australia</td>
</tr>
<tr>
<td>Long-finned pilot whale</td>
<td>Globicephala melas</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Dugong</td>
<td>Dugong dugong</td>
<td>Australia</td>
</tr>
<tr>
<td>Long-tailed manakins</td>
<td>Lonchura punctulata</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Barbary macaque</td>
<td>Macaca sylvanus</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Honeycomb bat</td>
<td>Rhinolophus affinis</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Tasmanian devil</td>
<td>Sarcophilus harrisii</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Desert tortoise</td>
<td>Gopherus agassizii</td>
<td>USA, Alaska</td>
</tr>
<tr>
<td>Flying fox</td>
<td>Pteropus poliocephalus</td>
<td>Australia, South Africa</td>
</tr>
<tr>
<td>Southern elephantiasis</td>
<td>P. t. australis</td>
<td>Australia</td>
</tr>
<tr>
<td>Brush-tailed rat-kangaroo</td>
<td>Pseudocheirus peregrinus</td>
<td>Australia</td>
</tr>
<tr>
<td>Leach's rat-kangaroo</td>
<td>Pseudocheirus leachi</td>
<td>Australia</td>
</tr>
<tr>
<td>Plains rat-kangaroo</td>
<td>Petrogale assimilis</td>
<td>Australia</td>
</tr>
<tr>
<td>Banded hare-wallaby</td>
<td>Notomys alexis</td>
<td>Australia</td>
</tr>
<tr>
<td>Western hare-wallaby</td>
<td>Notomys alexis</td>
<td>Australia</td>
</tr>
<tr>
<td>Banded hare-wallaby</td>
<td>Notomys alexis</td>
<td>Australia</td>
</tr>
<tr>
<td>Desert mulga-wallaby</td>
<td>Pseudomys alexis</td>
<td>Australia</td>
</tr>
<tr>
<td>Croc-eared wallaby</td>
<td>Pseudomys alexis</td>
<td>Australia</td>
</tr>
<tr>
<td>Parma wallaby</td>
<td>Pseudomys alexis</td>
<td>Australia</td>
</tr>
<tr>
<td>Little corella</td>
<td>Cacicus fuscater</td>
<td>Australia</td>
</tr>
<tr>
<td>Black-faced spoonbill</td>
<td>Platalea minor</td>
<td>Australia, South Africa</td>
</tr>
<tr>
<td>Blue-faced honeyeater</td>
<td>Melithreptus splendens</td>
<td>Australia</td>
</tr>
<tr>
<td>Western bowerbird</td>
<td>Petronia australis</td>
<td>Australia</td>
</tr>
<tr>
<td>Yellow-rumped honeyeater</td>
<td>Phylidonyris pyrrhopterus</td>
<td>Australia</td>
</tr>
<tr>
<td>Red-backed fairy-wren</td>
<td>Malurus melanocephalus</td>
<td>Australia</td>
</tr>
<tr>
<td>White-browed fantail</td>
<td>Rhipidura prasina</td>
<td>Australia</td>
</tr>
<tr>
<td>White-blooded fairy-wren</td>
<td>Malurus melanocephalus</td>
<td>Australia</td>
</tr>
<tr>
<td>Coqui-frog</td>
<td>Eleutherodactylus coqui</td>
<td>USA, Hawaii</td>
</tr>
<tr>
<td>Golden mantella</td>
<td>Mantella aurantiaca</td>
<td>Madagascar</td>
</tr>
</tbody>
</table>

**List of Endangered Foreign Fish and Wildlife**

The list of endangered foreign fish and wildlife has been compiled from data supplied by international conservation organizations, foreign fish and wildlife agencies, individual scientists, and trade sources. If a candidate species is not included in the list, it may be added if it is not endangered throughout its range or if it is in need of more information to confirm its status as endangered or threatened. The list is under continual review. Further data is welcome and should be submitted. The "Where found" column is a guide to the native countries or regions where the animals are found. It is not intended to be definitive.
<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Where found</th>
</tr>
</thead>
<tbody>
<tr>
<td>LMN</td>
<td>OPO</td>
<td>QRS</td>
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</tbody>
</table>

**BIRDS—Continued**

<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Where found</th>
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</thead>
<tbody>
<tr>
<td>EK</td>
<td>LMP</td>
<td>QRS</td>
</tr>
</tbody>
</table>

**FEDERAL REGISTER, VOL. 35, NO. 147—THURSDAY, JULY 30, 1970**
PROPOSED RULE MAKING

AMPHERIBANS AND REPTILES

<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Where found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brazil painted frog</td>
<td>Dipsosaurus micropus</td>
<td>Brazil, New Zealand, Malaysia,</td>
</tr>
<tr>
<td>Stealth Island frog</td>
<td>Alcataa hawkeni</td>
<td>Indonesia, Papua, India,</td>
</tr>
<tr>
<td>River terrapin, turtles</td>
<td>Heloderma suspectum</td>
<td>Madagascar, Madagascar</td>
</tr>
<tr>
<td>Galapagos terrapin</td>
<td>Ypsenus calvus</td>
<td>Galapagos, Ecuador, Brazil,</td>
</tr>
<tr>
<td>Madagascar radiated tortoise</td>
<td>Dryolophopogon radiatus</td>
<td>Madagascar, Madagascar,</td>
</tr>
<tr>
<td>Hawaiian terrapin</td>
<td>Heliophis helenae</td>
<td>Hawaiian Islands,</td>
</tr>
<tr>
<td>Leatherback terrapin</td>
<td>Dermochelys coriacea</td>
<td>South Africa, Madagascar,</td>
</tr>
<tr>
<td>Atlantic ridley terrapin</td>
<td>Lepidochelys cemelia</td>
<td>South Africa, Madagascar,</td>
</tr>
<tr>
<td>South American river terrapin</td>
<td>Podocnemys expansa</td>
<td>South America river terrapin,</td>
</tr>
<tr>
<td>Dock</td>
<td>Podocnemys expansa</td>
<td>Australia, Bolivia,</td>
</tr>
<tr>
<td>Flat-nosed or swamp terrapin</td>
<td>Podocnemys expansa</td>
<td>Flat-nosed or swamp terrapin,</td>
</tr>
<tr>
<td>Terrapin</td>
<td>Podocnemys expansa</td>
<td>Pacfic Ocean,</td>
</tr>
<tr>
<td>Cuban crocodile</td>
<td>Crocodylus rhombifer</td>
<td>Cuba,</td>
</tr>
<tr>
<td>South American river terrapin</td>
<td>Podocnemys expansa</td>
<td>South American river terrapin,</td>
</tr>
<tr>
<td>Nile crocodile</td>
<td>Crocodylus niloticus</td>
<td>Nile,</td>
</tr>
<tr>
<td>Giant terrapin</td>
<td>Podocnemys expansa</td>
<td>Giant terrapin,</td>
</tr>
<tr>
<td>Round Island day gecko</td>
<td>Podocnemys expansa</td>
<td>Round Island day gecko,</td>
</tr>
<tr>
<td>Day gecko</td>
<td>Podocnemys expansa</td>
<td>Day gecko,</td>
</tr>
<tr>
<td>Irritiation land lizard</td>
<td>Podocnemys expansa</td>
<td>Irritiation land lizard,</td>
</tr>
<tr>
<td>Tuatara</td>
<td>Podocnemys expansa</td>
<td>Tuatara,</td>
</tr>
<tr>
<td>Jamaica boa</td>
<td>Podocnemys expansa</td>
<td>Jamaica boa,</td>
</tr>
<tr>
<td>Anacaena ground iguana</td>
<td>Podocnemys expansa</td>
<td>Anacaena ground iguana,</td>
</tr>
</tbody>
</table>

FISH

<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Where found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ahi balthic</td>
<td>Salmoides ohoploides</td>
<td>Ahi balthic, Heiatschetti,</td>
</tr>
<tr>
<td>Cheer</td>
<td>Acropoecus laticlami</td>
<td>Cheer,</td>
</tr>
<tr>
<td>Mayan tonga</td>
<td>Sagamia tonga</td>
<td>Mayan tonga, Sagamia</td>
</tr>
<tr>
<td>Amapallote</td>
<td>Hapalops uros</td>
<td>Amapallote, Hapalops</td>
</tr>
<tr>
<td>Ayo-ayt</td>
<td>Pseudechus curvus</td>
<td>Ayo-ayt,</td>
</tr>
<tr>
<td>Beekharto</td>
<td>Pseudechus curvus</td>
<td>Beekharto,</td>
</tr>
<tr>
<td>Gint catfish</td>
<td>Pseudechus curvus</td>
<td>Gint catfish,</td>
</tr>
<tr>
<td>Catfish</td>
<td>Pseudechus curvus</td>
<td>Catfish,</td>
</tr>
</tbody>
</table>

MOLLUSK

<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
<th>Where found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malagasy</td>
<td>Papagypsa pulchraestra</td>
<td>Malagasy,</td>
</tr>
</tbody>
</table>

(16 U.S.C. 699b et seq.)

J. P. Lindenska,
Acting Director, Bureau of Sport Fisheries and Wildlife.


[F.R. Doc. 70-9781; Filed, July 29, 1970; 8:45 a.m.]

[50 CFR Part 240]

GROUND FISH FISHERIES

Certain Persons and Vessels Exempted

To obtain the quantity of regulated species taken by exempted vessels on a timely basis it is necessary that owners or operators of fishing vessels submit certified reports to the Bureau of Commercial Fisheries. Under the present regulations there is no provision for failure to submit such reports as required in subparagraph (d) in § 240.5(d). Therefore, an amendment to § 240.5(d)(6) is proposed to accomplish this purpose.

The proposed amendment is issued under the authority contained in subsection (a) of section 7 of the Northwest Atlantic Fisheries Act of 1950 (64 Stat. 1069; 16 U.S.C. 986).

Prior to the final adoption of the proposed amendment consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Director, Bureau of Commercial Fisheries, Washington, D.C. 20240 within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed amendment is described below.

Subparagraph (6) of § 240.5(d) is amended as follows:

§ 240.5 Certain persons and vessels exempted.

(d) The owner or operator of a fishing vessel for which a certificate of exemption is in force shall furnish on a form supplied by the Bureau of Commercial Fisheries, immediately following the delivery or sale of a catch of fish made by means of such vessel, a report certified to be correct by the owner or operator, listing separately by species and weight the total quantities of all fish sold or delivered, Failure to submit a certified report pertaining to the catches of fish as required by this subparagraph shall be cause to revoke the certificate of exemption by the Regional Director issued to the owner or operator of the fishing vessel.

Issued at Washington, D.C., pursuant to authority delegated to me by the Secretary of the Interior on August 25, 1966 (31 F.R. 11655), and dated July 27, 1970.

William M. Terry,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 70-9794; Filed, July 29, 1970; 8:46 a.m.]
NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Filing of California State Protraction Diagram

JULY 24, 1970.

Notice is hereby given that effective September 8, 1970, the following protraction diagram, approved March 16, 1970, is officially filed and of record in the Riverside District and Land Office. In accordance with Title 43, Code of Federal Regulations, this protraction will become the basic record for describing the land for all authorized purposes at and after 10 a.m. on the above effective date. Until this date and time, the diagram has been placed in the open files and is available to the public for information only.

MOUNT DIABLO MERIDIAN, CALIFORNIA

CALIFORNIA PROTRACTION DIAGRAM NO. 71

T. 11 S., R. 38 E., Secs. 1 to 36, inclusive.
T. 11 S., R. 39 E., Secs. 1 to 36, inclusive.
T. 12 S., R. 37 E., Secs. 4, W½ and S½; Secs. 5 to 9, inclusive; Secs. 10 to 21, inclusive; Secs. 21 to 32, inclusive; Secs. 32 to 36, inclusive.

Copies of this diagram are for sale at two dollars ($2) each by the Cadastral Engineering Office, Bureau of Land Management, Federal Office Building, 2800 Cottage Way Room E-2820, Sacramento, Calif. 95825, and the District and Land Office, Bureau of Land Management, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

WALTER F. HOLMES,
Assistant Land Office Manager.

[FR Doc. 79-9786; Filed, July 29, 1970; 8:45 a.m.]

CALIFORNIA

Notice of Filing of California State Protraction Diagram

JULY 24, 1970.

Notice is hereby given that effective September 8, 1970, the following protraction diagram, approved April 24, 1970, is officially filed and of record in the Riverside District and Land Office. In accordance with Title 43, Code of Federal Regulations, this protraction will become the basic record for describing the land for all authorized purposes at and after 10 a.m. on the above effective date. Until this date and time, the diagram has been placed in the open files and is available to the public for information only.

MOUNT DIABLO MERIDIAN, CALIFORNIA

CALIFORNIA PROTRACTION DIAGRAM NO. 72

T. 9 S., R. 38 E., Sec. 6, W½; Sec. 7, W½; Sec. 18, W½; Sec. 19, W½; Sec. 20, NW¼ and S½;

Copies of this diagram are for sale at two dollars ($2) each by the Cadastral Engineering Office, Bureau of Land Management, Federal Office Building, 2800 Cottage Way Room E-2820, Sacramento, Calif. 95825, and the District and Land Office, Bureau of Land Management, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

WALTER F. HOLMES,
Assistant Land Office Manager.

[FR Doc. 79-9786; Filed, July 29, 1970; 8:45 a.m.]
NOTICES

T. 10 S., R. 43 E.,
Sec. 7;
Sec. 17 to 21, inclusive;
Sec. 27 to 39, inclusive.
T. 10 S., R. 41 E.,
Sec. 25 to 36, inclusive.

Copies of this diagram are for sale at
two dollars ($2) each by the Cadastral
Engineering Office, Bureau of Land Man-
agement, Federal Office Building, 2800
Cottage Way, Room E-2280, Sacramento,
Calif. 95825, and the District and Land
Office, Bureau of Land Management,
1414 University Avenue, Post Office
Box 723, Riverside, Calif. 92502.

WALTER F. HOLMES,
Assistant Land Office Manager.

[F.R. Doc. 70-9787; Filed, July 29, 1970; 8:45 a.m.]

CALIFORNIA

Notice of Filing of California State
Protraction Diagram

JULY 24, 1970.

Notice is hereby given that effective
September 8, 1970, the following protrac-
tion diagram, approved April 24, 1970, is
officially filed and of record in the Rivers-
side District and Land Office. In accor-
dance with Title 43, Code of Federal
Regulations, this protraction will become
the basic record for describing the land for
all authorized purposes at and after 10
a.m. on the above effective date. Until
this date and time, the diagram has been
placed in the open files and is available
to the public for information only.

MOUNT DIABLO MERICAN, CALIFORNIA
CALIFORNIA PROTRACTION DIAGRAM NO. 74

T. 10 S., R. 43 E.,
Sec. 7 and 8;
Sec. 17 to 21, inclusive;
Sec. 25 to 36, inclusive.
T. 10 S., R. 41 E.,
Sec. 25 to 36, inclusive.

Copies of this diagram are for sale at
two dollars ($2) each by the Cadastral
Engineering Office, Bureau of Land Man-
agement, Federal Office Building, 2800
Cottage Way, Room E-2280, Sacramento,
Calif. 95825, and the District and Land
Office, Bureau of Land Management,
1414 University Avenue, Post Office
Box 723, Riverside, Calif. 92502.

WALTER F. HOLMES,
Assistant Land Office Manager.

[F.R. Doc. 70-9789; Filed, July 29, 1970; 8:45 a.m.]

CALIFORNIA

Notice of Filing of California State
Protraction Diagram

JULY 24, 1970.

