

# FEDERAL REGISTER

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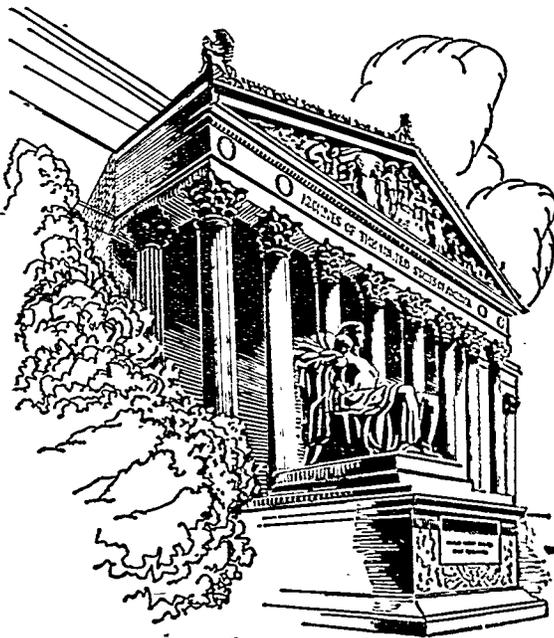
Wednesday, November 25, 1970 • Washington, D.C.

Pages 18029-18099

**Agencies in this issue—**

Agricultural Research Service  
Army Department  
Atomic Energy Commission  
Civil Aeronautics Board  
Comptroller of the Currency  
Defense Department  
Domestic Commerce Bureau  
Federal Aviation Administration  
Federal Communications Commission  
Federal Home Loan Bank Board  
Federal Power Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Indian Affairs Bureau  
Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
National Highway Safety Bureau  
National Oceanic and  
Atmospheric Administration  
Public Health Service  
Wage and Hour Division

Detailed list of Contents appears inside.



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# Contents

## AGRICULTURAL RESEARCH SERVICE

- Rules and Regulations  
Foreign quarantine notices; okra... 18033  
Eg cholera and other communi-  
cable swine diseases; areas quar-  
antined (4 documents).... 18034-18036  
Overtime services relating to im-  
ports and exports; commuted  
travel time allowances..... 18036

- Notices  
Stockyards and slaughtering es-  
tablishments; specific approval... 18067

## AGRICULTURE DEPARTMENT

See Agricultural Research Service.

## ARMY DEPARTMENT

- Rules and Regulations  
Procurement; miscellaneous  
amendments ..... 18048

## ATOMIC ENERGY COMMISSION

- Notices  
Commonwealth Edison Co.; appli-  
cation for construction permits  
and facility licenses..... 18086  
Long Island Lighting Co.; hear-  
ing ..... 18086

## CIVIL AERONAUTICS BOARD

- Proposed Rule Making  
MAC minimum rates for overseas  
and foreign air transportation... 18056
- Notices  
*Hearings, etc.:*  
Air Haiti, S.A. .... 18086  
Hop Air Freight Forwarder, Inc... 18086  
International Air Transport As-  
sociation (3 documents).... 18087  
Sedalia, Marshall, Boonville  
Stage Line, Inc. .... 18088  
Washington Airways, Inc. .... 18088

## COMMERCE DEPARTMENT

See Domestic Commerce Bureau;  
National Oceanic and Atmos-  
pheric Administration.

## COMPTROLLER OF THE CURRENCY

- Rules and Regulations  
Investment securities; securities  
eligible for underwriting and un-  
limited holding..... 18037

## DEFENSE DEPARTMENT

- See also Army Department.
- Rules and Regulations  
Contracting; reporting procedures  
on defense-related employment... 18040  
Foreign tax relief program..... 18045  
Sale of DOD directives, instruc-  
tions, and indexes to public.... 18047

## DOMESTIC COMMERCE BUREAU

- Notices  
Duty-free entry of scientific ar-  
ticles; decisions on applications  
(8 documents)..... 18082-18084

## FEDERAL AVIATION ADMINISTRATION

- Rules and Regulations  
Control area and reporting point;  
alteration ..... 18039
- Proposed Rule Making  
Airplane and rotorcraft manuals,  
markings, and placards..... 18054
- Notices  
El Monte Air Traffic Control  
Tower, Calif.; commissioning... 18086

## FEDERAL COMMUNICATIONS COMMISSION

- Rules and Regulations  
Radio broadcast services; stand-  
ard broadcasting agreements be-  
tween U.S. and Mexico..... 18052
- Proposed Rule Making  
Television broadcast stations;  
table of assignments; exten-  
sions of time:  
Gastonia and Monroe, N.C. .... 18059  
Kerrville-Fredericksburg, Tex... 18059
- Notices  
Niagara Communications, Inc.;  
memorandum opinion and order  
designating applications for  
consolidated hearing on stated  
issues ..... 18089

## FEDERAL HOME LOAN BANK BOARD

- Rules and Regulations  
Conflicts of interest..... 18038  
Secured debt limitation for service  
corporations ..... 18038

## FEDERAL POWER COMMISSION

- Notices  
*Hearings, etc.:*  
Alabama Power Co. .... 18062  
Columbia Gulf Transmission  
Co. et al. .... 18060  
Niagara Mohawk Power Corp.  
et al. .... 18063  
Ramsey & Cassaway Oil & Gas  
Properties et al. .... 18061

## FEDERAL TRADE COMMISSION

- Rules and Regulations  
Guides:  
Feather and down products in-  
dustry; deferment of effective  
date ..... 18039  
Wigs and other hairpieces;  
labeling, advertising and sale;  
extension of effective date of  
labeling provisions..... 18039

## FISH AND WILDLIFE SERVICE

- Rules and Regulations  
Migratory birds; seasons and  
limits on certain game birds.... 18053

## HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Public Health Service.

## INDIAN AFFAIRS BUREAU

- Rules and Regulations  
Leasing and permitting; certain  
California lands determined to  
be within Colorado River Reser-  
vation ..... 18051

## INTERIOR DEPARTMENT

See Fish and Wildlife Service;  
Indian Affairs Bureau; Land  
Management Bureau.

## INTERNAL REVENUE SERVICE

- Proposed Rule Making  
Exempt organizations; returns  
and annual reports..... 18055

## INTERSTATE COMMERCE COMMISSION

- Notices  
Increased freight rates; 1970 and  
1971 ..... 18091
- Motor carriers:  
Applications and certain other  
proceedings ..... 18091  
Intrastate applications..... 18096  
Transfer proceedings..... 18097

## LABOR DEPARTMENT

See Wage and Hour Division.

## LAND MANAGEMENT BUREAU

- Notices  
Classifications of public lands:  
California ..... 18065  
Idaho (3 documents).... 18065, 18066  
Nevada ..... 18067

## NATIONAL HIGHWAY SAFETY BUREAU

- Proposed Rule Making  
Warning devices on passenger  
cars, trucks, and buses; motor  
vehicle safety standard; correc-  
tion ..... 18055

(Continued on next page)

**NATIONAL OCEANIC AND  
ATMOSPHERIC  
ADMINISTRATION**
**Notices**
**Loan applications:**

|   |       |
|---|-------|
| Davis, Harvey Warden.....                           | 18085 |
| Hicks, B.P. and Larry W.....                        | 18085 |
| Johnson, James, Jr., and James<br>R. Henderson..... | 18085 |
| Kinney, Arnold A.....                               | 18085 |
| Larsen, Ottar G.....                                | 18085 |
| Martin, Charles Ray, Jr.....                        | 18086 |

**PUBLIC HEALTH SERVICE**
**Rules and Regulations**

|   |       |
|---|-------|
| Metropolitan Fort Smith inter-<br>state air quality control<br>region ..... | 18051 |
|---|-------|

**TRANSPORTATION DEPARTMENT**

See Federal Aviation Administra-  
tion; National Highway Safety  
Bureau.

**TREASURY DEPARTMENT**

See Comptroller of the Currency;  
Internal Revenue Service.

**WAGE AND HOUR DIVISION**
**Notices**

|  |       |
|--|-------|
| Federal Wage Garnishment Law;<br>application by State of Utah for<br>exemption ..... | 18090 |
|--|-------|

## List of CFR Parts Affected

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

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

|                       |             |                 |       |                       |       |
|-----------------------|-------------|-----------------|-------|-----------------------|-------|
| <b>7 CFR</b>          |             | <b>16 CFR</b>   |       | 593.....              | 18048 |
| 319.....              | 18033       | 252.....        | 18039 | 594.....              | 18050 |
| <b>9 CFR</b>          |             | 253.....        | 18039 | 596.....              | 18050 |
| 76 (4 documents)..... | 18034-18036 | <b>25 CFR</b>   |       | 597.....              | 18050 |
| 97.....               | 18036       | 131.....        | 18051 | 599.....              | 18050 |
| <b>12 CFR</b>         |             | <b>26 CFR</b>   |       | 603.....              | 18050 |
| 1.....                | 18037       | PROPOSED RULES: |       | 606.....              | 18051 |
| 555.....              | 18038       | 1.....          | 18055 | 608.....              | 18051 |
| 563.....              | 18038       | 301.....        | 18055 | <b>42 CFR</b>         |       |
| 571.....              | 18038       | <b>32 CFR</b>   |       | 81.....               | 18051 |
| <b>14 CFR</b>         |             | 166.....        | 18040 | <b>47 CFR</b>         |       |
| 71.....               | 18039       | 211.....        | 18045 | 73.....               | 18052 |
| PROPOSED RULES:       |             | 289.....        | 18047 | PROPOSED RULES:       |       |
| 23.....               | 18054       | 591.....        | 18048 | 73 (2 documents)..... | 18050 |
| 27.....               | 18054       |                 |       | <b>49 CFR</b>         |       |
| 91.....               | 18054       |                 |       | PROPOSED RULES:       |       |
| 121.....              | 18054       |                 |       | 571.....              | 18055 |
| 127.....              | 18054       |                 |       | <b>50 CFR</b>         |       |
| 288.....              | 18056       |                 |       | 10.....               | 18053 |
| 399.....              | 18056       |                 |       |                       |       |

# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter III—Agricultural Research Service, Department of Agriculture

#### PART 319—FOREIGN QUARANTINE NOTICES

##### Subpart—Fruits and Vegetables

###### ENTRY OF OKRA

Pursuant to the authority conferred by the Fruit and Vegetable Quarantine (Notice of Quarantine No. 56, 7 CFR 319.56), and § 319.56-2 of the regulations supplemental thereto (7 CFR 319.56-2), issued under sections 5 and 9 of the Plant Quarantine Act of 1912 and section 106 of the Federal Plant Pest Act (7 U.S.C. 159, 162, 150ee), administrative instructions appearing as §§ 319.56-2k, 319.56-2o, and 319.56-2q (7 CFR 319.56-2k, 319.56-2o, 319.56-2q) are deleted and a new section to appear as § 319.56-2t is substituted therefor to read as follows:

§ 319.56-2t Administrative instructions prescribing treatment and relieving restrictions regarding importation of okra from Mexico, the West Indies, and certain countries in South America.

###### (a) Conditions for issuance of permits.

(1) Under § 319.56-2, okra may be imported under permit and in compliance with the regulations in this subpart, from Mexico, the West Indies, Colombia, Ecuador, Peru, and Venezuela and any other South American country specified in the permit, upon presentation of evidence that it has been treated in accordance with the procedure prescribed in paragraph (b) of this section.

(2) Further, it is hereby determined, pursuant to § 319.56, that existing conditions as to the pest risk involved in the importation of okra from such countries make it safe to make less stringent the restrictions contained in § 319.56-2, by allowing the importation of okra, as provided in paragraphs (c), (d), and (e) of this section without routinely requiring such treatment.

(3) As used in this section—(i) "West Indies" means the foreign islands lying between North and South America, the Caribbean Sea, and the Atlantic Ocean, divided into the Bahamas, the Greater Antilles, and the Lesser Antilles (including the Leeward Islands, the Windward Islands, and the islands north of Venezuela); and (ii) "Inspector" means an inspector of the Plant Quarantine Division; or an inspector of the Plant Protection Division, Agricultural Research Service of the U.S. Department of Agriculture, when assigned to perform duties under this section pursuant to an agreement between the two Divisions.

###### (b) Authorized treatment procedure.

(1) The treatment shall consist of fumigation with methyl bromide at normal atmospheric pressure, under supervision, in a fumigation chamber which has been approved for that purpose, as prescribed in this section. This treatment is specific for the pink bollworm (*Pectinophora gossypiella* (Saund.)) which is known to occur in Mexico, the West Indies, and South America. Under certain cultural conditions this pest will infest okra.

(2) Approval of fumigation chambers.

(i) Fumigation chambers in the United States or elsewhere will be approved only if they are properly constructed and adequately equipped to handle and treat okra. Within the United States the chambers must be located within the practicable supervisory range of inspectors of the Plant Quarantine Division stationed at the ports of entry authorized in permits for the importation of okra. Approval of fumigation chambers outside the United States will depend upon the availability of qualified inspectors for assignment to supervise the treatment and posttreatment handling of okra.

(ii) Determination of eligibility for approval under this section of fumigation plants in locations in the interior of Mexico (i.e. not within the practicable supervisory range of inspectors stationed at an authorized port of entry) may be made by an inspector of the Plant Protection Division<sup>1</sup> at the request of the Plant Quarantine Division. Determination of eligibility for approval under this section of fumigation plants in other locations will be made by an inspector of the Plant Quarantine Division.

(3) Fumigation schedule. Such fumigation shall be in accordance with the following fumigation schedule:

| Temperature (° F.) | Dosage (pounds of methyl bromide per 1,000 cubic feet) | Exposure period (hours) |
|--------------------|--|-------------------------|
| 90-96              | 1.0  | 2                       |
| 80-89              | 1.5  | 2                       |
| 70-79              | 2.0  | 2                       |
| 60-69              | 2.5  | 2                       |
| 50-59              | 3.0  | 2                       |
| 40-49              | 3.5  | 2                       |

(4) Fumigation procedure. Okra to be fumigated may be packed in slatted crates or other gas-permeable containers. The fumigation chamber shall not be loaded to more than two-thirds of its capacity. The containers may be stacked one on top of another, but a 3- to 4-inch space must be provided between all containers throughout the load. Good air circulation above and below the load shall be provided as soon as the okra is loaded and must be continued during the full

<sup>1</sup> Preliminary inquiries should be directed to the Regional Supervisor, Plant Protection Division, Apartado Postal No. 815, Monterrey, Nuevo Leon, Mexico.

period of fumigation and until the okra has been removed to a well-ventilated location. Strong blasts of air should not be directed against the okra. Fumigation at temperatures in excess of 90° F. may result in injury to okra and should be avoided if possible. Past experience indicates that injury may also result from excess moisture, such as residual moisture from harvesting when dew-covered.

(5) Supervision of fumigation—(i) Other than interior of Mexico. Inspectors will supervise the fumigation of okra at approved fumigation plants in locations other than those in the interior of Mexico and will specify safeguards in specific cases for the packing, other handling and transportation of the okra before and subsequent to fumigation, if, in the opinion of the inspector, this is necessary to assure that there will be no risk of introducing plant pests into the United States associated with the treatment and importation of the okra. The final release of the okra for entry into the United States will be conditioned upon compliance with the specified safeguards. Such supervision at plants within the United States will be carried on as a part of normal port inspection activities.

(ii) Interior of Mexico. Inspectors will supervise the fumigation of okra at approved fumigation plants in the interior of Mexico and will prescribe safeguards in specific cases for the packing and other handling of the okra at the treating plant and the transportation of the okra from the time it leaves the treating plant until it reaches the U.S. port of entry, if in the opinion of the inspector this is necessary to assure that there will be no risk of introducing plant pests into the United States associated with the treatment and importation of the okra. The final release of the okra for entry into the United States will be conditioned upon compliance with the prescribed safeguards.

(6) Ports of entry. Okra required to be treated as a condition of importation will be limited to entry at New Orleans or such other South Atlantic or gulf ports with approved treatment facilities as may be named in the permit, except that, in addition, Mexican okra required to be treated as a condition of importation will be enterable at Mexican Border ports named in the permit.

(7) Costs. Persons desiring to import okra required to be treated under this section must make advance arrangements for approval of the fumigation plant and for supervision of the fumigation by an authorized inspector. All costs of constructing, maintaining, and operating fumigation plants and facilities, and carrying out specified pretreatment and posttreatment safeguards, and all additional costs to the Department arising from supervision under this section, by an inspector away from his regular place of official duty or outside

of his regular hours of official duty (including as appropriate, base salary, overtime and holiday pay, travel subsistence, transportation, employee benefits, and incidental expenses) shall be borne by the owner of the okra or his representative. Where normal inspection activities preclude the furnishing of supervision during regularly assigned hours of duty, supervision will be furnished on a reimbursable basis. The owner of the okra or his representative must furnish the Director of the Plant Quarantine Division with acceptable assurances that he will provide funds to the U.S. Department of Agriculture to cover all costs of supervision, in accordance with §§ 354.1 and 354.2 of this chapter and this subparagraph.

(8) *Department not responsible for damage.* While the prescribed treatment is judged from experimental tests to be safe for use with okra, the Department assumes no responsibility for any damage sustained through or in the course of treatment or because of pretreatment or posttreatment safeguards. There has not been an opportunity to test these treatments under all conditions or on all okra varieties or on okra from all areas involved.

(c) *Importations of okra without treatment authorized from Mexico under the following conditions.* (1) Okra produced in Mexico may enter the United States at any time during the year, under permit and subject to inspection at the port of entry, but without fumigation except as provided in subparagraph (6) of this paragraph, if destined to an area comprised of the States of Arizona, New Mexico, Oklahoma, and Texas, which is the generally infested pink bollworm regulated area designated in § 301.52-2a of this chapter.

(2) Okra produced in Mexico may enter the United States during the period December 1 to May 15, inclusive, under permit and subject to inspection at the port of entry, but without fumigation except as provided in subparagraph (6) of this paragraph, if destined to any part of the United States except California.

(3) Okra produced in Mexico may enter the United States during the period January 1 to March 15, inclusive, under permit and subject to port of entry inspection, but without fumigation except as provided in subparagraph (6) of this paragraph, if destined to California. (Okra produced in Mexico and destined to California is subject to permit, port of entry inspection and fumigation requirements if it is to enter the United States during the period March 16 to December 31, inclusive.)

(4) Okra produced in Mexico may enter the United States during the period May 16 to November 30, inclusive, under permit and subject to port of entry inspection, but without fumigation except as provided in subparagraph (6) of this paragraph, if destined to Alaska, Colorado, Connecticut, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New York,

North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin, or Wyoming, or the District of Columbia, or any part of Illinois, Kentucky, Missouri, or Virginia, north of the 38th parallel.

(5) Okra produced in Mexico may enter the United States during the period May 16 to November 30, inclusive, under permit and subject to port of entry inspection and fumigation requirements if destined to Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Nevada, North Carolina, South Carolina, or Tennessee or any part of Illinois, Kentucky, Missouri, or Virginia, south of the 38th parallel.

(6) Okra produced in Mexico is subject to fumigation requirements if any pests of quarantine significance, in the judgment of the inspector, are found upon port of entry inspection.

(d) *Importations of okra without treatment from the West Indies and certain countries in South America.* (1) Okra produced in the West Indies, Colombia, Ecuador, Peru, Venezuela, or other South American country, designated in accordance with § 319.56-2 in a permit to import okra, may enter the United States through any North Atlantic port with approved treatment facilities, under permit and subject to inspection at the port of entry but without fumigation except as provided in subparagraph (2) of this paragraph if destined to: Alaska, Colorado, Connecticut, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin, or Wyoming, or the District of Columbia, or any part of Illinois, Kentucky, Missouri, or Virginia, north of the 38th parallel.

(2) Okra subject to subparagraph (1) of this paragraph is subject to fumigation requirements if any plant pests of quarantine significance, in the judgment of the inspector, other than pink bollworm are found upon port of entry inspection or the shipment is destined to a place other than one of those mentioned above.

(e) *Importation of okra without treatment from Andros Island of the Bahamas; and okra without treatment from the West Indies for importation into the American Virgin Islands.* Okra produced in Andros Island, Bahamas, may enter the United States under permit through any port named in the permit, without fumigation but subject to inspection at the port of entry. Okra produced in the West Indies may enter the American Virgin Islands without fumigation but subject to inspection at the port of entry. Okra within this paragraph shall be subject to fumigation requirements if any plant pests of quarantine significance, in the judgment of the inspector, are found upon port of entry inspection.

(Secs. 5, 9, 37 Stat. 316, 318, sec. 106, 71 Stat. 33; 7 U.S.C. 150ee 159, 162, 29 F.R. 16210, as amended; 7 CFR 319.56, 319.56-2)

These administrative instructions shall become effective upon publication in the FEDERAL REGISTER, when they shall supersede 7 CFR 319.56-2k, 319.56-2o, and 319.56-2q, effective August 14, 1960, February 8, 1962, and April 16, 1968, respectively.

The principal purpose of these instructions is to relieve the treatment requirements for okra imported through North Atlantic ports into certain northern areas under permit from the West Indies and certain countries in South America. This action will make consistent the entry requirements for untreated okra, from these localities, with the present regulations under the domestic pink bollworm quarantine (7 CFR 301.52, 301.52-1 et seq.) in respect to movement of untreated okra from regulated areas of the United States into the designated northern areas. Such importations will not result in the spread of the pink bollworm within the United States. Miami, Fla., is removed from listing in the instructions as a part of entry where treatment is authorized as a condition of entry of okra because treatment facilities are no longer available at that port.

These administrative instructions in part relieve restrictions and in order to be of maximum benefit to persons subject to the restrictions, they should be made effective as promptly as possible. Insofar as the instructions may be deemed in part to impose more stringent requirements than heretofore prescribed, they should be made effective promptly to prevent the spread of plant pests into the United States. Therefore, pursuant to the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to these instructions are impracticable and unnecessary and good cause is found for making the instructions effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 19th day of November 1970.

[SEAL] F. A. JOHNSTON,  
Director,  
Plant Quarantine Division.

[F.R. Doc. 70-15835; Filed, Nov. 24, 1970;  
8:47 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[Docket No. 70-209]

#### PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

##### Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of

March 3, 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:

1. In § 76.2, in paragraph (e) (15) relating to the State of Texas, subdivision (x) relating to Randall County is deleted, and new subdivisions (xvi) relating to Smith County, and (xvii) relating to Stephens County are added to read:

(15) *Texas.* \* \* \*

(xvi) That portion of Smith County bounded by a line beginning at the junction of Farm-to-Market Road 16 and Farm-to-Market Road 849 in the town of Lindale; thence, following Farm-to-Market Road 16 in a generally easterly direction to Farm-to-Market Road 2015; thence, following Farm-to-Market Road 2015 in a southwesterly direction to Interstate Highway 20; thence, following Interstate Highway 20 in a southeasterly direction to U.S. Highway 271; thence, following U.S. Highway 271 in a southwesterly direction to Farm-to-Market Road 2908; thence, following Farm-to-Market Road 2908 in a generally southwesterly direction to State Highway 31; thence, following State Highway 31 in a southwesterly direction to State Highway 64; thence, following State Highway 64 in a northwesterly direction to Farm-to-Market Road 724; thence, following Farm-to-Market Road 724 in a northwesterly direction to State Highway 110; thence, following State Highway 110 in a southeasterly direction to Farm-to-Market Road 849; thence, following Farm-to-Market Road 849 in a northeasterly direction to its junction with Farm-to-Market Road 16 in the town of Lindale.

(xvii) That portion of Stephens County bounded by a line beginning at the junction of U.S. Highway 183 (also State Highway 6) and U.S. Highway 180 (also State Highway 67); thence, following U.S. Highway 180 (also State Highway 67) in an easterly direction to the division of U.S. Highway 180 and State Highway 67; thence, following State Highway 67 in a northeasterly direction to Farm-to-Market Road 717; thence, following Farm-to-Market Road 717 in a generally southeasterly direction to Farm-to-Market Road 207; thence, following Farm-to-Market Road 207 in a westerly, then northwesterly direction to Farm-to-Market Road 576; thence, following Farm-to-Market Road 576 in a westerly direction to U.S. Highway 183 (also State Highway 6); thence, following U.S. Highway 183 (also State Highway 6) in a northerly direction to its junction with U.S. Highway 180 (also State Highway 67).

2. In § 76.2, in paragraph (e) (12) relating to the State of North Carolina, subdivision (i) relating to Camden and Pasquotank Counties is amended to read:

(12) *North Carolina.* (i) Pasquotank County.

3. In § 76.2, in paragraph (e) (14) relating to the State of South Carolina, subdivision (ii) relating to Williamsburg County is amended to read:

(14) *South Carolina.* \* \* \*

(ii) That portion of Williamsburg County bounded by a line beginning at the junction of the Seaboard Coast Line Railroad and State Highway 512; thence, following the Seaboard Coast Line Railroad in a northeasterly direction to State Highway 261; thence, following State Highway 261 in an easterly direction to Secondary Highway 242; thence, following Secondary Highway 242 in a southeasterly direction to State Highway 513; thence, following State Highway 513 in a southwesterly direction to State Highway 512; thence, following State Highway 512 in a northwesterly direction to its junction with the Seaboard Coast Line Railroad.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 70 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments quarantine portions of Smith and Stephens Counties in Texas because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portions of such counties.

The amendments also exclude all of Randall County, Tex.; a portion of Williamsburg County, S.C.; and all of Camden County, N.C., from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the areas excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public

interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of November 1970.

F. J. MULHERN,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-15832; Filed, Nov. 24, 1970; 8:46 a.m.]

[Docket No. 70-309]

**PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES**

**Areas Quarantined**

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 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:

1. In § 76.2, the introductory portion of paragraph (e) is amended by adding the name of the State of Indiana, and a new paragraph (e) (4) relating to the State of Indiana is added to read:

(4) *Indiana.* That portion of Wayne County comprised of New Garden Township.

2. In § 76.2, in paragraph (e) (12) relating to the State of North Carolina, subdivision (i) relating to Pasquotank County is deleted.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 70 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Wayne County, Ind., because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portion of such county.

The amendments also exclude all of Pasquotank County, N.C., from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in

§ 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from non-quarantined areas contained in said Part 76 will apply to the area excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of November 1970.

F. J. MULHERN,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-15833; Filed, Nov. 24, 1970;  
8:46 a.m.]

[Docket No. 70-301]

## PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

### Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 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 § 76.2, in paragraph (e) (13) relating to the State of Ohio, a new subdivision (v) relating to Darke County is added to read:

(13) *Ohio*. \* \* \*

(v) That portion of Darke County bounded by a line beginning at the junction of State Highway 185 and U.S. Highway 127; thence, following State Highway 185 in a westerly direction to Rhynard Fink Road; thence, following the Rhynard Fink Road in a northerly direction to the Mercer-Darke County line; thence, following the Mercer-Darke County line in an easterly direction to U.S. Highway 127; thence, following U.S. Highway 127 in a southerly direction to its junction with State Highway 185.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

*Effective date.* The foregoing amendment shall become effective upon issuance.

The amendment quarantines a portion of Darke County, Ohio, because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portion of such county.

The amendment imposes certain further restrictions necessary to prevent the interstate spread of hog cholera and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of November 1970.

F. J. MULHERN,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-15834; Filed, Nov. 24, 1970;  
8:46 a.m.]

[Docket No. 70-302]

## PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

### Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 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 § 76.2, the reference to the State of Alabama in the introductory portion of paragraph (e) and paragraph (e) (1) relating to the State of Alabama are deleted, and paragraph (f) is amended by adding thereto the name of the State of Alabama.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

*Effective date.* The foregoing amendment shall become effective upon issuance.

This amendment excludes Covington County, Ala. from the areas quarantined because of hog cholera. Therefore,

the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the excluded area. The amendment releases Alabama from the list of States quarantined because of hog cholera.

The amendment also adds the State of Alabama to the list of hog cholera eradication States as set forth in § 76.2(f).