Notice is hereby given that effective
September 8, 1970, the following protrac-
tion diagram, approved April 24, 1970, is
officially filed and of record in the Rivers-
side District and Land Office. In accor-
dance with Title 43, Code of Federal
Regulations, this protraction will become
the basic record for describing the land for
all authorized purposes at and after 10
a.m. on the above effective date. Until
this date and time, the diagram has been
placed in the open files and is available
to the public for information only.

MOUNT DIABLO MERICAN, CALIFORNIA
CALIFORNIA PROTRACTION DIAGRAM NO. 75

T. 11 S., R. 44 E.,
Sec. 7 and 8;
Sec. 17 to 21, inclusive;
Sec. 25 to 36, inclusive.
T. 12 S., R. 43 E.,
Sec. 1 to 6, inclusive.
T. 12 S., R. 44 E.,
Sec. 1 to 6, inclusive.

Copies of this diagram are for sale at
two dollars ($2) each by the Cadastral
Engineering Office, Bureau of Land Man-
agement, Federal Office Building, 2800
Cottage Way, Room E-2280, Sacramento,
Calif. 95825, and the District and Land
Office, Bureau of Land Management,
1414 University Avenue, Post Office
Box 723, Riverside, Calif. 92502.

WALTER F. HOLMES,
Assistant Land Office Manager.

[F.R. Doc. 70-9790; Filed, July 29, 1970; 8:45 a.m.]

CALIFORNIA

Opening of Land Subject to Section 24
of the Federal Power Act

JULY 23, 1970.

By virtue of the authority contained
in section 24 of the Federal Power Act
819), as amended, and pursuant to the
authority redelegated to me by the
Manager, Sacramento Land Office, Bu-
reau of Land Management, approved
by the California State Director, effective
August 12, 1969 (34 F.R. 19376), it is
ordered as follows:

1. In DA-1092-California the Federal
Power Commission determined that the
value of the land described below with-
drawn pursuant to the filing of an appli-
cation for preliminary permit for Power
Project No. 74, will not be injured or
destroyed for power purposes by resto-
ration to location, entry, or selection
under the public land laws, subject to the
provisions of section 24 of the Federal
Power Act so far as it pertains to the
following described land:

EUNICE MIZER

T. 13 N., R. 6 E.,
Sec. 32, W1/4 NE, NW1/4 SE1/4 and
NW1/4 SE1/4 NE1/4 SE1/4.

The area described contains approxi-
mately 7.5 acres in Siskiyou County.

2. At 10 a.m., on August 20, 1970, the
land shall be open to such forms of dis-
position as may by law be made of na-
tional forest lands.

The State of California has waived its
preference right of application for high-
way rights-of-way or material sites
afforded it by section 24 of said act.

Inquiries concerning the land should be
addressed to the Manager, Land
Office, Bureau of Land Management,
Sacramento, Calif.

ELIZABETH H. MIDDLE
Chief, Lands Adjudication Section.

[F.R. Doc. 70-9791; Filed, July 29, 1970; 8:45 a.m.]
NOTICES

1. Pursuant to the Act of September 19, 1964 (78 Stat. 967; 43 U.S.C. 1411-19) and to the regulations in 43 CFR, Parts 2410 and 2490, the public lands within the area described below are hereby classified for multiple-use management. Publication of this notice (a) segregates all the public land described in this notice from appropriation only under the agricultural law (43 U.S.C., Parts 7 and 9) and under the general mining laws (30 U.S.C., chapter 2), but not mineral leasing and mineral sales laws, except as provided in (a) and (b) above, 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. The public lands affected by this classification are located in Kootenai, Shoshone, and Benewah Counties in the area described below. The lands shown on a map designated 1106-1 (Rochat Unit) which is on file and may be reviewed in the Bureau of Land Management District Office, Coeur d'Alene, Idaho, and in the State Office, Bureau of Land Management, 550 West Fort Street, Boise, Idaho.

BOISE MERRIMAN, IDAHO

T. 46 N., R. 2 W., Sec. 24, S\(\frac{1}{2}\) SE\(\frac{1}{4}\), SE\(\frac{1}{4}\); Sec. 25, S\(\frac{3}{4}\) SE\(\frac{1}{4}\) SW\(\frac{1}{4}\); Sec. 36.

T. 47 N., R. 2 W., Secs. 1 and 2.

T. 49 N., R. 1 W., Sec. 35, SE\(\frac{1}{4}\).

T. 48 N., R. 1 W.

Sec. 1, lots 4 to 1 inclusive, S\(\frac{1}{2}\) NW\(\frac{1}{4}\), S\(\frac{1}{4}\); Sec. 2, lots 1 to 1 inclusive, S\(\frac{3}{4}\) NW\(\frac{1}{4}\), SE\(\frac{1}{4}\) NW\(\frac{1}{4}\), NE\(\frac{1}{4}\) SW\(\frac{1}{4}\), S\(\frac{1}{4}\) SW\(\frac{1}{4}\), SE\(\frac{1}{4}\); Sec. 3, lots 6, 11, 12, SE\(\frac{3}{4}\) NE\(\frac{1}{4}\); Sec. 4, lots 3 to 5 and 9 to 14 inclusive, SW\(\frac{1}{4}\) NW\(\frac{1}{4}\), S\(\frac{1}{4}\) S\(\frac{1}{4}\).

Sec. 5, lots 1, 8, 9, SE\(\frac{1}{2}\) NW\(\frac{1}{4}\), SE\(\frac{1}{4}\) SE\(\frac{1}{4}\); Secs. 8 to 17 inclusive; Secs. 18, lots 3, 4, 5, SW\(\frac{1}{4}\) NW\(\frac{1}{4}\), SE\(\frac{1}{4}\) SW\(\frac{1}{4}\), S\(\frac{1}{4}\) SE\(\frac{1}{4}\); Sec. 19, all except lot 1; Secs. 20 to 36 inclusive.

T. 47 N., R. 1 W., Secs. 1 and 2 inclusive; Sec. 3, lots 1 to 8 and lots 10 to 14 inclusive, S\(\frac{1}{2}\) NE\(\frac{1}{4}\), S\(\frac{1}{4}\) NW\(\frac{1}{4}\), N\(\frac{1}{2}\) SW\(\frac{1}{4}\), SE\(\frac{1}{4}\) SW\(\frac{1}{4}\), SE\(\frac{1}{4}\);

Sec. 4, lots 1 to 8 inclusive, lot 14, S\(\frac{1}{4}\) NW\(\frac{1}{4}\), S\(\frac{1}{4}\);

Sec. 5, lots 1 to 8 inclusive, S\(\frac{1}{2}\) NE\(\frac{1}{4}\), W\(\frac{1}{2}\) S\(\frac{1}{4}\);

Sec. 6, lots 1 to 9 inclusive, S\(\frac{1}{2}\) SE\(\frac{1}{4}\), SE\(\frac{1}{4}\) NW\(\frac{1}{4}\), NE\(\frac{1}{4}\), N\(\frac{1}{2}\) SE\(\frac{1}{4}\);

Sec. 9, lots 5 to 8 inclusive, E\(\frac{1}{2}\) SE\(\frac{1}{4}\);

Sec. 10 to 15 inclusive;

Sec. 16, lots 3 and 4 inclusive, NE\(\frac{1}{4}\), SE\(\frac{1}{4}\) NW\(\frac{1}{4}\), SE\(\frac{1}{4}\);

Sec. 17, lots 4 and 5 inclusive;

Sec. 20, lots 5, 7, 8, E\(\frac{1}{2}\) NW\(\frac{1}{4}\), SE\(\frac{1}{4}\), less patented mining claims;

Sec. 21, less mining claims;

Sec. 22 to 33 inclusive;

Sec. 30, lot 2, NE\(\frac{1}{4}\), NW\(\frac{1}{4}\) NW\(\frac{1}{4}\), S\(\frac{1}{2}\) NW\(\frac{1}{4}\), S\(\frac{1}{4}\);

Sec. 32 to 36 inclusive.

T. 46 N., R. 1 W., Sec. 1 to 5 inclusive;

Sec. 6, E\(\frac{1}{2}\).

Sec. 12.

T. 48 N., R. 1 E., Sec. 6, lots 1, 9, 10, 11, 12, SW\(\frac{1}{4}\) NW\(\frac{1}{4}\), W\(\frac{1}{2}\) SE\(\frac{1}{4}\);

Sec. 7.

Sec. 16 to 21 inclusive;

Sec. 22, W\(\frac{1}{2}\) SW\(\frac{1}{4}\);

Sec. 27, W\(\frac{1}{2}\) NW\(\frac{1}{4}\);

Sec. 28 to 33 inclusive;

Sec. 34, W\(\frac{1}{2}\) W\(\frac{1}{2}\);

Sec. 36.

T. 47 N., R. 1 E., Sec. 1;

Sec. 3, lot 4, SW\(\frac{1}{4}\) NW\(\frac{1}{4}\), SW\(\frac{1}{4}\), SE\(\frac{1}{4}\) SE\(\frac{1}{4}\);

Sec. 4 to 36 inclusive.

T. 46 N., R. 1 E., Secs. 1 to 8 inclusive;

Sec. 9, W\(\frac{1}{2}\) W\(\frac{1}{4}\);

Sec. 10, E\(\frac{1}{2}\) NW\(\frac{1}{4}\);

Secs. 11 and 12 inclusive;

Sec. 13, N\(\frac{1}{2}\);

Sec. 14, NE\(\frac{1}{2}\).

T. 48 N., R. 2 E., Secs. 8, 9, 16, and 17;

Secs. 20 to 29 inclusive;

Sec. 31 to 36 inclusive.

T. 47 N., R. 2 E., Secs. 1 to 19 inclusive;

Sec. 20, N\(\frac{1}{2}\) W\(\frac{1}{2}\) SW\(\frac{1}{4}\);

Sec. 31, lot 1;

T. 46 N., R. 2 E., Secs. 7, lots 1 to 4 inclusive, SE\(\frac{1}{2}\) NW\(\frac{1}{4}\), E\(\frac{1}{2}\) SW\(\frac{1}{4}\), W\(\frac{1}{2}\) SE\(\frac{1}{4}\), SE\(\frac{1}{4}\) SE\(\frac{1}{4}\);

Secs. 18 and 19 inclusive;

Sec. 20, NW\(\frac{1}{2}\) NE\(\frac{1}{4}\), NW\(\frac{1}{2}\) NW\(\frac{1}{4}\), W\(\frac{1}{2}\) W\(\frac{1}{2}\), SE\(\frac{1}{4}\) SW\(\frac{1}{4}\);

Sec. 30.

The area described contains approximately 56,967 acres of public land.

As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws, but not the mineral leasing and mineral sale laws:

a. Tingrey Spring Recreation Site;

T. 46 N., R. 1 W., Boise Meridian, Sec. 1, W\(\frac{1}{2}\) SW\(\frac{1}{4}\).

This site contains 80 acres.

b. Sheep Springs Picnic Area;

T. 47 N., R. 1 W., Boise Meridian, Sec. 25, NW\(\frac{1}{4}\) SW\(\frac{1}{4}\).

This site contains 40 acres.

c. Mirror Lake Recreation Site.
NOTICES

12229

T. 47 N., R. 1 E., Boise Meridian, Sec. 3, SW1/4 NE1/4, NW1/4 SW1/4.
This site contains 20 acres.

T. 47 N., R. 1 E., Boise Meridian, Sec. 31, SW1/4 NW1/4, SW1/4NE1/4, NE1/4SW1/4, NW1/4SW1/4.
This site contains 160 acres.

4. Several comments were received following publication of a notice of proposed classification in the FEDERAL REGISTER of April 3, 1970 (35 F.R. 5562), and at the public hearing held in Coeur d'Alene, Idaho, on May 1, 1970. All comments were carefully considered in the light of the law and regulations, and as a result a modification is made in the classification. Segregation of the 3930 acres included in the St. Marys watershed and described in paragraph 3.E. of the notice of proposed classification, from the general mining laws, is hereby terminated. The change is reflected in paragraph 3 of this notice of classification.

5. For a period of 30 days from date of publication in the FEDERAL Register, this classification is subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR § 2461.3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C., 20240.

ORVAL G. HADLEY,
Acting State Director.
[F.R. Doc. 70-9841; Filed, July 29, 1970; 8:49 a.m.]

[National Office No. 2345]

NEVADA

Notice of Classification of Public Lands for Multiple-Use Management

JULY 23, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR, Part 2450, the public lands 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) 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 or material sale laws, with the exception contained in paragraph 2. As used herein, "public lands" mean 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 30, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. The record showing the comments received following publication of the notice of proposed classification (35 F.R. 88), or at the public hearing at the Lyon County Courthouse, Yerington, Nev., which was held on June 2, 1970, and other information is on file and can be examined at the Nevada Land Office. The public lands affected by this classification are located within the following described area and are shown on a map designated N-3345 on file in the Carson City District Office, Bureau of Land Management, 301 North Plaza Street, Carson City, Nev. 89701, and the Nevada Land Office, Bureau of Land Management, Room 3104, Federal Building, 360 Eooth Street, Reno, Nev. 89502.

The overall description of the area is as follows:

MOUNT DIABLO MERIDIAN, NEVADA
LYON COUNTY

The public lands classified are wholly located within Lyon County, Nev.

The area described above aggregates approximately 555,713 acres of public land.

3. The public lands listed below are further segregated from all forms of appropriation under the public land laws, including the general mining laws, but not the Recreation and Public Purposes Act (43 Stat. 741, 68 Stat. 173; 43 U.S.C. 869) and the mineral leasing and material sale laws:

MOUNT DIABLO MERIDIAN, NEVADA

T. 11 N., R. 25 E., Sec. 6, SW1/4SE1/4; Sec. 19, NE1/4NE1/4, SE1/4NE1/4, NW1/4SE1/4, SW1/4; Sec. 18, SW1/4SE1/4; Sec. 10, NW1/4SW1/4 Wilson Canyon.

The area described above aggregates approximately 680 acres of public land.

4. For a period of 30 days from date of publication in the FEDERAL Register, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR § 2461.3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C., 20240.

NOLAN F. KIEL,
State Director, Nevada.
[F.R. Doc. 70-9842; Filed, July 29, 1970; 8:49 a.m.]

[Nevada Office 436; Amdt.]

NEW MEXICO

Notice of Classification of Public Lands for Multiple-Use Management

JULY 23, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR, Part 2450, the public lands 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) 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. 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 30, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. No adverse comments were received following publication of the notice of proposed classification (35 F.R. 7065), or at the public hearing at Carizozo, N. Mex., which was held May 27, 1970. The record showing the comments received and other information is on file and can be examined in the Las Cruces District Office, Las Cruces, N. Mex. The public lands affected by this classification are located within the following-described areas and are shown on maps designated 03-10, Chapadera Mesa, on file in the Las Cruces District Office, Bureau of Land Management, Post Office Box 1420, Las Cruces, N. Mex. 88001, and Land Office, 400 Post Office and Federal Building, Santa Fe, N. Mex. 87501.

NEW MEXICO PRINCIPAL MERIDIAN

T. 4 S., R. 7 E., Secs. 25, 26, 29, 30, 33, and 35.
T. 5 S., R. 7 E., Secs. 1, 2, and 3.
T. 6 S., R. 7 E., Secs. 4, 5, and 6.
T. 7 S., R. 7 E., Secs. 7, 8, 9, and 10.
T. 8 S., R. 7 E., Secs. 11, 12, and 13.
T. 9 S., R. 7 E., Secs. 14, 15, and 16.
T. 10 S., R. 7 E., Secs. 17, 18, and 19.
T. 11 S., R. 7 E., Secs. 20, 21, 22, and 23.

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 § 2461.3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C., 20240.

ALBERT T. POST,
State Director, New Mexico.
[F.R. Doc. 70-9843; Filed, July 29, 1970; 8:49 a.m.]

[New Mexico Office 436; Amdt.]
§ 2411.2c. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240.

CLYDE R. DURNELL, Acting State Director.

[F.R. Doc. 70-9792; Filed, July 29, 1970; 8:45 a.m.]

NEW MEXICO

Notice of Classification of Public Lands for Multiple-Use Management


1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 48 CFR Parts 2400 and 2460, the public lands within the areas 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 law (43 U.S.C. 1351) and from sales under section 2245 of the Revised Statutes (43 U.S.C. 1351 et seq.) 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. 1260), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. No adverse comments were received following publication of a notice of proposed classification (35 F.R. 5339-5340). The record showing the comments received and other information is on file and can be examined in the Albuquerque District Office, Bureau of Land Management, 1300 NW, Albuquerque, N.Mex. The public lands affected by this classification are located within the following described areas and are shown on a map designated Sabinoso Planning Unit No. 10, located in the Albuquerque District Office and in the Land Office of the Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N.Mex.

NEW MEXICO PRINCIPAL MERIDIAN

T. 15 N., R. 28 E., Sec. 13, SW1/4 NW1/4, W1/2 SW1/4, and E1/2 SE1/4.

Sec. 14, SE1/2 NE1/4 and 7/16 SE1/4.

Sec. 22, SE1/2 NE1/4 and NE1/4 SE1/4.

Sec. 23, NE1/4 NW1/4, NW1/4 SW1/4, SW1/4 SE1/4, and W1/2 SE1/4.

Sec. 24, SW1/4 SE1/4, W1/2 NW1/4, and 5/8 SE1/4.

Sec. 25, NE1/4 SE1/4, NE1/4 SW1/4, and E1/2 NW1/4.


Sec. 5, lots 1, 2, 4, 8, SW1/4 NE1/4, SE1/4 SW1/4, and E1/2 SE1/4.

Sec. 6, lots 1, 2, 4, SW1/4 NE1/4, NE1/4 SW1/4, E1/2 NW1/4, and E1/2 SE1/4.

Sec. 7, NE1/4 SE1/4, NW1/4 SE1/4, and SW1/4 NW1/4.

Sec. 8, E1/2 NE1/4 NW1/4, and SE1/4 SW1/4.

Sec. 10, NW1/4, SW1/4 SW1/4, NW1/4 SE1/4, and SW1/4 NW1/4.

Sec. 11, NW1/4, SW1/4 SE1/4, and SW1/4 NW1/4.

Sec. 12, SW1/4 NW1/4, SW1/4 NE1/4, and SW1/4 NW1/4.

Sec. 13, SW1/4 NW1/4, SW1/4 NE1/4, and SW1/4 NW1/4.

Sec. 14, SW1/4 NW1/4, SW1/4 NE1/4, and SW1/4 NW1/4.

Sec. 15, SW1/4 NW1/4.

Sec. 16, lot 4, SW1/4 SW1/4, and SW1/4 SSE1/4.

Sec. 20, NW1/4 NE1/4, NW1/4 NW1/4, NW1/4 SE1/4, and SW1/4 SW1/4.

Sec. 21, SW1/4.

Sec. 22, NW1/4 SW1/4, E1/2 NW1/4, SW1/4 NW1/4, and SW1/4 SE1/4.

Sec. 23, S1/4 NW1/4, SE1/4 SW1/4, and SE1/4.

Sec. 24, SW1/4 NW1/4, NW1/4 SE1/4, and SW1/4 NW1/4.

Sec. 25, E1/2 NW1/4, NW1/4 SW1/4, and SW1/4 NW1/4.

Sec. 26, NE1/4, SE1/4 NW1/4, and NE1/4 SE1/4.

Sec. 29, E1/4 NW1/4, NW1/4 NW1/4, and NW1/4.

Sec. 30, lots 1, 2, 3, 4, S1/2 NE1/4, SE1/4 NE1/4, SW1/4 NW1/4, and SW1/4 SE1/4.

Sec. 31, lots 1, 2, 3, 4, SW1/4 NW1/4, NW1/4 SE1/4, and SW1/4 NW1/4.

The public lands in the areas described aggregate 19,627.78 acres in San Miguel County.

3. 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 appeal by the Secretary of the Interior as provided in 43 CFR, section 2461.3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240.

CLYDE R. DURNELL, Acting State Director.

[F.R. Doc. 70-9792; Filed, July 29, 1970; 8:45 a.m.]

Office of the Secretary

DIRECTOR, GEOLOGICAL SURVEY

Delegation of Authority

The delegation of authority to the Director, Geological Survey, contained in Chapter 2, Part 220, of the Departmental Manual pertaining to the approval of unitization, pooling, and drilling agreements under the Outer Continental Shelf Lands Act has been amended as set forth below. The following material is a portion of the Departmental Manual and the numbering system is that of the Manual.

PART 220—GEOLOGICAL SURVEY

Chapter 2—Unitization, Cooperative, Pooling, and Drilling Agreements

220.2.1 Delegation of Authority. The Director, Geological Survey, is hereby delegated the authority of the Secretary of the Interior under section 6a(1) of the Outer Continental Shelf Lands Act of August 7, 1953 (43 Stat. 642; 43 U.S.C., sec. 1334(a)(1)), in the interest of conservation, to approve unitization, cooperative, pooling, and drilling agreements and to require lessees to subscribe to and operate under such agreements for the development and operation of an area, field, or pool, or part thereof as the Director may determine to be practicable and necessary or advisable.

WALTER J. HICKEL, Secretary of the Interior.


[F.R. Doc. 70-9814; Filed, July 29, 1970; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[DOCKET NO. S-208]

OCEANIC STEAMSHIP CO.

Notice of Application

Notice is hereby given that the Oceanic Steamship Co. has filed an application, dated July 6, 1970, requesting written permission under section 805(a) of the Merchant Marine Act, 1936, as amended, to permit the SS "Mariposa" and SS "Monterey" to carry passengers and their baggage between points in California on regularly scheduled voyages on Trade Route No. 27 (U.S. Pacific/Australian/New Zealand).

Interested parties may inspect this application in the Office of Subsidy Administration, Maritime Administration, Room 1023, General Accounting Office Building, 441 G Street NW, Washington, D.C.

Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) or desiring to submit comments or views concerning the application must, by close of business on August 6, 1970, file same with the Secretary, Maritime Subsidy Board/Maritime Administration, in writing, in triplicate, together with petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied upon for relief.

Notwithstanding anything in § 201.78 of the rules of practice and procedure (48 CFR Part 201), petitions for leave to intervene received after the close of business on August 6, 1970, will not be considered in this proceeding.
NOTICES

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board/Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties wishing to be heard, a hearing has been tentatively scheduled for August 11, 1970 at 10 a.m. in Room 4892, Department of Commerce Building, 14th and E Streets NW, Washington, D.C. The purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the Act relative to domestic trade operations.

By order of the Maritime Subsidy Board/Maritime Administration.

Dated: July 24, 1970.

JAMES S. DAWSON, JR.,
Secretary.

[FR Doc. 70-9850; Filed, July 29, 1970; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

CORDELE LIVESTOCK CO., ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below, as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard, location, and date of posting Current name of stockyard and date of change in name


New York Central Livestock, Lowville Division, Aug. 13, 1960...


Done at Washington, D.C., this 24th day of July 1970.

G. H. HOPPER,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc. 70-9854; Filed, July 29, 1970; 8:51 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 11025]

DIAGNOSTIC AGENT: INDOCYANINE GREEN INJECTION

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following diagnostic drug: Cardio-Green; indocyanine green; marketed by Hyson, Westcott, and Dunning, Inc., Charles and Chase Streets, Baltimore, Md. 21201 (NDA 11-535).

The drug is regarded as a new drug (21 U.S.C. 321(p)). Supplemental new-drug applications are required to revise the labeling in and to update previously approved applications providing for such drug. A new-drug application is required from any person marketing such drug without approval.

The Food and Drug Administration is prepared to approve new-drug applications and supplements to previously approved new-drug applications under conditions described in this announcement.

A. Efficacy classification. The Food and Drug Administration has considered the Academy report, as well as other available evidence, and concludes that:

1. Indocyanine green is effective for measurement of hepatic blood flow and for measurement of cardiac output.

2. Indocyanine green is probably effective for use in determining hepatic function.

3. Form of drug. Indocyanine green preparations are in powder form suitable for preparing a solution for injection.

C. Labeling conditions. 1. The label bears the statement "Caution: Federal law prohibits dispensing without prescription."

2. The drug is labeled to comply with all requirements of the Act and regulations. Its labeling bears adequate directions for safe and effective use of the drug and is in accord with the guidelines for uniform labeling published in the Federal Register of February 5, 1970. The "indications" section is as follows:

The indications section is as follows: (Labeling guidelines for the drug are available from the Administration on request.)

INDICATIONS

The drug is indicated for the measurement of hepatic blood flow, cardiac output and for determining hepatic function.

D. Indication permitted during extended period for obtaining substantial evidence. The indication for which the drug is described in paragraph A2 above as probably effective is included in the labeling conditions in paragraph C and may continue to be used for 12 months following the date of this publication to allow additional time within which the holder of the previously approved application or persons marketing the drug without approval may obtain and submit to the Food and Drug Administration, data to provide substantial evidence of effectiveness.

E. Previously approved applications. 1. Each holder of a "deemed approved" new-drug application (i.e., an application which became effective on the basis of safety prior to Oct. 10, 1962) for such drug is requested to seek approval of the claims of effectiveness and bring the application into conformity by submitting supplements containing:

a. Revised labeling as needed to conform to the labeling conditions described herein for the drug and complete current container labeling, unless recently submitted.

b. Updating information as needed to make the application current in regard to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of the new-drug application form FD-356H to the extent described in abbreviated new-drug applications, §130.4(d) of the regulations published in the Federal Register April 24, 1970 (35 F.R. 6974). (One supplement may contain all the information described in this paragraph.)

2. Such supplements should be submitted within the following time periods after the date of publication of this notice in the Federal Register:

a. 60 days for revised labeling—the supplement should be submitted under the provisions of §130.9 (d) and (e) of
NOTICES

Communications forwarded in response to this announcement should be identified with the reference number DESI 11523 and be directed to the attention of the following appropriate office and address (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Supplements (identify with NDA number):
Office of Marketed Drugs (BD-200), Bureau of Drugs.
Original abbreviated new-drug applications (identify as such):
Office of Marketed Drugs (BD-200), Bureau of Drugs.
All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-55, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: July 7, 1970.

SAM D. FINE,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70-3812; Filed, July 29, 1970; 8:47 a.m.]

DESI 10070

PANCREATIC DORNASE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug:

Dornavac Powder containing pancreatic dornase for inhalation or irrigation therapy; marketed by Merck Sharp & Dohme, Division Merck and Co., Inc., West Point, Pa. (NDA 10-070).

The drug is regarded as a new drug. The effectiveness classification and marketing status are described below.

Effectiveness classification. The Food and Drug Administration has considered the Academy report and concludes that:

1. This drug is probably effective as an adjunct in treatment of paranasal sinus infections, for tracheitis sicca, cystic fibrosis of the pancreas, and for reducing tenacity of pulmonary secretions in bronchopulmonary infections.

2. The drug is regarded as possibly effective as an adjunct for obtaining specimens of sputum for cytology in suspected cases of bronchogenic carcinoma, and for adjunctive therapy in management of purulent urinary tract infections.

Marketing Status. 1. Those indications for which the drug is described in paragraph A above as probably effective may continue to be used for 12 months, and the indications described as possibly effective may continue to be used for 6 months, following the date of this publication, to allow additional time within which holders of previously approved applications or persons marketing the drug without approval may obtain and submit to the Food and Drug Administration data to provide substantial evidence of effectiveness.

2. At the end of the 6-month and 12-month periods, any such data will be evaluated to determine whether there is substantial evidence of effectiveness of the drug for such uses. The conclusions reached concerning the drug will be published in the Federal Register. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug application for the drug, pursuant to the provisions of section 505 (e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the application will cause any such drugs on the market to be new drugs for which an approval is not in effect.

3. Within 60 days from publication hereof in the Federal Register, persons marketing the drug without approval should revise labeling, as needed, and the holder of any approved new-drug application for such drug is required to submit a supplement to his application to provide for revised labeling as needed, which, taking into account the comments of the Academy, furnishes adequate information for safe and effective use of the drug, is in accord with the guidelines for uniform labeling published in the Federal Register of February 6, 1970 (31 CFR 2,74), and recomends use of the drug for the probable effective indications as follows: (The possibly effective indications may also be included for 6 months.)

INDICATIONS

As an adjuvant in treatment of:
Paranasal sinus infections.
Tracheitis sicca.
Cystic fibrosis of the pancreas.
Reducing tenacity of pulmonary secretions in bronchopulmonary infections.

The supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9 (d) and (e)), which permits certain changes to be put into effect at the earliest possible time, and the revised labeling should be put into use within the 60-day period.

The above named holder of the new-drug application for this drug has been mailed a copy of the NAS-NRC report. Any interested person may obtain a copy of the report by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 10070 and be directed to the attention of the following appropriate office and address (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Supplements (identify with NDA number):
Office of Marketed Drugs (BD-200), Bureau of Drugs.
Original new-drug applications: Office of New Drugs (BD-100), Bureau of Drugs.

FEDERAL REGISTER, VOL. 35, NO. 147—THURSDAY, JULY 30, 1970
A. Effectiveness classification. The Food and Drug Administration has considered the Academy report and concludes that promethazine hydrochloride is possibly effective for its labeled indication as a topical antimhistaminic and/or anesthetic for dermatologic use.

B. Marketing status. 1. Holders of previously approved new-drug applications and any person marketing any such drug without approval will be allowed 6 months from the date of publication of this announcement to submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for those indications for which this drug has been classified as possibly effective. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in \( \text{§} \ 130.12(\text{a})(5) \) of the regulations published as a final order in the Federal Register of May 6, 1970 (35 \text{F.R.} \ 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroboration of support of efficacy and evidence of safety.

2. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After evaluation, the conclusions concerning the drug will be published in the Federal Register. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for such drugs, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval is not in effect.

3. Within 60 days from publication of this announcement, any person marketing such drug without an approved NDA shall provide for revised labeling, and the holder of any new-drug application for such drug is requested to submit a supplement to his application to provide for revised labeling. Such a supplement would be considered for ready review as described in the Academy report, as well as any other available evidence, and concludes that sodium tetradecyl sulfate is probably effective as a sclerosing agent for varicose veins and internal hemorrhoids.

B. Marketing status. 1. The indication for which the drug is described in paragraph A above as probably effective may continue to be marketed for 60 months following the date of this publication, to allow additional time within which holders of previously approved applications or persons marketing the drug without approval may obtain and submit to the Food and Drug Administration data to provide substantial evidence of effectiveness. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in \( \text{§} \ 130.12(\text{a})(5) \) of the regulations published as a final order in the Federal Register of May 6, 1970 (35 \text{F.R.} \ 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroboration of support of efficacy and evidence of safety.
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Sodium tetradecyl sulfate may be used as a sclerosing agent for varicose veins and internal hemorrhoids.

The supplement should be submitted under the provisions of § 130.9 (d) and (3) of the new-drug regulations (21 CFR 130.9 (d) and (e)), which permits certain changes to be put into effect at the earliest possible time, and the revised labeling should be put into use within the 60-day period.