The amendment relieves certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to affected persons. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of November 1970.

F. J. MULHERN,  
Acting Administrator,  
Agricultural Research Service.

[F.R. Doc. 70-15875; Filed, Nov. 24, 1970;  
8:50 a.m.]

## SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS

### PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

#### Administrative Instructions Proscribing Commuted Traveltimes Allowances

Pursuant to the authority conferred upon the Director of the Animal Health Division by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions 9 CFR 97.2 (1939 ed.), as amended February 1, 1969 (34 F.R. 1586), June 3, 1969 (34 F.R. 8697), July 1, 1969 (34 F.R. 11081), August 1, 1969 (34 F.R. 12581), November 27, 1969 (34 F.R. 12661), April 10, 1970 (35 F.R. 6175), May 21, 1970 (35 F.R. 7781), July 28, 1970 (35 F.R. 12058), and September 5, 1970 (35 F.R. 11127), prescribing the commuted traveltimes that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective "lists" therein as follows:

#### WITHIN METROPOLITAN AREA

##### TWO HOURS

Delete: Houston, Tex.  
Add: Houston, Tex. (except Houston Intercontinental Airport).

##### THREE HOURS

Add: Houston Intercontinental Airport, Houston, Tex.

OUTSIDE METROPOLITAN AREA

ONE HOUR

Delete: Fort of Oregon (served from Coos Bay, Oreg.).  
Add: Fort of Bandon, Oreg. (served from Coos Bay, Oreg.).

TWO HOURS

Add: Port of Port Orford, Oreg. (served from Coos Bay, Oreg.).  
Delete: Port of Orford, Oreg. (served from Coos Bay, Oreg.).  
Add: Stony Point, N.Y. (served from Newburgh, N.Y.).

THREE HOURS

Delete: Hilo, Hawaii (served from Kailua-Kona, Hawaii).  
Add: Hilo, Hawaii (served from Waimea, Hawaii).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal Health Division.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561, 7 U.S.C. 2260)

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

Done at Hyattsville, Md., this 19th day of November 1970.

R. E. OMOHUNDRO,  
Acting Director, Animal Health  
Division, Agricultural Re-  
search Service.

[F.R. Doc. 70-15874; Filed, Nov. 24, 1970;  
8:50 a.m.]

**Title 12—BANKS AND BANKING**

**Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury**

**PART 1—INVESTMENT SECURITIES REGULATION**

**Securities Eligible for Underwriting and Unlimited Holding**

The following new sections are added to Part 1 of Title 12:

- Sec. 1.277 Parking Authority of the City of San Fernando.  
1.278 San Bernardino County-Victorville Public Facilities Authority, Library Revenue Bonds.

- Sec. 1.279 San Bernardino County-Victorville Public Facilities Authority, City Hall Revenue Bonds.  
1.280 Jackson County Sports Complex Authority (Missouri).  
1.281 City of Inglewood-Los Angeles County Civic Center Authority.

*AUTHORITY:* §§ 1.277-1.281 issued under R.S. 324, et seq., as amended, paragraph Seventh of R.S. 5136, as amended; 12 U.S.C. 1, et seq., 24(7), unless otherwise noted.

§ 1.277 Parking Authority of the city of San Fernando.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$750,000 Revenue Bonds of the Parking Authority of the city of San Fernando 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 San Fernando is a public body corporate and politic created by the laws of California but authorized to function only upon a finding of need. The City Council 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 public parking facilities 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 leased to 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 multilevel parking structure which will be leased to the City.

(2) Under the lease rental agreement the City has unconditionally promised 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 \$750,000 Revenue Bonds of the Parking Authority of the City of San Fernando 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 Nov. 5, 1970.)

§ 1.278 San Bernardino County-Victorville Public Facilities Authority, Library Revenue Bonds.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$215,000 Victorville Library Revenue Bonds of the San Bernardino County-Victorville Public Facilities Authority 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 County-Victorville Public Facilities Authority is a public entity created under the laws of California by an agreement between the City of Victorville and the County of San Bernardino. Under this agreement, the Authority is authorized to acquire sites and to acquire, construct, maintain, operate and lease public buildings and related facilities for library and administrative purposes, and to issue bonds to finance such projects. The Authority is issuing these bonds to finance the construction of a new library in the City which will be leased to and operated by the County.

(2) The County, as required by its agreement with 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 County which possesses general power of taxation has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the \$215,000 Victorville Library Revenue Bonds of the San Bernardino County-Victorville Public Facilities Authority 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 Nov. 9, 1970.)

§ 1.279 San Bernardino County-Victorville Public Facilities Authority, City Hall Revenue Bonds.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$775,000 Victorville City Hall Revenue Bonds of the San Bernardino County-Victorville Public Facilities Authority 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 County-Victorville Public Facilities Authority is a public entity created under the laws of California by an agreement between the City of Victorville and the County of San Bernardino. Under this agreement, the Authority is authorized to acquire sites and to acquire, construct, maintain, operate, and lease public buildings and related facilities for library and administrative purposes, and to issue bonds to finance such projects. The Authority is issuing these bonds to finance the construction of a new Victorville City Hall and related facilities which will be leased to the City.

(2) The City, as required by its agreement with 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 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 \$775,000 Victorville City Hall Revenue Bonds of the San Bernardino County-Victorville Public Facilities Authority 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 Nov. 9, 1970.)

§ 1.280 Jackson County Sports Complex Authority (Missouri).

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$13 million Jackson County Sports Complex Authority Revenue Bonds 1970 for purchase and holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Jackson County Sports Complex Authority is a body corporate and politic and a political subdivision of the State of Missouri. Under the laws of Missouri, the Authority is authorized to acquire, construct, operate and maintain, or to lease to others for construction, operation and maintenance, a stadium sports complex and related facilities and to issue revenue bonds to finance such projects.

(2) The County of Jackson has issued \$43 million of its general obligation bonds to finance the construction of the Harry S. Truman Sports Complex, has leased the project to the Authority, and has granted the Authority the right to sublease the project. The Authority in turn has agreed to issue and sell revenue bonds and to apply the proceeds thereof to complete the construction of the project. The Authority has also entered into 25-year lease rental agreements with both the Kansas City Chiefs Football Club, Inc., and the Kansas City Royals Baseball Corp. Under the agreements, each lessee has agreed to make minimum annual lease payments in amounts which will be sufficient to provide for the regular payment of all principal and interest as such become due. A portion of the lease rental obligation of the Kansas City Chiefs has been guaranteed by the owner, Mr. Lamar Hunt.

(c) *Ruling.* It is our conclusion that a national bank may purchase and hold the serial bonds of the \$13 million Jackson County Sports Complex Authority Revenue Bonds 1970 (those maturing between November 1972 and 1982) as an investment in community development subject to a purchase limitation of 2 percent of the bank's capital and surplus and to a holding limitation of 5 percent of the bank's capital and surplus for the aggregate of all holdings in community development investments. All holdings in community development investments will also be subject to regular review by examiners. (Comptroller's letter dated Nov. 13, 1970.)

§ 1.281 City of Inglewood-Los Angeles County Civic Center Authority.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the \$2,440,000 City of

Inglewood-Los Angeles County Civic Center Authority, Civic Center Revenue Bonds, Series A, for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The City of Inglewood-Los Angeles County Civic Center Authority is a public entity created under the laws of California by an agreement between the City of Inglewood and the County of Los Angeles. Under this agreement, the Authority is authorized to acquire, construct, and lease public buildings, and to issue bonds to finance such projects. The Authority is issuing these bonds for the purpose of financing the construction of a fire station, a city employees' building and a city vehicle fuel and wash facility, all of which will be leased to the City.

(2) 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 \$2,440,000 City of Inglewood-Los Angeles County Civic Center Authority, Civic Center Revenue Bonds, Series A, 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 November 13, 1970.)

Dated: November 20, 1970.

[SEAL] WILLIAM B. CAMP,  
Comptroller of the Currency.

[F.R. Doc. 70-15873; Filed, Nov. 24, 1970;  
8:50 a.m.]

Chapter V—Federal Home Loan  
Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN  
SYSTEM

[No. 70-420]

PART 555—BOARD RULINGS

Secured Debt Limitation for Service  
Corporations

NOVEMBER 17, 1970.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend Part 555 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 555) by the adoption of a ruling for the purpose of clarifying the secured debt limit for service corporations. Accordingly, the Board hereby amends such Part 555 by adding a new § 555.10, immediately after § 555.9 thereof, to read as follows:

§ 555.10 Service corporations; secured debt limitation.

When a note secured by a mortgage, or similar obligation, is executed under circumstances where the holder of such note, in the event of default, may proceed

only against the security property and has no legal basis for recovery of any deficiency from a service corporation which executed such note, the unpaid balance of the note nonetheless shall constitute debt of the service corporation within the meaning of § 546.9-1(b) (3) of this subchapter.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4081, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,  
Secretary.

[F.R. Doc. 70-15849; Filed, Nov. 24, 1970;  
8:48 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN  
INSURANCE CORPORATION

[No. 70-427]

PART 563—OPERATIONS

PART 571—STATEMENTS OF POLICY

Conflicts of Interest

NOVEMBER 19, 1970.

Resolved that, notice and public procedure having been duly afforded (35 F.R. 12216) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration, determines that it is advisable to amend Parts 563 and 571 of the rules and regulations for Insurance of Accounts (12 CFR Parts 563, 571) for the following purposes: (1) Regulating the depositary arrangements of insured institutions; (2) regulating the provisions of certain services to borrowers from insured institutions; and (3) clarifying the policy of the Board regarding conflicts of interest. Accordingly, said Parts 563 and 571 are amended as follows, effective December 28, 1970:

1. Part 563 is amended by adding at the end thereof new §§ 563.34 and 563.35 (reserving § 563.33 for future use), to read as follows:

§ 563.34 Selection of depositary.

(a) Except with the prior written approval of the Corporation, no insured institution may establish a depositary arrangement with a depositary on or after December 28, 1970, of which any officer, director, employee, attorney regularly serving the institution in the capacity of attorney at law, or the spouse of any such officer, director, employee, or attorney is an officer, partner, director, or trustee, or owner of 10 percent or more of such depositary's stock. Any such depositary arrangement existing prior to December 28, 1970, may be continued unless disapproved by the Corporation.

(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. In taking action with respect to depositary arrangements, including disapproval of existing arrangements, the Corporation will consider the size of the depositary relative

to the deposits maintained by the institution, the amount of the deposits relative to the size of the institution, the degree of the interlocking relationships, and any other factor which is or may be detrimental to the institution or investors or depositors therein or borrowers therefrom.

§ 563.35 Certain conditions prohibited.

(a) No insured institution or director, officer, or employee thereof may grant any loan or extend any other service of the institution on the prior condition, agreement, or understanding that the borrower contract for any of the following with any specific firm, agency, or person:

(1) Insurance (except insurance or a guaranty provided by a government agency);

(2) Building materials;

(3) Legal services, including title examination, and escrow and abstract services; and

(4) Services of a real estate agent or broker.

(b) The prohibition contained in subparagraph (1) of paragraph (a) of this section shall not be construed to prohibit an insured institution from refusing to grant a loan or extend any other service if the borrower wishes to contract, in connection with such loan or service, with a particular company, firm, agency, or person whose services, in such connection, are believed by the insured institution, on reasonable grounds, to afford it insufficient protection.

(c) The prohibition contained in subparagraph (3) of paragraph (a) of this section shall not be construed to prohibit the insured institution from requiring the borrower to pay an initial loan charge to reimburse the institution for legal services rendered to it by an attorney selected by the institution in connection with the processing and closing of a loan.

2. Part 571 is amended by revising § 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 provision of economical home financing 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 funda-

mental duty to avoid placing himself in a position which creates, or which leads to or could lead to, a conflict of interest or 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 tacit 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, circumscribe or eliminate such situations.

(Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended; 12 U.S.C. 1725, 1726, 1730. Rcong. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,  
Secretary.

[F.R. Doc. 70-15850; Filed, Nov. 24, 1970; 8:48 a.m.]

**Title 14—AERONAUTICS AND SPACE**

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 70-SO-55]

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

**Alteration of Control Area and Reporting Point; Amendment**

On August 21, 1970, there was published in the FEDERAL REGISTER (35 F.R. 13363) an amendment to Part 71 of the Federal Aviation Regulations which redesignated Control 1153 and the Trout Intersection reporting point. These actions were to become effective December 10, 1970.

Because of a delay in relocating the Jacksonville, Fla., radio beacon, action is taken herein to alter Airspace Docket No. 70-SO-55 by postponing the effective date until March 4, 1971.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary, and good cause exists for making this amendment effective less than 30 days after publication.

In consideration of the foregoing, effective upon publication in the FEDERAL

REGISTER, Airspace Docket No. 70-SO-55 is amended as hereinafter set forth.

Airspace Docket No. 70-SO-55 is amended as follows: "effective 0901 G.m.t., December 10, 1970" is deleted and "effective 0901 G.m.t., March 4, 1971" is substituted therefor.

(Sec. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510; Executive Order 10354 (24 F.R. 9565); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 19, 1970.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 70-15824; Filed, Nov. 24, 1970; 8:46 a.m.]

**Title 16—COMMERCIAL PRACTICES**

Chapter I—Federal Trade Commission

**PART 252—GUIDES FOR LABELING, ADVERTISING, AND SALE OF WIGS AND OTHER HAIRPIECES**

**Extension of Effective Date of Labeling Provisions**

Pursuant to numerous requests received indicating a need for additional time to effect compliance with the labeling provisions of the Commission's guides for labeling, advertising, and sale of wigs and other hairpieces, the Commission has extended the operative date of such provisions, to wit §§ 252.2 and 252.3(a). The Commission will expect all wigs and other hairpieces to be labeled in conformance with the Guides by February 8, 1971.

All provisions of the Guides except those just mentioned became operative on the originally established effective date of November 9, 1970.

Approved: November 20, 1970.

By direction of the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-15923; Filed, Nov. 24, 1970; 8:50 a.m.]

**PART 253—GUIDES FOR THE FEATHER AND DOWN PRODUCTS INDUSTRY**

**Deferment of Effective Date**

The effective date for the Guides for the Feather and Down Products Industry promulgated September 23, 1970, has been deferred indefinitely in order to provide time for the Commission to consider additional information respecting the matter.

Approved: November 20, 1970.

By direction of the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-15924; Filed, Nov. 24, 1970; 8:50 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter I—Office of the Secretary of Defense

#### SUBCHAPTER E—DEFENSE CONTRACTING

#### PART 166—REPORTING PROCEDURES ON DEFENSE RELATED EMPLOYMENT

The Deputy Secretary of Defense approved the following on October 30, 1970:

| Sec.   |  |
|--------|--|
| 166.1  | Purpose and scope.   |
| 166.2  | Applicability.   |
| 166.3  | Terms and general guidance.  |
| 166.4  | Reporting procedures.  |
| 166.5  | Actions required.  |
| 166.6  | Other reporting requirements.  |
| 166.7  | Review of and disposition of the forms submitted by former and present personnel.  |
| 166.8  | Instructions for completing § 166.9.   |
| 166.9  | Report of DOD and defense related employment as required by Public Law 91-121.   |
| 166.10 | Listing of present or former employees of defense contractors for FY _____ prepared pursuant to sec. 410, Public Law 91-121. |
| 166.11 | DOD contractors receiving negotiated contract awards of \$10 million or more.  |

**AUTHORITY:** The provisions of this Part 166 are published under authority of Public Law 91-121, sec. 410 (Nov. 19, 1969).

#### § 166.1 Purpose and scope.

This part:

(a) Establishes criteria and prescribes the procedures to be followed by certain (1) former and retired military officers and former civilian officers and employees of DOD presently employed by defense contractors, and (2) former civilian officers and employees of defense contractors presently employed by the DOD in submitting employment reports in compliance with Public Law 91-121, sec. 410 (Nov. 19, 1969). Failure to file required reports is punishable by a maximum of 6 months imprisonment, or a fine of not more than \$1,000 or both.

(b) Assigns responsibilities for monitoring the program within the Department of Defense.

#### § 166.2 Applicability.

The provisions of this part apply to all elements of the Department of Defense, including the Office of the Secretary of Defense, the Military Departments, and the Defense Agencies, and to certain present and former military and civilian personnel of the Department of Defense, including employees of non-appropriated fund activities.

#### § 166.3 Terms and general guidance.

(a) "Employed" or "employment," is used in a broad sense to include services performed as a consultant or otherwise either for a defense contractor or the DOD.

(b) Retired military officers, former military officers and former civilian officers and employees of the DOD are included:

(1) If they are "employed" by a defense contractor as a consultant or otherwise,

(2) If they represented a defense contractor at a hearing, trial, appeal, or other action in which the United States was a party and which involved services and materials provided or to be provided to the DOD by such contractor, or

(3) If they represented a defense contractor in any transaction with DOD involving services or materials provided or to be provided by such contractor to DOD.

(c) "Defense contractor" means any individual, firm, corporation, partnership, association, or other legal entity that enters into a contract directly with the DOD to furnish services or materials to DOD. It thus excludes subcontractors. Also, a subsidiary of a large corporation may be a separate legal entity and contract directly with the DOD in its own name. In such a case the "defense contractor" would be the subsidiary, not the parent corporation. Thus, only the dollar amount of contracts awarded by the DOD to a subsidiary contracting with DOD in its own name during a fiscal year would be considered in determining whether a person employed or formerly employed by it is required to report.

(d) No person is required to file a report for any fiscal year during which the defense contractor by whom he is or was employed received less than \$10 million in contracts awarded by DOD. For the purpose of this Directive "contracts awarded" means contracts awarded by negotiation only, including the net amount of modifications to or options exercised under such contracts. All transactions under \$10,000 each are excluded. Thus, if a person was employed by a defense contractor during a fiscal year in which the contractor received from the DOD \$8 million in negotiated contract awards and \$2 million in contracts awarded by formal advertising, the person would not have to report his employment for that year.

(e) "Services and materials" means either services or materials, or services and materials, and includes construction. Therefore a company that performs construction under contracts with DOD is a "defense contractor" under this section.

(f) "Fiscal year" means a year beginning on July 1, and ending on June 30 of the next succeeding year; it is designated by the year in which it ends. For example, fiscal year 1971 begins on July 1, 1970 and ends on June 30, 1971.

(g) For the purposes of these reporting requirements, a "retired military officer" is any officer entitled to receive military retired pay, even though such pay may be waived. A "former military officer" includes Reserve officers not on active duty.

(h) For the purposes of these reporting requirements, "former DOD civilian officer or employee paid at a rate equal to or greater than the minimum rate (at such time) for a grade GS-13" includes former wage board employees, former employees in the lower General Schedule grades, Public Law 313 categories, consultants, and persons in the executive levels, whose rates of pay equaled or exceeded:

\$16,760 in 1970.

\$15,812 in 1969.

\$14,409 in 1968.

\$13,607 in 1967.

#### § 166.4 Reporting procedures.

A report prepared and forwarded as prescribed in § 166.9 shall be submitted not later than November 15 following the close of each fiscal year, by the following categories of individuals.

(a) Any former or retired military commissioned officer who:

(1) At the time of release from active duty or retirement was serving on active duty as a major or lieutenant commander, or above; and

(2) Had served on extended active duty for 10 or more years; and

(3) During any part of any fiscal year beginning with fiscal year 1971:

(i) Is employed by or performed services for a defense prime contractor, who, during such year, received \$10 million or more in defense contract awards, and

(ii) Is employed by the defense prime contractor at a salary rate of \$15,000 or more per year.

(b) Any former DOD civilian officer or employee (including consultants and part time employees) who:

(1) At any time during the 3-year period immediately preceding the termination of last employment with DOD was paid at a rate equal to or greater than the minimum rate (at such time) for a grade GS-13; and

(2) During any part of any fiscal year beginning with fiscal year 1971:

(i) Is employed by or performed services for a defense prime contractor who, during such year received \$10 million or more in defense contract awards, and

(ii) Is employed by the defense prime contractor at a salary rate of \$15,000 or more per year.

(c) Any DOD civilian officer or employee (including consultants and part time employees) who:

(1) During any part of any fiscal year beginning with fiscal year 1971 is employed by DOD at a salary rate equal to or greater than the minimum rate for a grade GS-13; and

(2) Was previously employed by or performed services, during any fiscal year, for a defense prime contractor who, during such year, received \$10 million or more in defense contract awards; and

(3) Was employed by the defense prime contractor at a salary rate of \$15,000 or more per year.

(d) The following categories of persons are exempt from the reporting requirements:

(1) Retired military officers, former military officers, and former civilian officers and employees are not required to file a report of employment with a defense contractor for such employment during a fiscal year that begins 3 years or more after their extended active duty or employment with the DOD terminated.

(2) DOD civilian officers and employees are not required to file a report for a fiscal year on account of previous employment with a defense contractor if such employment was terminated 3 or more years prior to the beginning of such fiscal year.

(e) Reports submitted in accordance with this part will be forwarded as follows:

(1) Retired military officers, and former military officers—to the Secretary of the Military Department of which they are or were a member.

(2) Former civilian officers and employees—to the Secretary of Military Department, or the Director of the Defense Agency by which they were employed. In the case of civilian officers or employees of the Office of the Secretary of Defense or the Joint Chiefs of Staff—to the Assistant Secretary of Defense (Administration).

(3) DOD civilian officers or employees—to the Secretary of the Military Department, or the Director of the Defense Agency by which employed, or in case of civilian officers or employees of the Office of the Secretary of Defense or the Joint Chiefs of Staff to the Assistant Secretary of Defense (Administration).

**§ 166.5 Actions required.**

(a) The Assistant Secretary of Defense (Comptroller) will prepare a listing of the defense contractors who received \$10 million or more in negotiated contracts awarded in each fiscal year and cause that listing to be published in the FEDERAL REGISTER not later than September 15 following the end of the fiscal year; in addition a listing will also be published covering FY's 1968 and 1969 (see § 166.11).

(b) The Assistant Secretary of Defense (Manpower and Reserve Affairs) will:

(1) Receive the lists and reports submitted as provided in § 166.7(b). A copy of such reports will be maintained for 3 years and will be available for public inspection at all times during normal working hours; and

(2) Submit not later than December 31, 1971, and each December 31 thereafter a letter transmitting to the President of the Senate and the Speaker of the House of Representatives a list prepared in accordance with the format prescribed in § 166.10 of the names of all persons who have filed such reports for the preceding fiscal year in compliance with this part, and a copy of each such report.

(c) The Assistant Secretary of Defense (Administration), the Secretaries of the Military Departments, and the Directors of the Defense Agencies will:

(1) Except as provided in (3) below, notify each person in the categories described in § 166.4 (a), (b), and (c) above of the requirements of this part and Public Law 91-121, sec. 410, and provide to each such person a copy of this part or implementing Military Service or Defense Agency regulations together with a supply of the forms prepared in accordance with the reporting format as set out in § 166.9. In the case of personnel being separated or retired this notification will be included in the exit interview or separation counselling procedures. Civilian personnel who become subject to the reporting requirement on initial employment will be notified of this reporting requirement during the entrance

orientation. Civilian personnel who become subject to the reporting requirement by virtue of a promotion or step increase after initial employment will be notified of the reporting requirement at the time of such promotion or step increase.

(2) Review reports as described below and furnish these reports and the list referred to in § 166.7 to the Assistant Secretary of Defense (Manpower and Reserve Affairs), by November 30 of each year, beginning in 1971.

(3) It is recognized that personal notification of each affected former military officer and civilian employee who was separated before the publication of this part is not feasible. However, intensive information efforts will be undertaken, using all appropriate channels with the objective of bringing the requirements of Public Law 91-121 and this part to the attention of all such former personnel.

In the case of military personnel, the actions prescribed by this paragraph will be taken by the Military Department concerned for all affected military personnel of that department, even though the member's last assignment was with another department or agency.

**§ 166.6 Other reporting requirements.**

The reporting requirements prescribed by this part are in addition to the reports required from Retired Regular officers (DD Form 1357) and the statements of employment and financial interests required of certain civilian employees and active duty military officers (DD Forms 1555 and 1555-1) under the provisions of Part 40 of this title.

**§ 166.7 Review of and disposition of the forms submitted by former and present personnel.**

(a) The Assistant Secretary of Defense (Administration), the Secretaries of the Military Departments and the Directors of the Defense Agencies will establish procedures to review the forms submitted by former and present personnel in accordance with the terms of this part to determine whether:

(1) Each form as submitted is in fact required under the terms of the part.

(2) All required information has been furnished.

(3) The information as submitted indicates the possibility of a violation of law or part.

If there is any indication that a law or part may have been violated, the matter will be referred to the appropriate authority of the office, Department or Agency concerned to determine the action which should be taken.

(b) Not later than November 30 of each year, the Assistant Secretary of Defense (Administration), the Secretaries of the Military Departments, and the Directors of the Defense Agencies will forward to the Assistant Secretary of Defense (Manpower and Reserve Affairs):

(1) A listing of the names of individuals submitting reports segregated by the defense contractor by whom now or formerly employed, or for whom they performed services. The list will be pre-

pared in accordance with the format prescribed in § 166.10.

(2) Two copies of each report. Submitted in accordance with § 166.4.

Not later than December 31, thereafter, the Assistant Secretary of Defense (Manpower and Reserve Affairs), will forward a copy of all such listings and reports to the President of the Senate and the Speaker of the House of Representatives as prescribed in § 166.5(b)(2).

**§ 166.8 Instructions for completing § 166.9.**

Before beginning to complete § 166.9 read carefully Part 166.

The following numbered instructions are keyed to the numbered items on § 166.9.

1. Self explanatory.
2. Self explanatory.
3. Self explanatory.
4. For the purpose of this reporting requirement:

(a) A "retired officer" is one who is presently entitled to receive military retired pay even though he may have waived such pay;

(b) A Reserve officer, not on active duty who is not a "retired officer" as defined in (a), is a "former officer" for the purpose of this report even though he currently holds a commission in a Reserve component; and

(c) Persons formerly in GS-13 and above are subject to the filing requirement. In addition persons formerly in the Civil Service including Wage Board employees, employees in the lower General Schedule grades, Public Law 313 categories, consultants, and persons in the Executive levels whose rates of pay on an annual basis would have equaled or exceeded the amounts set forth in the following years are subject to the filing requirement.

| Fiscal year | Amount   |
|-------------|----------|
| 1967        | \$13,507 |
| 1968        | 14,409   |
| 1969        | 15,812   |
| 1970        | 16,760   |

5. The "employer" should be clearly identified. The term "employer" also includes the organization for which the services as a consultant were provided.

6. If employed by two or more defense contractors include date of acceptance of employment (and termination of employment) by each. Use a continuation sheet if necessary.

7. Self explanatory.

8. Include sufficient detail to clearly identify employing agency.

9. If more than one position held give position title and brief description of work performed for each position.

10. Give sufficient detail to permit clear understanding of work actually being performed.

11, 12, 13. Self explanatory.