The above-named holder of the new-drug application for this drug has been mailed a copy of the NAS-NRC report. Any interested person may obtain a copy of this Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Supplements (identify with NDA number): Office of Marketed Drugs (BD-200), Bureau of Drugs.

Original new-drug application: Office of New Drugs (BD-100), Bureau of Drugs.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs.


This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: July 7, 1970.

SAM D. FISH, Acting Associate Commissioner for Compliance.

[F.R. Doc. 70-9810; Filed, July 29, 1970; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[DOCKET NO. 50-200] BABBECOK AND WILCOX CO.

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. 1 to Facility License No. TR-4 dated January 25, 1964. The license presently authorizes the Babcock and Wilcox Co. to possess, use, and operate the heterogeneous, light water cooled and moderated test reactor located on Babcock and Wilcox's Nuclear Development Center at Campbell County, Va. The amendment deletes the reporting and record-keeping requirements from the licence and incorporates them in a revised section of the Technical Specifications issued with Amendment No. 1 as Change No. 9.

The Commission has found that the application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations published in 10 CFR Ch. I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendment, and has concluded that the issuance of the 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 the 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 the amendment dated June 18, 1970, (2) the amendment to the facility license, and (3) the change to the Technical Specifications, 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 31st day of July 1970.

For the Atomic Energy Commission.

PETER A. MORRIS, Director, Division of Reactor Licensing.

[F.R. Doc. 70-9799; Filed, July 29, 1970; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

COMMON CARRIER SERVICES INFORMATION

Domestic Public Radio Services

Applications Accepted for Filing

JULY 27, 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 service applications appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business on the 15th 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.

1 All applications listed below are subject to further consideration and review and may be returned and dismissed if not found to be in accordance with the Commission’s rules, regulations, and other requirements.

2 The above alternative cutoff dates 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).
RURAL RADIO SERVICE—continued

294-Cl-FML-71—The Mountain States Telephone & Telegraph Co. (WANT3), C.P. and modification of license to replace transmitter operating on 157.59 MHz at its rural subscriber station located at Hurricane, N. Mex. The following applications have been received for stations at Fixed Point in Arizona and New Mexico which were formerly authorized to the Bureau of Indian Affairs, Department of the Interior.

391-Cl-F-71—Navajo Communications Co. (New), C.P. for a rural subscriber station. Frequency: 164.680 MHz. Location: BLM, 13 km. northwest of Hurricane, N. Mex.

390-Cl-F-71—Navajo Communications Co. (New), C.P. for a rural subscriber station. Frequency: 164.680 MHz. Location: Deming, NM, 13 km. south of Deming, Ariz.

391-Cl-F-71—Navajo Communications Co. (New), C.P. for a rural subscriber station. Frequency: 164.560 MHz. Location: Smokey Signal, 29 km. north of Canvas, Ariz.

392-Cl-F-71—Navajo Communications Co. (New), C.P. for a rural subscriber station. Frequency: 164.650 MHz. Location: Black Springs, 14 km. southeast of Gallup, N. Mex.

391-Cl-F-71—Navajo Communications Co. (New), C.P. for a rural subscriber station. Frequency: 164.550 MHz. Location: Coo-Encino, N. Mex.

394-Cl-F-71—Navajo Communications Co. (New), C.P. for a rural subscriber station. Frequency: 164.525 MHz. Location: Chirenubito School, 25 km. west of Rough Rock, Ariz.

395-Cl-F-71—Navajo Communications Co. (New), C.P. for a rural subscriber station. Frequency: 164.525 MHz. Location: Low Mountain School, 18 km. northeast of Canvas, Ariz.

396-Cl-F-71—Navajo Communications Co. (New), C.P. for a relay station. Frequencies: 169.750 and 172.300 MHz. Location: Fresno, 26 km. northeast of Tuba City, Ariz.

397-Cl-F-71—Navajo Communications Co. (New), C.P. for a relay station. Frequencies: 169.785 and 172.500 MHz. Location: Washington, 18 km. southwest of Sheep Springs, N. Mex.

390-Cl-F-71—Navajo Communications Co. (New), C.P. for a central office station. Frequency: 165.125 MHz. Location: Tuba City, Ariz.

398-Cl-F-71—Navajo Communications Co. (New), C.P. for a central office station. Frequency: 165.125 MHz. Location: Crownpoint, N. Mex.

400-Cl-F-71—Navajo Communications Co. (New), C.P. for a central office station. Frequency: 411.885 MHz. Location: Chinle, Ariz.

401-Cl-F-71—Navajo Communications Co. (New), C.P. for a relay station. Frequencies: 172.750 and 417.925 MHz. Location: Tule Point, Ariz.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

American Telephone & Telegraph Co. Fifteen C.P. applications to construct one additional Type 10 radio relay channel from Polk City to Pennasco, and from Columbia to Paris Mountain, S.C., and one Collins Radio Co. Type MIV100D channel from Fessers to Miami, Fla.

296-Cl-F-71—American Telephone & Telegraph Co. (KJC9), Add frequency 4150 MHz toward Lake Hamilton, Fla. Station location: 7.5 miles north of Polk City, Fla.

299-Cl-F-71—American Telephone & Telegraph Co. (KJC15), Add frequency 4110 MHz toward Falmouth, Fla. Station location: east edge of Lake Hamilton, Fla.

300-Cl-F-71—American Telephone & Telegraph Co. (KJC23), Add frequency 4150 MHz toward Sebring, Fla. Station location: approximately 4 miles southeast of Sebring, Fla.

301-Cl-F-71—American Telephone & Telegraph Co. (KJC21), Add frequency 4150 MHz toward Chiles, Fla. Station location: 4.95 miles northwest of Sebring, Fla.

302-Cl-F-71—American Telephone & Telegraph Co. (KJC33), Add frequency 4150 MHz toward Palmdale, Fla. Station location: 4.5 miles southeast of Chiles, Fla.

305-Cl-F-71—American Telephone & Telegraph Co. (KJC35), Add frequency 4150 MHz toward Moore Haven, Fla. Station location: approximately 0.5 mile southeast of Moore Haven, Fla.

306-Cl-F-71—American Telephone & Telegraph Co. (KJC35), Add frequency 4150 MHz toward Clewiston Junction, Fla. Station location: Approximately 4.5 miles south-southwest of Moore Haven, Fla.

307-Cl-F-71—American Telephone & Telegraph Co. (KJC23), Add frequency 4150 MHz toward Andytown North, Fla. Station location: Approximately 7.5 miles south-southwest of Andytown, Fla.

308-Cl-F-71—American Telephone & Telegraph Co. (KJC29), Add frequency 4150 MHz toward Pennasco, Fla. Station location: Andytown South, 8.5 miles south of Andytown, Fla.

309-Cl-F-71—American Telephone & Telegraph Co. (KJC70), Add frequencies 5945.5, 6053.5, and 6094.5 MHz toward Miami, Fla. Station location: 6 miles west-southwest of Pennasco, Fla.

310-Cl-F-71—American Telephone & Telegraph Co. (KJC28), Add frequency 4040 MHz toward Chaplin, S.C. Station location: 1941 Hampton Street, Columbia, S.C.

311-Cl-F-71—American Telephone & Telegraph Co. (KJC27), Add frequency 3970 MHz toward Clinton, S.C. Station location: 3.5 miles northwest of Chaplin, S.C.

312-Cl-F-71—American Telephone & Telegraph Co. (KJC28), Add frequency 4040 MHz toward Paris Mountain, S.C. Station location: 208 Broad Street, Clinton, S.C.

American Telephone & Telegraph Co. Eleven C.F. applications to construct one pair of plant maintenance channels utilizing Parinon Electric Co. equipment in the radio relay route sections of Teasop, Wash., and to construct Teasop, Idaho, Type Parinon Equipment.

313-Cl-F-71—American Telephone & Telegraph Co. (KJC65), Add frequency 4186 MHz toward Cour D' Alene, Idaho. Station location: 2.5 miles north of Teasop, Wash.

314-Cl-F-71—American Telephone & Telegraph Co. (KJC19), Add frequency 4186 MHz toward Teasop, Wash. Station location: 4 miles northwest of Teasop, Idaho.

315-Cl-F-71—American Telephone & Telegraph Co. (KJC18), Add frequency 4106 MHz toward Cheyenne Junction, Wyo. Station location: 6 miles west of Teasop, Wyo.

316-Cl-F-71—American Telephone & Telegraph Co. (KJC87), Add frequency 4106 MHz toward Buckhorn Mountain, Colo. Station location: 7 miles southwest of Cheyenne, Wyo.

317-Cl-F-71—American Telephone & Telegraph Co. (KJC63), Add frequency 4186 MHz toward Teasop, Wash. Station location: 4.5 miles north of City of Teasop, Idaho.

318-Cl-F-71—American Telephone & Telegraph Co. (KJC89), Add frequency 4190 MHz toward Julesburg and Atwood, Colo. Station location: 10 miles east of Colorado, Colo.

319-Cl-F-71—American Telephone & Telegraph Co. (KJC5), Add frequency 4186 MHz toward Teasop, Wash. Station location: 6 miles west of Teasop, Wash.

320-Cl-F-71—American Telephone & Telegraph Co. (KJC63), Add frequency 4186 MHz toward Teasop, Wash. Station location: 4.5 miles southwest of Teasop, Wash.

321-Cl-F-71—American Telephone & Telegraph Co. (KJC65), Add frequency 4106 MHz toward Julesburg and Atwood, Colo. Station location: 10 miles east of Teasop, Wash.

322-Cl-F-71—American Telephone & Telegraph Co. (KJC65), Add frequency 4186 MHz toward Teasop, Wash. Station location: 4.5 miles southwest of Teasop, Wash.

323-Cl-F-71—American Telephone & Telegraph Co. (KJC89), Add frequency 4190 MHz toward Atwood, and Prospect Valley, Colo. Station location: 6.5 miles northwest of View, Colo.

324-Cl-F-71—American Telephone & Telegraph Co. (KJC89), Add frequency 4106 MHz toward Fort Morgan, Colo. Station location: 6.5 miles east of Prospect Village, Atwood, Colo.

325-Cl-F-71—American Telephone & Telegraph Co. (KJC89), Add frequency 4190 MHz toward Detour, and Prospect Village, Colo. Station location: 6.5 miles east of Prospect Valley, Atwood, Colo.

326-Cl-F-71—American Telephone & Telegraph Co. (KJC89), Add frequency 4190 MHz toward Cedar Mountain, Utah. Station location: Stansbury Island, Utah, 7 miles east of Timpio, Utah.

327-Cl-F-71—American Telephone & Telegraph Co. (KJC89), Add frequency 4190 MHz toward Stansbury Island, Utah. Station location: Cedar Mountain, Utah, 8 miles southeast of Stansbury Island, Utah.

328-Cl-F-71—New York Telephone Co. (New), C.P. and license for a new station to be located at 135 West Street, New York, N.Y. Frequency: 615.5 MHz toward New York, N.Y.

329-Cl-F-71—New York Telephone Co. (New), C.P. and license for a new station to be located at 137 Centre Street, New York, N.Y. Frequency: 5974.5 MHz toward New York, N.Y.
FUTURE LICENSING OF FACILITIES FOR OVERSEAS COMMUNICATIONS

Order Extending Time for Comments and Replies

1. The Commission has for consideration a motion for extension of time in which to file comments and replies herein, as to be issued by the Communications Satellite Corp. (Comsat), an opposition, filed July 7, 1970, by American Telephone and Telegraph Co. (A.T. & T.), and a reply, filed July 9, 1970 by ITT World Communications, Inc. (ITTWCO), and comments, filed July 8, 1970 by RCA Global Communications, Inc. (RCA), and a (e) reply, filed July 18, 1970, by Western Union International, Inc. (WUI).

2. The above-captioned matter was instituted on June 16, 1970, through issuance of a notice of inquiry requesting interested parties to file comments by August 16, 1970, and reply comments by September 21, 1970, on a number of factors involved in the provision of overseas communications services. The purpose of the proceeding is to provide a basis for the formulation of a policy which will govern future licensing practice and procedures in the field of overseas communications.

3. Comsat requests an extension of 2 months within which to file comments. In support thereof, Comsat contends that the material required for a meaningful response to the notice is both complex and voluminous and involves a consideration of major policy matters relating to the international communications industry which cannot adequately be prepared within the time currently allotted. The seasonal reduction of available staff due to vacations, and major proceedings in which Comsat is currently involved are also cited as factors which increase the difficulty of making a timely response to the notice of inquiry.

4. While Comsat appreciates the need to expediently resolve the issues in this proceeding, Comsat is concerned that the timely availability of facilities and services, it does not believe that the extension of time requested will adversely affect overseas services but rather will enable a more responsible and comprehensive treatment of the subject matter involved and thus insure a sounder basis upon which the Commission can make informed judgments. Finally, Comsat notes that the matters contained in the notice of inquiry are the product of Commission deliberation following consideration of correspondence last summer and stated that it seems only fitting that preparation of the material required by the notice of inquiry merits more time than allotted.

5. A.T. & T. opposes the motion for extension of time on the grounds that the information and data requested in the notice of inquiry is reasonably available and that the matters relating to this proceeding have been under continuing study by the parties many months prior to the issuance of the notice. In view of the rapid growth of overseas communications services, A.T. & T. believes a delay in making policy determinations would adversely affect the provision of needed facilities.

The Commission has for consideration a motion that additional time for filing comments should be permitted but believes that the period of 2 months requested by Comsat is "more than adequate." While WUI recognizes the need for expedition in resolving the issues in this proceeding, it believes that the time for filing comments should be extended to September 15 and reply comments to October 15, 1970. In addition, WUI suggests that comments on the portion of Item 1 specified in the notice of inquiry dealing with "competition between satellites and other media", should be separately treated and submitted on or before October 28 and reply comments on or before November 25, 1970.

DISCUSSION

7. As is evident from our notice of inquiry, the increasing complexity of overseas communications requires an extensive review of existing and proposed facilities and services to insure intelligent planning to meet future needs. While this is a formidable objective requiring a major effort of all interested parties, we do not believe that the amount of additional time requested by Comsat is warranted. Events prior to the issuance of our notice have familiarized the parties with the general nature of the problem and focused attention on the major areas of concern. On the other hand, we acknowledge that some additional time should enable Comsat, and others, to refine their views more fully and thereby accelerate our evaluation and review. However, we do not believe that the portion of Item 1 dealing with competition between satellites and other media should be separately treated as the subject of an additional extension of time beyond that which we will grant herein.

Accordingly, orders are amended to § 1.580(1) of the Commission's rules for the provisions governing the time of filing and other requirements related to such pleadings. Pursuant to the provisions of §§ 1.227(b)(1), 1.581(b) and note 2 to § 1.717 of the Commission's rules, an application, in order to be considered with this application, must be in direct conflict and tendered no later than August 31, 1970.

The attention of any party in interest desiring to file pleadings concerning this application, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(1) of the Commission's rules for the provisions governing the time of filing and other requirements related to such pleadings. Action by the Commission July 22, 1970. Commissioners Bartley (Acting Chairman), Robert E. Lee, Cox, H. Rex Lee, and Wells, with Commissioner Johnson dissenting.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] BEN F. WAPLE,
Secretary.

[CFR Doc. 70-9834; Filed, July 29, 1970; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22369; Order 70-7-120]

ALOHA AIRLINES, INC. AND HAWAIIAN AIRLINES, INC.

Order Granting Application

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of July 1970.

By application filed July 16, 1970, Aloha Airlines, Inc. (Aloha), and Hawaiian Airlines, Inc. (Hawaiian), request authorization from the Board to engage in scheduling discussions.

In support of their request, the applicants state that Aloha and Hawaiian have entered into a letter agreement dated July 8, 1970, to merge the two companies and a definitive agreement is now being negotiated. Pending the completion of the merger agreement and Board approval of the merger, the parties desire to discuss the schedules to be operated between the Islands with a view towards more economic operations. They state that both parties are of the view that some adjustment of schedules within Hawaii may be conducive to higher but still reasonable load factors with more
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(a) The discussions shall be held in Washington, D.C., and representatives of the Civil Aeronautics Board and the State of Hawaii shall be permitted to attend the discussions as observers;
(b) Grant of the petition shall not be construed as authorizing discussions of rates, fares, charges or inflight and other services in connection with air transportation;
(c) The carriers shall file with the Board a report of each discussion meeting held including, inter alia, the date, place, attendance, and a summary of all discussions. Such report shall be filed in triplicate with the Board within 3 business days of the close of each discussion meeting; and
(d) Any agreement reached as a result of the discussions authorized herein shall be filed with the Board for approval under section 412 of the Act within 5 days of consummation thereof; and
(e) The relief granted herein shall expire within 30 days of the effective date of this order; and
2. To the extent not granted herein all outstanding requests for relief be and they hereby are denied.

This order shall be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL]

Harry J. Zink,
Secretary.

[FR Doc. 70-9647; Filed, July 29, 1970; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP71-21]

WESTCOAST TRANSMISSION CO., LTD.

Notice of Application


Take notice that on July 27, 1970, Westcoast Transmission Co., Ltd. (Applicant), 1333 West Georgia Street, Vancouver 8, British Columbia, Canada, filed in Docket No. CP71-21, an application pursuant to section 3 of the Natural Gas Act for an order of the Commission authorizing the exportation of liquid natural gas (LNG) from the United States into Canada, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to export by cryogenic trailer-truck approximately 12,000 gallons (U.S.) of LNG from Portland, Oreg., to 100 Mile House, British Columbia, Canada, and Williams Lake, British Columbia, Canada, 8,000 gallons on August 7, 1970, and August 14, 1970, respectively. Applicant proposes to purchase said volume of LNG from Northwest Natural Gas Co. of Portland, Oreg. The gas will be used by applicant to provide continuous natural gas service to its customer, Inland Natural Gas Co., Ltd., during the effecting of needed repairs on its 30" main pipeline in the vicinity of the aforementioned villages.

In this instance it appears that a shorter notice period is reasonable and consistent with the public interest and good cause exists therefor.

Any person desiring to be heard or to make protest with reference to the said application should, on or before August 5, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the Commission's rule of practice and procedure (18 CFR 1.6 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but all will not serve to make any protestant a party to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

Gordon M. Grant,
Secretary.

[F.R. Doc. 70-9647; Filed, July 29, 1970; 8:50 a.m.]

FEDERAL RESERVE SYSTEM

BANK SECURITIES, INC. (NSL)

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 Bank Securities, Inc. (NSL), which is a bank holding company located in Alamogordo, N. Mex., for prior approval by the Board of Governors of the acquisition by applicant of 1 percent or more of the voting shares of American Bank of Commerce, Albuquerque, N. Mex.

Section 3(e) 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(g) further provides that, in each 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 thirty (30) days after the publication of this notice in the Federal Register, comments and views
NOTICES

By order of the Board of Governors, July 23, 1970.

[Seal]  KENNETH A. KENYON, Deputy Secretary.

[F.R. Doc. 70-8904; Filed, July 29, 1970; 8:46 a.m.]

FIRST NATIONAL STATE BANCORPORATION

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 National State Bancorporation, Newark, N.J., which presently owns 100 percent of the voting shares (less directors' qualifying shares) of First National Bank of New Jersey, Newark, N.J., for prior approval by the Board of Governors of the acquisition by applicant of at least 80 percent of the voting shares of Arapahoe Colorado National Bank, Arapahoe County, Colo., a proposed new bank.

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 thirty (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 Kansas City.

NOTICES

By order of the Board of Governors, July 23, 1970.

[Seal]  KENNETH A. KENYON, Deputy Secretary.

[F.R. Doc. 70-8905; Filed, July 29, 1970; 8:47 a.m.]

SOUTHWEST BANCSHARES, INC.

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) (1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (1)), by Southwest Bancshares, Inc., Houston, Tex., which presently owns 100 percent (less directors' qualifying shares) of the voting shares of Southwest Bank, National Association, Houston, into which will be merged Bank of the Southwest National Association, Houston, for prior approval by the Board of Governors of the acquisition whereby applicant would become a bank holding company, as provided by the merger agreement in the First National Bank of Long Point National Bank of Houston, through the acquisition of the beneficial interest in all of the voting shares of Houston Southwest Corp., Houston, which owns more than 5 percent of the voting shares of the following seven Texas banks:

<table>
<thead>
<tr>
<th>Bank</th>
<th>Percentage of voting shares owned</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Park National Bank</td>
<td>33.52</td>
</tr>
<tr>
<td>Commercial State Bank</td>
<td>26.27</td>
</tr>
<tr>
<td>Gulf Coast National Bank</td>
<td>19.10</td>
</tr>
<tr>
<td>Western National Bank</td>
<td>13.93</td>
</tr>
<tr>
<td>Long Point National Bank</td>
<td>14.48</td>
</tr>
<tr>
<td>The First National Bank</td>
<td>22.14</td>
</tr>
<tr>
<td>The Kilgore National Bank</td>
<td>24.72</td>
</tr>
</tbody>
</table>

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.
NOTES

Dated: July 24, 1970.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

NEW YORK Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 3799, 27 F.R. 3653); and by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g); notice is hereby given that on July 23, 1970, the President declared a major disaster as follows:

I have determined that the damages in those areas of the State of New York, adversely affected by heavy rains and flooding beginning on or about July 3, 1970, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875. I therefore declare that such a major disaster exists in the State of New York. Areas eligible for Federal assistance will be determined by the Director of the Office of Emergency Preparedness.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11495, November 18, 1969 (34 F.R. 16447, Nov. 20, 1969) to administer the Disaster Relief Act of 1969 (Public Law 91-79, 83 Stat. 125), I hereby appoint Mr. Albert D. O'Connor, Regional Director, OEP Region 1, to act as the Federal Coordinating Officer to perform the duties specified by section 9 of that act for this disaster.

I do hereby determine the following areas in the State of New York to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 22, 1970: 

The counties of:
Broome
Schuyler
Tompkins

Secretary.

[SEAL] ORVAL L. DU BOIS, Secretary.

[F.R. Doc. 70-5816; Filed, July 29, 1970; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

Pursuant to section 17(b) of the Act, an exemption from section 17(a) of the Act to permit consummation of proposed transactions pursuant to which Science and Consumers will transfer substantially all of their assets to American for shares of American common stock, for the purpose of changing the name of Consumers to American and for other purposes as summarized below, the proposed transactions may be deemed to involve the purchase and sale of securities between registered investment companies and affiliated persons of such companies. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below. The proposed transactions are also described in proxy statements dated May 4, 1970 mailed by American, Science, and Consumers to their stockholders.

Each of the Funds is incorporated under the laws of Delaware. All shares (including fractional shares) of each have full and equal voting rights. There is no right to cumulate votes. American had a net asset value of $11,808,763 and had...
1,231,174 shares of common stock outstanding as of March 31, 1970. At the same date, Science had a net asset value of $42,118,271 and had 10,570,811 shares of common stock outstanding, while Consumers had a net asset value of $10,178,252 and had 2,567,690 shares of common stock outstanding.

Section 17(a) of the Act, as here pertinent, provides that it is unlawful for any affiliated person of a registered investment company, or an affiliated person of such an affiliated person, to sell any security or other property to such registered company (except securities of which the buyer is the issuer) or to purchase from such registered company any security or other property (except securities of which the seller is the seller).

Section 17(b) provides, however, that a proposed transaction may be exempted from the provisions of section 17(a) upon application if the evidence establishes that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of each registered investment company concerned, and with the general purposes of the Act.

Science and Consumers have each entered into an Agreement and Plan of Reorganization with American (the Agreements). The shareholders of each of the Funds, as the Agreements provide, which provide that substantially all of the net assets of Consumers and Science will be transferred to American in exchange for the shares of American common stock and Consumers will, thereafter, be dissolved and the American shares will be distributed to their stockholders. The number of shares of American common stock to be transferred to Consumers and Science will be computed by dividing the net asset value of Consumers and Science by the net asset value of American, with adjustments, in accordance with a formula set forth in the application, to apportion the tax burden for realized and unrealized capital gains among the Funds.

American will assume no liabilities of either Consumers or Science existing on the closing date except for certain anticipated expenses of Science in connection with the defense of pending lawsuits which are described in the Science proxy statement dated May 4, 1970.

The aggregate expenses of the Funds in connection with the proposed transactions are estimated at approximately $114,000, as follows:

<table>
<thead>
<tr>
<th></th>
<th>American</th>
<th>Consumers</th>
<th>Science</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounting</td>
<td>31,482</td>
<td>21,491</td>
<td>34,091</td>
<td>86,964</td>
</tr>
<tr>
<td>Legal fees and expenses</td>
<td>6,500</td>
<td>4,600</td>
<td>6,724</td>
<td>17,824</td>
</tr>
<tr>
<td>Printing and mailing of proxy statements</td>
<td>1,660</td>
<td>5,249</td>
<td>20,802</td>
<td>27,711</td>
</tr>
<tr>
<td>Administration expenses with shares</td>
<td>3,078</td>
<td>7,009</td>
<td>40,700</td>
<td>50,787</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>10,705</td>
<td>12,906</td>
<td>45,243</td>
<td>68,854</td>
</tr>
</tbody>
</table>

SSC has undertaken, as indicated below, to pay certain of these expenses in an amount not to exceed $7,500. The balance of such expenses will be borne by one or more of the Funds. Any expense item not identifiable as the expense of a particular Fund will be allocated among the Funds on the basis of their respective net asset values as of March 31, 1970. In the event that all the estimated expenses do not materialize, the remainder of the amounts reserved by Science and Consumers to cover such expenses will be distributed to the respective shareholders of those two Funds as of the closing date of the proposed transactions.

Included in the total expenses of $114,000 are expenses of approximately $47,800 for administrative services in connection with the issuance of shares, which will be paid by the Funds to SSC. SSC has informed the Funds that it will make no profit on such service fees.

SSC has, as stated above, undertaken to pay up to $7,500 of the expenses of the proposed transactions, reflecting the amount by which the expenses of proxy solicitations by the Funds in connection with the proposed transactions exceed the expenses normally associated with their regular annual meetings. Such incremental expenses of the proxy solicitations are estimated at $7,000.

Benefits will accrue to the Funds and to SSC from the proposed transactions. Certain expenses of each of the three Funds are readily identifiable as duplicating items which will be eliminated following the combination of the three Funds into one. The aggregate savings to the three Funds together from the proposed transactions are estimated at approximately $18,000 annually, which is net of $3,000 annually, reflecting elimination of Blue Sky fees and the typsetting of three prospectuses rather than one.

In addition to the payment by SSC of up to $7,500 of the expenses of the proposed transactions, as discussed above, personnel of SSC have rendered services in connection with the proposed transactions. While no monetary value has been placed on such services, the application states that such services have been substantial.

Each of the Funds has had, as its principal investment objective, long-term capital growth through investment in common stocks or other equity securities. On June 3, 1970 the shareholders of Science and Consumers voted to adopt investment policies identical to those of American.

Notice is further given that any interested person may, not later than August 12, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission orders a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon each of the Funds at the address stated above.

Notice of surrender of license by Small Business Investment Company

Notice is hereby given that Commercial Capital Corp. (Commercial), 408 Lathrop Building, 1005 Grand Avenue, Kansas City, Mo. 64106, has pursuant to §107.105 of the regulations governing small business investment companies (33 P.F.R. 326, 13 CFR Part 107), surrendered its license to operate as a small business investment company.

Commercial was incorporated February 3, 1961, under the laws of the State of Missouri, and issued License No. 00-0008 by the Small Business Administration on April 6, 1961.

Commercial was licensed to operate solely under the Small Business Investment Act of 1958, as amended, and the regulations promulgated thereunder, the surrender of...
the license of Commercial is hereby ac-
cepted, and, accordingly, it is no longer
licensed to operate as a small business
investment company.

A. H. Singer, 
Associate Administrator 
for Investment.

July 16, 1970.

[F.R. Doc. 70-9818; Filed, July 29, 1970;
8:48 a.m.]

EQUAL OPPORTUNITY FINANCE, INC.
Notice of Application for a License as
a Minority Enterprise Small Business
Investment Company

An application for a license to operate as
a minority enterprise small business
investment company (MESBIC) under
the provisions of the Small Business In-
vestment Act of 1958, as amended (Act
(15 U.S.C. 661 et seq.), has been filed by
Equal Opportunity Finance, Inc. (Equal
Opportunity), with the Small Business
Administration pursuant to § 107.102 of
SBA Regulations governing small busi-
ness investment companies (33 F.R. 326,

Equal Opportunity is to commence op-
erations with a capitalization of $150,000.

As a MESBIC, it is to be licensed solely
for the purpose of providing assistance
which will contribute to a well-balanced
national economy by facilitating the ac-
quision or maintenance of ownership of
small business concerns by individuals
whose participation in the free enterprise
system is hampered because of social or
economic disadvantages. The proposed
MESBIC is to be located at 1202 South
Third Street, Louisville, Ky. 40201, and
is to conduct its operations principally in
the Commonwealth of Kentucky and the
States of Indiana, Ohio, and West Vir-
ginia.

All of the company's stock will be owned
by Ashland Oil, Inc., 1409 Win-
chester Avenue, Ashland, Ky. 41101, a
publicly owned company engaged in oil
production, refining, transportation, and
the marketing of refined petroleum pro-
ducts. Equal Opportunity's officers and
directors are as follows:

Clyde M. Webb, 1412 Bath Avenue, Ash-
land, Ky. 41101, Director.
William J. Bull, 4201 Cathedral Avenue NW.,
Washington, D.C. 20016, Secretary and Di-
rector.
Harry D. Williams, 1115 Wimbledon Drive,
McLean, Va. 22101, Vice President, Assistant
Secretary, and Director.
Robert E. Wolfe, 1470 South Third Street, Ash-
land, Ky. 41101, Treasurer.
J. B. Schlicht, 4055 Clevelend Drive, Ash-
land, Ky. 41101, Assistant Treasurer.
Albert G. Mayer, 615 South Fifth Street,
Ironton, Ohio 45638, Assistant Treasurer.

Matters involved in SBA's considera-
tion of the application include the gen-
eral business reputation and character
of the owners and management and the
probability of successful operation of the
company under their management, in-
cluding adequate profitability and finan-
cial soundness, in accordance with the
Act and SBA regulations.

Any interested person may, not later
than 10 days from the date of publica-
tion of this notice, submit to SBA, in
writing, relevant comments on the pro-
posed MESBIC. Any communication
should be addressed to: Associate Admin-
istrator for Investment, Small Business
Administration, 1441 L Street NW.,
Washington, D.C. 20416. A copy of this
notice shall be published in a newspaper of general circulation in
Louisville, Ky.

A. H. Singer, 
Associate Administrator 
for Investment.

July 20, 1970.

[F.R. Doc. 70-9820; Filed, July 29, 1970;
8:48 a.m.]