14. Give sufficient information to clearly identify the Defense Contractor. If employed by more than one, list each.

15. If employed by, or served as a consultant to more than one defense contractor, give inclusive dates for each.

16. Give sufficient detail to permit clear understanding of work actually performed.

17. Enter signature as usually written.

**§ 166.9 Report of DOD and defense related employment as required by Public Law 91-121.**

OMB Approval  
No. 22-R0238

1. Name \_\_\_\_\_  
(Last, First, Middle)

2. Current home address \_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City, State, Zip)

**RULES AND REGULATIONS**

(Sample Listing)

(Department or Agency)

**§ 166.10 Listing of present or former employees of defense contractors for FY \_\_\_\_\_ prepared pursuant to sec. 410, Public Law 91-121.**

XYZ CORPORATION  
(name of contractor)

| Last name, First, Middle initial | Grade              | Last day of active duty |
|----------------------------------|--------------------|-------------------------|
| REPORTING CATEGORY A             |                    |                         |
| Doen, John A.....                | Lieutenant Colonel | May 31, 1963            |
| Roen, Richard N.....             | Colonel            | July 31, 1963           |

|                      |       |               |
|----------------------|-------|---------------|
| REPORTING CATEGORY B |       |               |
| Renn, William A..... | Major | Dec. 31, 1963 |

|                      |  |  |
|----------------------|--|--|
| REPORTING CATEGORY C |  |  |
|----------------------|--|--|

|                     |                | Last day of Federal employment |
|---------------------|----------------|--------------------------------|
| Penn, Donald R..... | GS-12 (Step 7) | Mar. 15, 1963                  |

|                      |  |  |
|----------------------|--|--|
| REPORTING CATEGORY D |  |  |
|----------------------|--|--|

|                      |       | Date entered present employment |
|----------------------|-------|---------------------------------|
| Robin, Ronald R..... | GS-14 | July 1, 1963                    |

- NOTES: 1. "Reporting Category"—those categories listed in Item 4, DD Form \_\_\_\_\_  
 2. Use a separate sheet for each contractor.  
 3. Arrange names alphabetically within category.

(Sample Listing)

**§ 166.11 DOD contractors receiving negotiated contract awards of \$10 million or more.**

(a) Fiscal year 1968.

- A.A.I. Corp.
- Action Manufacturing Co.
- Aerodex, Inc.
- Aerofjet General Corp.
- Aerospace Corp.
- Air America, Inc.
- Airlift International, Inc.
- Alaska Barge & Transport Co.
- Albatross Tanker Corp.
- Allis Chalmers Manufacturing Co.
- Also, Inc.
- Aluminum Company of America.
- American Airlines, Inc.
- Ambac Industries, Inc.
- American Electric Co.
- American Export Isbrandsten Lines.
- American Machine & Foundry Co.
- American Manufacturing Co. of Texas.
- American President Lines, Ltd.
- American Telephone & Telegraph Co.
- Ampex Corp.
- Amion Corp.
- ARO Inc.
- Asiatic Petroleum Corp.
- Atlantic Research Corp.
- Atlantic Richfield Co.
- Atlas Chemical Industries, Inc.
- Automatic Sprinkler Corp.
- AVCO Corp.
- Batesville Manufacturing Co.
- Battelle Memorial Institute.
- Beech Aircraft Corp.
- Bell & Howell Co.
- Bell Aerospace Corp.
- Bendix Corp.
- Bethlehem Steel Co.
- Blue Star Foods, Inc.
- Boeing Co.

- Booz Allen Applied Research, Inc.
- Borg Warner Corp.
- Bowen McLaughlin York, Inc.
- Brads Machine Products, Inc.
- Braniff Airways, Inc.
- Brunswick Corp.
- Bulova Watch Co., Inc.
- Bunker Ramo Corp.
- Burrughs Corp.
- California Stevedore & Ballast Co.
- California, University of.
- Caltex Oil Products Co.
- Capitol Airways, Inc.
- Cardinal Meat Co.
- Caterpillar Tractor Co.
- Cavalier Bag Co.
- Central Beef Co.
- Central Gulf Steamship Corp.
- Cessna Aircraft Co.
- Chamberlain Corp.
- Chandler Evans Corp.
- Charrier & McAteer.
- Chicago Aerial Industries.
- Chromalloy American Corp.
- Chrysler Corp.
- Cities Service Oil Co.
- Cities Service Tankers Corp.
- Clevite Corp.
- Coastal States Petrochemical Co.
- Collins Radio Co.
- Colts, Inc.
- Columbus Milpar Manufacturing Co.
- Computer Sciences Corp.
- Condec Corp.
- Consollbag, Inc.
- Continental Air Lines, Inc.
- Continental Aviation & Engineering Corp.
- Continental Motors Corp.
- Continental Oil Co.
- Control Data Corp.
- Cornell Aeronautical Laboratory, Inc.
- Cubic Corp.
- Curtis Wright Corp.
- Cutler Hammer, Inc.
- Danish Construction Corp.
- Day & Zimmerman, Inc.
- Defoe Shipbuilding Co.
- Delaware Valley Armaments, Inc.
- Donovan Construction Co.
- Dow Chemical Co.
- Du Pont, E. I., de Nemours & Co.
- Dynalectron Corp.
- Dynamics Corp. of America.
- Eastern Airlines, Inc.
- Eastman Kodak Co.
- Edgington Oil Refinery.
- Electro Optical Systems, Inc.
- Electronic Communications, Inc.
- Emerson Electric Manufacturing Co.
- Esso International Corp.
- F.M.C. Corp.
- Fairchild Camera & Instrument Corp.
- Fairchild Hiller Corp.
- Federal Cartridge Corp.
- Federal Electric Corp.
- Firestone Tire & Rubber Co.
- Flying Tiger Line, Inc.
- Ford Motor Co.
- Frequency Engineering Laboratories.
- Garrett Corp.
- General Dynamics Corp.
- General Electric Co.
- General Foods Corp.
- General Instrument Corp.
- General Motors Corp.
- General Precision Systems, Inc.
- General Time Corp.
- Global Associates.
- Golden Eagle Refining Co., Inc.
- Goodrich, B. F., Co.
- Goodyear Aerospace Corp.
- Goodyear Tire & Rubber Co.
- Grumman Aircraft Engineering Co.
- Gulf Oil Corp.
- H.R.B. Singer, Inc.
- Hallcrafters Co.
- Hamilton Watch Co.
- Harrington & Richardson, Inc.

- 3. Social Security No. \_\_\_\_\_
- 4. Reporting category. Check appropriate box and enter in space provided the military grade, civilian grade, or annual DOD salary.  
 A [ ] Retired military officer—Maj./Lt. Comdr. or above \_\_\_\_\_
- B [ ] Former military officer—Maj./Lt. Comdr. or above \_\_\_\_\_
- C [ ] Former civilian employee whose salary was equal to or above minimum GS-13 during 3 years preceding termination of service with DOD \_\_\_\_\_
- D [ ] Former employee of, or consultant to, defense contractor who during last fiscal year was employed by DOD at salary equal to or above minimum GS-13 salary \_\_\_\_\_

Items 5 through 10 apply to reporting categories A, B, and C Only.

5. Name and address of defense contractor employer(s) \_\_\_\_\_

6. Date(s) of acceptance of employment with defense contractor employer(s) (if no longer employed by a defense contractor employer give inclusive date of all such employment) \_\_\_\_\_

7. Date of separation from active duty or termination of DOD employment \_\_\_\_\_

8. Name, in detail, of last agency of DOD by which employed \_\_\_\_\_

9. Position title(s) and brief description(s) of work performed during last 3 years of your service with DOD. \_\_\_\_\_

10. Position title(s) and brief description(s) of work performed for defense contractor employer(s). \_\_\_\_\_

Items 11 through 16 apply to reporting category D Only

11. Name, in detail, of Department of Defense agency by which employed at any time during the last fiscal year. \_\_\_\_\_

12. Date accepted DOD employment \_\_\_\_\_

13. Position title(s) and brief description(s) of duties with Department of Defense employer during last fiscal year. \_\_\_\_\_

14. Name(s) of defense contractor(s) by whom you were employed or whom you served as a consultant or otherwise. \_\_\_\_\_

15. Inclusive dates of employment by, or service with, Defense contractor employer(s). \_\_\_\_\_

16. Position title(s) and brief description(s) of work performed for Defense contractor(s). \_\_\_\_\_

17. I certify the above information is correct to the best of my knowledge and belief. \_\_\_\_\_

(Signature)

Harvey Aluminum, Inc.  
 Harvey Aluminum Sales,  
 Hayes Holding.  
 Hazeltine Corp.  
 Hercules Engines, Inc.  
 Hercules, Inc.  
 Hewlett Packard Co.  
 Honeywell, Inc.  
 Hudson Waterways Corp.  
 Hughes Aircraft Co.  
 Hughes Tool Co.  
 Humble Oil & Refining Co.  
 I.I.T. Research Institute.  
 I.T.T. Gilfillan, Inc.  
 Ingalls Shipbuilding Corp.  
 Institute for Defense Analysis.  
 Intercontinental Manufacturing Co.  
 International Business Machine Co.  
 International Dairy Engineering Co.  
 International Harvester Co.  
 International Telephone & Telegraph Corp.  
 Interstate Electronics.  
 Itek Corp.  
 Johns Hopkins University.  
 Jones, J. A. Construction Co.  
 Kaiser Aluminum & Chemical Sales, Inc.  
 Kaiser Jeep Corp.  
 Kaiser Steel Corp.  
 Kaman Corp.  
 Kennedy Van Saun Manufacturing & Engineering Corp.  
 Kisco Co., Inc.  
 Koehring Co.  
 Kollsman Instrument Corp.  
 Kurz, Charles, & Co.  
 L.S.I. Service Corp.  
 L.T.V. ElectroSystems.  
 L.T.V. Aerospace Corp.  
 Lasko Metal Products, Inc.  
 Lawson, Lester D., & Co.  
 Lear Siegler, Inc.  
 Letourneau, R. G., Inc.  
 Levinson Steel Co.  
 Ling Temco Vought, Inc.  
 Litton Industries.  
 Litton Systems, Inc.  
 Lockheed Aircraft Corp.  
 Loral Corp.  
 Lykes Bros. Steamship Co., Inc.  
 Machlett Laboratories, Inc.  
 Mack Trucks, Inc.  
 Magline, Inc.  
 Magnavox Co.  
 Maremont Corp.  
 Marine Terminals Corp.  
 Marine Transport Lines, Inc.  
 Marquardt Corp.  
 Martin & Zachry Constructors.  
 Martin Marietta Corp.  
 Mason & Hanger Silas Mason Co.  
 Mason & Rust JV.  
 Massachusetts Institute of Technology.  
 Mathiasens Tanker Industries, Inc.  
 Matson Terminals, Inc.  
 Maxson Electronics Corp.  
 Mayer Oscar & Co.  
 McDonnell Douglas Corp.  
 McGraw Edison Co.  
 Metals Engineering Co.  
 Minnesota Mining & Manufacturing Co.  
 Mitre Corp.  
 Mobile Oil Corp.  
 Moore McCormack Lines, Inc.  
 Motorola, Inc.  
 National Dairy Products Corp.  
 National Gypsum Co.  
 National Presto Industries, Inc.  
 National Union Electric Corp.  
 Nebraska Beef Processors.  
 Newport News Shipbuilding & Dry Dock Co.  
 Norris Industries.  
 North American Rockwell Corp.  
 Northrop Carolina, Inc.  
 Northrop Corp.  
 Northwest Airlines, Inc.  
 Olin Mathieson Chemical Corp.  
 Otis Elevator Co.  
 Overseas National Airways, Inc.

P.R.D. Electronics, Inc.  
 Pace Corp.  
 Pacific Architects & Engineers, Inc.  
 Pacific Far East Line, Inc.  
 Page Aircraft Maintenance, Inc.  
 Page Communications Engineers, Inc.  
 Pan American World Airways, Inc.  
 Parsons, Ralph M., Co., Inc.  
 Pennsylvania State University.  
 Perkin Elmer Corp.  
 Philco Ford Corp.  
 Planning Research Corp.  
 Polaron Products, Inc.  
 Proctor & Gamble Distributing Co.  
 Radiation, Inc.  
 Radio Corp. of America.  
 Rand Corp.  
 Raymond Morrison Knudsen.  
 Raytheon Co.  
 Remington Arms Co.  
 Research Analysis Corp.  
 Reynolds, R. J., Tobacco Co.  
 Rochester, University of.  
 Royal Industries, Inc.  
 Rulon Co.  
 Ryan Aeronautical Co.  
 Sanders Associates, Inc.  
 Saturn Airways, Inc.  
 Scope, Inc.  
 Sea Land Service, Inc.  
 Sea Transport Corp.  
 Seaboard World Airlines, Inc.  
 Seatrains Lines, Inc.  
 Serv Air, Inc.  
 Shell Oil Co.  
 Shipping & Coal Co.  
 Simplex Wire & Cable Co.  
 Sinclair Refining Co.  
 Smith, A. O., Corp.  
 Southern Airways, Inc.  
 Sperry Rand Corp.  
 Standard Container.  
 Standard Oil Co. of California.  
 Stanford Research Institute.  
 Stanford University.  
 States Marine Lines, Inc.  
 States Steamship Co.  
 Stewart Warner Corp.  
 Straza Industries, Inc.  
 Sundstrand Corp.  
 Swift & Co.  
 Sylvania Electric Products, Inc.  
 System Development Corp.  
 T.R.W., Inc.  
 Talley Industries.  
 Teledyne, Inc.  
 Teletype Corp.  
 Texaco Export, Inc.  
 Texaco, Inc.  
 Texas Instruments, Inc.  
 Textron, Inc.  
 Thiokol Chemical Corp.  
 Thompson Stearns Roger JV.  
 Tracor, Inc.  
 Trans Caribbean Airways, Inc.  
 Trans International Airlines, Inc.  
 Trans World Airlines, Inc.  
 Trenton Textile Engineering Manufacturing Co.  
 Tumpene Co.  
 U.M.C. Industries, Inc.  
 Union Carbide Corp.  
 Union Oil Co. of California.  
 Uniroyal, Inc.  
 United Aircraft Corp.  
 United Fruit Co.  
 United States Lines Co.  
 United States Steel Corp.  
 United States Time Corp.  
 Universal Airlines, Inc.  
 Varian Associates.  
 Varo, Inc.  
 Vinnell Corp.  
 Vitro Corp. of America.  
 Waterman Steamship Corp.  
 Western Electric Co., Inc.  
 Western Union Telegraph Co.  
 Westinghouse Electric Corp.  
 White Motor Co.

Whittaker Corp.  
 World Airways, Inc.  
 (b) Fiscal year 1969.  
 A. A. I. Corp.  
 Action Manufacturing Co.  
 Aerodex, Inc.  
 Aerojet General Corp.  
 Aerospace Corp.  
 Air America, Inc.  
 Airlift International, Inc.  
 Airport Machining Corp.  
 Alaska Barge & Transport Co.  
 Alcoa, Inc.  
 Aluminum Company of America.  
 American Electric Co.  
 American Export Isbrandtzen Lines.  
 American Machine & Foundry Co.  
 American Manufacturing Company of Texas.  
 American President Lines, Ltd.  
 American Telephone & Telegraph Co.  
 Amron Corp.  
 Amron Orlando Corp.  
 Amtron, Inc.  
 ARO Inc.  
 Asiatic Petroleum Corp.  
 Atlantic Richfield Co.  
 Atlas Chemical Industries, Inc.  
 Automatic Sprinkler Corp.  
 AVCO Corp.  
 B.P. Trading, Ltd.  
 Batesville Manufacturing Co.  
 Bath Industries, Inc.  
 Battelle Memorial Institute.  
 Bell & Howell Co.  
 Bell Aerospace Corp.  
 Bendix Corp.  
 Bethlehem Steel Co.  
 Blackman Bros. Nebraska.  
 Boeing Co.  
 Booz Allen Applied Research, Inc.  
 Borg-Warner Corp.  
 Brad's Machine Products, Inc.  
 Braniff Airways, Inc.  
 Brunswick Corp.  
 Bulova Watch Co., Inc.  
 Bunker Ramo Corp.  
 Burroughs Corp.  
 C.C.I. Marquardt Corp.  
 California Stevedore & Ballast Co.  
 California, University of.  
 Caltex Oil Products Co.  
 Capitol Airways, Inc.  
 Carborundum Co.  
 Caterpillar Tractor Co.  
 Cavalier Bag Co.  
 Central Gulf Steamship Corp.  
 Cessna Aircraft Co.  
 Chamberlain Manufacturing Corp.  
 Chicago Aerial Industries.  
 Chromalloy American Corp.  
 Chrysler Corp.  
 Cleveite Corp.  
 Collins Radio Co.  
 Colts, Inc.  
 Communication & Systems, Inc.  
 Computer Sciences Corp.  
 Condee Corp.  
 Conductron Corp.  
 Continental Air Lines, Inc.  
 Continental Aviation & Engineering Corp.  
 Continental Motors Corp.  
 Control Data Corp.  
 Cornell Aeronautical Laboratory, Inc.  
 Curtis Wright Corp.  
 Cutler Hammer, Inc.  
 Dae Lim Ind & Morrison Knudsen JV.  
 Day & Zimmerman, Inc.  
 Delaval Turbine, Inc.  
 Delaware Valley Armaments, Inc.  
 Donovan Construction Co.  
 Du Pont, E. I. de Nemours & Co.  
 Dynallectron Corp.  
 Dynamics Corp. of America.  
 E. G. & G., Inc.  
 Eastman Kodak Co.  
 Edgington Oil Refinery.  
 Elcan Brothers, Inc.  
 Electromagnetic Technology Corp.

Electronic Communications, Inc.  
 Emerson Electric Co.  
 Esso International Corp.  
 F.M.C. Corp.  
 F.T.S. Corp.  
 Fairchild Camera & Instrument Corp.  
 Fairchild Hiller Corp.  
 Federal Cartridge Corp.  
 Federal Electric Corp.  
 Fegles Construction & C & I Girdler JV.  
 Firestone Tire & Rubber Co.  
 Fletcher Oil Co.  
 Flinchbaugh Products, Inc.  
 Flying Tiger Line, Inc.  
 Ford Motor Co.  
 Garrett Corp.  
 Gary Aircraft Corp.  
 General Dynamics Corp.  
 General Electric Co.  
 General Foods Corp.  
 General Instrument Corp.  
 General Motors Corp.  
 General Time Corp.  
 Gibbs Manufacturing Research Corp.  
 Global Associates.  
 Gold Pak Meat Co., Inc.  
 Golden Eagle Refining Co., Inc.  
 Goodrich, B. F. Co.  
 Goodyear Aerospace Corp.  
 Goodyear Tire & Rubber Co.  
 Grumman Aircraft Engineering Co.  
 Gulf Oil Corp.  
 Hallicrafters Co.  
 Hamilton Watch Co.  
 Harnischfeger Corp.  
 Harrington & Richardson, Inc.  
 Harvey Aluminum, Inc.  
 Harvey Aluminum Sales.  
 Hayes Holding Co. (Hayes Intl. Corp.).  
 Hazeltine Corp.  
 Hercules Engines, Inc.  
 Hercules, Inc.  
 Hewlett Packard Co.  
 Hoffman Electronics Corp.  
 Hollingsworth, John R., Co.  
 Honeywell, Inc.  
 Hudson Waterways Corp.  
 Hughes Aircraft Co.  
 Hughes Tool Co.  
 Humble Oil & Refining Co.  
 I.I.T. Research Institute.  
 I.T.T. Gilfillan, Inc.  
 Illinois, University of.  
 Institute for Defense Analysis.  
 Intercontinental Manufacturing Co.  
 International Business Machine Co.  
 International Dairy Engineering Co.  
 International Harvester Co.  
 International Telephone & Telegraph Corp.  
 Interstate Electronics.  
 Itek Corp.  
 Johns Hopkins University.  
 K.D.I. Corp.  
 Kaiser Jeep Corp.  
 Kaman Corp.  
 Kennedy Van Saun Manufacturing & Engineering Corp.  
 Kentron Hawaii, Ltd.  
 Kidde Walter & Co., Inc.  
 Kilgore Corp.  
 Kisco Co., Inc.  
 Kollsman Instrument Corp.  
 Korea Oil Corp.  
 Korean Express & Keang Nam, Ltd.  
 Kraftco Corp.  
 L.S.I. Service Corp.  
 L.T.V. Electrosystems.  
 L.T.V. Aerospace Corp.  
 Lasko Metal Products, Inc.  
 Lear Siegler, Inc.  
 Letourneau, R. G., Inc.  
 Levinson Steel Co.  
 Ling Temco Vought, Inc.  
 Litton Industries.  
 Litton Systems, Inc.  
 Lockheed Aircraft Corp.  
 Luther Werke G.M.B.H. & Co.  
 Luzon Stevedoring Corp.  
 Lykes Bros. Steamship Co., Inc.  
 Mack Trucks, Inc.  
 Magnavox Co.  
 Maremont Corp.  
 Marine Terminals Corp.  
 Martin Marietta Corp.  
 Marvais Steel Co.  
 Mason & Hanger Silas Mason Co.  
 Massachusetts Institute of Technology.  
 Matson Navigation Co.  
 Matson Terminals, Inc.  
 Maxson Electronics Corp.  
 McDonnell Douglas Corp.  
 McGraw Edison Co.  
 Meadow Gold Dairies.  
 Melpar, Inc.  
 Metals Engineering Co.  
 Michigan, University of.  
 Minnesota Mining & Manufacturing Co.  
 Mitre Corp.  
 Mobil Oil Corp.  
 Moore McCormack Lines, Inc.  
 Motorola, Inc.  
 Muncie Gear Works.  
 National Gypsum Co.  
 National Presto Industries, Inc.  
 National Union Electric Corp.  
 Needham Packing Co., Inc.  
 Newport News Shipbuilding & Dry Dock Co.  
 Norris Industries.  
 North American Rockwell Corp.  
 North Electric Co.  
 Northrop Corp.  
 Northwest Airlines, Inc.  
 Olin Mathliesson Chemical Corp.  
 Overseas National Airways, Inc.  
 P.R.D. Electronics, Inc.  
 Pace Corp.  
 Pacific Architects & Engineers, Inc.  
 Pacific Far East Line, Inc.  
 Page Aircraft Maintenance, Inc.  
 Page Communications Engineers, Inc.  
 Pan American World Airways, Inc.  
 Parsons, Ralph M., Co., Inc.  
 Pennsylvania State University.  
 Perkin Elmer Corp.  
 Philco Ford Corp.  
 Planning Research Corp.  
 Poloron Products, Inc.  
 Proctor & Gamble Distributing Co.  
 Radiation, Inc.  
 RCA, Corp.  
 Rand Corp.  
 Raymond Morrison Knudsen.  
 Raytheon Co.  
 Remington Arms Co.  
 Reynolds, R. J., Industries, Inc.  
 Rochester, University of.  
 Rulon Co.  
 Ryan Aeronautical Co.  
 Sanders Associates, Inc.  
 Saturn Airways, Inc.  
 Sea Land Service, Inc.  
 Seaboard World Airlines, Inc.  
 Seatrain Lines, Inc.  
 Serv Air, Inc.  
 Service Technology Corp.  
 Shell Oil Co.  
 Singer General Precision, Inc.  
 Smith, A. O., Corp.  
 Southern Airways, Inc.  
 Sperry Rand Corp.  
 Standard Container.  
 Standard Oil Co. of California.  
 Stanford Research Institute.  
 Stanford University.  
 States Marine Lines, Inc.  
 States Steamship Co.  
 Stewart Warner Corp.  
 Stolte & Santa Fe Engineering & Korea Development.  
 Straightline Manufacturing Co.  
 Sundstrand Corp.  
 Susquehanna Corp.  
 Swift & Co.  
 Sylvia Electric Products, Inc.  
 System Development Corp.  
 T.R.W., Inc.  
 Talley Industries, Inc.  
 Teledyne, Inc.  
 Teletype Corp.  
 Temco, Inc.  
 Texaco Export, Inc.  
 Texas Instruments, Inc.  
 Textron, Inc.  
 Thiokol Chemical Corp.  
 Trans Caribbean Airways, Inc.  
 Trans International Airlines, Inc.  
 Trans World Airlines, Inc.  
 Tumpane Co.  
 U.M.C. Industries, Inc.  
 Uniroyal, Inc.  
 United Air Lines, Inc.  
 United Aircraft Corp.  
 United Fruit Co.  
 United States Lines Co.  
 United States Steel Corp.  
 United States Time Corp.  
 Universal Airlines, Inc.  
 Varian Associates.  
 Varo, Inc.  
 Victory Carriers, Inc.  
 Vinnell Corp.  
 Vinnel Corp. & Hyun Dia Construction Co. JV.  
 Vitro Corp. of America.  
 Waterman Steamship Corp.  
 Weatherhead Co.  
 Wells Marine, Inc.  
 Western Electric Co., Inc.  
 Western Union Telegraph Co.  
 Westinghouse Air Brake Co.  
 Westinghouse Electric Corp.  
 Whirlpool Corp.  
 White Motor Corp.  
 Whittaker Corp.  
 World Airways, Inc.  
 Zenith Radio Corp.  
 (c) Fiscal year 1970.  
 A.A.I. Corp.  
 A.M.F., Inc.  
 Aerodex, Inc.  
 Aerojet General Corp.  
 Aerospace Corp.  
 Air America, Inc.  
 Airlift International, Inc.  
 Alaska Barge & Transport Co.  
 Americargo Shipping Corp.  
 American Airlines, Inc.  
 American Electric Co.  
 American Export Isbrandtson Lines.  
 American Manufacturing Co. of Texas.  
 American President Lines, Ltd.  
 American Telephone & Telegraph Co.  
 ARO, Inc.  
 Asiatic Petroleum Corp.  
 Atlantic Richfield Co.  
 Atlas Chemical Industries, Inc.  
 AVCO Corp.  
 B. F. Trading, Ltd.  
 Batesville Manufacturing Co.  
 Battelle Memorial Institute.  
 Beech Aircraft Corp.  
 Bell & Howell Co.  
 Bell Aerospace Corp.  
 Bendix Corp.  
 Boeing Co.  
 Booz Allen Applied Research, Inc.  
 Borg Warner Corp.  
 Braniff Airways, Inc.  
 Bulova Watch Co., Inc.  
 Bunker Ramo Corp.  
 C.O.I. Marquardt Corp.  
 California, University of.  
 Caltex Oil Products Co.  
 Capitol Airways, Inc.  
 Caterpillar Tractor Co.  
 Central Beef Co.  
 Central Gulf Steamship Corp.  
 Cessna Aircraft Co.  
 Chamberlain Manufacturing Corp.  
 Chandler Evans Corp.  
 Chinese Petroleum Corp.  
 Chromalloy American Corp.  
 Chrysler Corp.  
 Clovite Corp.  
 Coastal States Petrochemical Co.  
 Collins Radio Co.

Colts, Inc.  
 Columbia Steamship Co., Inc.  
 Computer Sciences Corp.  
 Conductron Corp.  
 Continental Air Lines, Inc.  
 Continental Aviation & Engineering Corp.  
 Continental Motors Corp.  
 Control Data Corp.  
 Cornell Aeronautical Laboratory, Inc.  
 Crescent Precision Products, Inc.  
 Curtis Wright Corp.  
 Cutler Hammer, Inc.  
 Danish Construction Corp.  
 Day & Zimmerman, Inc.  
 Delaval Turbine, Inc.  
 Donovan Construction Co.  
 Dynallectron Corp.  
 Dynamics Corp. of America.  
 E. G. & G., Inc.  
 Eastern Airlines, Inc.  
 Eastman Kodak Co.  
 Eisen Metal Products.  
 Emerson Electric Co.  
 Esso International Corp.  
 F. M. C. Corp.  
 Fairchild Camera & Instrument Corp.  
 Fairchild Hiller Corp.  
 Federal Cartridge Corp.  
 Federal Electric Corp.  
 Firestone Tire & Rubber Co.  
 Fischbach & Moore, Inc.  
 Flying Tiger Line, Inc.  
 Ford Motor Co.  
 Garrett Corp.  
 Gary Aircraft Corp.  
 General Dynamics Corp.  
 General Electric Co.  
 General Foods Corp.  
 General Instrument Corp.  
 General Motors Corp.  
 General Time Corp.  
 Global Associates.  
 Gold Pak Meat Co., Inc.  
 Golden Eagle Refining Co., Inc.  
 Goodrich, B. F., Co.  
 Goodyear Aerospace Corp.  
 Goodyear Tire & Rubber Co.  
 Grumman Aerospace Corp.  
 Grumman Corp.  
 Gulf & Western Industries, Inc.  
 Hallicrafters Co.  
 Hamilton Watch Co.  
 Harnischfeger Corp.  
 Harvey Aluminum Sales.  
 Hayes Holding Co. (Hayes International Corp.)  
 Hazeltine Corp.  
 Hercules, Inc.  
 Hewlett Packard Co.  
 Hoffman Electronics Corp.  
 Honeywell, Inc.  
 Hudson Waterways Corp.  
 Hughes Aircraft Co.  
 Hughes Tool Co.  
 Humble Oil & Refining Co.  
 I.I.T. Research Institute.  
 I.T.T. Gilfillan, Inc.  
 Illinois, University of.  
 Institute for Defense Analysis.  
 Intercontinental Manufacturing Co.  
 International Business Machine Co.  
 International Dairy Engineering Co.  
 International Harvester Co.  
 International Telephone & Telegraph Corp.  
 Interstate Electronics.  
 Ittek Corp.  
 Johns Hopkins University.  
 Kaman Corp.  
 Kentron Hawaii, Ltd.  
 Kings Point Manufacturing Co.  
 Kisco Co., Inc.  
 Kollsman Instrument Corp.  
 Korea Oil Corp.  
 Kraftco Corp.  
 L.T.V. ElectroSystems.  
 L.T.V. Aerospace Corp.  
 Lear Siegler, Inc.  
 Letourneau, R. G., Inc.