N.Y. URLE MESBIC, INC.
Notice of Application for License as
Minority Enterprise Small Business
Investment Company

Notice is hereby given concerning the
filing of an application with the Small
Business Administration pursuant to § 107.102 of the Regulations Gover-
ning Small Business Investment Com-
panies (33 F.R. 326, 13 CFR Part 107)
under the name of N.Y. URLE MESBIC,
INC., 217 West 125th Street, New York,
N.Y. 10027, for license to operate in the
States of New York and New Jersey as a
minority enterprise small business in-
vestment company under the provisions of the Small Business In-
661 et seq.) (Act), License No. 02/02832.

The proposed officers and directors are
as follows:

Name, address and position

William G. Manley, 317 West 125th Street,
New York, N.Y. 10027, President and Di-
rector.

Maurice A. Amen, 217 West 28th Street,
New York, N.Y. 10027, Treasurer and Director.

Josephine Standish, 217 West 125th Street,
New York, N.Y. 10027, Secretary and Di-
rector.

Robert H. Moore, 317 West 125th Street,
New York, N.Y. 10027, Vice President and Di-
rector.

Basil L. Cleare, 317 West 125th Street,
New York, N.Y. 10027, Vice President and Di-
rector.

Thackery K. Bullock, 317 West 125th Street,
New York, N.Y. 10027, Manager.

None of the above will be salaried, nor
will any one of them own, directly or in-
directly, any capital stock or other se-
curities of the applicant. The company,
which will be a wholly owned subsidiary
of the New York Urban League, 317 West
125th Street, New York, N.Y. 10027, pro-
poses to commence operations with a
capitalization of $150,000. As a MESBIC,
the company proposes to be licensed
solely for the purpose of providing assis-
tance which will contribute to a well-
balanced national economy by facilitat-
ing the acquisition or maintenance of
ownership of small business concerns by
individuals whose participation in the
free enterprise system is hampered be-
cause of social or economic disadvantages.

Matters involved in SBA's considera-
tion of the application include the gen-
eral business reputation and character
of the management and the probability
of successful operation of the new com-
pany under their management, including
adequate profitability and financial sound-
ness, in accordance with the Small
Business Investment Act and SBA
Regulations.

Any interested person may, not later
than 10 days from the date of publication
of this notice, submit to SBA, in writing,
relevant comments on the proposed company. Any communication
should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L
Street NW., Washington, D.C. 20416. A copy of this notice shall be published in a newspaper of general circulation in
New York, N.Y.

A. H. Singer, 
Associate Administrator 
for Investment.

July 16, 1970.

[F.R. Doc. 70-9822; Filed, July 29, 1970;
8:48 a.m.]

NASSAU CAPITAL CORP.
Notice of Application for a License as
a Small Business Investment Com-
pany

An application for a license to operate as
a small business investment company
under the provisions of the Small Busi-
ness Investment Act of 1958, as amended
(15 U.S.C. 661 et seq.), has been filed by
Nassau Capital Corp. with the Small
Business Administration pursuant to §
107.102 of SBA Regulations governing
small business investment companies (33

The proposed licensee is to commence
operations with a capitalization of
$308,000 and is to provide equity capital,
long-term loan funds, and management
consulting services to qualified small
business concerns in diversified fields.
The company is to be located at 1 Palmer
Square, Princeton, N.J. 08540.

No individual or legal entity will own
10 percent or more of the company's stock. The officers and directors are as
follows:

Jerome L. Reisberg, 10 Garfield Avenue, West
Orange, N.J., President and Director.
Abraham H. Carchman, 30 South Union Ave-
ue, East Orange, N.J., Secretary and Di-
rector.
Philip S. Carchman, 301 Western Way, Princeto
n, N.J., General Manager.

Matters involved in SBA's considera-
tion of the application include the gen-
eral business reputation and character
of the management and the probability
of successful operation of the company
under their management, including ade-
quate profitability and financial sound-
ness, in accordance with the Small
Business Investment Act and SBA
Regulations.

Any interested person may, not later
than 10 days from the date of publication
of this notice, submit to SBA, in writing,
relevant comments on the proposed
licensee. Any communication should be
NOTICES

addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Princeton and Newark, N.J.

A. H. Singer, Associate Administrator for Investment.

JULY 17, 1970.

[F.R. Doc. 70-9923; Filed, July 29, 1970; 8:48 a.m.]

PACIFIC SMALL BUSINESS INVESTMENT CO.

Notice of Filing of Application for Transfer of Control of a Licensed Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to §107.701 of the Regulations Governing Small Business Investment Companies (13 CFR 152) for transfer of control of Pacific Small Business Investment Co., 1600 Norton Building, Seattle, Wash. 98104, a Federal licensee under the Small Business Investment Act of 1958, as amended (the Act), License No. 12/13-0007.

Pacific Small Business Investment Co. was licensed on February 14, 1961, and has present capital and surplus of $501,-992. There are 44,285 shares issued and outstanding, all held by VWR United Corp.

ORBANCO, Inc., 310 Northeast Oregon Street, Portland, Ore. 97232, has offered to purchase all of the outstanding shares of the licensee. ORBANCO, Inc., is a publicly held company with assets in excess of $14 million, engaged in providing financial and business services, through its subsidiaries, The Oregon Bank, Northwest Acceptance Corp., and American Data Services, Inc.

Pacific Small Business Investment Co. will become a subsidiary of ORBANCO, Inc., and operate under its present name. The principal office of the Licensee will be changed to 310 Northeast Oregon Street, Portland, Ore. 97232. The proposed officers and directors are Robert E. Young, president and director; Donald L. Tisdie, treasurer and director; Charles W. Hall, secretary, and Frederick H. Torp, director.

The purchase offer is subject to and contingent upon the approval of SBA. Matters involved in SBA’s consideration of the application include the general business reputation and character of the proposed new owner and the probability of successful operation of the company under its control and management (including adequate profitability and financial soundness) in accordance with the Act and regulations.

Notice is further given that any interested person may not later than 10 days from the date of this publication, submit in writing, relevant comments on the proposed transfer of control. Any such communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington D.C. 20416.

A. H. Singer, Associate Administrator for Investment.

JULY 17, 1970.

[F.R. Doc. 70-9923; Filed, July 29, 1970; 8:48 a.m.]

SMALL BUSINESS INVESTMENT CORPORATION OF GEORGIA

Approval of Application for Transfer of Control of a Licensed Small Business Investment Company

On July 2, 1970, a notice of application for transfer of control was published in the Federal Register (35 F.R. 10811) stating that an application had been filed with the Small Business Administration pursuant to §107.701 of the Regulations governing small business investment companies (SBICs) (33 F.R. 326, 13 CFR Part 107) for transfer of control of Small Business Investment Corporation of Georgia (SBIC of Georgia), License No. 05-00-1612, 2 Marietta Street NW., Atlanta, Ga. 30303, a Federal licensee under the Small Business Investment Act of 1958, as amended (18 U.S.C. 661 et seq.). The proposed transfer of control over SBIC of Georgia is intermediate to either a merger with another SBIC, or liquidation.

Interested persons were given until the close of business July 13, 1970, to submit to SBA their written comments. Written objections were received from certain minority stockholders.

SBA having considered the application, the foregoing objections thereto, and all other pertinent information and facts, hereby approves the application for transfer of control of SBIC of Georgia, subject to the condition that it either merge with another SBIC, or liquidate within 5 months of the date of this approval.

JULY 17, 1970.

A. H. Singer, Associate Administrator for Investment.

[J.R. Doc. 70-9924; Filed, July 29, 1970; 8:48 a.m.]

URBAN FUND, INC.

Notice of Application for License as Minority Enterprise Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to §107.102 of the Regulations Governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) under the name of the Urban Fund, Inc., 1525 East 53rd Street, Chicago, Ill. 60615, for a license to operate in the State of Illinois as a minority enterprise small business investment company (MESBIC) under the provisions of the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) (Act), License No. 07/07-5000.

The proposed officers and directors are as follows:

Milton Davis, 1625 East 53rd Street, Chicago, Ill. 60615, Chairman of the Board and Director.

John S. Wineman, Jr., 513 Central Avenue, Highland Park, Ill. 60035, President, Treasurer, and Director.

Ronald Grzywinski, 1525 East 53rd Street, Chicago, Ill. 60615, Vice President and Director.

James Fletcher, 1525 East 53rd Street, Chicago, Ill. 60615, Vice President, Assistant Secretary, and Director.

Mary Houghton, 1525 East 53rd Street, Chicago, Ill. 60615, Secretary.

Robert McKenzie, 5514 South Kenwood Avenue, Chicago, Ill. 60637, Director.

John G. Friend, 300 North State Street, Chicago, Ill. 60610, Director.

Harmon Stems, 8000 South Sibley Boulevard, North Brook, Ill. 60062, Director.

Of the above only Mr. John S. Wineman, Jr., will be salaried, and none of them will own, directly, any capital stock or other securities of the Applicant.

The First National Bank of Highland Park, 515 Central Avenue, Highland Park, Ill. 60035, and the Hyde Park Bank & Trust Co., 1525 East 53rd Street, Chicago, Ill. 60615, will each own 40 percent of the company’s capital stock and the Marina City Bank, 300 North State Street, Chicago, Ill. 60610, the balance. The company proposes to commence operations with a capitalization of $325,000. As a MESBIC, the company proposes to be licensed solely for the purpose of providing assistance which will contribute to a well-balanced national economy by facilitating the acquisition or maintenance of ownership of small business concerns by individuals whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA’s consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and regulations.

Notice is further given that any interested person may not later than 10 days from the date of publication of this notice, submit to SBA in writing, relevant comments on the proposed company. Any communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416. A copy of this notice shall be published in a newspaper of general circulation in Chicago, Ill.

A. H. Singer, Associate Administrator for Investment.

JULY 16, 1970.

[F.R. Doc. 70-9923; Filed, July 29, 1970; 8:48 a.m.]
INTERSTATE COMMERCE COMMISSION

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

July 24, 1970.

The following applications are governed by Special Rule 247 of the Commission's general rules of practice (49 C.F.R. 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 may be accompanied by a request for oral hearing, such request to be served concurrently upon applicant's representative: Monty Schumacher, Suite 303, 2045 Peachtree Road N.E., Atlanta, Ga. 30309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Rolled Form Products Corp. in Atlanta, Ga., under a continuing contract, and anhydrite, in bulk, from Baltimore, Md., to points in Georgia, Alabama, Louisiana, Texas, Mississippi, Florida, Tennessee, Kentucky, North Carolina, and South Carolina; and (3) from Houston, Tex., to Atlanta, Ga., under a continuing contract, or contracts with the Allied Tube & Conduit Corp., and its affiliate the Allied Rolled Form Products Corp. of Harvey, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: conduit, pipe, tubing, fittings, shapes, forms, strips, rods, wire, and fencing (except for oilfield and pipeline commodities as defined by the Commission in Interchange Extension—Oilfield Commodi- ties, 74 M.C.C. 489); (1) from the warehouses and storage facilities of the Allied Tube & Conduit Corp., and the Allied Rolled Form Products Corp. in Atlanta, Ga., and its commercial zone, to points in Georgia, Alabama, Louisiana, Texas, Mississippi, Florida, Tennessee, Kentucky, North Carolina, and South Carolina; and (2) from Houston, Tex., to Atlanta, Ga., under a continuing contract, or contracts with the Allied Tube & Conduit Corp., and its affiliate the Allied Rolled Form Products Corp. of Harvey, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, from Hartford, Bailey, and Grawn, Mich., to points in Illinois, Missouri, Iowa, Nebraska, Wisconsin, and the Upper Peninsula of Michigan. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Gypsum and anhydrite, in bulk, from Baltimore, Md., to points in Georgia, Alabama, Louisiana, Texas, Mississippi, Florida, Tennessee, Kentucky, North Carolina, and South Carolina; and (3) from Houston, Tex., to Atlanta, Ga., under a continuing contract, or contracts with the Allied Tube & Conduit Corp., and its affiliate the Allied Rolled Form Products Corp. of Harvey, Ill.

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July 30, 1970.

No. MC 30844 (Sub-No. 328), filed July 13, 1970. Applicant: KROBLIN EXPRESS, INC., 49 Main Street, Post Office Box 55, Reisterstown, Md. 21136. Applicant's representative: W. Wilson Corrour (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Motor vehicles, in secondary movements, in truckways or department stores, Vt., to points in Maine, restricted to the handling of vehicles manufactured at plants of General Motors Corp., and having an average weight of 5,000 pounds or more. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Motor vehicles, in secondary movements, in truckways or department stores, Vt., to points in Maine, restricted to the handling of vehicles manufactured at plants of General Motors Corp., and having an average weight of 5,000 pounds or more. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Motor vehicles, in secondary movements, in truckways or department stores, Vt., to points in Maine, restricted to the handling of vehicles manufactured at plants of General Motors Corp., and having an average weight of 5,000 pounds or more.

1 Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.
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J. Max Harding, 605 South 14th Street, Post Office Box 2082, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) cargo other than those listed below for which any exception was filed; and (2) returned shipment of above-named commodities, on return; restricted to traffic originating at or terminating at plantsite or warehouse facilities.

No. MC 43261 (Sub-No. 108), filed July 15, 1970. Applicant: LANGER TRANSPORT CORP., Route 1 and Danforth Avenue, Jersey City, N.J. 07303. 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: Contain-
erers, containers, ends and accessories, material, equipment, and supplies used in the sale, manufacture, and distribution thereof, the District of Columbia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Missouri, and Wisconsin. Note: Applicant states that the requested authority cannot be granted with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 44128 (Sub-No. 36), filed June 26, 1970. Applicant: EPES TRANSPORT SYSTEM, INCORPORATED, 630 South Main Street, Blackstone, Va. 23934. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. 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), serving the plantsite of J. L. Clark Manufacturing Co. at or near Havre de Grace, Md., as an intermediate or off-route point in connection with applications existing regular route authority between Philadelphia, Pa., and Richmond, Va.

No. MC 59438 (Sub-No. 34) (Correction), filed June 15, 1970, published in the Federal Register issue of July 23, 1970, republished as corrected this issue. Applicant: SOUTHWESTERN TRANSPORTATION COMPANY (SWT), 7600 South Central Expressway, Dallas, Tex. 75231. Applicant's representative: Lloyd M. Roach, 15 West Front Street, Tyler, Tex. 75701. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Dallas, Tex., and Shreveport, La., from Dallas, Tex., over Interstate Highway 20 and return serving the intermediate points of Longview and Marshall, Tex., and the off-route points of Kilgore, Tex., over Texas Highway 20 via Tyler, Tex., and U.S. Highway 259 as an access highway to Interstate Highway 20. Note: The purpose of this republication is to include "commodities in bulk" to the exceptions. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Little Rock, Ark.

No. MC 73165 (Sub-No. 283), filed July 6, 1970. Applicant: EAGLE MOTOR LINES, INC., 820 North 33rd Street, Post Office Box 1348, Birmingham, Ala. 35201. 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: Iron and steel articles, between points in Indiana, Ohio, Tex., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Oregon, Nevada, New Mexico, Utah, and Washington. Applicant states that it has no present intentions of tacking. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 74521 (Sub-No. 41), filed July 6, 1970. Applicant: 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: Pipe, other than oilfield pipe, from points in Larimer County, Colo., to points in the United States (except Alaska and Hawaii). Applicant states it does not intend to tack, although tacking possibilities exist with applicant's sub Nos. 17, 22, 27, and 32 involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 76120 (Sub-No. 2), filed July 7, 1970. Applicant: ST. MARYS TRANS-
SPORTATION COMPANY, State Street, St. Marys, Pa. 15857. Applicant's representative: John M. Muselman, 400 North Third Street, Post Office Box 1146, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Glass tubing for electrical lamps, and materials and supplies used in the production of lamp tube, between Horseheads, N.Y., and St. Marys, Pa. Note: Applicant states that the requested authority cannot be granted with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 82079 (Sub-No. 20), filed July 9, 1970. Applicant: KELLER TRANSFER LINE, INC., 1239 Randolph Avenue SW., Grand Rapids, Mich. 49507. Applicant's representative: J. M. Neath, Jr., 900 One Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from the plantsites and warehouse facilities of Michigan Lloyd J. Harris Pie Co. at Saugettuck, Shelby, Hart, and Holland, Mich., to points in Ohio and Indiana, and damaged, returned or re- stored goods, to the extent of 1,000 pounds on return. Note: Com-
mon control and dual operations may be involved. Applicant states that the requested authority cannot be granted with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., or Chicago, Ill.