Levinson Steel Co.  
 Ling Temco Vought, Inc.  
 Litton Systems, Inc.  
 Lockheed Aircraft Corp.  
 Long Quinn & Boylan Co.  
 Luer Packing Co.  
 Luther Werke GmbH. & Co.  
 Luzon Stevedoring Corp.  
 Lykes Bros. Steamship Co., Inc.  
 Magnavox Co.  
 Maremont Corp.  
 Martin & Zachry Constructors.  
 Martin Marietta Corp.  
 Mason & Hanger Sillas Mason Co.  
 Massachusetts Institute of Technology.  
 McDonnell Douglas Corp.  
 Meadow Gold Dairies.  
 Minnesota Mining & Manufacturing Co.  
 Mitre Corp.  
 Mobil Oil Corp.  
 Moore McCormack Lines, Inc.  
 Motorola, Inc.  
 National Metals Manufacturing Co., Inc.  
 National Presto Industries, Inc.  
 Needham Packing Co., Inc.  
 Newport News Shipbuilding & Dry Dock Co.  
 Norris Industries.  
 North American Rockwell Corp.  
 North Electric Co.  
 Northrop Corp.  
 Northwest Airlines, Inc.  
 Olin Corp.  
 Overseas National Airways, Inc.  
 P.R.D. Electronics, Inc.  
 Pace Corp.  
 Pacific Architects & Engineers, Inc.  
 Pacific Far East Line, Inc.  
 Page Aircraft Maintenance, Inc.  
 Page Communications Engineers, Inc.  
 Pan American World Airways, Inc.  
 Parsons, Ralph M. Co., Inc.  
 Philco Ford Corp.  
 Physics International Co.  
 Polaron Products, Inc.  
 Procter & Gamble Distributing Co.  
 Radiation, Inc.  
 RCA Corp.  
 RCA Global Communications, Inc.  
 Rand Corp.  
 Raymond Morrison Knudsen.  
 Raytheon Co.  
 Remington Arms Co.  
 Reynolds, R. J. Industries, Inc.  
 Rochester, University of.  
 Rulon Co.  
 Teledyne Ryan Aeronautical Co.  
 Sanders Associates, Inc.  
 Saturn Airways, Inc.  
 Sea Land Service, Inc.  
 Seaboard World Airlines, Inc.  
 Seatrains Lines, Inc.  
 Serv Air, Inc.  
 Shell Oil Co.  
 Shipping & Coal Co.  
 Simplex Wire & Cable Co.  
 Singer General Precision, Inc.  
 Southern Airways, Inc.  
 Sparton Corp.  
 Sperry Rand Corp.  
 Standard Oil Co. of California.  
 Stanford Research Institute.  
 Stanford University.  
 States Marine Lines, Inc.  
 States Steamship Co.  
 Stelma, Inc.  
 Sundstrand Corp.  
 Susquehanna Corp.  
 Swift & Co.  
 Sylvania Electric Products, Inc.  
 System Development Corp.  
 T.R.W., Inc.  
 Teledyne, Inc.  
 Teletype Corp.  
 Texaco Export, Inc.  
 Texas Instruments, Inc.  
 Textron, Inc.  
 Thiokol Chemical Corp.  
 Todd Shipyards Corp.

Trans Caribbean Airways, Inc.  
 Trans International Airlines, Inc.  
 Trans World Airlines, Inc.  
 Tumpango Co.  
 Uniroyal, Inc.  
 United Air Lines, Inc.  
 United Aircraft Corp.  
 United Fruit Co.  
 United States Lines Co.  
 United States Steel Corp.  
 Universal Airlines, Inc.  
 Varian Associates.  
 Varo, Inc.  
 Vinnell Corp.  
 Vitro Corp. of America.  
 Waterman Steamship Corp.  
 Western Electric Co., Inc.  
 Western Union Telegraph Co.  
 Westinghouse Electric Corp.  
 White Motor Corp.  
 Whittaker Corp.  
 World Airways, Inc.  
 World Wide Metals, Inc.  
 Xerox Corp.

MAURICE W. ROCHE,  
 Director, Correspondence and  
 Directives Division, OASD  
 (Administration).

[F.R. Doc. 70-16246; Filed, Nov. 24, 1970;  
 8:47 a.m.]

SUBCHAPTER M—MISCELLANEOUS

PART 211—DEPARTMENT OF DEFENSE FOREIGN TAX RELIEF PROGRAM

The Deputy Secretary of Defense approved the following on August 12, 1970:

- Sec.  
 211.1 Purpose.  
 211.2 Applicability.  
 211.3 Definitions.  
 211.4 Policy.  
 211.5 Scope.  
 211.6 Responsibilities.  
 211.7 Country tax law studies.  
 211.8 Effective date and implementation.  
 211.9 GAO report to the Congress on the questionable payment of taxes to other governments on U.S. defense activities overseas, January 20, 1970 (B-133267).

**Authority:** The provisions of this Part 211 issued under 5 U.S.C. 301 and 10 U.S.C. 133.

§ 211.1 Purpose.

This part defines Department of Defense policy on the subject program, designates the organizational element which has continuing responsibility for the overall direction of the Department of Defense participation in the U.S. Foreign Tax Relief Program, delineates the responsibilities of various other organizational elements to implement and monitor the subject program, and requires the preparation and maintenance of specified foreign country tax law studies in order to facilitate the institution of statistical reporting procedures.

§ 211.2 Applicability.

This part applies to all organizational elements of the Department of Defense, including the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the Departments of the Army, Navy, and Air Force, and all Defense agencies and other DOD components.

### § 211.3 Definitions.

(a) *Tax and taxes.* The words "tax" and "taxes," as used in this part, include all foreign customs duties, import and export taxes, excises, fees, and any other charges, except for services rendered or other consideration actually received therefor, whether direct or indirect, whether imposed at the national, local, or an intermediate level of a foreign country, and regardless how the tax is denominated in foreign law or regulation (or in translation thereof). For example, such taxes may include but are not limited to purchase tax, sales tax, use tax, gross receipts tax, stamp tax, transfer tax, transaction tax, turnover tax, value added tax, service tax, trade tax, business tax, license tax, transportation tax, circulation tax, luxury tax, possession tax, production tax, registration tax, consumption tax, gasoline tax, real property tax, personal property tax, and gross income tax.

(b) *Relief.* The word "relief," as used in this part, includes any method, technique, or procedure by which the ultimate economic burden of a tax on Department of Defense funds may be avoided or otherwise remedied, such as exemption, refund, or drawback.

### § 211.4 Policy.

It is the policy of the Department of Defense to secure, to the maximum extent practicable, effective relief from all foreign taxes wherever the ultimate economic burden of those taxes would, in the absence of such relief, be demonstrably borne by funds appropriated or available to the Department of Defense, including military assistance appropriations, or under the control of its nonappropriated fund activities. The identity of the countries whose taxes are covered by this policy shall be determined in accordance with § 211.5. In those cases in which the total economic burden of a tax not readily identifiable in the normal course of business is so small that it may be considered a de minimis matter, or where the administrative burden of securing effective relief from such a tax in a particular instance would be out of proportion to the amount of the relief obtained, tax relief shall be deemed not practicable to be secured.

### § 211.5 Scope.

(a) *Common defense expenditures.* The policy set forth under § 211.4 applies to all military functions expenditures by the Department of Defense and to expenditures by nonappropriated fund activities subject to taxes imposed by those countries in which U.S. military forces are regularly stationed (other than *attache* personnel and other military personnel serving under the direction of a chief of a diplomatic mission). That policy also applies to those expenditures subject to taxes imposed by any other foreign country in which all or most U.S. defense activities, in a collective sense, are conducted in the interest of the common defense or otherwise significantly improve the military security of such country. The General Counsel of the

DOD shall determine, with policy guidance, as appropriate, from the Assistant Secretary of Defense (International Security Affairs), the identity of such other countries which are within the scope of this paragraph.

(b) *Military assistance expenditures.* The policy set forth under § 211.4 applies to military assistance expenditures in all countries.

### § 211.6 Responsibilities.

(a) *General Counsel of the Department of Defense.* In accordance with the provisions of 24 F.R. 6101 and § 211.9, the Office of the General Counsel of the Department of Defense is designated as the central office within the Office of the Secretary of Defense charged with continuing responsibility for the overall supervision and direction of the Department of Defense Foreign Tax Relief Program and as the central point for the ultimate consideration and resolution of significant issues relating to the program. The General Counsel of the DOD is responsible for developing and issuing implementing instructions governing the policy of the Department of Defense Foreign Tax Relief Program and its administration.

(b) *Assistant Secretary of Defense (International Security Affairs).* The Assistant Secretary of Defense (ISA) will consult with the General Counsel of the DOD to insure that the actions taken pursuant to DOD Instruction 5100.61, "International Agreements Concerning Military Facilities, Operating Rights and Status of Forces Matters," January 22, 1969<sup>1</sup> are compatible with the policy of the Department of Defense Foreign Tax Relief Program as set forth under § 211.4 and with the implementing instructions issued pursuant to paragraph (a) of this section.

(c) *Assistant Secretary of Defense (Installations and Logistics).* Pursuant to 24 F.R. 2260, the Assistant Secretary of Defense (I&L) will coordinate with the General Counsel of the DOD prior to the issuance, amendment, or revision of any portion of the Armed Services Procurement Regulation (or other regulation, directive, Defense Procurement Circular, or other publication within the scope of 32 F.R. 10518) which pertains to the implementation of the Department of Defense Foreign Tax Relief Program.

(d) *Assistant Secretary of Defense (Comptroller).* The Assistant Secretary of Defense (Comptroller) will advise and assist in performing such fiscal functions as may be required to implement the Department of Defense Foreign Tax Relief Program, including advice and assistance in the institution of procedures for collecting data, compiling reports, and performing internal audits.

(e) *Secretaries of Military Departments and Directors of Defense Agen-*

<sup>1</sup> Filed as part of original document. Copies available from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120, Attention: Code NPA-1.

*cies.* The Secretary of each of the Military Departments and the Director of each of the Defense Agencies will issue instructions or regulations implementing this part and will charge a single office within his respective Military Department or Defense Agency (herein referred to as the "Cognizant Office") with continuing responsibility for supervising and monitoring the implementation of the foreign tax relief program within such department or agency. Such instructions or regulations will delegate to the Cognizant Office authority commensurate with the responsibility of the Cognizant Office.

(f) *Commanders of Unified Commands.* Commanders of Unified Commands, as appropriate, will promulgate management procedures to guide and coordinate the administration of the foreign tax relief program throughout their respective area commands.

(g) *Designated Commanding Officer.* For each foreign country in which United States expenditures are made in the interest of the common defense (within the scope of § 211.5(a)), a single military commander shall be designated by the commander of the unified command for the area in which such foreign country is located or, in those areas for which no such unified command exists, by the General Counsel of the DOD. The Designated Commanding Officer shall be the same commanding officer, if any, designated pursuant to the procedures set forth under § 151.3(c) of this chapter. In addition to his responsibilities to make and maintain a current country tax law study in accordance with § 211.7, the Designated Commanding Officer shall serve as (1) a single point of contact for U.S. contracting officers and activities for the investigation and resolution, as appropriate, of specific matters which arise relating to the foreign tax relief program within the country for which he is designated and, where necessary, for forwarding major problems affecting that program through proper channels to the Office of the General Counsel of the DOD, and (2) a point of liaison with the responsible diplomatic mission on current tax relief problems and, where appropriate, with local foreign tax authorities.

### § 211.7 Country tax law studies.

(a) Each Designated Commanding Officer shall make and maintain a current study of the tax laws and regulations and the tax relief procedures, if any, in effect in the country for which he is designated. The taxes covered by each study shall be limited to those which, in the absence of tax relief, would affect, or would appear to affect, U.S. Government expenditures, even as a de minimis matter, all such taxes being herein referred to as applicable taxes. The formats of the tax law studies for all countries will be similar insofar as practicable and designed to facilitate the institution of statistical reporting procedures. The commanders of unified commands will supervise and coordinate

the preparation and maintenance of the tax law studies for countries in their respective area commands with a view to the practical utilization by U.S. contracting officers and activities of the studies for purposes of making reliable estimates of the total amount of taxes applicable to any particular contract and the amount thereof for which tax relief is available.

(b) Each country tax law study will consist of the following:

(1) A general survey of all applicable taxes, together with translations, as appropriate, of the salient features of the law or regulations imposing those taxes;

(2) For each such applicable tax, a summary statement containing its name; its rate (or rates); the taxing authority (e.g., national, provincial, municipal); the legal incidence of the tax (i.e., the nature of the taxpayer or other entity liable for the payment of the tax to the taxing authority under the law of the country); and its description (including the base or bases on which the tax is imposed; the applicability of the tax to various types of contracts (e.g., supplies, services, construction) in the event the tax is applicable to only one or several of such types of contracts; the applicability of the tax to the prime contract, as well as to any subcontracts or purchase orders issued by the prime contractor or subcontractor; the applicability of the tax to contractor and subcontractor personnel; the variation, if any, of the applicability of the tax depending upon the domicile of the contractor or contractor personnel (e.g., United States, host country, or third country); any applicable exemptions or deductions of significance; and the method of collection of the tax);

(3) The basis upon which it is concluded that each such applicable tax, in absence of tax relief, would affect, or would appear to affect, U.S. Government expenditures; and any evidence of the degree to which its ultimate economic burden would, in absence of tax relief, be borne by the U.S. Government rather than be absorbed by others;

(4) The substantive tax relief, if any, from each such applicable tax which is available to the U.S. Government either by international agreements in force or under the tax law or other regulation of the country; the procedures which may be used to obtain any such relief; the requirement, if any, of the issuance of a tax exemption certificate by the military procuring agency or by an agency of the country in order to secure an exemption; the entitlement, if any, of the taxpayer to interest on any tax refund made by the host country; the credits, if any, that may be available against any other taxes otherwise payable by the taxpayer resulting from the payment of the tax under analysis; the approximate amount of the tax that should be involved in a particular case, if such can be estimated taking into account the costs of filing a claim for refund by a contractor, to warrant filing such a claim; and a brief narration of any significant problems which have oc-

curred in attempting to obtain relief in particular cases; and

(5) A conclusion with regard to the adequacy of current tax relief measures; and such recommendations as may be appropriate for effectuating more efficiently the policy set forth under § 211.4.

(c) Appended to each country tax law study shall be a verbatim quotation of all provisions relating to tax relief afforded by such country which are contained in international agreements in force (within the scope of DOD Instruction 5530.2, "Central Repository for Agreements with Foreign Governments or International Organizations," Sept. 11, 1962<sup>1</sup>).

(d) Studies of the tax laws and regulations and the tax relief procedures, if any, in effect in countries other than those within the scope of § 211.5(a) shall be made as directed by the General Counsel of the DOD.

(e) One copy of each country tax law study shall be forwarded to the Office of the General Counsel of the DOD and to each of the Cognizant Offices of the Military Departments and Defense Agencies within 30 days after its approval by the Designated Commanding Officer. The information contained in such studies will be disseminated by the Cognizant Offices to U.S. contracting officers and activities as required.

(f) Country tax law studies shall be subject to a continuing review, and whenever in any country for which a study has been approved there is a significant change in its tax laws, regulations, tax relief procedures, or in pertinent international agreements in force, the corresponding revision shall be promptly forwarded by the Designated Commanding Officer to each of the offices referred to in paragraph (e) of this section.

**§ 211.8 Effective date and implementation.**

(a) This part is effective immediately.

(b) Country tax law studies required under § 211.7 shall be completed and approved by the Designated Commanding Officer as rapidly as possible and in any event on or before August 12, 1971. Tax law studies for those other countries determined by the General Counsel of the DOD to be within the scope of § 211.5(a) shall be completed and approved by the Designated Commanding Officer as rapidly as possible and in any event within one (1) year from the date of such determination.

**§ 211.9 GAO report to the Congress on the questionable payment of taxes to other governments on U.S. defense activities overseas, January 20, 1970 (B-133267).**

(a) In addition to the provisions of § 211.6(a), the Office of the General Counsel of the Department of Defense is hereby designated the central office

<sup>1</sup> Filed as part of original document. Copies available from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120, attention: Code NPA-1.

within the Office of the Secretary of Defense to serve as the point of continuing responsibility for the overall direction of Department of Defense participation in the U.S. foreign tax relief program. As such, the Office of the General Counsel, DOD, is charged with the primary responsibility to oversee and insure that the Department of Defense implements the commitments it has undertaken in the Joint State/Defense reply, dated February 16, 1970, to the GAO Report.

(b) The General Counsel of the Department of Defense is authorized and directed to establish a Defense Committee On Foreign Taxation (DECOFT) in order to assist in the discharge of Department of Defense responsibilities in paragraph (a) of this section for foreign tax relief matters, and to designate the Chairman thereof. Those departments, offices, and agencies of the Department of Defense which perform significant functions in connection with foreign tax relief matters shall be requested by the General Counsel, DOD, to name one or more representatives to serve as members of DECOFT. DECOFT shall continue in existence for 2 years from March 13, 1970, or until completion of its mission, whichever is earlier.

(c) The General Counsel, DOD, is also authorized to designate the Department of Defense member of the State/Defense Interdepartmental Committee on Foreign Tax Relief after it has been established by the Department of State.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directives Division, OASD  
(Administration).

[F.R. Doc. 70-15847; Filed, Nov. 24, 1970; 8:48 a.m.]

SUBCHAPTER P—RECORDS

**PART 289—SALE OF DEPARTMENT OF DEFENSE DIRECTIVES, INSTRUCTIONS, AND INDEXES TO THE PUBLIC**

**Subscription Service**

The following miscellaneous amendment to Part 289 has been authorized: Section 289.1(b) (1) has been changed to read as follows:

**§ 289.1 Subscription service.**

(b) \* \* \*

(1) Orders may be forwarded at any time to the Director, Navy Publications and Printing Service, Eastern Division, Building 4, Section D, 700 Robbins Avenue, Philadelphia, PA 19111, in any form, accompanied by a certified bank check or postal money order payable to the Treasurer of the United States.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directives Division, OASD  
(Administration).

[F.R. Doc. 70-15845; Filed, Nov. 24, 1970; 8:47 a.m.]

**Chapter V—Department of the Army**  
**SUBCHAPTER G—PROCUREMENT**  
**MISCELLANEOUS AMENDMENTS TO**  
**SUBCHAPTER**

Title 32, Chapter V, Subchapter G, is amended as follows:

**PART 591—GENERAL PROVISIONS**

1. Section 591.405 is amended by revoking paragraph (e); § 591.450-9 is revised; § 591.451 is amended by adding a new paragraph (c), as follows:

§ 591.405 Selection, appointment, and termination of appointment of contracting officers.

(e) [Revoked]

§ 591.450-9 Management studies, operations research studies and ADP services.

(a) Management studies obtained by contract are explained in Chapter 2, AR 1-110. With respect to such studies, contracting officers shall not solicit bids or proposals nor award contracts or modifications, including amendments, extensions, additions or supplements which are of a substantive nature or which will require additional funding, without evidence of prior approval of the Assistant Secretary of the Army (Financial Management).

(b) Operations research studies obtained by contract are explained in Chapter 3, AR 1-110. With respect to such studies, contracting officers shall not solicit bids or proposals nor award contracts or modifications, including amendments, extensions, additions, or supplements which are of a substantive nature or which will require additional funding, without evidence of prior approval of—

(1) The Assistant Secretary of the Army (Research and Development) for operations research studies which are estimated to cost in excess of \$100,000;

(2) The Chief of Research and Development, Department of the Army, for operations research studies which are estimated to cost \$100,000 or less and which use RDTE funds;

(3) The sponsoring Department of the Army staff agency after coordination with the Assistant Vice Chief of Staff, Army (Director of Studies), for operations research studies sponsored by Department of the Army staff agencies which are estimated to cost \$100,000 or less and which use OMA funds; or

(4) The sponsoring major Department of the Army command for operations research studies sponsored by major Department of the Army commands which are estimated to cost \$100,000 or less and which use other than RDTE funds.

(c) Automatic data processing (ADP) services obtained by contract are explained in Chapter 4, AR 1-110. With respect to such services, contracting officers shall not solicit bids or proposals nor award contracts or modifications,

including amendments, extensions, additions, or supplements which are of a substantive nature or which will require additional funding, without evidence of prior approval of the Assistant Secretary of the Army (Financial Management) for ADP services in excess of \$10,000. Contracting for ADP services through a series of incremental type contractual arrangements involving more than one contract of \$10,000 or less, none of which provides a usable end product, is prohibited.

(d) Contracting officers shall be alert to requests for mixed contract studies which have not been classified under any one of the above as "Management," "Operations Research," or "Automatic Data Processing." Contracting officers shall insure that appropriate approval has been obtained, as determined by the Comptroller of the Army (COA) prior to soliciting bids or proposals or awarding contracts or modifications, including amendments, extensions, additions, or supplements which are of a substantive nature or which will require additional funding.

(e) AR 1-110 is not applicable to the employment of experts or consultants on a per diem basis (see § 591.450-3).

§ 591.451 Participation of legal counsel in the procurement process.

(c) Any contract is essentially a legal document and, as such, every action leading to the award of a contract, contract performance, and completion or termination of a contract inherently involves legal considerations. While the contracting officer is the exclusive agent of the Government for entering into and administering contracts and is responsible for coordinating his team of advisors, he is not completely free to evaluate the legal advice of his legal counsel and act in a manner inconsistent therewith. The contracting officer can not properly make an award of a contract which fails to meet all legal requirements. If a proposed course of action is determined by procurement legal counsel to be legally insufficient, the contracting officer shall take steps to overcome the legal objections to the proposed action. Failing such resolution at purchasing office level, the contracting officer shall refer the matter to the cognizant head of procuring activity for resolution.

**PART 593—PROCUREMENT BY**  
**NEGOTIATION**

2. The table of contents for Part 593 is amended by adding at the end thereof the following:

Subpart I—[Reserved]

Subpart J—[Reserved]

Subpart K—Acquisition of Automatic Data Processing Equipment

Sec. 593.1100 Contracting acquisition of automatic data processing equipment (ADPE)

3. In § 593.216-2 paragraph (d) is revised; the Footnote 1, following the format of the letter of transmittal in § 593.306-51 is revised, as follows:

§ 593.216-2 Application.

(d) Procedures pertaining to approval of industrial mobilization projects are set forth in AR 700-90. However, the fact that a project falls under the Army Production Base Support Program does not necessarily justify use of negotiation under 10 U.S.C. 2304(a) (16). If the work to be performed under production engineering is virtually all design, development and test (i.e. design and test of a new, untried pilot line and of new production engineering solutions, development of production type specifications, design of new special tooling or of new special test equipment), the negotiation exception under § 3.211 of this title might be appropriate, notwithstanding that PEMA funds are to be used. For example, § 3.211 of this title might be appropriate when the contract effort is—

§ 593.306-51 Letter of transmittal.

**FOOTNOTES:**

<sup>1</sup> Here show any intermediate headquarters in procurement channels through which the request is forwarded. In addition, if RDTE funded, show "Chief, Research and Development"; if funded otherwise, show "Deputy for Procurement."

4. Sections 593.605-3 and 593.608-9(f) are revised; and a new § 593.650 is added as follows:

§ 593.650-3 Establishment of blanket purchase agreements.

(a) Blanket purchase agreements shall not be established—

(1) For supplies or services for which unpriced purchase orders should be used (§ 3.608-3 of this title), e.g. repair services where disassembly of the item to be repaired is required to determine the nature and extent of repairs or whose exact prices of repair services are not known at the time the services are ordered; or

(2) With suppliers having Brand Name Contracts for commissary resale items available thereunder (§ 594.5103 of this chapter), except—

(i) When a Brand Name Contract specifies a minimum shipping quantity,  
 (ii) The resale items are normally purchased in quantities less than the minimum shipping quantity, and  
 (iii) The supplier is willing to sell the items in lesser quantities at reasonable prices.

(b) Contracting officers shall, whenever practicable, establish propriced BPA's by negotiating firm unit prices for specific periods of time or by incorporating in or attaching to BPA's supplier's price lists or catalogs.

(c) Responsibility for the function of placing calls under BPA's rests with the contracting officer, who may—

(1) Authorize individuals assigned to his purchasing office to place calls in any

dollar amount within the limitation in § 3.605-2 of this title under BPA's established by him; and

(2) Authorize individuals in requiring activities such as commissaries, hospitals, research laboratories, or isolated off-post locations to place calls whose aggregate dollar amount does not exceed \$250 under BPA's established by him; except that individuals in commissaries may be authorized to place calls for subsistence items without monetary limitation when the BPA contains the Examination of Records clause (§ 7.104-15 of this title).

(d) Prior to making authorizations pursuant to paragraph (c) (2) of this section contracting officers shall—

(1) Determine in writing that the authorization is essential for the efficient operation of the procurement mission and is not made for the purpose of decentralizing the procurement function; and

(2) Insure that individuals authorized to place calls have the time available to perform the function without re delegating the authority to others.

(e) Contracting officers who authorize individuals to place calls under BPA's pursuant to paragraph (c) of this section shall—

(1) Instruct the individuals in the proper use of BPA's;

(2) Furnish copies of BPA's to each individual authorized to call thereunder;

(3) Insure that individuals have ready access to price lists or catalogs incorporated in or attached to BPA's;

(4) Insure that individuals equitably distribute calls among suppliers with whom BPA's have been established;

(5) Insure that individuals do not split purchase transactions to evade monetary limitations;

(6) Require that individuals refer all cases where prices are not considered reasonable to the contracting officer for determination;

(7) Obtain from individuals at the end of each billing period copies of delivery tickets or sales slips so that suppliers' invoices may be promptly paid;

(8) Maintain continuing surveillance over individuals to insure compliance with procurement regulations and need for retention of authorization of each individual; and

(9) Insure that suppliers are informed of the names of individuals authorized to place calls.

§ 593.608-9 Order—invoice—voucher method.

(f) Pursuant to § 591.452 of this chapter ordering officers may be appointed at isolated locations outside an installation or activity to make over-the-counter purchases not exceeding \$250 using Standard Form 44 or DD Forms 1155 when the conditions in § 3.608-9(b) (2) and (3) of this title are satisfied.

§ 593.650 Postaward reviews of small purchases.

(a) Quarterly postaward reviews of noncompetitive small purchases in excess of \$250 shall be made at installation/activity level to evaluate determinations of the reasonableness of prices paid, to determine adequacy of documentation in purchase order files, and to detect instances or trends in overpricing by suppliers.

(b) Reviews shall be made by chiefs of purchasing offices or by other individuals who were not involved in processing the small purchases being reviewed.