No. MC 93880 (Sub-No. 52), filed July 14, 1970. Applicant: VANE TRUCKING COMPANY, INC., Raleigh Road, Post Office Box 1119, Henderson, N.C. 27536. Applicant's representative: Edward G. Villalon, 1733 K Street NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Boards and sheets, flat, made from wood chips, wood shavings, combined with sawdust or ground wood compressed with added resin binder, from the plantsite of U.S. Plywood-Champion Paper, Inc., near South Boston, Va., to points in South Carolina, D.C., Delaware, Maryland, Delaware, New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine. Note: Applicant holds contract carrier authority under Docket No. MC 11695, therefore dual operations may be involved. Applicant states that the requested authority cannot be granted with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cincinnati, Ohio.

No. MC 94901 (Sub-No. 4), filed July 9, 1970. Applicant: EDDY MOVING & STORAGE CO., INC., 150 Pearl Street, Port Chester, N.Y. 10573. Applicant's representative: George A. Olsen, 69 Ton-
nele Avenue, Jersey City, N.J. 07306. Applicant seeks authority to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Printed matter, machine parts, computer tapes, cards, documents, records and equipment, machines, supplies and supplies requiring messenger delivery service, in parcels not exceeding 50 pounds each and in shipments not exceeding 1,000 pounds each, between points in Westchester, Dutchess, Ulster, Rockland, and Orange Counties and New York, N.Y., on the one hand, and, on the other, points in Bergen County, N.J., and Fairfield County, Conn. Note: Applicant states that the requested authority cannot be granted with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 96428, filed July 13, 1970. Applicant: FLEET TRANSPORT COMPANY, INC., 1000 44th Avenue North, Post Office Box 7645, Nash-
tow, Minn. 55717. Applicant's representative: R. J. Reynolds, Jr., 604-09 Healey Building, Atlanta, Ga. 30303. Applicant sought to operate as a common carrier, by motor vehicle, over irregular routes,
transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from Nashville, Tennessee, South Carolina, and North Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests that it be held at Nashville, Tenn.

No. MC 108644 (Sub-No. 108), filed July 10, 1970. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Post Office Box 916, Atlanta, Ga. 30301. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodity, the transportation of which because of its size or weight requires the use of special equipment, and related machinery parts and related accessories; explosives; aircraft and aerospace equipment; materials, parts, and supplies, between points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia. NOTE: Applicant requests that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Winston-Salem, N.C.

No. MC 108586 (Sub-No. 19), filed June 29, 1970. Applicant: R. C. R. UNITED STATES TANKER LINES, INC., 5211 Jefferson Davis Highway, Arlington, Va. 22207. 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 Wisconsin, Pennsylvania, New York, Vermont, New Hampshire, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Virginia, District of Columbia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida. NOTE: Applicant states it holds no authority to which the proposed authority could be tacked. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 106603 (Sub-No. 112), filed June 30, 1970. Applicant: DIRECT TRANSIT LINES, INC., 300 Colrain Street NW., Grand Rapids, Mich. 49508. Applicant's representative: Clyde E. Herring, 815 17th Street NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dry chemicals, in bulk, in tank hopper or dump vehicle, from the plant of Wyandotte Chemicals Corp., Wyandotte, Mich., to various points in Louisiana, Mississippi, and Michigan and damaged and rejected 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 Detroit or Lansing, Mich.

No. MC 106436 (Sub-No. 101), filed July 6, 1970. Applicant: ALTERMAN TRUCKING COMPANY, Post Office Box 916, Cincinnati, Ohio 45202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodity, the transportation of which because of its size or weight requires the use of special equipment, and related machinery parts and related accessories; explosives; aircraft and aerospace equipment; materials, parts, and supplies, between points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and 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 Charleston, S.C., or Atlanta, Ga.

No. MC 107107 (Sub-No. 408), filed July 6, 1970. Applicant: ALTERMAN TRUCKING COMPANY, Post Office Box 916, Cincinnati, Ohio 45202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodity, the transportation of which because of its size or weight requires the use of special equipment, and related machinery parts and related accessories; explosives; aircraft and aerospace equipment; materials, parts, and supplies, between points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and 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 San Francisco, Calif., or Atlanta, Ga.
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TRANSPORT LINES, INC., 2424 North-west 64th Street, Miami, Fla. 33142. Applicant's representative: Ford W. Sewell (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, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107339 (Sub-No. 412), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107355 (Sub-No. 414), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107355 (Sub-No. 414), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107355 (Sub-No. 414), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107355 (Sub-No. 414), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107355 (Sub-No. 414), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107355 (Sub-No. 414), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

No. MC 107355 (Sub-No. 414), filed July 10, 1970. Applicant: PRE-PAB 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: Meats, meat products and meat byproducts, and articles distributed by meat packers, 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, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., located at or near Tucker, Ga., to points in Florida, North Carolina, and South Carolina, restricted to traffic originating at the named plantsite and warehouse facilities of Geo. A. Hormel & Co., Tucker, Ga., and destined to points in the named States. Note: Applicant requests that the requested authority be held at Atlanta, Ga., or Washington, D.C.

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FEDERAL REGISTER, VOL. 35, NO. 147—THURSDAY, JULY 30, 1970

Iowa 50593. Applicant's representative: H. Bay Pope, Jr., 10 Grant Street, Clarion, Pa. 16254. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foods (except in bulk) from the New Hampshire facilities of Duff Mott Co., Inc., at or near Hartford, Bailey, and Grawn, Mich., to points in Iowa, Minnesota, Missouri, Nebraska (except South Dakota), North Dakota, South Dakota, Ohio, Oklahoma, Oregon, Tennessee, Texas, Utah, Washington, Wisconsin, and Wisconsin. 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 Pittsburgh, Pa., or Washington, D.C.

No. MC 113514 (Sub-No. 107), filed July 10, 1970. Applicant: SMITH TRACTOR, INC., 1200 Simons Building, Dallas, Tex. 75201. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 73201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Catalyst, from Lake Charles, La., to points in New Jersey and Pennsylvania. 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 Omaha, Nebr., or Chicago, Ill.

No. MC 113885 (Sub-No. 222), filed July 6, 1970. Applicant: INTERNA- TIONAL TRANSPORT, INC., North 52, Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N.D. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Signs, sign materials, and sign accessories, from Clearfield, Utah, to points in Montana, New Mexico, Wyoming, Colorado, Idaho, Nevada, Washington, Oregon, California, and Arizona. 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 Salt Lake City, Utah, Denver, Colo., or San Francisco, Calif.

No. MC 115180 (Sub-No. 58), filed July 9, 1970. Applicant: ONSLEY RE- FRIGERATED TRANSPORTATION, INC., 1415 W. 34th St., New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tommele Avenue, Jersey City, N.J. 07305. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Nuts, meat products, and meat by-products, 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, 71 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities utilized by Sioux Beef Co., at Omaha, Neb., to points in New York, New Hampshire, Connecticut, Vermont, Maine, New Jersey, Massachusetts, Rhode Island, Pennsylvania, West Virginia, Maryland, Virginia, 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 Washington, D.C.

No. MC 116978 (Sub-No. 391), filed July 10, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Duane W. Ade and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen bakery goods and frozen foods, from Deerfield, Ill., to points in Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Connecticut, Virginia, Maryland, New Hampshire, Massachusetts, Vermont, West Virginia, 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 Washington, D.C.

No. MC 118976 (Sub-No. 392), filed July 13, 1970. Applicant: J & M FRATER, INC., Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fresh vegetables and canned goods in bulk, from the Inter- state Commerce Act, when moving in mixed loads with commodities the trans- portation of which is not exempt from regulations, from points in Florida (except Lake Jen, Fla.) to points in Ala- bama, Georgia, Florida, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Ohio, Oklahoma, Oregon, Tennessee, Texas, Utah, Washington, Wisconsin, and Wisconsin. 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 115311 (Sub-No. 111), filed July 6, 1970. Applicant: J & M TRANS- PORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Dainelli, 1600 First Federal Building, Atlanta, Ga. 30302. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Foods (except in bulk) from points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and Texas; and (2) building materials, supplies, and equipment (except in bulk) from points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and Texas to points in Manatee County, Fla. 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 Tamps, Fla.

No. MC 115311 (Sub-No. 112), filed July 12, 1970. Applicant: J & M TRANS- PORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Dainelli, 1600 First Federal Building, Atlanta, Ga. 30302. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: Wire, from Rome, Ga., to points in Arkansas, South Carolina, Georgia, 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 Atlanta, Ga.

No. MC 115841 (Sub-No. 384), filed July 6, 1970. Applicant: COLONIAL RE- FRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representatives: C. E. Weston (same address as applicant) and E. Stephen Ansley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Foods (except in bulk) in vehicles equipped with mechanical refrigeration, from points in that part of New York on and west of U.S. Highway 11, and from North East, Pa., to points in North Carolina, South Carolina, Georgia, and Arkansas; (2) prepared foods, in vehicles equipped with mechanical refrigeration, from New York, N.Y.; Union City and Jersey City, N.J.; and Philadelphia, Pa., to points in North Carolina, South Carolina, Georgia, and Arkansas; (3) choco- late, chocolate confectionery, and in- gredients thereof, in vehicles equipped with mechanical refrigeration, from Philadelphia, Pa., to points in North Carolina, South Carolina, Georgia, and Arkansas; (4) beef, lamb, and veal cuts, in vehicles equipped with mechanical refrigeration, from New York, N.Y., to points in North Carolina, South Carolina, Georgia, and Arkansas; and (5) meats, meat products, and meat by- products, and articles distributed by meat packinghouses, as described in sections A, B, and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 81 M.C.C. 209 and 766 (except commodities in bulk), from the plantsite and storage facilities utilized by Sioux Beef Co., at or near Omaha, Neb., to the above-named destination points. 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 Omaha, Neb., or Chicago, Ill.

No. MC 115311 (Sub-No. 111), filed July 6, 1970. Applicant: J & M TRANS- PORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Dainelli, 1600 First Federal Building, Atlanta, Ga. 30302. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Buildings and materials, supplies, and equipment (except in bulk) used in the erection, construction, or equipping of buildings, from points in Manatee County, Fla., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Ohio, Oklahoma, Oregon, Tennessee, Texas, Utah, Washington, Wisconsin, and Wisconsin. 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.
may be conducted under the exemption provided in section 203(b)(8) of the Interstate Commerce Act, to points in North Carolina, Georgia, and Arkansas. Note: Applicant states that the purpose of this application is to eliminate the necessity of observing the gateways under which it is presently operating at various points in Tennessee and/or Alabama, and in the case of operations in paragraph 8 supra, to eliminate the gateways of Springfield, N.J., and gateways at various points in Tennessee. Applicant further states that the requested authority cannot be tacked with its existing authority. Common control may be involved, may be necessary, applicant requests it be held at Washington, D.C.

No. MC 116063 (Sub-No. 120), filed July 6, 1970. Applicant: WESTERN-COMM. MC 116067 (Sub-No. 26), filed July 6, 1970. Applicant: SUBURBAN TRANSFER SERVICE, INC., Post Office Box 165, Rutherford, N.J., filed July 6, 1970. Applicant's representative: Donald L. Stem, 2160 Maple Plain, Minn. Applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 116628 (Sub-No. 14), filed July 6, 1970. Applicant: SUBURBAN TRANSFER SERVICE, INC., Post Office Box 165, Rutherford, N.J., filed July 6, 1970. Applicant's representative: Donald L. Stem, 2160 Maple Plain, Minn. Applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 116734 (Sub-No. 206), filed July 6, 1970. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Silvers, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except classes A and B explosives), between the Port Columbus International Airport and O'Hare Municipal Airport, near Dayton, Ohio; Cleveland Hopkins Airport near Cleveland, Ohio; Greater Cincinnati Airport in Kentucky (near Cincinnati, Ohio); on the Greater O'Hare Airport and Chicago Midway Airport at or near Chicago, Ill.; Weir-Cook Field, Indianapolis, Ind.; Willow Run Airport and Detroit Metropolitan Airport, as well as to the Greater Pittsburgh Airport, near Pittsburgh, Pa.; restricted to freight moving on an air carrier's bill of lading and received by the same air carrier. 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, or Washington, D.C.

No. MC 117693 (Sub-No. 3), filed July 6, 1970. Applicant: BROOKE A. KUNKLEMAN, doing business as KUNKLEMAN TRUCKING INC., Post Office Box 26, Rural Delivery No. 5, Sinking Spring, Pa., filed July 6, 1970. Applicant's representative: Joseph E. Tolson, 4312 Ardmore Avenue, Mültenburg Park, Reading, Pa., filed July 6, 1970. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Brick and clay products; (1) from Muirkirk (County of Prince George) to points in Delaware, New Jersey, New York, and Pennsylvania; and (2) from Somerset, Va., and the Washington, D.C., commercial zone to points in Delaware, New Jersey, New York, and Pennsylvania. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract authority under MC No. MC 116101 (Sub-No. 7), filed July 13, 1970. Applicant: QUICK AIR FREIGHT, INC., Cargo Building, Port Columbus, Columbus, Ohio 43219. Applicant's representative: James E. Silvers, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except classes A and B explosives), between the Port Columbus International Airport and O'Hare Municipal Airport, near Dayton, Ohio; Cleveland Hopkins Airport near Cleveland, Ohio; Greater Cincinnati Airport in Kentucky (near Cincinnati, Ohio); on the Greater O'Hare Airport and Chicago Midway Airport at or near Chicago, Ill.; Weir-Cook Field, Indianapolis, Ind.; Willow Run Airport and Detroit Metropolitan Airport, as well as to the Greater Pittsburgh Airport, near Pittsburgh, Pa.; restricted to freight moving on an air carrier's bill of lading and received by the same air carrier. 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, or Washington, D.C.
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Crate materials, from points in Russell, Barbour, Dale, Henry, and Houston Counties, Ala., and south of U.S. Highway 78, except Valdosta and points within 75 miles thereof to points in Florida. Note: Applicant states that requested authority cannot be joined with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Thomasville or Atlanta, Ga., or Jacksonville, Fla.

No. MC 124692 (Sub-No. 70), filed July 6, 1970. Applicant: SAMMONS TRUCKING, a corporatión, Post Office Box 3933, Missoula, Mont. 59801. Applicant's representative: Richard Bebel, 2814 Cleveland Avenue North, St. Paul, Minn. 55113. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from New York, Vt., and N.Y., to points in New York, Vt., and Maine.

No. MC 124701 (Sub-No. 5) Amendment, filed May 25, 1970, published in the Federal Register issue of June 25, 1970, and republished as amended, this issue, Applicant: R. Wood Manufacturing Co., Luverne, Minn. 56156. Authority sought to operate as a contact carrier, by motor vehicle, over irregular routes, transporting: Iron and steel, and iron and steel articles, from Kansas City, Mo., to points in Washington, Oregon, Idaho, Montana, Wyoming, and Utah. Applicant states that the requested authority cannot be joined with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Chicago, III., or Seattle, Wash.