(c) The selection of purchases to be reviewed shall be made by the reviewer in accordance with an acceptable random selection procedure using the total number of noncompetitive small purchase actions in excess of \$250 awarded during the preceding quarter as the universe to be reviewed. Purchases made from Federal Supply Schedule contracts and from Brand Name contracts published in DSA Supply Bulletins in the 10-500 or 10-600 series shall be excluded from the review.

(d) The size of the sampling shall be—

- (1) 40 actions or less, review all;
- (2) 41 to 200 actions, review 40;
- (3) 201 to 400 actions, review 60;
- (4) 401 to 1,000 actions, review 90;
- (5) 1,001 to 2,000 actions, review 150;
- (6) Over 2,000 actions, review 240.

(e) The reviewer shall make an independent evaluation as to whether the price paid for each item on the purchase order being reviewed was, in his opinion, reasonable or unreasonable. If the documentation in the file is insufficient to support a determination of reasonableness of price, or if the reviewer cannot determine whether the price paid was reasonable by using the criteria in paragraph (f) of this section, the price shall be considered unreasonable.

(f) Reasonableness of price may be based upon any of the following criteria—

(1) Price is based upon supplier's current established commercial catalog or published price list;

(2) Price is based upon current established market prices;

(3) Price compares favorably with price previously paid for the same or similar item in like quantities, provided the previous price was determined to be reasonable;

(4) Value analysis by buyer/user/technical personnel;

(5) Other acceptable pricing criteria for small purchases.

(g) Reasonableness of price may not be based upon any of the following—

(1) Urgency of the purchase or of delivery;

(2) Comparison with a price in a standard pricing guide;

(3) Comparison with the Government estimate for which the basis has not been established;

(4) Comparison with an unevaluated price previously paid.

(h) Upon completing his review, the reviewer shall annotate each purchase order file with the date of his review and shall prepare his findings in writing, furnishing the original to the installation/activity commander and a copy to the chief of the purchasing office. As a minimum, review findings shall include—

(1) Purchase order number and name of supplier;

(2) Brief description of item purchased;

(3) Dollar value;

(4) Basis for the buyer's or contracting officer's determination of reasonableness of price;

(5) Basis for the reviewer's determination of reasonableness of price; and

(6) For each line item for which the price was determined unreasonable—

(i) Address of supplier;

(ii) Line item identification and Federal Stock number, if any;

(iii) Quantity purchased and unit price paid;

(iv) Name of buyer and contracting officer;

(v) The price estimated by the reviewer to be reasonable for the item with method used by the reviewer to determine same; or, if the reviewer was unable to determine a reasonable price for the item, reasons therefor.

(i) The chief of the purchasing office shall retain copies of all findings for 1 year for review by heads of procuring activities, Inspectors General, representatives of the Army Audit Agency or General Accounting Office, or for forwarding to the addressee in § 591.150(b) (6) of this chapter.

(j) Whenever the findings identify a line item as being unreasonable in price, the chief of the purchasing office shall review all transactions with the supplier concerned during the preceding three quarters to determine whether there is any evidence or suspicion of overpricing. Where there is clear evidence that five or more (or 5 percent of the total, whichever is less) of the line items purchased from the supplier were overpriced, or where overpricing is suspected in 20 percent of such line items, the chief of the purchasing office shall forward full details of each purchase to the addressee in § 591.150(b) (6) of this chapter for guidance as to remedial action to be taken. Pending receipt of such guidance, the chief of the purchasing office shall ensure that each subsequent transaction with the supplier is carefully analyzed before a purchase is made from the supplier. Where there is clear evidence of overpricing on some line items purchased, or where overpricing is suspected but not to the extent that higher authority need be notified, the chief of the purchasing office shall call the attention of the supplier to the facts in the case. Voluntary refunds, however, shall be sought or accepted only in accordance with § 1.312 of this title.

5. Subparts I and J are reserved and a new Subpart K is added, as follows:

**Subpart I—[Reserved]****Subpart J—[Reserved]****Subpart K—Acquisition of Automatic Data Processing Equipment**

§ 593.1100 Contractor acquisition of automatic data processing equipment (ADPE).

§ 593.1100-2 Review of decision to lease.

(a) The Senior ADPE policy official of the Department of the Army from whom approval of leasing arrangements of ADPE shall be obtained pursuant to § 3.1100-2(a)(5) of this title is the Assistant Secretary of the Army (Financial Management).

(b) Requests for approval of ADPE to be leased on a noncompetitive basis shall be forwarded to the Assistant Secretary of Defense (Comptroller) through the Office, Assistant Vice Chief of Staff, Department of the Army, Attention: CSAVCS-M, and shall include the justification specified in Army § 15.205-48(d) of this title.

(c) Requests for technical ADP assistance pursuant to § 3.1100-2(c) of this title shall be directed to the Office, Assistant Vice Chief of Staff, Department of the Army, Attention: CSAVCS-M.

**PART 594—SPECIAL TYPES AND METHODS OF PROCUREMENT**

6. Subpart J of this Part 594 is revoked in its entirety, and § 594.5103 is revised, as follows:

**Subpart J—Procurement of Expert, Consultant, and Stenographic Reporting Services. [Revoked]**

§ 594.5103 Blanket purchase agreements.

Contracting officers may establish blanket purchase agreements and authorize individuals in Army commissary stores to place calls under BPA's in accordance with § 593.605-3 of this chapter.

**PART 596—FOREIGN PURCHASES**

7. Section 596.103-2(b) is revised as follows:

§ 596.103-2 Nonavailability in the United States.

(b) Chiefs of purchasing offices, provided they are not acting as the contracting officer for the procurement involved, may approve procurements pursuant to § 6.103-2(b)(4) of this title. Approvals of officials in § 6.103-2(b)(2), (3), and (4) of this title (approval for procurement of items listed in § 6.105 of this title is required in accordance with § 6.103-2(b)) shall be prepared in the format below and shall be signed by the approving authority—

FOREIGN SOURCE PROCUREMENT  
DETERMINATION

The requirement of the Buy American Act that domestic source end products be ac-

quired for public use is not applicable to the procurement of the supplies described herein because said procurement is within the non-availability exception stated in the Act. In accordance with the Balance of Payments Program, it is determined that the requirement cannot be foregone and that there is no U.S. substitute. Therefore, authority is granted to the contracting officer (insert name of installation/activity) to procure (describe supplies) of foreign origin at an (estimated) (actual) total cost of \$-----, including duty and transportation costs to destination.

-----  
(Signature)

**PART 597—CONTRACT CLAUSES**

8. Paragraph (c) of § 597.150-1 and § 597.1651 are revised, as follows:

§ 597.150-1 Plant protection.

(c) PLANT PROTECTION (Government-owned Contractor-operated Plants) (SEP. 1970).

(a) Subsequent to the execution of this contract, and within 45 calendar days from the date thereof, the Contractor shall submit to the Contracting Officer a written plant protection plan with a proposed security staffing pattern. The Contractor shall use the Army Materiel Command Regulation No. 190-3, March 1968, Preservation of Order Activities, as a guide in the Preparation of the plant protection plan.

In his endeavor to maintain an adequate degree of plant protection and physical security, the Contractor shall cooperate with the Contracting Officer in the administration of the plant protection and physical security program. Failure to agree on any or all elements of the plant protection plan within 30 calendar days after submission of the plan shall be considered a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes."

(b) At any time during the term of this contract, the Contracting Officer, by a written order, may require the Contractor (1) to increase or decrease plant protection and physical security devices and equipment and (2) to increase or decrease the number of Contractor personnel assigned to plant protection duties. If any such change causes an increase or decrease in the cost of, or the time required for the performance of any part of the work under this contract, whether changed or not changed by any such order, an equitable adjustment shall be made in the contract price or delivery schedule or both and the contract shall be modified in writing accordingly. Any claim by the Contractor for adjustment under this clause must be asserted within 30 calendar days from the date of receipt by the Contractor of the notification of change: *Provided, however*, That the Contracting Officer, if he decides that the facts justify such action, may receive and act upon any such claim asserted at any time prior to final payment under the contract. Failure to agree to any adjustment shall be considered a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes." However, nothing in this clause shall excuse the Contractor from proceeding with the contract as changed.

(c) Title to all plant protection and physical security devices and equipment added under paragraph (b) of this clause and purchased by the Contractor, for the cost of which the Contractor is entitled to be reimbursed as a direct item of cost under this contract, shall pass to and vest in the Gov-

ernment upon delivery of such devices or equipment by the vendor. The Contractor, during the term of this contract or any extension thereof, shall maintain and keep in good condition and repair in accordance with sound industrial practice all such devices and equipment.

(d) The Contracting Officer and designated security inspection personnel at all times during the performance of this contract or any extension thereof shall have access to the portions of the plant staffed and operated by the Contractor, under which the Contractor furnishes plant protection and physical security services, to inspect compliance by the Contractor with his plant protection plan and in order to inspect, inventory, or remove in cooperation with the Contractor any plant protection and physical security devices and equipment.

§ 597.1651 Commercial warehousing and related services.

(a) Chapter 10, AR 55-356, governs the commercial warehousing and related services for household goods for military and civilian personnel (see § 606.661 of this chapter).

(b) Ordering officers may be appointed pursuant to § 591.452 of this chapter to place service orders under such contracts. Instructions in Chapter 10, AR 55-356 shall be followed in placing service orders and ordering officers shall not be authorized to change terms and conditions of contracts in any way.

**PART 599—PATENTS, DATA, AND COPYRIGHTS**

9. Section 599.406-50(a) is revised, as follows:

§ 599.406-50 Authorizations.

(a) Acquisition of Licenses and Releases of Past Infringement—the Commanding General, U.S. Army Materiel Command; the Chief of Engineers; The Surgeon General; the SAFEGUARD System Manager; and the designees of any of the foregoing are authorized, subject to the limitations of this part and Subpart D, Part 9 of this title, to acquire the items and rights described in 10 U.S.C. 2386 and to enter into agreements in settlement of claims thereunder. Other procuring activities shall obtain written approval of a proposed agreement from the addressee in § 591.150(b)(1) of this chapter through the Chief, Patents Division, except for agreements for acquisition of the right to reproduce copyrighted material where such acquisition cost is \$2,500 or less.

**PART 603—GOVERNMENT PROPERTY**

10. Sections 603.301 and 603.302(b) are revised, as follows:

§ 603.301 Providing facilities.

(a) Requests for a Secretarial determination pursuant to § 13.301(a)(3) of this title shall be forwarded through the cognizant head of procuring activity to the addressee in § 591.150(b)(6) of this chapter.

(b) New commercially available automatic data processing equipment (ADPE) does not generally qualify as a facility to be furnished by the Government.

(c) The Senior ADPE policy official of the Department of the Army from whom approval shall be obtained pursuant to § 13.301(h) (2) of this title is the Assistant Secretary of the Army (Financial Management).

(d) Requests for approval for acquisition of ADPE to be acquired on a non-competitive basis shall be forwarded to the Assistant Secretary of Defense (Comptroller) through the Office, Assistant Vice Chief of Staff, Department of the Army, Attention: CSAVCS-M, and shall include the justification specified in § 15.205-48(d) of this title.

§ 603.302 Securing approval for facilities projects.

(b) PEMA and R&D financed facilities projects involving expenditures of less than \$1 million shall be approved in accordance with AR 37-120 and AR 700-90.

**PART 606—PROCUREMENT FORMS**

11. Section 606.551 is revised as follows:

§ 606.551 Commercial warehousing and related services for household goods.

(a) DD Form 1162, Basic Agreement for Storage of Household Goods and Related Services, shall be used in accordance with instructions in Chapter 10, AR 55-356.

(b) DD Form 1164, Service Order for Household Goods, shall be used to place orders under Basic Agreements in accordance with instructions in Chapter 10, AR 55-356 (see also §§ 591.452-1 and 597.1651 of this chapter).

**PART 608—PROCUREMENT OF CONSTRUCTION AND CONTRACTING FOR ARCHITECT-ENGINEER SERVICES**

12. Sections 608.508-1 and 608.508-2 are revised, as follows:

§ 608.508-1 Nonavailability in the United States.

Letter requests for Secretarial approval shall contain the information required by § 596.103-2(c) or § 596.805-2 (a), as applicable and shall be forwarded through the cognizant head of procuring activity to the addressee in § 591.150(b) (6) of this chapter.

§ 608.508-2 Unreasonable costs or impracticability.

Letter requests for Secretarial approval shall contain the information required by § 18.509-3 of this title and § 596.805-2(a) of this chapter when applicable and shall be forwarded through the cognizant head of procuring activity to the addressee in § 591.150(b) (6) of this chapter.

[Rev. 4, APP, Sept. 1, 1970] (Secs. 2301-2314, 3012, 70A Stat. 127-133, 157; 10 U.S.C. 2301-2314, 3012)

For the Adjutant General.

R. B. BELNAP,  
Special Advisor to TAG.

[F.R. Doc. 70-15825; Filed, Nov. 24, 1970; 8:46 a.m.]

**Title 25—INDIANS**

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

SUBCHAPTER L—LEASING AND PERMITTING

**PART 131—LEASING AND PERMITTING**

Certain California Lands Determined To Be Within Colorado River Reservation

NOVEMBER 12, 1970.

This notice is published in the exercise of rule making authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. The authority to issue regulations is vested in the Secretary of the Interior by sections 161, 463, and 465 of the Revised Statutes (5 U.S.C. 301; 25 U.S.C. 2 and 9).

The following amendment is made to Title 25—Indians, Part 131 to extend the application of this Part 131 to those lands which the Secretary of the Interior has determined, pursuant to the Act of April 30, 1964 (78 Stat. 188), to be within the Colorado River Reservation. The additional lands to which this Part 131 is extended are described as lying west of the present course of the Colorado River and south of sec. 25 of T. 2 S., R. 23 E., to the south line of sec. 12 of T. 5 S., R. 23 E., San Bernardino base and meridian in California. Since the Secretary of the Interior did, on January 17, 1969, make the determination that the above-described lands are within the Colorado River Reservation, which determination was again recognized by the Secretary of the Interior on June 2, 1970, and since the Act of April 30, 1964 (78 Stat. 188), provides that when any of the lands in California are determined to be within the reservation they shall be subject to the provisions of said act, advance notice and public procedure thereon are impracticable and unnecessary and are, therefore, dispensed with under the exceptions provided in section (d) (3) of 5 U.S.C. 553 (Supp. III, 1965-67). Accordingly, the amendment will become effective upon publication in the FEDERAL REGISTER.

Section 131.18 is amended by deleting from the first proviso the words, "section 25 of Township 2 South" and substituting therefor, "section 12 of Township 5 South." As so amended the first proviso of § 131.18 reads as follows:

§ 131.18 Colorado River Reservation.

\*\*\* Provided, however, That application of this Part 131 shall not extend to any lands lying west of the present

course of the Colorado River and south of sec. 12 of T. 5 S., R. 23 E., San Bernardino base and meridian in California and shall not be construed to affect the resolution of any controversy over the location of the boundary of the Colorado River Reservation; \* \* \*

LOUIS R. BRUCE,  
Commissioner.

[F.R. Doc. 70-15843; Filed, Nov. 24, 1970; 8:47 a.m.]

**Title 42—PUBLIC HEALTH**

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER G—PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION

**PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES**

Metropolitan Fort Smith Interstate Air Quality Control Region

On May 20, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 7740) to amend Part 81 by designating the Fort Smith (Arkansas)—Muskogee (Oklahoma) Interstate Air Quality Control Region, hereafter referred to as the Metropolitan Fort Smith Interstate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c-2(a)) was held on July 7, 1970. Due consideration has been given to all relevant material presented with the result that Haskell, Latimer, McIntosh, Muskogee, Okmulgee, and Pittsburg Counties, in the State of Oklahoma, have been deleted from the region; Adair and Cherokee Counties, in the State of Oklahoma, have been added to the region; and the name has been changed to the Metropolitan Fort Smith Interstate Air Quality Control Region.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, section 81.63, as set forth below, designating the Metropolitan Fort Smith Interstate Air Quality Control Region, is adopted effective on publication.

§ 81.63 Metropolitan Fort Smith Interstate Air Quality Control Region.

The Metropolitan Fort Smith Interstate Air Quality Control Region (Arkansas-Oklahoma) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Arkansas:

Crawford County. Sebastian County.

In the State of Oklahoma:

Adair County. Le Flore County.  
Cherokee County. Sequoyah County.

(Secs. 107(a), 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857c-2(a), 1857g(a))

Dated: October 26, 1970.

JOHN H. LUDWIG,  
Acting Commissioner, National  
Air Pollution Control Ad-  
ministration.

Approved: November 17, 1970.

ELLIOT L. RICHARDSON,  
Secretary.

[F.R. Doc. 70-15758; Filed, Nov. 24, 1970;  
8:45 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[FCC 70-1137]

#### PART 73—RADIO BROADCAST SERVICES

##### Standard Broadcasting Agreements Between the United States and Mexico

*Order.* 1. The agreement between the United States of America and the United Mexican States Concerning Radio Broadcasting in the Standard Broadcast Band (535-1605 kHz) and the agreement between the United States of America and the United Mexican States Concerning the Operation of Broadcasting Stations in the Standard Broadcast Band (535-1605 kHz), During a Limited Period Prior to Sunrise (Pre-sunrise) and After Sunset (Post-sunset), both signed at Mexico, D.F., December 11, 1968, ratified by the United States of America on July 2, 1969, and by the United Mexican States on September 14, 1970, entered into force on November 18, 1970.

2. Amendments of Part 73 of the Commission's rules and regulations, made necessary or found to be desirable in view of the provisions of these agreements, are set forth below.

3. Because the changes herein ordered relate to the implementation of international agreements, relax existing restrictions on operating hours and daytime power of some Class IV stations, and have in large measure already been coordinated with affected stations and their representatives; compliance with the notice and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) are unnecessary and would serve no useful purpose. This is also true because in the chief respects in which the rules are modified herein—permitting presunrise operation by U.S. Class II stations on Mexican I-A clear channels, and permitting increases in daytime power by certain Class IV stations located near the Mexican border—the benefits from increased and improved radio service outweigh any possible adverse effects, as the Commission has concluded in previous decisions concerning the more general application

of these concepts.<sup>2</sup> Authority for the promulgation of these amendments is found in sections 4(i), 303(c), and 303(r) of the Communications Act of 1934, as amended.

4. Accordingly, it is ordered, Effective November 18, 1970, that Part 73 of the rules and regulations is amended as set forth below.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Adopted: October 21, 1970.

Released: November 19, 1970.

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

The action herein does not prejudice the matters at issue in reconsideration of the decision in Dockets 17562, 18023 and 18036 (FCC 69-844, released Aug. 1, 1969).

1. Section 73.15 is amended to read as follows:

§ 73.15 NARBA and U.S./Mexican Agreement.

The term "NARBA" where used in this part means the North American Regional Broadcasting Agreement, signed at Washington, D.C., November 15, 1950, which entered into force April 19, 1960, and to which the signatory countries are The Bahama Islands and Jamaica, Canada, Cuba, the Dominican Republic, and the United States of America. The term "U.S./Mexican Agreement" where used in this part means the Agreement between the United States of America and the United Mexican States Concerning Radio Broadcasting in the Standard Broadcast Band (535-1605 kHz), signed at Mexico, D.F., December 11, 1968, which entered into force November 18, 1970.

2. In § 73.21(c), the introductory text and Note 1 are amended, a new Note 2 is added, and present Note 2 is redesignated as Note 3 to read as follows:

§ 73.21 Classes of standard broadcast channels and stations.

(c) *Local channel.* A local channel is one on which several stations operate with powers no greater than provided in this paragraph. The primary service area of a station operating on any such channel may be limited to a given field intensity contour as a consequence of interference. Such stations operate with power no greater than 250 watts nighttime, and no greater than 1 kilowatt daytime (except that for stations in an area in the State of Florida south of the parallel 28° north latitude, and between the meridians 80° and 82° west longitude,

<sup>2</sup>We have never reached such conclusions as to "postsunset" operation by daytime stations, and accordingly the rules as amended herein do not make provision for such operation, even though the new agreement with Mexico deals with the subject. Presunrise operation involves considerations, e.g., the history of such operation under former permissive rules, and the importance of early-morning informational material, which do not apply postsunset.

power is limited to 250 watts, daytime and nighttime).

NOTE 1: Under NARBA, the power ceiling for Class IV stations is 250 watts daytime, as well as nighttime. The U.S./Mexican Agreement permits such stations to operate with power not in excess of 1 kilowatt daytime. Pursuant to the U.S./Mexican Agreement and informal coordination with the NARBA signatories, the Commission will consider applications for Class IV stations on local channels with daytime powers in excess of 250 watts, up to 1 kilowatt, if such stations are outside of the area specified in paragraph (c) of this section, and if no objectionable interference would be caused (under the standards set forth in the pertinent international agreement) to a duly notified station in Mexico, Haiti, or any foreign country signatory to NARBA.

NOTE 2: Class IV stations located within 100 kilometers (62 miles) of the Mexican border, and presently authorized to operate with a daytime power of 250 watts, may file applications for increases in daytime power to 1 kilowatt. However, such an application will be granted only after coordination with Mexico of the proposed increase, if required, pursuant to Annex IV to the U.S./Mexican Agreement.

NOTE 3: All authorizations of new or changed Class I-B, Class II-B, Class II-D, Class III, or Class IV facilities after October 30, 1961, are subject to whatever interference may be received from, or whatever overlap of 2.0 mv/m and 25 mv/m ground-wave contours or overlap of 25 mv/m ground-wave contours may be involved with, previously or subsequently authorized Class II-A facilities.

3. In § 73.25, Note 6 to paragraph (a) is amended; in paragraph (b) Note 1 is deleted and present Note 2 is redesignated as "Note"; in paragraph (c) (3) a new Note 1 is added and present Note 1 is redesignated as Note 2. The amended or added notes read as follows:

§ 73.25 Clear channels; Classes I and II stations.

(a) \* \* \*

NOTE 6: See the U.S./Mexican Agreement concerning Mexican use of 660, 760, 830, 1020, 1030, and 1180 kc/s.

(b) \* \* \*

NOTE: Class I and Class II stations on 1540 kc/s shall deliver not over 5 microvolts per meter groundwave or 25 microvolts per meter 10 percent time skywave at any point of land in the Bahama Islands, and such stations operating nighttime (i.e., sunset to sunrise at the location of the Class II station) shall be located not less than 650 miles from the nearest point of land in the Bahama Islands.

(e) \* \* \*  
(3) \* \* \*

NOTE 1: See U.S./Mexican Agreement concerning a specific U.S. unlimited time assignment on this channel.

NOTE 2: See § 2.106 of this chapter with respect to use of 640 kc/s.

4. In § 73.99, paragraphs (a) (1), (b) (1), and (c) (2) are amended to read as follows:

§ 73.99 Presunrise service authority.

(a) \* \* \*

(1) Class II stations operating on clear channels other than Class I-A clear channels; Class II stations operating on Class I-A clear channels assigned

to the United States under the NARBA or the U.S./Mexican Agreement, where such Class II stations are located west of cochannel Class I-A stations; and Class II stations operating on the Class I-A clear channels 730, 800, 900, 1050, 1220, and 1570 kc/s, which are assigned to Mexico under the aforementioned agreements.

cated east of cochannel Mexican Class I-B stations, a showing under the engineering standards of the United States/Mexican Agreement that the Class II station does not produce a signal in excess of 25  $\mu\text{v}/\text{m}$  10 percent skywave at any point on the cochannel Mexican Class I station's 0.5 mv/m 50 percent skywave contour which falls on Mexican territory, or more than 50  $\mu\text{v}/\text{m}$  10 percent skywave at any point on the Mexican border or boundary where the signal of the Mexican Class I station exceeds 0.5 mv/m 50 percent skywave in strength. In addition, the applicant must show that foreign Class II stations (if any) assigned to the same channel as the U.S. Class II station will receive full protection under the standards for nighttime operation set forth in the applicable agreement. If the foregoing protections cannot be achieved by the Class II station while operating with 500 watts, a showing may be submitted to establish the level to which power must be limited to preclude objectionable interference: *Provided*, That in relation to Canadian Class II stations, the permissible power level may be established in the manner described in subparagraph (3) of this paragraph by the use of Figure 12 of § 73.190.

July 25, 1970 (35 F.R. 12000), is amended to read:

§ 10.53 Seasons and limits on waterfowl, coots, gallinule, and common snipe (Wilson's).

(d) Horizon Zone:

(2) The Horizon Zone includes portions of Columbia, Dodge, Fond du Lac, Green Lake, Washington, and Winnebago Counties, bounded on the north by State Highways 23 and 44, on the east by U.S. Highway 45 from Oshkosh to Fond du Lac and then State Highways 175 and 83, on the south by State Highway 60, and on the west by State Highway 73.

When the Director, Bureau of Sports Fisheries and Wildlife, has determined the date upon which the quota of Canada geese will have been killed, the season will be closed by the Director by giving public notice thereof through public information media no less than 48 hours in advance of the time and date of closing, or the season will close on December 11, 1970, whichever occurs first.

Since this amendment relieves an existing restriction by permitting holders of current Canada goose hunting permits to hunt Canada geese in an area not presently open to such hunting, it is determined that notice and public procedure thereon are impracticable, unnecessary, and contrary to the public interest and that this amendment will become effective on November 28, 1970.

(40 Stat. 755; 16 U.S.C. 703 et seq.)

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

NOVEMBER 20, 1970.

[F.R. Doc. 70-15877; Filed, Nov. 24, 1970; 8:50 a.m.]

[F.R. Doc. 70-15836; Filed, Nov. 24, 1970; 8:47 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

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

Paragraph (d) of § 10.53 as published in the FEDERAL REGISTER of Saturday,

(b) \* \* \*  
(1) Class II stations operating on Mexican Class I-A clear channels to commence operation with their daytime antenna systems at 6 a.m. local time, and to continue such operation until the sunrise times specified in their basic instruments of authorization; and other Class II stations, where eligible under paragraph (a)(1) of this section, to commence operation with their daytime or critical hours antenna systems either at 6 a.m. local time, or at the time of sunrise at the westernmost Class I station located east of the Class II stations (whichever is later), and to continue such operation until the sunrise times specified in their basic instruments of authorization: *Provided*, That the permissible power to be specified in a PSA shall not exceed 500 watts (or the authorized daytime or critical hours power, if less than 500 watts), or such lesser power as may be determined by computations made pursuant to paragraph (c) of this section.

(c) \* \* \*  
(2) For Class II stations operating on clear channels other than Class I-A clear channels, a showing that objectionable interference as determined by the Standard Broadcast Technical Standards (§§ 73.182 to 73.190), or by the engineering standards of the NARBA (whichever is controlling), will not be caused within the 0.5 mv/m 50 percent skywave contour of any domestic Class I-B station, or of a Class I-B station in any country signatory to the NARBA, where the Class II station is located east of the Class I-B station; for Class II stations operating on Mexican Class I-A clear channels, and for Class II stations lo-

# Proposed Rule Making

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Parts 23, 27, 91, 121, 127 ]

[ Docket No. 9826; Notice 70-47 ]

### AIRPLANE AND ROTORCRAFT MANUALS, MARKINGS, AND PLACARDS

#### Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Parts 23, 27, 91, 121, and 127 of the Federal Aviation Regulations to revise the requirements for airplane and rotorcraft manuals, markings, and placards.

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, DC 20590. All communications received on or before February 23, 1971, 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.

Section 23.1541(c) of the Federal Aviation Regulations (FAR's) requires that if an airplane is to be type certificated in more than one category, the applicant for the type certificate must select one category on which the placards and markings are to be based. The marking and placard information required for the other categories in which the airplane is to be certificated must be recorded in the Airplane Flight Manual. However, § 23.1581(a) permits airplanes of 6,000 pounds or less maximum weight to be type certificated without an Airplane Flight Manual, if the applicable information is contained "in any combination of manuals, markings, and placards."

This situation has created some confusion concerning the recording of marking and placard information for multiple category airplanes of 6,000 pounds or less maximum weight.

The Aerospace Industries Association (AIA) has petitioned the FAA to amend §§ 23.1541(c) and 23.1581 to permit airplanes of 6,000 pounds or less maximum weight which are type certificated in more than one category to be certificated without requiring that the operating limitations and information for one category be recorded in an Airplane Flight Manual.

The service experience of airplanes of 6,000 pounds or less maximum weight that do not have an Airplane Flight Manual indicates that an Airplane Flight Manual is not necessary for these light airplanes. The FAA believes that this service experience also justifies the elimination of the requirement for an Airplane Flight Manual for airplanes of 6,000 pounds or less maximum weight that are certificated in more than one category. In this connection, the FAA believes that the operating limitations and information which must be provided for the categories for which the airplane is not marked and placarded could be presented in the form of "approved manual material" rather than an Airplane Flight Manual (AFM). "Approved manual material" would take the form of individual sheets contained the necessary operating limitations and information for insertion in other manuals, e.g., an owner's manual, or in a folder or other suitable permanent form. In any event, the approved manual material would have to be available in the airplane and the operating limitations and information in the manual material would have to be clearly identified, and not easily erased, disfigured, or misplaced. Moreover, the FAA believes that in certain cases safety considerations would permit the installation of placards containing specified operating limitations applicable to more than one category. It should be noted that an Airplane Flight Manual must contain all of the applicable information prescribed in §§ 23.1583 through 23.1589, together with any other information necessary for safe operation of the airplane. However, the proposed "approved manual material" would contain only that portion of the required information that was not presented in the form of markings and placards. Except as otherwise required, the manufacturer would be permitted at his option to present any portion of the required information in the form of "approved manual material" with the balance of the information being presented in the form of markings and placards.

In implementation of the foregoing, it is proposed to revise the wording of § 23.31(b) to include approved manual material, markings, and placards. It is also proposed to strike out the word "manuals" where it now appears in §§ 23.1559, 13.1581, and 27.1581, and to insert the words "approved manual material." In addition, it is proposed to revise the wording of § 27.1501 to make it consistent with § 27.1581. This would make it clear that for helicopters, the operating limitations may be furnished in either a Rotorcraft Flight Manual or in approved manual material, unless the operating rules require a Rotorcraft Flight Manual, and in markings and placards. It is further proposed to strike out the words "Aircraft Flight Manual",

from § 121.141 and to insert the words "Airplane or Rotorcraft Flight Manual" in their place. It is also proposed to strike out the words "flight manual" from § 127.63(b)(22) and "Helicopter Flight Manual" from § 127.81 and to insert the words "Rotorcraft Flight Manual" in those places.

Finally, it would be necessary to revise § 91.31(b) to make the operating rules consistent with the revised airworthiness rules. It is, therefore, proposed to revise § 91.31(b) to require that each operating limitation prescribed for an aircraft must be in an FAA-approved Airplane Flight Manual or Rotorcraft Flight Manual, or in approved manual material, and in placards and instrument markings. The word "listings" would be deleted, since this term is no longer used. Under the proposal, the term "approved manual material" would include the material formerly referred to as "listings".

In consideration of the foregoing, it is proposed to amend Parts 23, 27, 91, 121, and 127 as follows:

1. By amending § 23.31(b) to read as follows:

#### § 23.31 Removable ballast.

(b) Instructions are included in the Airplane Flight Manual, approved manual material, or markings and placards, for the proper placement of the removable ballast under each loading condition for which removable ballast is necessary.

2. Section 23.1541 is amended as follows:

#### § 23.1541 General.

(c) For airplanes having a maximum weight of more than 6,000 pounds and which are to be certificated in more than one category—

(1) The applicant must select one category upon which the placards and markings are to be based; and

(2) The placard and marking information for the other categories in which the airplane is to be certificated must be recorded in the Airplane Flight Manual.

(d) For airplanes having a maximum weight of 6,000 pounds or less and which are to be certificated in more than one category—

(1) The applicant must select one category upon which the placards and markings are to be based, except that he may include operating limitations covering more than one category on a single placard if the differences between the categories involve only a difference in maximum weights; a difference in the center of gravity range at the corresponding maximum weight; a difference involving approved maneuvers and corresponding entry speeds; or any combination thereof.

(2) Except as provided in subparagraph (1) of this paragraph, the placard

and marking information for the other categories in which the airplane is to be certificated must be recorded in the Airplane Flight Manual or in approved manual material.

3. By amending § 23.1559(a) to read as follows:

**§ 23.1559 Operating limitations placard.**

(a) For airplanes certificated in more than one category, there must be a placard in clear view of the pilot stating—

(1) For airplanes of more than 6,000 pounds maximum weight: "The markings and placards installed on this airplane contain operating limitations for operation of this airplane in the \_\_\_\_\_ category. Other operating limitations for the operation of the airplane in this category or in \_\_\_\_\_ category are contained in the Airplane Flight Manual." (Insert the correct categories.)

(2) For airplanes of 6,000 pounds or less maximum weight: "Except as may be otherwise indicated on a placard, the markings and placards installed on this airplane contain operating limitations for the operation of this airplane in the \_\_\_\_\_ category. Other operating limitations for the operation of the airplane in this category or in \_\_\_\_\_ category are contained in the Airplane Flight Manual or approved manual material." (Insert the correct categories and forms.)

4. By changing the subtitle following § 23.1567 to read "Airplane Flight Manual and Approved Manual Material" and by amending § 23.1581 (a) (2) and (b) to read as follows:

**§ 23.1581 General.**

(a) \* \* \*

(2) For each airplane of 6,000 pounds or less maximum weight, in an Airplane Flight Manual, or in any combination of approved manual material, markings, and placards.

(b) *Approval and segregation of information.* Each part of the Airplane Flight Manual containing information prescribed in §§ 23.1583 through 23.1589 must be approved, segregated, identified, and clearly distinguished from each unapproved part of that Airplane Flight Manual. All approved manual material must be approved, clearly identified, and not easily erased, disfigured, or misplaced.

5. By amending § 27.1501 to read as follows:

**§ 27.1501 General.**

Each operating limitation specified in §§ 27.1503 through 27.1525 and other information necessary for safe operation must—

(a) For each rotorcraft, other than a helicopter, be included in a Rotorcraft Flight Manual and expressed in placards and markings;

(b) For each helicopter, be included in a Rotorcraft Flight Manual or in approved manual material, unless the operating rules of this chapter require a Rotorcraft Flight Manual, and expressed in placards and markings; and

(c) Be made available by any other means that will convey the information to the crewmembers.

6. By changing the subtitle following § 27.1565 to read "Rotorcraft Flight Manual and Approved Manual Material", and by amending § 27.1581(a) (2) and (b) to read as follows:

**§ 27.1581 General.**

(a) \* \* \*

(2) For each helicopter—

(i) In the Rotorcraft Flight Manual or in approved manual material, unless the operating rules of this chapter require a Rotorcraft Flight Manual; and

(ii) In markings and placards.

(b) *Approval and segregation of information.* Each part of the Rotorcraft Flight Manual containing information prescribed in §§ 27.1583 through 27.1589 must be approved, segregated, identified, and clearly distinguished from each unapproved part of the Rotorcraft Flight Manual. All approved manual material must be approved, clearly identified, and not easily erased, disfigured or misplaced.

7. By amending § 91.31(b) to read as follows:

**§ 91.31 Civil aircraft operating limitations and marking requirements.**

(b) No person may operate a U.S. registered civil aircraft unless there is available in the aircraft a current Airplane or Rotorcraft Flight Manual, approved manual material, markings and placards, or any combination thereof, containing each operating limitation prescribed for that aircraft by the Administrator, including the following:

**§ 127.63 [Amended]**

8. By amending § 127.63(b) (22) by striking out the words "approved flight manual" and inserting the words "approved Rotorcraft Flight Manual", in place thereof.

**§ 127.81 [Amended]**

9. By amending § 127.81 by striking out the words "Helicopter Flight Manual" and inserting the words "Rotorcraft Flight Manual", in place thereof.

10. By amending § 121.141 to read as follows:

**§ 121.141 Airplane or Rotorcraft Flight Manual.**

(a) Each certificate holder shall keep a current approved Airplane or Rotorcraft Flight Manual for each type of transport category aircraft that it operates.

(b) Each certificate holder shall carry an approved Airplane or Rotorcraft Flight Manual, or manual required by

§ 121.133 containing the information required for the Airplane or Rotorcraft Flight Manual, in each transport category aircraft. If sections of the required information from the Airplane or Rotorcraft Flight Manual are incorporated in the manual required by § 121.133, the holder shall clearly identify the sections as Airplane or Rotorcraft Flight Manual requirements.

These amendments are 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, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on November 18, 1970.

EDWARD C. HODSON,  
*Acting Director,*  
*Flight Standards Service.*

[P.R. Doc. 70-15823; Filed, Nov. 24, 1970; 8:46 a.m.]

**National Highway Safety Bureau**

[ 49 CFR Part 571 ]

[Docket No. 4-2; Notice 4]

**WARNING DEVICES—PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, AND BUSES, AND WARNING DEVICES FOR USE WITH THOSE VEHICLES**

**Proposed Motor Vehicle Safety Standard; Correction**

In the notice of proposed rulemaking to amend 49 CFR 571.21 by adding a new motor vehicle safety standard, "Warning Devices" (P.R. Doc. 70-15118), appearing at page 17350 in the issue of Wednesday, November 11, 1970, the expression "2,584° Kelvin" in S5.2 is corrected to read "2,854° Kelvin."

This notice of correction is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392 and 1407), and the delegations of authority at 49 CFR 1.51 (35 F.R. 4955) and 49 CFR 501.8 (35 F.R. 11126).

Issued on November 20, 1970.

RODOLFO A. DIAZ,  
*Acting Associate Director,*  
*Motor Vehicle Programs.*

[P.R. Doc. 70-15848; Filed, Nov. 24, 1970; 8:48 a.m.]

**DEPARTMENT OF THE TREASURY**

Internal Revenue Service

[ 26 CFR Parts 1, 301 ]

**RETURNS AND ANNUAL REPORTS OF EXEMPT ORGANIZATIONS**

**Notice of Hearing on Proposed Regulations**

The proposed amendment to the regulations under sections 6001, 6033, 6056, and 6104 of the Code, relating to returns

and annual reports of exempt organizations, appears in the FEDERAL REGISTER for October 13, 1970 (35 F.R. 16049).

A public hearing on the provisions of this proposed amendment to the regulations will be held on Thursday, December 17, 1970, at 2 p.m., e.s.t., in Room 3313, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, DC.

The hearing is to be conducted under the rules of § 601.601(a) (3) of the Statement on Procedural Rules, which appeared in the FEDERAL REGISTER for October 24, 1970 (35 F.R. 16593). Copies of these rules will be furnished on request.

Under such § 601.601(a) (3) persons who desire to present oral comments (in addition to having submitted written comments or suggestions by December 7, 1970) should submit by December 7, 1970, an outline of the topics and the time they wish to devote to each topic. The outline should be submitted to the Commissioner of Internal Revenue, Attention: CC:LR: T, Washington, D.C. 20224.

The time for the submission of comments and suggestions regarding the notice of proposed rule making relating hereto is hereby extended to December 7, 1970.

Persons who plan to attend the hearings and persons who desire a copy (furnished only at the above address) of such written comments, suggestions, or outlines should notify the Commissioner at the above address or telephone 202-964-3935 by December 10, 1970.

K. Martin Worthy,  
Chief Counsel.

JAMES F. DRING,  
Director, Legislation and  
Regulations Division.

[F.R. Doc. 70-15945; Filed, Nov. 24, 1970;  
8:50 a.m.]

## CIVIL AERONAUTICS BOARD

[ 14 CFR Parts 288, 399 ]

[Docket No. 22443; EDR-185A, PSDR-29]

### MAC MINIMUM RATES FOR OVERSEAS AND FOREIGN AIR TRANSPORTATION

#### Notice of Proposed Rule Making

NOVEMBER 18, 1970.

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Parts 288 and 399 of its regulations (14 CFR Parts 288 and 399) which would increase, effective August 5, 1970, certain minimum rates for services performed for MAC in overseas and foreign air transportation.

The principal features of the proposed amendments are described in the explanatory statement below and the proposed amendments are set forth in the proposed rules. The amendments are proposed under the authority of sections 204, 403, and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743,

758, and 771, as amended; 49 U.S.C. 1324, 1373, and 1386) and 5 U.S.C. 552.

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, DC 20428. All relevant material in communications received on or before December 14, 1970, and reply comments received on or before December 29, 1970, will be considered by the Board before taking final action on the proposed rules. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, DC upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

*Explanatory statement.* A number of carriers have petitioned the Board to increase the minimum rates applicable to services performed for MAC in overseas and foreign air transportation. Subsequently, the carriers involved in such services were asked to submit data on their MAC operations for the 12-month period ending March 31, 1970.<sup>1</sup> MAC, in addition, submitted its comments on the carriers' data. Pending the analysis of these data and comments, the Board instituted this proceeding by EDR-185, dated August 5, 1970, in order that all persons would be on notice that the Board was considering a revision of the rates effective August 5, 1970.

It appears from the data submitted<sup>2</sup> that the carriers' earnings related to MAC operations during the base period fell short by a considerable margin of the 9 percent return on investment considered reasonable by the Board for MAC operations and it appears that additional revenues are necessary to achieve a reasonable rate of return.<sup>3</sup> Accordingly, upon consideration of these data and comments, and as explained in greater detail below, the Board has tentatively determined to increase rates for MAC charters in foreign and overseas air transportation by 10.5 percent for operations conducted with long-range aircraft, and 11.0 percent for operations with short-range aircraft. The only charter rates we propose to leave unchanged are the charter rates for turboprop and piston aircraft, no carrier having requested revision of these rates.

<sup>1</sup> The carriers, however, were not requested to submit forecasts of their costs for the future period. The 12 months ending Mar. 31, 1970, has been used as the base period for the purposes of this rate review.

<sup>2</sup> Appendix A filed as part of original document.

<sup>3</sup> For the year ended Mar. 31, 1970, the average return on investment reported by the carriers for their MAC operations was 5.3 percent, while the overall return on the carriers' "systems" (i.e., the carrier entities which encompass MAC operations) was 4.9 percent.

Since rates for individually waybilled and ticketed Categories A, X, and Z transportation are essentially tied to the long-range charter rates, it is proposed to adjust these rates by 10.5 percent.

The proposed rates are principally based upon data furnished for the base period with reference to Form 41 and part 243 reports as well. In the past, cargo rates have been computed by eliminating costs attributable to the passenger service function from passenger cost data. However, in the interest of expedition, we have not attempted to derive cargo costs in this fashion. Rather, the proposed rate increases for passenger services have been applied directly to cargo rates. In view of the similarity of this methodology to that which we have used in the past, and because MAC has indicated that cargo procurement will be relatively small in the future,<sup>4</sup> we believe the procedure followed herein is a reasonable one.

The base period data submitted by the carriers has been adjusted to reflect constructive ownership of leased aircraft,<sup>5</sup> depreciation based on a 14-year service life and a 15 percent residual value,<sup>6</sup> taxes on the basis of 48 percent for Federal income taxes,<sup>7</sup> and investment as of April 1, 1970.

Unit costs for depreciation, insurance, and amortization of preoperating expenses have been adjusted to reflect a reasonably attainable utilization rate for fiscal year 1971. The average utilization upon which the current rates are based (ER-536, adopted Apr. 25, 1968) is 11.8 hours for long-range aircraft (B-707, DC-8-50, and the DC-8-61/63 stretched jets) and 9.2 hours for the short-range jets (primarily the B-727). The carriers, in their special reports submitted for this proceeding covering the year ending

<sup>4</sup> Hearings before the Subcommittee on Military Airlift of the Committee on Armed Services, House of Representatives, 91st Cong., second session (H.A.S.C. 91-61), p. 6256.

<sup>5</sup> Aircraft rental charges have been eliminated, and in lieu thereof, provision has been made for depreciation expense and a return on investment. While this is one of the items scheduled for ratemaking in the current Domestic Passenger-Fare Investigation (Docket 21866), and it may be that a different treatment of leased aircraft will result from that proceeding, we are proposing to treat this in the same manner as in the past for MAC rate purposes pending the Board's resolution of the issue in the passenger-fare investigation. In any event, this adjustment is not of major significance in the overall rate.

<sup>6</sup> While the current MAC foreign rates are based upon a 12-year life and 15 percent residual, the rate proposed herein is that used in the most recent MAC rate review, which involved domestic Logair and Quicktrans services, and is the same depreciation rate proposed by the Board in Phase 1 of its pending Domestic Passenger-Fare Investigation (PSDR-25, Aug. 6, 1970). The 12-year service life and 15 percent residual used heretofore in MAC international rates is, however, reflected in the carriers' adjusted investment up to Mar. 31, 1970.

<sup>7</sup> Provision for State taxes was made for those carriers where it appeared appropriate.

March 31, 1970, show for long-range aircraft, an average utilization of 10.7 hours in MAC services and 10.1 hours overall for the aircraft types used in MAC services. For short-range aircraft the average MAC utilization of the B-727's was 7.7 hours, and 7.4 hours overall.

These data and data for the year ending March 31, 1970, as reported on Form 41<sup>7</sup> are shown in Appendix B and are summarized by groups below:<sup>8</sup>

|                       | Combination | All cargo | Supplemental | All carriers |
|-----------------------|-------------|-----------|--------------|--------------|
| Long-range aircraft:  |             |           |              |              |
| ER-536 forecast...    | 11.7        | 12.8      | 11.4         | 11.8         |
| Year ending 3/31/70:  |             |           |              |              |
| Special reports:      |             |           |              |              |
| MAC.....              | 11.5        | 11.5      | 9.3          | 10.7         |
| Commercial.....       | 10.4        | 9.5       | 8.1          | 9.3          |
| Overall.....          | 11.1        | 10.8      | 8.5          | 10.1         |
| Per Form 41:          |             |           |              |              |
| Overall.....          | 11.0        | 10.7      | 8.6          | 10.0         |
| Short-range aircraft: |             |           |              |              |
| ER-536 forecast...    | 9.1         | 10.0      | 9.0          | 9.2          |
| Year ending 3/31/70:  |             |           |              |              |
| Special reports:      |             |           |              |              |
| MAC.....              | 8.8         | 7.3       | 7.7          | 7.7          |
| Commercial.....       | 7.5         | 6.9       | 7.1          | 7.1          |
| Overall.....          | 8.3         | 7.1       | 7.4          | 7.4          |
| Per Form 41:          |             |           |              |              |
| Overall.....          | 8.8         | 8.3       | 7.0          | 7.6          |

The following table, for long-range aircraft, shows that there has been an appreciable decline in utilization as compared with that forecast in connection with the rates now in effect.

|                       | Combination | All-cargo | Supplemental | All carriers |
|-----------------------|-------------|-----------|--------------|--------------|
| ER-536 Forecast...    | 11.69       | 12.75     | 11.40        | 11.78        |
| Year ending           |             |           |              |              |
| Mar. 31, 1970.....    | 11.03       | 10.66     | 8.61         | 10.01        |
| 1st quarter 1970..... | 10.63       | 9.40      | 6.59         | 8.85         |
| 1st quarter 1969..... | 10.13       | 10.59     | 10.17        | 10.22        |
| MAC.....              | 11.54       | 11.52     | 9.28         | 10.66        |
| Overall.....          | 11.14       | 10.79     | 8.51         | 10.06        |

The decline has least affected the combination carriers and has most seriously affected the supplemental carriers. The carriers argue that the annual average for the base year is not a good benchmark and would stress the first quarter 1970 as more indicative of future utilization. DOD in its recommendations on July 22 points out that this quarter is a low quarter for commercial charters by the supplemental carriers and also re-

<sup>7</sup> The carriers' special reports generally are consistent with Form 41 reports and, hence, appear to be reasonably accurate. The individual significant disparities are tabulated below:

| Carrier          | Form 41 | Special reports | Difference |
|------------------|---------|-----------------|------------|
| American.....    | 11.54   | 11.86           | 0.32       |
| Braniff.....     | 13.15   | 11.99           | (1.16)     |
| Continental..... | 11.45   | 13.66           | 2.21       |
| Seaboard.....    | 11.09   | 11.39           | 0.39       |
| Satum.....       | 8.33    | 8.78            | 0.46       |
| TIA.....         | 9.69    | 8.90            | (0.79)     |
| Universal.....   | 7.75    | 7.40            | (0.35)     |

<sup>8</sup> The "system per Form 41" data shown in Appendix B for these carriers reflect the designated entities that include MAC operations. Appendix B is filed as part of the original document.

fects " \* \* the generally reduced level of the MAC airlift procurement \* \* ." The Department of Defense concludes that no valid basis exists upon which to project a lower utilization for aircraft utilized in future MAC international operations than the year ending March 31, 1970.

Neither the carriers' nor DOD's conclusions regarding the first quarter of 1970 appear to be valid without qualification. It seems clear that the substantial drop in MAC volume during that quarter contributed to the decline to 6.59 hours in the utilization for the supplemental carriers. On the other hand, the data does indicate that the first quarter tends to be below average and, therefore, such quarter should not be used to project annual utilization.

DOD's witnesses, when testifying at the Congressional hearings on military airlift,<sup>9</sup> forecast that MAC's civil airlift procurement (excluding Logair, Quicktrans, and Alaska) for fiscal 1971 would be \$380.1 million,<sup>10</sup> while in fiscal 1969 it was \$527.9 million.<sup>11</sup> In fiscal 1970, the procurement was \$449.8 million. In view of the fact that the year ending March 31, 1970, period includes a high quarter from fiscal 1969 and does not reflect the impact of the sharp drop of 15.5 percent when the forecast for fiscal 1971 is compared with fiscal 1970, the base year experience is not indicative of fiscal 1971 utilization and DOD's reliance upon that period for the future is not realistic.

Appendix B<sup>12</sup> shows that the supplemental carriers as a rule tend to have utilization in commercial services inferior to that in their MAC services. In all cases the supplemental carriers' utilization in the year ending March 31, 1970, even in MAC services, is well under the forecast for fiscal 1969 for these carriers. In order to avoid making MAC pay for the commercial slack, the overall MAC/commercial utilization is not a proper standard. However, because of the steady decline in MAC volume which can be expected to continue, the MAC base-year level is not an appropriate measure.

In the case of the scheduled carriers, the system basis presents additional problems in that in some instances it reflects intermediate-haul services that tend to generate lower utilization inconsistent with the characteristic MAC long-haul operations. This applies to American's Mexican service and Continental's, Eastern's, United's, and Flying

<sup>9</sup> Hearings, op. cit.

<sup>10</sup> Hearings, page 6343. MAC's RFP's for fiscal 1971 included advice to the prospective bidders that the international buy for passengers would be \$328 million and that the cargo requirements for fiscal 1971 have not been developed. For the past several years MAC has been informing the carriers that it expects the cargo volume available for civil air carriers to shrink to a very minor level.

<sup>11</sup> Hearings, page 6348.

<sup>12</sup> Appendix B filed as part of original document.

Tiger's domestic services. Our tentative utilization conclusions for long-range aircraft are shown below together with other relevant data.

|                        | System per Form 41 |                       | MAC YE                            | Forecast |
|------------------------|--------------------|-----------------------|-----------------------------------|----------|
|                        | YE Mar. 31, 1970   | Quarter Mar. 31, 1970 | Mar. 31, 1970 per special reports |          |
| American B-707.....    | 11.5               | 11.6                  | 12.9                              | 12.0     |
| Braniff B-707.....     | 13.2               | 12.5                  | 13.5                              | 13.0     |
| Continental B-707..... | 11.5               | 10.5                  | 13.7                              | 12.0     |
| Eastern DC-8-C3.....   | 10.5               | 11.1                  | 11.6                              | 11.0     |
| Northwest B-707.....   | 9.9                | 9.9                   | 9.8                               | 10.0     |
| Pan Am B-707.....      | 10.4               | 9.5                   | 10.5                              | 10.0     |
| TWA B-707.....         | 11.8               | 11.0                  | 11.8                              | 11.0     |
| United DC-8-C1.....    | 9.4                | 9.0                   | 8.7                               | 9.0      |
| Airlift DC-8-C3.....   | 10.5               | 7.4                   | 10.7                              | 10.0     |
| Flying Tiger           |                    |                       |                                   |          |
| DC-8-C3.....           | 10.4               | 9.8                   | 11.5                              | 11.0     |
| Seaboard DC-8-C1.....  | 11.0               | 11.0                  | 12.4                              | 11.0     |
| American Flyers        |                    |                       |                                   |          |
| DC-8-C3.....           | 7.0                | 6.5                   | 9.3                               | 7.0      |
| Capital DC-8.....      | 6.4                | 3.3                   | 6.5                               | 7.0      |
| DC-8-3.....            | 8.7                | 6.3                   | 8.5                               | 8.0      |
| ONA DC-8.....          | 8.3                | 6.4                   | 8.3                               | 8.0      |
| DC-8-C3.....           | 9.3                | 7.1                   | 9.3                               | 9.0      |
| Satum DC-8.....        | 7.7                | 4.0                   | 9.3                               | 8.0      |
| DC-8-C1.....           | 8.9                | 6.0                   | 10.0                              | 9.0      |
| TIA DC-8-C1.....       | 8.8                | 7.4                   | 9.6                               | 9.0      |
| DC-8-C3.....           | 10.6               | 9.6                   | 9.5                               | 9.0      |
| Universal DC-8.....    | 4.9                | 4.2                   | 7.2                               | 7.0      |
| DC-8-C1.....           | 8.7                | 8.2                   | 9.4                               | 9.0      |
| World B-707.....       | 10.7               | 6.3                   | 10.8                              | 10.0     |
| Average.....           | 10.0               | 8.9                   | 10.7                              | 10.0     |

<sup>1</sup> For carriers having two aircraft types, the average of both types is used for that carrier in determining the overall average, weighted according to miles flown by each type.

As a generalization, our tentative utilization conclusions are pegged close to the system average, subject to the following qualifications: (1) Despite an allowance for some decrease in MAC utilization, the system utilization has been increased as explained above, in recognition that in the cases of American, Continental, Eastern, and Flying Tiger the system utilization is depressed by significant intermediate-haul situations; (2) in the case of combination route carriers (e.g., United) it has been assumed that 9 hours is a reasonable minimum and in the case of supplemental carriers, 7 hours; and (3) MAC utilization would decline below that experienced in the base year.<sup>13</sup>

The conclusions for short-range aircraft follow:<sup>14</sup>

<sup>13</sup> Additional detailed background utilization data are provided on page 2 to Appendix B, which is filed as part of the original document. These data confirm that the Mar. 31, 1970 quarter is not suitable by itself for projection in view of the upturn in the June 30, 1970 quarter. The sag below the base-year level is attributable to the supplemental carriers. However, the low utilization of World appears to be related to its strike situation, and, as we have found above, it does not appear reasonable to recognize deterioration of utilization for these carriers below 7 hours.