No. MC 124796 (Sub-No. 66), filed July 6, 1970. Applicant: CONTINENTAL CARRIER CORP., 2811 South Eutaw Street, Post Office Box 1357, City of Industry, Calif. 91147. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2036, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Air conditioning equipment, furnaces, water heaters, and component parts and accessories therefor, and materials, equipment, and supplies utilized in the manufacture, sale and distribution of air conditioning equipment, furnaces, and water heaters. Applicant requests it be held at any points in Davidson County, Tenn., the one hand, and, on the other, points in the United States (except Alaska and Hawaii) under contract with Carrier Corp. Restriction: All restricted against the transportation of commodities in bulk or those by which reason of size or weight require the use of special equipment. Applicant requests it be held at any points in Davidson County, Tenn.

No. MC 124802 (Sub-No. 70), filed July 6, 1970. Applicant: MERLIN HERR, 412 West Ninth Street, Luverne, Minn. 56156. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Livestock, swine, poultry, and livestock buildings. Applicant's representative: Ray F. Kempt, Post Office Box 124054 (Sub-No. 2), filed July 7, 1970. Applicant: PERISHABLE CARRIER CORP., 1111 E. Creager, No. 3, 2814 Cleveland Avenue North, St. Paul, Minn. 55113. Authority sought to operate as a common carrier, over irregular routes, transporting: Foodstuffs, in vehicles equipped with mechanical refrigeration (excluding commodities in bulk, in tank containers). 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.
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No. MC 124796 (Sub-No. 67), filed July 6, 1970. Applicant: CONTIENTAL CONTRACT CARRIER CORP., 1505 East Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2038, Lincoln, Neb. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (a) Air conditioning equipment, furnaces, water heaters, and component parts and accessories for such items, from Laurel, Miss., to Austin, Tex.; (b) Air conditioning equipment, furnaces, water heaters, and component parts and accessories for such items, from Tallahassee, Fla., to points in the United States in and east of North Dakota, South Dakota, Wyoming, Nebraska, Kansas, Oklahoma, Arkansas, and Louisiana (except Morillon and Collierville, Tenn., and except Indianapolis, Ind.); (c) returned, rejected, or refused shipments of commodities specified in (a) above, and materials, supplies, and equipment utilized in the manufacture, sale, and distribution area of the commodities specified in (a) above, from the destination area in (a) above to Syracuse, N.Y.; (d) returned, rejected, or refused shipments of air conditioning equipment, furnaces, water heaters, and component parts and accessories for such items, from Kansas City, Mo., to points in Los Angeles County, Calif.; (e) air conditioning equipment, furnaces, water heaters, and component parts and accessories for such items, from Memphis, Tenn., to points in the United States (except Alaska and Hawaii) to Memphis, Tenn., under contract with Carrier Corp., restricted against the transportation of commodities in bulk or those which by reason of size or weight require the use of special equipment. All shipments to either originate or terminate at the plant sites of facilities owned or operated by Carrier Corp. Noz: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Syracuse, N.Y.

No. MC 125708 (Sub-No. 124), filed June 30, 1970. Applicant: THUNDERBIRD MOTOR FREIGHT LINES, INC., Highway 32 East, Crawfordville, Ind. 47933. Applicant's representative: James W. Major (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel and iron and steel products, from Hendersonville, Tenn., to points in the United States in and east of Minnesota, Nebraska, Kansas, Oklahoma, and Texas (except Vermont, New Hampshire, and Maine); and (2) points in the States it already holds contract carrier authority, solely for Atlantic Distributors of Miami, Fla. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Iron and steel articles; Sheet and plate plastic material, from Odenton, Md., and Lowell, Mass., to Atlanta, Ga., and points in Florida; and (2) liquid adhesives and glue, from Buffalo, N.Y., and Grove City, Ohio, to Atlanta, Ga., and points in Florida. Restriction: Service is to be performed solely for Atlantic Distributors of Miami, located at Miami, Fla. Noz: Applicant states it already holds contract carrier permits under No. MC 125811 and Sub-5 authorizing service in the movement of these same commodities from various origins including Buffalo, N.Y., and Lowell, Mass., to specified points in Florida and Atlanta, Ga. The purpose of this application is to permit applicant to serve through tacking. Persons interested in the tacking possibilities are cautioned that the application may result in an unrestricted operation. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 127215 (Sub-No. 49), filed July 18, 1970. Applicant: KENDrick CARTAGE CO., a corporation, Post Office Box 68, Salem, Ill. 62881. Applicant's representative: W. C. Kendrick (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, from Lawrenceville, Ill., to points in Iowa and Missouri. Noz: Applicant states that the requested authority can be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.


No. MC 127746 (Sub-No. 3), filed July 13, 1970. Applicant: LOUIS-VENEZIA, Bearmore Trailer Park, Post Office Box 284, Belmar, N.J. 07719. Applicant's representative: Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Plastic bags, plastic tubing, and sheeting, and new burlap in compressed rolls, from plant sites of United States in and east of Minnesota, Nebraska, Kansas, Oklahoma, Arkansas, and Louisiana (except Morillon and Collierville, Tenn., and except Indianapolis, Ind.); (b) returned, rejected, or refused shipments of commodities specified in (a) above, and materials, supplies, and equipment utilized in the manufacture, sale, and distribution area of the commodities specified in (a) above, from the destination area in (a) above to Syracuse, N.Y.; (c) returned, rejected, or refused shipments of air filtering equipment, from points in Los Angeles County, Calif.; (d) returned, rejected, or refused shipments of air conditioning equipment, furnaces, water heaters, and component parts and accessories for such items, from Memphis, Tenn., to points in the United States (except Alaska and Hawaii) to Memphis, Tenn., under contract with Carrier Corp., restricted against the transportation of commodities in bulk or those which by reason of size or weight require the use of special equipment. All shipments to either originate or terminate at the plant sites of facilities owned or operated by Carrier Corp. Noz: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Syracuse, N.Y.

No. MC 127811 (Sub-No. 8), filed July 6, 1970. Applicant: JOHNNY BROWN'S, INC., 6801 Northwest 14th Avenue, Miami, Fla. 33166. Applicant's representative: Guy H. Postell, 3324 Peachtree Road NE, Suite 713, Atlanta, Ga. 30328. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) New supply points to the same and additional receiving points in Florida. Applicant now holds common carrier authority under its certificate No. MC 118292 for such operations. Persons may be involved. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 127812 (Sub-No. 7), filed July 6, 1970. Applicant: TYSON TRUCK EXPRESS, INC., 6801 Northwest 14th Avenue, Miami, Fla. 33166. Applicant's representative: Anthony C. Vance, 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods and animal feed, from points in California, Oregon, and Washington, to points in the United States in and east of Minnesota, Nebraska, Kansas, Oklahoma, Arkansas, and Louisiana (except Vermont, New Hampshire, and Maine); and (2) points in the States it already holds contract carrier, by motor vehicle, over irregular routes, transporting: Candy and nuts, packaged, from St. Paul, Minn., to points in Minnesota. Nom: 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 Chicago, Ill.

No. MC 128373 (Sub-No. 73), filed July 15, 1970. Applicant: MIDWESTERN EXPRESS, INC., Box 180, Fort Scott, Kans. 66701. Applicant's representative: Danny Ellis (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, from Lawrenceville, Ill., to points in Iowa and Missouri (except St. Louis). Noz: Applicant states that the requested authority cannot be tacked with its existing authority but indicates that it has no present intention of transporting to or from the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Kansas City, Mo.

No. MC 128660 (Sub-No. 6), filed July 10, 1970. Applicant: LARRY'S EXPRESS, INC., 720 Lake Street, Tomah, Wis. 54660. Applicant's representative: Edward M. Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53706. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Beverages, advertising materials, premiums, and malt beverage dispensing equipment, when moving at the same time and in the same vehicle with malt beverages; (a) between Baltimore, Md., and Detroit, Mich.; and (b) from Detroit, Mich., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, and Dakota, Ohio, South Dakota, Tennessee, and Wisconsin under a continuing contract, or contracts, with The National
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Brewing Co., Detroit, Mich. Note: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 123860 (Sub-No. 7), filed July 14, 1970. Applicant: LARRY’S EXPRESS, INC., 720 Lake Street, Tomah, Wis. 54660. Applicant’s representative: Edward Solie, Executive Building, Suite 100, 4613 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Beef, meat products and meat byproducts, and articles distributed by meat packing houses, as described in sections A and C of the Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Mason City, Iowa, and Omaha, Neb., to points in Alabama, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, 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 Omaha, Neb., or Minneapolis, Minn.

No. MC 123814 (Sub-No. 7), filed July 6, 1970. Applicant: E. E. CARROLL, doing business as CARROLL TRUCKING COMPANY, a corporation, Post Office Box 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat byproducts, and articles distributed by meat packing houses, as described in sections A and C of the Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Kalamazoo, Mich., to Louisville, Ky.; (2) Soy flour, corn flour, delactosed whey, dry milk products blended with soy flour, corn flour, defatted whey, casein and caseinate, from Louisville, Ky., to points in the United States east of the eastern boundaries of Montana, Wyoming, Colorado, and New Mexico, under the order of the U.S. Government and with Dry Mills, Inc., of Louisville, Ky. Note: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 123868 (Sub-No. 9), filed July 6, 1970. Applicant: JO/KEL, INC., Post Office Box 22265, Los Angeles, Calif. 90022. Applicant’s representative: J. Max Harding, 605 South 14th Street, Post Office Box 2226, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Furniture, heating, cooling equipment, and component parts and accessories therefrom, from Los Angeles, Calif., to points in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, and to Denver, Colo., and Albuquerque, N. Mex.; (2) materials, supplies, and equipment utilized in the distribution and sale of the commodities named in (1) above, from the destination area specified in (1) above to Los Angeles, Calif.; (3) ironing boards and housewares, from Seymour, Ind., to Los Angeles, Calif.; (4) furniture hardware and equipment, from Kansas City, Ky., to Los Angeles, Calif.; (5) office furniture and equipment, from Kalamazoo, Mich., to Los Angeles, Calif.; and (6) radios, television sets, and television players, from New York City, N.Y., to Los Angeles, Calif., under contract with Lear Siegler, Inc. Restriction: All restricted against the transportation of commodities in bulk or those which by reason of size or weight require the use of special equipment. All shipments to originate or terminate at the plantsite and warehouse facilities of Lear Siegler, Inc., at Los Angeles, Calif. Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 133974 (Sub-No. 6), filed June 29, 1970. Applicant: TERRILL TRUCKING CO., a corporation, 1016 Genesee Street, Storm Lake, Iowa 50588. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products and meat byproducts, and articles distributed by meat packing houses, as described in sections A and C of the Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Mason City, Iowa, and Omaha, Neb., to points in Alabama, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, 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 New York, N.Y.

No. MC 134323 (Sub-No. 4), filed July 7, 1970. Applicant: JAY LINES, INC., Post Office Box 1644, 6210 River Road, Amarillo, Tex. Applicant’s representative: Frederick J. Coffman, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packing houses, as described in sections A and C of the Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities used by Missouri Beef Packers, Inc., at or near Plainview, Amarillo, and Cactus, Texas, under contract with Missouri Beef Packers, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr., or Dallas, Texas.
No. MC 134414 (Sub-No. 2), filed July 8, 1970. Applicant: FRANCIS MOONEY TRUCKING, INC., Post Office Box 441, Dillon, Mont. 59117. Applicant's representative: J. F. McGlen, Post Office Box 1581, Billings, Mont. 59103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) general commodities, (2) fresh fruit and vegetables, in mixed shipments, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act, as a common carrier, by motor vehicle, at the same time with (1) above, from points in Long Beach and Los Angeles, Calif., and Seattle, Wash., to ports of entry on the international boundary line between the United States and Canada located at or near Sweetgrass, Mont.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 134433 (Sub-No. 1), filed July 10, 1970. Applicant: A.M. MESSER. SERVICE, INC., 9561 Beryvn, Rosemont, Ill. 60018. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) cosmetics, toilet preparations, toilet articles, materials, equipment, and supplies used in the manufacture of cheese, baking: (a) baking goods, (b) bakery waste, (c) bakery route, in shipper's trailers, from the plantsite of Rozansky Feed Co., at points in Connecticut, Delaware, Massachusetts, Maryland, New York, North Carolina, Pennsylvania, Vermont, and Virginia, and (b) bakery route, in bulk, between shipper's trailers, from Horshenhead, N.J., and Philadelphia, Pa., to the plant-site of Rozansky Feed Co., Secaucus, N.J., under contract with Rozansky Feed Co. Notice: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 134729 (Sub-No. 1), filed July 6, 1970. Applicant: TIMBER TRUCKING, INC., Post Office Box 165, Salt Lake City, Utah 84110. Applicant's representative: Irene Warr, Suite 419, Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Building materials, lumber, and lumber mill products, between points in California, Oregon, Washington, Idaho, Nevada, Utah, Colorado, Wyoming, Montana, Arizona, and New Mexico under contract with Davidson Lumber Sales, Inc. Notice: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 134764, filed July 9, 1970. Applicant: A B B MOVING AND STORAGE, INC., 2103 South Third Drive, Phoenix, Ariz. 85018. Applicant's representative: Clyde E. Herring, 320 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Interstate Commerce Commission, between points in the counties of Yavapai, Maricopa, Gila, Pinal, and that portion of Pima County west of the Papago Indian Reservation in Arizona, restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontaining of such traffic. Notice: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Seattle, Wash.

No. MC 134766, filed July 10, 1970. Applicant: HAROLD E. LOWMAN AND PADE STANLEY, a partnership, doing business as H AND F TRUCKING, Ellijay, Ga. 30540. Applicant's representative: Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporte:
transporting: Plastic bags, plastic tubing, and sheeting, and new burlap in compressed rolls, from the plant site of Packaging Products & Design Corp., Newark, N.J., to points in Alabama, Delaware, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Washington, D.C., under contract with Packaging Products & Design Corp. Notes: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

Motor Carriers of Passengers

No. MC 109706 (Sub-No. 33), filed July 6, 1970. Applicant: CAPITOL BUS COMPANY, a corporation, 1061 South Cameron Street, Post Office Box 1463, Harrisburg, Pa. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage in special operations, in sightseeing or pleasure tours, beginning and ending at points in Adams, Cumberland, Delaware, Lebanon, Berks, Montgomery, Schuykill, Carbon, Luzerne, Lackawanna, Montgomery, Susquehanna, and Bradford Counties, Pa.; and those points in Luzerne County, Pa., north of Interstate Highway 71 to Louisville, Ky., and return. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

Application of Water Carriers


Application of Water Carriers

No. W-390 (Sub-No. 8) (WARRIOR & GULF NAVIGATION COMPANY—Extension—Alabama River), filed July 20, 1970. Applicant: WARRIOR & GULF NAVIGATION COMPANY, Post Office Box 11397, Chickasaw, Ala. 36611. Applicant's representative: M. Spalding Lynch, % Perdue Foods, Inc., Salisbury, Md., and return. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment or injurious or contaminating to other lading), between Cincinnati, Ohio, and Memphis, Tenn., from Chattanooga over Interstate Highway 71 to Louisville, Ky., thence over Interstate Highway 65 to Memphis, Tenn., and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, in connection with carrier's otherwise certificate routes.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[F.R. Doc. 70-9745; Filed, July 29, 1970; 8:45 a.m.]
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