<sup>14</sup> While our utilization forecasts for long-range aircraft have been rounded to even hours, we have not done so in the case of our short-range forecast, since in the latter case fractional hours assume greater significance due to the smaller sample of carriers and the lower utilization achieved in such services.

|                      | System per Form 41 |                       | MAC YE                            | Forecast |
|----------------------|--------------------|-----------------------|-----------------------------------|----------|
|                      | YE Mar. 31, 1970   | Quarter Mar. 31, 1970 | Mar. 31, 1970 per special reports |          |
|                      | Alaska.....        | 8.76                  | 8.61                              |          |
| Airlift.....         | 8.30               | 7.95                  | 8.76                              | 8.0      |
| American Flyers..... | 6.65               | 7.71                  | 6.21                              | 7.0      |
| TIA.....             | 4.81               | 3.26                  | 6.02                              | 7.0      |
| World.....           | 9.40               | 9.12                  | 9.81                              | 9.2      |
| Average.....         | 7.58               | 7.43                  | 7.70                              | 7.94     |

The forecast presumes that 7 hours is the minimum reasonable utilization for MAC charters. In other cases, the system utilization is the basis, rounded down slightly to reflect the impact of some decline in MAC charters. The average forecast of 7.94 is considerably under the forecast of 9.17 for fiscal 1969 reflected in the current short-haul aircraft rates. The reduction is due, as shown below, primarily to Braniff's and Southern's nonparticipation, the inclusion of American Flyers, which has experienced low utilization, and the decline in Airlift's and TIA's experience below forecast levels.

|                      | System per Form 41 |                       | MAC YE                            | Forecasts |        |
|----------------------|--------------------|-----------------------|-----------------------------------|-----------|--------|
|                      | YE Mar. 31, 1970   | Quarter Mar. 31, 1970 | Mar. 31, 1970 per special reports | FY 1971   | ER-536 |
|                      | Alaska.....        | 8.76                  | 8.61                              | NR        | 8.5    |
| Braniff.....         | 8.75               | 8.83                  | ---                               | ---       | 9.63   |
| Airlift.....         | 8.30               | 7.95                  | 8.76                              | 8.0       | 10.00  |
| American Flyers..... | 6.65               | 7.71                  | 6.21                              | 7.0       | ---    |
| Southern.....        | 6.48               | 3.73                  | NR                                | ---       | 8.81   |
| TIA.....             | 4.81               | 3.26                  | 6.02                              | 7.0       | 9.00   |
| World.....           | 9.40               | 9.12                  | 9.81                              | 9.2       | 9.00   |
| Average..            | 7.59               | 7.03                  | 7.70                              | 7.94      | 9.17   |

In addition to the foregoing adjustments, the carriers' costs were adjusted to provide for a 2.2 percent increase in costs over the base period. This adjustment represents an annualization of wage and salary cost increases incurred during the base year, but not fully reflected in base-year data. Appendix C attached hereto<sup>14</sup> details these increases and the methodology used to compute the adjustment. In addition, we have made appropriate adjustments to reflect an increase in public liability and property damage insurance rates effective June 19, 1970, reported by Airlift.

Finally, DOD has pointed out that the price of military fuel was reduced by 11.1 percent effective July 1, 1970. Since fuel constitutes 19 percent of the cost of long-range operations and 15 percent of short-range costs, this price decrease results in an overall decrease in costs of 1 percent for long-range operations and 0.8 percent in short-range operations.<sup>15</sup>

Data for American Flyers have been excluded for the purposes of determining the short-range rates proposed herein.

<sup>14</sup> Appendix C filed as part of original document.

<sup>15</sup> In view of the disparate estimates of the proportion of fuel purchased from the military, in our judgment it is reasonable to assume that 50 percent of the carriers' fuel is so purchased. This judgment is reflected in the above computation.

That carrier's operations reflect a service involving three Atlantic coast points which necessitated substantial ferrying. This service is not included in fiscal year 1971 contracts.<sup>16</sup>

DOD has proposed to exclude PAA's cost data from the computation of long-range rates on the ground that these data include the costs of that carrier's short-range operations as well.<sup>17</sup> For the purposes of computing the rates proposed herein, we have used PAA's cost data as submitted, except for the adjustments detailed above. However, there may be merit in DOD's contention that PAA's costs include expenses of operations which should be assigned to the short-range services which bear a higher rate, particularly in light of the fact that PAA's costs are well above those of other carriers using the same aircraft type. Thus, in the absence of separate data for PAA's long-range operations, we will consider, in light of the comments received, making appropriate adjustments to PAA's submitted costs.

It is recognized that there are continuing inflationary pressures on costs accompanied by a decline in the volume of MAC business. On the other hand, it is reasonable to believe that the inflationary increases will be offset to a considerable degree by cost savings not fully reflected in the base-period cost data. For example, changes in aircraft mix toward more efficient aircraft types as well as greater experience on the "learning

<sup>16</sup> Inclusion of American Flyers' data would result in a rate increase for short-range services of 15 percent rather than the 11 percent proposed herein.

<sup>17</sup> DOD asserts that in fiscal 1970, 20 percent of PAA's MAC contract revenue was received from the short-range rate.

curve" of the various aircraft types may, as they have in the past, contribute to economies of operation. Also, the carriers' current efforts in cost control may produce results for this period which were not reflected in their base-year data. In light of the foregoing, and in view of the fact that a full-scale review of these rates is planned for fiscal 1972, the rates proposed herein reflect, in our judgment, reasonable rate levels for the interim period.

In keeping with the Board's policy as expressed in EDR-185, it is proposed that the rate herein be made effective as of August 5, 1970. While petitions for reconsideration of this proposal have been filed,<sup>18</sup> the Board has determined to defer disposition of this issue for determination with the final rule. Any person who so desires may include his views on this issue in his comments.

**Proposed rule.** It is proposed to amend Parts 288 and 399 of the regulations (14 CFR Parts 288 and 399), effective August 5, 1970,<sup>19</sup> as follows:

1. Amend § 288.7 (a) (1), (d) (1) and (2), and (e) to read as follows:

§ 288.7 Reasonable level of compensation.

(a) \* \* \*

- (1) Performed with turbine-powered aircraft:

<sup>18</sup> Petitions were filed by PAA and Continental. Answers in support of the petitions were filed by Airlift, Braniff, Flying Tiger, Seaboard, and jointly by American Flyers, ONA, Saturn, TIA, and Univorsal.

<sup>19</sup> This effective date applies to charter rates and Categories A and X rates. Since Category Z rates are embodied in tariffs, the proposed change in those minimum rates would not be made retroactively effective.

| Aircraft type                                   | Passengers, per passenger-milo |         | Cargo, per ton-milo |         | Convertible                       |                         | Mixed passenger-cargo, per revenue plane-milo |         |          |         |
|---|--------------------------------|---------|---------------------|---------|-----------------------------------|-------------------------|---|---------|----------|---------|
|   | Round-trip                     | One way | Round-trip          | One way | Passenger leg, per passenger-milo | Cargo leg, per ton-milo | Roundtrip                                     |         | One way  |         |
|   |                                |         |                     |         |                                   |                         | Variable                                      | Fixed   | Variable | Fixed   |
|   | Cents                          | Cents   | Cents               | Cents   | Cents                             | Cents                   | Dollars                                       | Dollars | Dollars  | Dollars |
| Turboprops:                                     |                                |         |                     |         |                                   |                         |   |         |          |         |
| CL-44.....                                      | 2.00                           | 3.60    | 9.39                | 17.19   | 2.15                              | 10.67                   |   |         |          |         |
| L-382.....                                      |                                |         | 10.05               | 19.64   |                                   |                         |   |         |          |         |
| Regular turbojets:                              | 1.634                          | 3.431   | 7.801               | 15.525  | 2.033                             | 9.110                   |   |         |          |         |
| Passengers-pallets:                             |                                |         |                     |         |                                   |                         |   |         |          |         |
| 165 and 0.....                                  |                                |         |                     |         |                                   |                         | 3.443   | 3.103   | 6.022    | 5.740   |
| 117 and 3.....                                  |                                |         |                     |         |                                   |                         | 3.337   | 3.074   | 6.050    | 5.724   |
| 105 and 4.....                                  |                                |         |                     |         |                                   |                         | 3.315   | 3.072   | 6.050    | 5.713   |
| 93 and 5.....                                   |                                |         |                     |         |                                   |                         | 3.282   | 3.039   | 6.078    | 5.713   |
| 81 and 6.....                                   |                                |         |                     |         |                                   |                         | 3.260   | 3.017   | 6.078    | 5.703   |
| 63 and 7.....                                   |                                |         |                     |         |                                   |                         | 3.210   | 2.934   | 6.067    | 5.703   |
| 51 and 8.....                                   |                                |         |                     |         |                                   |                         | 3.103   | 2.950   | 6.070    | 5.691   |
| 0 and 12.....                                   |                                |         |                     |         |                                   |                         | 3.072   | 2.851   | 6.034    | 5.669   |
| DC-8F-61, -63.....                              | 1.934                          | 3.431   | 7.801               | 15.525  | 2.033                             | 9.110                   |   |         |          |         |
| Passengers-pallets:                             |                                |         |                     |         |                                   |                         |   |         |          |         |
| 219 and 0.....                                  |                                |         |                     |         |                                   |                         | 4.575   | 4.233   | 7.034    | 7.025   |
| 189 and 5.....                                  |                                |         |                     |         |                                   |                         | 4.387   | 4.033   | 7.767    | 7.449   |
| 65 and 12.....                                  |                                |         |                     |         |                                   |                         | 4.077   | 3.724   | 7.493    | 7.171   |
| 47 and 13.....                                  |                                |         |                     |         |                                   |                         | 4.023   | 3.669   | 7.437    | 7.127   |
| 0 and 18.....                                   |                                |         |                     |         |                                   |                         | 3.879   | 3.514   | 7.293    | 6.934   |
| B-727, CV-880, CV-990 Pacific Inter-Island..... | 2.553                          | 4.820   | 12.037              | 25.974  | 2.819                             | 15.851                  |   |         |          |         |
| Passengers-pallets:                             |                                |         |                     |         |                                   |                         |   |         |          |         |
| 105 and 0.....                                  |                                |         |                     |         |                                   |                         | 2.964   | 2.630   | 5.350    | 5.073   |
| 61 and 2.....                                   |                                |         |                     |         |                                   |                         | 2.819   | 2.542   | 5.184    | 4.863   |
| 59 and 3.....                                   |                                |         |                     |         |                                   |                         | 2.775   | 2.493   | 5.139    | 4.863   |
| 46 and 4.....                                   |                                |         |                     |         |                                   |                         | 2.764   | 2.489   | 5.123    | 4.851   |
| 0 and 7.....                                    |                                |         |                     |         |                                   |                         | 2.620   | 2.343   | 4.951    | 4.673   |
| B-727, CV-880, CV-990, all other.....           | 2.775                          | 5.250   | 14.430              | 23.860  | 3.041                             | 17.430                  |   |         |          |         |
| Passengers-pallets:                             |                                |         |                     |         |                                   |                         |   |         |          |         |
| 105 and 0.....                                  |                                |         |                     |         |                                   |                         | 3.197   | 2.919   | 5.794    | 5.517   |
| 61 and 2.....                                   |                                |         |                     |         |                                   |                         | 3.034   | 2.789   | 5.661    | 5.334   |
| 59 and 3.....                                   |                                |         |                     |         |                                   |                         | 3.039   | 2.763   | 5.623    | 5.329   |
| 46 and 4.....                                   |                                |         |                     |         |                                   |                         | 3.010   | 2.742   | 5.617    | 5.339   |
| 0 and 7.....                                    |                                |         |                     |         |                                   |                         | 2.875   | 2.597   | 5.472    | 5.193   |

<sup>1</sup> The minimum rate for operation of B-707 aircraft in Recreation and Rehabilitation (R&R) service between the Republic of South Vietnam, on the one hand, and Thailand, Malaysia, Singapore, the Republic of the Philippines, Hong Kong, and Taiwan, on the other, shall be 2.553 cents per passenger-milo.

(d) For Category A transportation:  
 (1) Passengers, 3.481 cents per passenger-mile.  
 (2) Cargo: Outbound, 13.26 cents per ton-mile; and inbound, 11.05 cents per ton-mile.

(e) For Category X transportation, 1.934 cents per passenger-mile and 7.801 cents per cargo ton-mile.

2. Amend § 399.16(b) to read as follows:

§ 399.16 Military exemptions.

(b) The minimum charges considered fair and reasonable for the transportation of Category Z individually ticketed passengers in foreign and overseas air transportation and in air transportation between the 48 contiguous States on the one hand and Hawaii or Alaska on the other hand will be 3.481 cents per passenger-mile, applied to the shortest mileage between the commercial air carrier points as set forth in the current IATA Mileage Manual to compute point-to-point passenger fares.

[F.R. Doc. 70-15742; Filed, Nov. 24, 1970; 8:45 a.m.]

FEDERAL COMMUNICATIONS  
 COMMISSION

I 47 CFR Part 73 I

[Docket No. 19046]

TELEVISION BROADCAST STATIONS

Table of Assignments, Gastonia and Monroe, N.C.; Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of § 73.606(b) of the Commission's rules, Table

of Assignments, Television Broadcast Stations (Gastonia and Monroe, N.C.), Docket No. 19046.

1. This proceeding was begun by notice of proposed rule making (FCC 70-1102) adopted October 7, 1970, released October 12, 1970, and published in the FEDERAL REGISTER on October 15, 1970, 35 F.R. 16182. The dates for filing comments and reply comments are presently November 16, 1970, and November 27, 1970, respectively.

2. On November 12, 1970, Carolina Broadcasting Co. (Carolina), licensee of Station WSOC-TV, Charlotte, N.C., filed a request to extend the time for filing comments and reply comments to and including November 30, 1970, and December 11, 1970, respectively. Carolina states that the significant issues raised by the Commission respecting additional UHF allocations in the Charlotte area are of paramount importance to the public interest in terms of television service and warrant sufficient research by interested parties.

3. We are of the view that the additional time requested is warranted and would serve the public interest. *Accordingly, it is ordered, That the time for filing comments and reply comments in Docket 19046 is extended to and including November 30, 1970, and December 11, 1970, respectively.*

4. This action is taken pursuant to authority found in sections 4(l), 5(d) (1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281 (d) (8) of the Commission's rules.

Adopted: November 13, 1970.

Released: November 17, 1970.

[SEAL] FRANCIS R. WALSH,  
 Chief, Broadcast Bureau.

[F.R. Doc. 70-15838; Filed, Nov. 24, 1970; 8:47 a.m.]

I 47 CFR Part 73 I

[Docket No. 18979]

TELEVISION BROADCAST STATIONS

Table of Assignments, Kerrville-Fredericksburg, Tex.; Order Extending Time for Filing Reply Comments

In the matter of amendment of § 73.606(b) Table of Assignments, Television Broadcast Stations (Kerrville-Fredericksburg, Tex.), Docket No. 18979, RM-1387.

1. This proceeding was begun by notice of proposed rule making (FCC 70-927) adopted August 26, 1970, released August 31, 1970, and published in the FEDERAL REGISTER September 4, 1970, 35 F.R. 14095. The date for filing comments has expired. The date presently designated for filing reply comments is November 20, 1970.

2. On November 13, 1970, United Tecon, proponent of the rule making, filed a request to extend the time for filing reply comments to and including December 21, 1970. It states its request is occasioned by the extensive engineering material filed with the comments of the Southwest Republic Corp. and of Channel Twenty-four Corp. It further states that both these parties have consented to the extension of time requested herein.

3. We are of the view that the additional time is warranted and would serve the public interest: *Accordingly, it is ordered, That the request of United Tecon is granted and the date for filing reply comments is extended to and including December 21, 1970.*

4. This action is taken pursuant to authority found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d) (8) of the Commission's rules and regulations.

Adopted: November 18, 1970.

Released: November 19, 1970.

[SEAL] FRANCIS R. WALSH,  
 Chief, Broadcast Bureau.

[F.R. Doc. 70-15837; Filed, Nov. 24, 1970; 8:47 a.m.]

# Notices

## FEDERAL POWER COMMISSION

[RP71-18—RP71-25]

### COLUMBIA GULF TRANSMISSION CO. ET AL.

#### Order Providing for Hearing, Suspending Proposed Revised Tariff Sheets and Granting Petitions To Intervene

NOVEMBER 13, 1970.

Columbia Gulf Transmission Co., RP71-18; United Fuel Gas Co., RP71-19; Atlantic Seaboard Corp., RP71-20; Kentucky Gas Transmission Corp., RP71-21; The Ohio Fuel Gas Co., RP71-22; Cumberland and Allegheny Gas Co., RP71-23; The Manufacturers Light and Heat Co., RP71-24; Home Gas Co., RP71-25.

The eight pipeline companies named in these proceedings, each of which is an affiliate of the Columbia Gas System, Inc., on October 1, 1970, by separate applications, tendered for filing proposed changes in their FPC Gas Tariffs, reflecting increased rates and charges which aggregate approximately \$214.2 million, to become effective November 16, 1970.<sup>1</sup> For administrative purposes only, these applications are treated together in this order, but are not at this time deemed to be consolidated for purposes of hearing and decision.

The impact of these increased rates upon the ultimate consumers is approximately half of the aggregate amount of \$214.2 million because the rate increases cover sales of gas for resale among the eight applicants, as well as to non-Columbia customers. Columbia Gulf transports gas for United Fuel, which in turn sells gas to Seaboard, Kentucky Gas, Cumberland, and Manufacturers. Seaboard sells a portion of its gas to Manufacturers and to Cumberland. Manufacturers sells gas to Home and both Kentucky and Manufacturers sell gas to Ohio Fuel. In addition, as many as six non-Columbia pipeline companies supply gas to United Fuel, Ohio Fuel, Seaboard, and Manufacturers. One of these six companies, Tennessee Gas Pipeline Co., has filed increased rates now suspended until March 17, 1971, in Docket No. RP71-6.

The approximate annual amounts of the rate increases filed by the eight applicants, to become effective November 16, are: Columbia Gulf \$42.6 million, United Fuel \$63 million, Seaboard \$27.5 million, Kentucky Gas \$12.2 million, Ohio Fuel \$33.3 million, Cumberland \$740,000, Manufacturers \$30.6 million and Home \$3.8 million.

United Fuel's rate filing also includes revised tariff sheets which propose increased rates and charges, solely reflect-

ing the increased cost of Tennessee Gas' rate increase in Docket No. RP71-6 and proposing to become effective simultaneously therewith on March 17, 1971. Four other applicants, Seaboard, Kentucky Gas, Manufacturers, and Home, in turn, also filed revised tariff sheets, proposed to become effective March 17, 1971, reflecting the effect of Tennessee Gas' increased rates upon United Fuel's and their own costs of service.<sup>2</sup>

The proposed increased rates which would track the effect of Tennessee Gas' rate increase are included in the rates proposed to become effective November 16, and the costs of service supporting the rates of all of the applicants, except Columbia Gulf which is not affected by Tennessee Gas' rates. The approximate annual tracking increases are: United Fuel \$17 million, Seaboard \$5.3 million, Kentucky Gas \$2.6 million, Manufacturers \$7.9 million, and Home \$831,000.

In support of their proposed overall rate increases, the eight applicants each state that there are three principal causes necessitating their increased rate filings: (i) The claimed need for an increase in overall rate of return from 7.5 percent to 8.25 percent in order to attract additional capital to develop new sources of gas supply; (ii) proposed changes in depreciation methods and accrual rates; and (iii) proposed change in the determination of allowance for income taxes from "flow-through" to "normalization" with respect to liberalized depreciation. Also included in supporting material is the claim that tax savings should be eliminated from the consolidated effective income tax rate computations.

Thirty-one parties have filed notices of intervention and petitions to intervene in one or more of these proceedings.<sup>3</sup> In addition, the cities of Barbourville and Manchester, Ky., filed protests, but did not petition to intervene. Virginia Pipe Line Co.'s petition lists all of the above-captioned proceedings which were listed in the Commission's published notice of the rate filings. All other petitions seek intervention only in the proceedings involving their immediate gas supplier and those supplying such supplier upstream. Assuming that Virginia Pipe Line's petition was based upon the incorrect assumption that these proceedings have been consolidated for pur-

<sup>2</sup> The revised tariff sheets proposed to become effective Mar. 17, 1971, are listed in Appendix A hereto. By applicants' letter filed Oct. 19, 1970, the requested effective date for "tracking" Tennessee's RP71-6 proposed increase was postponed from Oct. 17, 1970, to Mar. 17, 1971.

<sup>3</sup> The petitions to intervene are listed in Appendix C hereto, together with the docketed proceedings in which they are granted leave to intervene by this order.

poses of hearing, we will grant its intervention in the proceedings of its immediate supplier, Seaboard, and the latter's upstream suppliers, United Fuel and Columbia Gulf.

Review of the aforementioned filings indicates that certain issues are raised therein which require development in evidentiary proceedings. Among such issues, but not limited thereto, are the various grounds enumerated above offered by applicants in support of their increased rates and charges and the consolidated effective tax rate issue. In addition, Cumberland proposes to supersede its First Revised Volume No. 1 with a new Second Revised Volume No. 1 for the stated purpose of providing uniformity with the FPC Gas Tariffs of its Columbia wholesale affiliates. Six of the applicants (excluding Columbia Gulf and Cumberland), propose to eliminate section 10 of Rate Schedule WS (Winter Service), stating that the purpose is to place all wholesale customers on a comparable basis with respect to entitlement to excess gas service.

The proposed increased rates and charges have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the rates and charges contained in the FPC gas tariffs of the eight applicants in these proceedings, as proposed to be amended, and that the proposed revised tariff volume and revised tariff sheets listed in Appendices A and B hereto be suspended and the use thereof deferred as herein provided.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held at the time and place to be fixed by orders of the Commission or notices of the Commission Secretary, concerning the lawfulness of the rates, charges, classifications, and services contained in the eight applicants' FPC gas tariffs as proposed to be amended.

(B) Pending such hearings and decisions thereon, the proposed revised tariff volume and revised tariff sheets listed in Appendix B hereto are suspended and their use is deferred until April 16, 1971, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act; and the proposed revised tariff sheets listed in Appendix A hereto are suspended and their use is deferred until

<sup>1</sup> The revised tariff sheets proposed to become effective November 16 are listed in Appendix B hereto.

March 17, 1971, and until such further time as the proposed increased rates and charges of Tennessee Gas Pipeline Co. become effective in Docket No. RP71-6.

(C) The petitioners listed in Appendix C hereto are hereby permitted to intervene in the indicated proceedings listed therein, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such interveners shall be limited to matters affecting rights and interests specifically set forth in the respective petitions to intervene: *And provided, further,* That the admission of such interveners shall not be construed as recognition by the Commission that they, or any of them, might be aggrieved because of any order or orders issued by the Commission in these proceedings.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary,

APPENDIX A

REVISED FPC GAS TARIFF FILINGS

(Proposed to become effective Mar. 17, 1971)

- United Fuel Gas Co.
  - Sixth Revised Volume No. 1:
  - Seventh Revised Sheet No. 25-A.
  - Eighth Revised Sheets Nos. 5, 6, 7, and 21.
  - Ninth Revised Sheet No. 18.
- Atlantic Seaboard Corp.
  - Eighth Revised Volume No. 1:
  - Seventh Revised Sheet No. 39-A.
  - Eighth Revised Sheets Nos. 6, 7, and 32.
  - Ninth Revised Sheet No. 5.
- Kentucky Gas Transmission Corp.
  - Second Revised Volume No. 1:
  - Fourth Revised Sheet No. 31.
  - Seventh Revised Sheet No. 25-A.
  - Eighth Revised Sheets Nos. 6, 7, and 21.
  - Ninth Revised Sheets Nos. 5 and 18.
- The Manufacturers Light and Heat Co.
  - Fifth Revised Volume No. 1:
  - Fifth Revised Sheet No. 31.
  - Sixth Revised Sheets Nos. 6, 7, 8, and 30.
  - Eighth Revised Sheet No. 26.
- Home Gas Co.
  - Fourth Revised Volume No. 1:
  - Fourth Revised Sheet No. 38.
  - Fifth Revised Sheets Nos. 6, 7, 8, and 37.
  - Sixth Revised Sheet No. 33.

APPENDIX B

REVISED FPC GAS TARIFF FILINGS

(Proposed to become effective Nov. 16, 1970)

- Columbia Gulf Transmission Co.
  - Original Volume No. 1:
  - Fourth Revised Sheet No. 8.
  - Nineteenth Revised Sheet No. 7.
- United Fuel Gas Co.
  - Sixth Revised Volume No. 1:
  - Third Revised Sheets Nos. 23 and 8.
  - Fourth Revised Sheet No. 29.
  - Sixth Revised Sheet No. 26.
  - Eighth Revised Sheet No. 25-A.
  - Ninth Revised Sheets Nos. 5, 6, 7, and 21.
  - Tenth Revised Sheet No. 18.
- Atlantic Seaboard Corp.
  - Eighth Revised Volume No. 1:
  - Third Revised Sheet No. 37.
  - Fifth Revised Sheet No. 47.
  - Sixth Revised Sheet No. 50.
  - Eighth Revised Sheet No. 39-A.
  - Ninth Revised Sheets Nos. 6, 7, and 32.
  - Tenth Revised Sheet No. 5.

- Kentucky Gas Transmission Corp.
  - Second Revised Volume No. 1:
  - Third Revised Sheet No. 23.
  - Fourth Revised Sheet No. 32.
  - Fifth Revised Sheet No. 31.
  - Sixth Revised Sheet No. 26.
  - Eighth Revised Sheets Nos. 25-A and 29.
  - Ninth Revised Sheets Nos. 6, 7, and 21.
  - Tenth Revised Sheets Nos. 5 and 18.
- The Ohio Fuel Gas Co.
  - Fourth Revised Volume No. 1:
  - Second Revised Sheets Nos. 43 and 50.
  - Fifth Revised Sheet No. 47.
  - Twelfth Revised Sheet No. 10.
  - Thirteenth Revised Sheets Nos. 6, 7, 8, 11, 12, 13, 16, 17, 21, 22, and 42.
  - Fourteenth Revised Sheets Nos. 15, 20, 38, 40, and 45.

- Cumberland and Allegheny Gas Co.
  - Second Revised Volume No. 1:
  - Original Sheets Nos. 1 through 36.
  - Cancellation of:
  - Second Revised Sheet No. 21.
  - First Revised Sheet No. 22.
- The Manufacturers Light and Heat Co.
  - Fifth Revised Volume No. 1:
  - Second Revised Sheet No. 27.
  - Fourth Revised Sheets Nos. 22 and 23.
  - Sixth Revised Sheet No. 31.
  - Seventh Revised Sheets Nos. 6, 7, 8, and 30.
  - Ninth Revised Sheet No. 28.
- Home Gas Co.
  - Fourth Revised Volume No. 1:
  - Second Revised Sheet No. 34.
  - Third Revised Sheet No. 30.
  - Sixth Revised Sheets Nos. 6, 7, and 8.

APPENDIX C

COLUMBIA GULF TRANSMISSION COMPANY, ET AL.

| PARTY  | Dockets Nos. RP71- |    |    |    |    |    |       |
|--|--------------------|----|----|----|----|----|-------|
|  | 18                 | 19 | 20 | 21 | 22 | 23 | 24 25 |
| Administrator of General Services Administration.....                          | X                  | X  | X  | X  | X  | X  | X     |
| Baltimore Gas & Electric Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| Central Hudson Gas & Electric Corp.....  | X                  | X  | X  | X  | X  | X  | X     |
| The Cincinnati Gas & Electric Co. and The Union Light, Heat, and Power Co..... | X                  | X  | X  | X  | X  | X  | X     |
| City of Charlottesville, Va.....   | X                  | X  | X  | X  | X  | X  | X     |
| City of Cincinnati, Ohio.....  | X                  | X  | X  | X  | X  | X  | X     |
| Columbia Gas of Kentucky, Inc.....   | X                  | X  | X  | X  | X  | X  | X     |
| Columbia Gas of Maryland, Inc.....   | X                  | X  | X  | X  | X  | X  | X     |
| Columbia Gas of New York, Inc.....   | X                  | X  | X  | X  | X  | X  | X     |
| Columbia Gas of Pennsylvania, Inc.....   | X                  | X  | X  | X  | X  | X  | X     |
| Columbia Gas of Ohio, Inc.....   | X                  | X  | X  | X  | X  | X  | X     |
| Columbia Gas of West Virginia, Inc.....  | X                  | X  | X  | X  | X  | X  | X     |
| Commonwealth North Gas Corp.....   | X                  | X  | X  | X  | X  | X  | X     |
| Cumberland and Allegheny Gas Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| The Dayton Power & Light Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| The Manufacturers Light & Heat Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| New York State Electric & Gas Corp.....  | X                  | X  | X  | X  | X  | X  | X     |
| The Ohio Fuel Gas Co.....  | X                  | X  | X  | X  | X  | X  | X     |
| Orange and Rockland Utilities, Inc.....  | X                  | X  | X  | X  | X  | X  | X     |
| Pennsylvania Gas & Water Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| Roanoke Gas Co.....  | X                  | X  | X  | X  | X  | X  | X     |
| UGI Corp.....  | X                  | X  | X  | X  | X  | X  | X     |
| United Natural Gas Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| Virginia Gas Distribution Corp.....  | X                  | X  | X  | X  | X  | X  | X     |
| Virginia Pipe Line Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| Washington Gas Light Co.....   | X                  | X  | X  | X  | X  | X  | X     |
| West Ohio Gas Co.....  | X                  | X  | X  | X  | X  | X  | X     |
| NOTICES OF INTERVENTION  |                    |    |    |    |    |    |       |
| Public Service Commission of the State of New York.....                        | X                  | X  | X  | X  | X  | X  | X     |
| Public Utility Commission of Ohio.....   | X                  | X  | X  | X  | X  | X  | X     |
| Pennsylvania Public Utility Commission.....                                    | X                  | X  | X  | X  | X  | X  | X     |
| Public Service Commission of Kentucky.....                                     | X                  | X  | X  | X  | X  | X  | X     |

[F.R. Doc. 70-15036; Filed, Nov. 24, 1970; 8:45 a.m.]

[Docket No. CS71-21 etc.]

RAMSEY & GASSAWAY OIL & GAS PROPERTIES ET AL.

Notice of Applications for "Small Producer" Certificates<sup>1</sup>

NOVEMBER 17, 1970.

Take notice that each of the applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from areas for which just and

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein.

reasonable rates have been established, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before December 11, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Acting Secretary.

| Docket No. | Date filed | Name of applicant  |
|------------|------------|--|
| CS71-21    | 10-16-70   | Roy H. Ramsey and Clyde M. Gassaway, d.b.a. Ramsey & Gassaway Oil & Gas Properties, 300 Panhandle Bank & Trust Bldg., Borger, TX 79007.  |
| CS71-22    | 10-16-70   | Northern Pump Co. et al., 1915 57th Ave. North, Minneapolis, MN 55430.   |
| CS71-23    | 10-15-70   | The Bradley Producing Corp., 313 North Main St., Wellsville, NY 14895.   |
| CS71-24    | 10-16-70   | B. M. Brittain, Post Office Box 180, Amarillo, TX 79105.   |
| CS71-25    | 10-19-70   | Producer's Gas Co., Post Office Box 7303, Amarillo, TX 79109.  |
| CS71-26    | 10-19-70   | Lear Petroleum Corp., Post Office Box 7512, Amarillo, TX 79109.  |
| CS71-27    | 10-19-70   | Cecil L. Lanier et al., Post Office Box 578, McAllen, TX 78501.  |
| CS71-28    | 10-20-70   | Coral Gas & Oil, Inc. (formerly Crown Petroleum, Inc.), 409 Bank of the Southwest Bldg., Amarillo, TX 79109.   |
| CS71-29    | 10-21-70   | Rimrock Exploration Co., Inc., 803 First National Bldg., Oklahoma City, OK 73102.  |
| CS71-30    | 10-22-70   | Texstar Exploration, Inc., Post Office Box 919, Pampa, TX 79065.   |
| CS71-31    | 10-22-70   | Earl P. Smith & Associates, Inc., Post Office Box 7407, Amarillo, TX 79109.  |
| CS71-32    | 10-23-70   | Philcon Development Co., Post Office Box 2242, Amarillo, TX 79106.   |
| CS71-33    | 10-22-70   | J. M. Hawley et al., c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101.   |
| CS71-34    | 10-22-70   | Jano Clayton Russell et al., c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101.   |
| CS71-35    | 10-22-70   | W. H. Taylor Estate et al., c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101.  |
| CS71-36    | 10-22-70   | Clayton-Dwyer Drilling Co., c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101.  |
| CS71-37    | 10-22-70   | Helen J. Clayton et al., c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101.   |
| CS71-38    | 10-22-70   | Earl Clayton and J. M. Hawley, individually and as Executor and Trustee of the Estate of W. H. Taylor, deceased, c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101. |

| Docket No. | Date filed | Name of applicant   |
|------------|------------|---|
| CS71-39    | 10-22-70   | Martha Clayton Estes (Operator) et al., c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101. |
| CS71-40    | 10-22-70   | Earl Clayton et al., c/o Sanders, Scott, Saunders, Brian & Humphrey, 730 Amarillo Bldg., Amarillo, TX 79101.                    |
| CS71-41    | 10-26-70   | Kingwood Oil Co., 6th Floor, 100 Park Avenue Bldg., Oklahoma City, OK 73102.  |
| CS71-42    | 10-27-70   | Kirkpatrick Oil & Gas Co., 1300 North Broadway, Oklahoma City, OK 73103.  |
| CS71-43    | 10-26-70   | Byron McKnight, Box 297, Hobbs, NM 88240.   |
| CS71-44    | 10-26-70   | Panhandle Producing Co. et al., 705 Alamo National Bldg., San Antonio, TX 78205.  |
| CS71-45    | 10-28-70   | G. W. Green et al., 212 Bldg. of the Southwest, Midland, TX 79701.  |
| CS71-46    | 10-23-70   | Rip C. Underwood, c/o Jerry F. Lyons, attorney, Post Office Box 9163, Amarillo, TX 79105.                                       |
| CS71-47    | 10-23-70   | Husky Oil Co. of Delaware, Post Office Box 330, Cody, WY 82414.   |
| CS71-48    | 10-29-70   | Glen S. Soderstrom, Barfield Bldg., Suite 707, Amarillo, TX 79101.  |
| CS71-49    | 10-29-70   | Frank F. DuBose, c/o Jerry F. Lyons, attorney, Post Office Box 9163, Amarillo, TX 79105.  |
| CS71-50    | 10-29-70   | Nathan Appleman, 654 Madison Avenue, New York, NY 10021.  |
| CS71-51    | 10-29-70   | Calvert Exploration Co., 2300 Fourth National Bank Bldg., Tulsa, OK 74119.  |
| CS71-52    | 10-30-70   | Herbert L. Coppock and Stanley Coppock, Jr., Route No. 2, Cherokee, OK 73728.   |
| CS71-53    | 10-30-70   | Sam K. Viersen, Jr., Post Office Box 280, Okmulgee, OK 74447.   |
| CS71-54    | 10-30-70   | Sam K. Viersen, Post Office Box 280, Okmulgee, OK 74447.  |
| CS71-55    | 10-30-70   | Viersen & Cochran, Post Office Box 280, Okmulgee, OK 74447.   |
| CS71-56    | 10-30-70   | Leben Drilling, Inc., % Richard L. Harris, attorney, 602 National Bank of Tulsa Bldg., Tulsa, OK 74103.                         |
| CS71-57    | 10-30-70   | Ruth C. Rice et al., 110 North Hamilton, Lakin, KS 67860.   |
| CS71-58    | 10-30-70   | E. J. Dunigan, Jr., trustee, Post Office Box 261, Pampa, TX 79065.  |
| CS71-59    | 10-30-70   | E. J. Dunigan, Jr., et al., Post Office Box 261, Pampa, TX 79065.   |

[F.R. Doc. 70-15754; Filed, Nov. 24, 1970; 8:45 a.m.]

[Docket No. E-7576]

### ALABAMA POWER CO.

#### Order Suspending Tendered Rate Schedule Supplements, Denying Request for Waiver of Notice, and Providing for Hearing

NOVEMBER 13, 1970.

This order provides for a hearing, denies a requested waiver of notice provisions, and suspends for 1 day rate schedule supplements tendered by Alabama Power Co. (Alabama).

Alabama, a public utility subject to the jurisdiction of this Commission, filed on August 10 and 11, 1970, amendments to its existing power supply contracts with various municipal and rural electric cooperative customers.<sup>1</sup> These customers,

<sup>1</sup> The designations of the various rate schedules and the names of the customers are set out in Appendix A hereto.

heretofore total-requirements customers of Alabama, will in the future receive allotments of power from the Southeastern Power Administration (SEPA), over Alabama's transmission system. Alabama proposed that the 30-day public notice requirement of section 205(d) of the Federal Power Act and § 35.3 of the Commission's regulations thereunder be waived to permit the contract amendments to become effective retroactively on June 19, 1970, or, in the alternative, that they become effective 30 days after filing.

The tendered filing does not alter Alabama's basic rates. The contracts with the individual municipal and cooperative customers (Appendix A, part (A)) would be amended to provide that in computing bills for these customers Alabama shall "deduct from the Customer's monthly capacity and energy requirements at the point of delivery the amount of capacity from the [SEPA] Projects assigned to said point of delivery \* \* \*". The new contract with Alabama Electric Cooperative (Appendix A, Part B) (a generation and transmission cooperative) contains a similar provision and also provides for a new delivery point, a change from kVA. to kW, billing with a minimum billing demand of 20,000 kW, and an adjustment to 95 percent required power factor in the event Alabama Electric Cooperative's power factor falls below that level.

Alabama Electric Cooperative, on behalf of nine cooperative customers, registered a protest by letters of August 13, and October 23, 1970. Its protest concerned the provision for deduction of the SEPA allotment from the total requirements of the customers in computing bills, which it asserted would result in applying Alabama's existing 75 percent demand ratchet in a manner that would increase ratchet penalties.<sup>2</sup> The cooperatives urge that the ratchet be interpreted to apply to the total requirements delivered to them by Alabama, including the SEPA power. They argue that the interpretation proposed by Alabama would result in greater ratchet penalties than existed before SEPA power became available, while the burden on Alabama's transmission system is no greater, and the availability to Alabama of SEPA power for peak shaving purposes will improve its position with respect to generation. Alabama asserts that the swings on its system will be greater with SEPA power than without and that the application of the ratchet provision urged by the cooperatives would be inconsistent with its terms. The cooperatives do not raise any question with respect to the propriety of the ratchet

<sup>2</sup> The ratchet provision is as follows:

#### DETERMINATION OF BILLING DEMAND

The kilovolt-ampere demand for billing purposes shall be based on the Consumer's maximum integrated 15-minute demand during each service month: *Provided*, That such demand shall not be less than 75% of the demand established during any of the 11 preceding months, nor less than 60 kVA.

itself, or with respect to the other changes made in the Alabama-Alabama Electric Cooperative contract. The protest of the cooperatives and Alabama's answer thereto raise an issue which can best be resolved through a public hearing. Thus, we are suspending the rate schedule supplements for 1 day and ordering a hearing to determine the just and reasonable application of the ratchet provision.

The Commission further finds:

(1) The supplements to Alabama's rate-schedules, identified in Appendix A hereto, may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful under the Federal Power Act.

(2) It is necessary and appropriate for the purpose of the Federal Power Act, particularly sections 205, 206, 301, 307, 308, and 309 thereof, that a public hearing be held on the lawfulness of Alabama's proposed supplement to its rate schedules (as identified in Appendix A), and that the operation of the proposed supplements be suspended and the use thereof deferred, all as hereinafter provided.

(3) Good cause has not been shown to grant Alabama's request for waiver of the 30-day notice requirement of section 205(d) of the Federal Power Act and § 35.3 of the Commission's regulations thereunder.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act and pursuant to the Commission's rules of practice and procedure, a public hearing shall be convened at the offices of the Federal Power Commission in Washington, D.C., at a date and time to be set by the hearing examiner of the Commission designated to preside over these proceedings, concerning the issues raised in the protest of Alabama Electric Cooperative and Alabama's answer thereto with regard to the lawfulness of Alabama's rate schedule supplements identified in Appendix A hereto.

(B) Pending such hearing and decision thereon, Alabama's proposed rate schedule supplements identified in Appendix A are hereby suspended and the use thereof deferred until November 17, 1970. On that date, the supplement shall take effect in the manner prescribed by the Federal Power Act, subject to further order of the Commission in this proceeding, subject to Alabama's keeping an accurate account in detail of all amounts received by reason of the ratchet provision in the rate schedule supplements, and subject to such refund as the Commission may order all in accordance with section 205(e) of the Federal Power Act.

(C) Alabama shall file with the Commission and serve on all parties, on or before January 15, 1971, its case in chief

in support of the subject rate schedule supplements, including testimony of witnesses and exhibits. The parties may submit to the Presiding Examiner, on or before February 5, 1971, proposed dates for commencement of cross-examination of Alabama's witnesses. If any party believes that a prehearing conference would serve to expedite the proceedings, he may file with the Chief Examiner or the designated Presiding Examiner, on or before February 5, 1971, a motion for a prehearing conference, including a statement of how the proceeding would be expedited thereby and a proposed agenda for such prehearing conference. All further procedural dates shall be as ordered by the Presiding Examiner.

(D) Alabama's request for waiver of the 30-day notice requirement of section 205(d) of the Federal Power Act and § 35.3 of the Commission's regulations thereunder is hereby denied.

(E) Unless otherwise ordered by the Commission, Alabama shall not change the terms or provisions of its proposed rate schedule supplement or its present effective rate schedule until this proceeding has been terminated or until the period of suspension has expired.

(F) Notices of intervention and petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington, D.C. 20426, on or before December 18, 1970, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.37).

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Acting Secretary.

APPENDIX A

ALABAMA POWER CO. FPC RATE SCHEDULE DESIGNATIONS  
A: Amendments to service contracts with SEPA preference customers:

| Sup-<br>ple-<br>ment<br>No. | To rate<br>sched-<br>ule<br>No. | Customer                           | Delivery point(s)                     |
|-----------------------------|---------------------------------|------------------------------------|---------------------------------------|
| 1                           | 106                             | Alexander City.....                | (*)                                   |
| 1                           | 116                             | City of Dothan.....                | (*)                                   |
| 1                           | 30                              | City of Evergreen.....             | No. 1                                 |
| 1                           | 90                              | do.....                            | No. 2                                 |
| 1                           | 100                             | City of Fairhope.....              | (*)                                   |
| 1                           | 120                             | City of Foley.....                 | (*)                                   |
| 1                           | 32                              | Town of Fulton.....                | (*)                                   |
| 1                           | 97                              | Town of Hartford.....              | (*)                                   |
| 1                           | 98                              | City of Lafayette.....             | (*)                                   |
| 1                           | 104                             | City of Lanett.....                | (*)                                   |
| 1                           | 108                             | City of Luverne.....               | (*)                                   |
| 1                           | 112                             | City of Opelika.....               | (*)                                   |
| 1                           | 103                             | City of Piedmont.....              | (*)                                   |
| 1                           | 118                             | City of Sylacauga.....             | (*)                                   |
| 1                           | 36                              | City of Tuskegee.....              | (*)                                   |
| 5                           | 83                              | Baldwin County.....                | (*)                                   |
|                             |                                 | EMC <sup>1</sup>                   |                                       |
| 1                           | 102                             | Black Warrior EMC.....             | (*)                                   |
| 2                           | 107                             | Central Alabama<br>EC <sup>2</sup> | Bradford.                             |
| 2                           | 72                              | do <sup>3</sup> .....              | Evergreen.                            |
| 2                           | 73                              | do <sup>3</sup> .....              | Friendship,<br>Wetumpka.              |
| 4                           | 74                              | do <sup>3</sup> .....              | Enterprise, Maple-<br>ville, Thibody. |
| 2                           | 71                              | do <sup>3</sup> .....              | Prattville.                           |
| 3                           | 70                              | do <sup>3</sup> .....              | Rockford.                             |
| 3                           | 76                              | do <sup>3</sup> .....              | Spidgner.                             |

APPENDIX A—Continued

| Designa-<br>tions— | Sup-<br>ple-<br>ment<br>No. | To rate<br>sched-<br>ule<br>No. | Customer                 | Delivery point(s)  |
|--------------------|-----------------------------|---------------------------------|--------------------------|--|
|                    | 2                           | 62                              | Clarke-Washington<br>EMC | Coffeeville, Ful-<br>ton.                                    |
|                    | 1                           | 63                              | do.....                  | Dry Fork.  |
|                    | 1                           | 65                              | do.....                  | McIntosh.  |
|                    | 2                           | 113                             | Cocoa Valley EC.....     | (*)  |
|                    | 1                           | 63                              | Dale EC.....             | Barabola, Wood-<br>ley, Y Com-<br>munity.                    |
|                    | 1                           | 69                              | do.....                  | Notaula.   |
|                    | 2                           | 27                              | do.....                  | Union Springs.   |
|                    | 1                           | 114                             | Pea River EC.....        | Newton.  |
|                    | 2                           | 63                              | do.....                  | Gaulds.  |
|                    | 2                           | 115                             | do.....                  | Ozark.   |
|                    | 2                           | 69                              | Plover EC.....           | Benton, Gardens-<br>ville.                                   |
|                    | 2                           | 62                              | do.....                  | Canaden, Oak Hill.   |
|                    | 2                           | 63                              | do.....                  | Five Points,<br>Selma.                                       |
|                    | 2                           | 69                              | do.....                  | Georgiana.   |
|                    | 2                           | 61                              | do.....                  | Greenville.  |
|                    | 3                           | 78                              | Tallapoosa River<br>EC.  | Cottonen, Fort<br>Mitchell, Hurst-<br>boro, Browns<br>Uchee. |
|                    | 2                           | 89                              | do.....                  | Mellow Valley.   |
|                    | 1                           | 76                              | do.....                  | Ponton.  |
|                    | 1                           | 77                              | do.....                  | Randolph County.   |
|                    | 3                           | 73                              | do.....                  | Opelika, Starkla.  |
|                    | 1                           | 66                              | Tombigbee EC.....        | (*)  |
|                    | 3                           | 63                              | Wiregrass EC.....        | Achford, Slacomb.  |
|                    | 1                           | 69                              | do.....                  | Cottonwood.  |
|                    | 1                           | 67                              | do.....                  | Hartford.  |

\*All delivery points covered by one contract.  
<sup>1</sup> Electric Membership Corporation.  
<sup>2</sup> Electric Cooperative.

B. Superceded agreement with Alabama Electric Cooperative dated June 19, 1970:

Alabama Power Co., Rate Schedule FPC No. 121  
(Supercedes Rate Schedule FPC No. 24).

[P.R. Dec. 70-15779; Filed, Nov. 24, 1970;  
8:45 a.m.]

NIAGARA MOHAWK POWER CORP.  
ET AL.

Notice of Expiration

NOVEMBER 20, 1970.

So that the Congress may have an adequate opportunity to decide whether upon the expiration of the licenses, to take over the projects under section 14 of the Federal Power Act, as amended (16 U.S.C. 807), and that the licensees for the projects and others may have adequate notice and opportunity to file timely applications for new licenses under section 15 of the act, as amended (16 U.S.C. 808), public notice is hereby given that the licenses issued for the designated and described projects on the appended list will expire on the dates specified.

KENNETH F. PLUMB,  
Acting Secretary.

LICENSES FOR PROJECTS WHICH WILL EXPIRE BETWEEN JULY 1, 1970, AND JUNE 30, 1976, WHICH ARE SUBJECT TO TAKEOVER:

| License expiration date | Project No. | Licensee                            | State                  | County or town                            | Stream   | Installation (kilowatts) | Facilities under license  | Period of license (years) |
|-------------------------|-------------|-------------------------------------|------------------------|---|--|--------------------------|---|---------------------------|
| Mar. 2, 1971            | 13          | Niagara Mohawk Power Corp.          | New York               | Albany, Saratoga, Rensselaer              | Hudson River                                   | 3,230                    | Powerhouse  | 60                        |
| Do.                     | 67          | Southern California Edison Co.      | California             | Fresno                                    | Tributaries of San Joaquin River               | 133,600                  | 2 storage reservoirs, diversion dams, conduits, 2 powerhouses, transmission lines   | 60                        |
| Mar. 3, 1971            | 120         | Do.                                 | California             | Fresno                                    | San Joaquin River                              | 110,000                  | Diversion dam, tunnel, penstock, powerhouse, transmission lines   | 49 1/2                    |
| June 26, 1971           | 82          | Alabama Power Co.                   | Alabama                | Fresno, Kern, Madera, Los Angeles, Tulare | Cocosa River                                   | 72,000                   | Dam, reservoir, powerhouse  | 60                        |
| Aug. 8, 1971            | 108         | Northern States Power Co.           | Wisconsin              | Sawyer                                    | Chippewa River                                 | 5,000                    | Dam and reservoir   | 60                        |
| Sept. 16, 1971          | 1218        | Georgia Power Co.                   | Georgia                | Dougherty and Lee                         | Flint River                                    | 5,400                    | 2 dams, 2 reservoirs, powerhouse  | 38 1/2                    |
| Dec. 31, 1971           | 1097        | Leonard Lundgren                    | Oregon                 | Jefferson                                 | Jack Creek                                     | 900                      | Diversion dam, canal, penstock, powerhouse, transmission line   | 20                        |
| Feb. 22, 1972           | 184         | Pacific Gas & Electric Co.          | California             | Alpine, Amador, and Eureka                | South Fork, American River                     | 20,000                   | 4 storage reservoirs, conduit, powerhouse, transmission line  | 60                        |
| Apr. 14, 1972           | 77          | Do.                                 | California             | Mendocino                                 | Eel and Russian Rivers                         | 8,800                    | Storage reservoir, diversion dam, forebay, pressure conduit, powerhouses, discharge canal   | 60                        |
| July 27, 1972           | 176         | Do.                                 | California             | Fresno                                    | North Fork, Kings River                        | 128,200                  | Diversion dam, afterbay dam, conduit, powerhouse, transmission line   | 60                        |
| Sept. 20, 1972          | 136         | Portland General Electric Co.       | Oregon                 | Clackamas                                 | Clackamas River and Oak Grove River            | 51,000                   | Storage reservoir, diversion dam, forebay reservoir, conduit, powerhouse, and transmission line   | 60                        |
| Oct. 12, 1972           | 309         | Pennsylvania Electric Co.           | Pennsylvania           | Clairton                                  | Clairton River                                 | 28,800                   | Dam and powerhouse  | 60                        |
| Oct. 31, 1972           | 719         | Jesso I. Smith                      | Washington             | Clallam                                   | James and Phelps Creeks                        | 318                      | 2 diversion dams, 2 conduits and powerhouse   | 20                        |
| Dec. 1, 1972            | 86          | Pacific Gas & Electric Co.          | California             | Madera and Fresno                         | San Joaquin River                              | 34,100                   | Dam, conduit, powerhouse, transmission line   | 60                        |
| Feb. 6, 1973            | 271         | Arkansas Power & Light Co.          | Arkansas               | Montgomery, Garland, Hot Springs          | Ousehita River                                 | 66,800                   | 2 dams, 2 reservoirs, 2 powerhouses   | 60                        |
| Apr. 28, 1973           | 344         | Southern California Edison Co.      | California             | Riverside and San Bernardino              | San Geronimo River                             | 2,300                    | 2 diversion dams, 2 canals, 2 forebay tanks, 2 penstocks, 2 powerhouses, and transmission line  | 60                        |
| June 8, 1973            | 382         | Ford Motor Co.                      | Minnesota              | Hennepin and Ramsey                       | Mississippi River                              | 14,400                   | Powerhouse  | 60                        |
| June 8, 1973            | 349         | Alabama Power Co.                   | Alabama                | Etowah, Tallapoosa and Kallapoosa         | Etowah River                                   | 164,200                  | Dam, reservoir, powerhouses   | 60                        |
| June 30, 1973           | 2180        | Owens-Illinois Inc.                 | Wisconsin              | Lincoln                                   | Wisconsin River                                | 3,000                    | Dam, integral powerhouse, transmission line   | 36 1/2                    |
| July 1, 1973            | 29          | Utah Power & Light Co.              | Utah                   | Lincoln                                   | Utah River                                     | 14,000                   | Dam and integral powerhouse, reservoir  | 60                        |
| Aug. 24, 1973           | 310         | Minnesota Power & Light Co.         | Minnesota              | Rainbow and Caribou                       | Wisconsin River                                | 19,000                   | Dam and integral powerhouse   | 60                        |
| Sept. 18, 1973          | 401         | Michigan Gas & Electric Co.         | Michigan               | St. Joseph                                | St. Joseph River                               | 1,700                    | Dam   | 60                        |
| Oct. 23, 1973           | 233         | Pacific Gas & Electric Co.          | California             | Shasta                                    | Pit River                                      | 232,200                  | 3 dams, 3 powerhouses, 3 reservoirs, penstocks, pressure tunnels, surge tanks, transmission lines, reservoir, penstocks, powerhouse, and dam, reservoir, penstocks, powerhouse, and transmission line | 49 1/2                    |
| Oct. 26, 1973           | 469         | Minnesota Power & Light Co.         | Minnesota              | St. Louis and Lake                        | Kawishiwi River                                | 4,000                    | Dam, reservoir, penstocks, powerhouse, and transmission line  | 60                        |
| Apr. 10, 1974           | 287         | North Counties Hydro-Electric Co.   | Illinois               | La Salle                                  | Fox  | 3,680                    | Dam, reservoir, penstock, and powerhouse  | 60                        |
| June 24, 1974           | 176         | Escondido Mutual Water Co.          | California             | San Diego                                 | San Luis Rey                                   | 760                      | Diversion dam, conduit dam, reservoir, 2 power plants, and transmission lines   | 60                        |
| June 23, 1974           | 308         | Pacific Power & Light Co.           | Oregon                 | Wallowa                                   | East Fork Wallowa River and Royal Purple Creek | 800                      | 2 diversion dams, 2 pipe conduits, and powerhouse   | 60                        |
| June 30, 1974           | 1679        | Wisconsin Public Service Corp.      | Wisconsin              | Lincoln                                   | Wisconsin                                      | 4,200                    | Dam, reservoir and powerhouse   | 36 1/2                    |
| Do.                     | 2131        | Wisconsin Michigan Power Co.        | Wisconsin and Michigan | Florence, Wis. and Dickinson, Mich.       | Menominee                                      | 7,200                    | Dam, reservoir, powerhouse, and transmission line   | 36 1/2                    |
| Sept. 23, 1974          | 487         | Pennsylvania Power & Light Co.      | Pennsylvania           | Wayne and Pike                            | Walpenauck                                     | 40,000                   | Dam, dike, reservoir, conduits, and powerhouse  | 60                        |
| Dec. 14, 1974           | 435         | Georgia Power Co.                   | Alabama and Georgia    | Chambers and Lee, Ala.; Harris, Ga.       | Chattahoochee                                  | 63,000                   | Dam, reservoir, powerhouse, and transmission line   | 60                        |
| Dec. 31, 1974           | 2207        | Mesinee Paper Mills Co.             | Wisconsin              | Mesinee                                   | Wisconsin                                      | 3,000                    | Dam, reservoir, 2 powerhouses, and 2 transmission lines   | 37                        |
| Feb. 27, 1975           | 352         | Southern California Edison Co.      | California             | Kern                                      | Kern   | 9,200                    | Diversion dam, conduit, powerhouse, and transmission line   | 60                        |
| Apr. 29, 1975           | 173         | Pacific Gas & Electric Co.          | California             | Elmore, Chilton, and Coosa                | Coosa  | 8,400                    | Diversion dam, conduit, powerhouse, and transmission line   | 60                        |
| Nov. 6, 1975            | 618         | Alabama Power Co.                   | Alabama                | Elmore, Chilton, and Coosa                | Coosa  | 100,000                  | Dam, powerhouse, storage reservoir, and transmission line   | 60                        |
| Nov. 10, 1975           | 239         | Louisville Gas & Electric Co.       | Kentucky               | Jefferson                                 | Ohio   | 80,300                   | Powerhouse and apartment facilities   | 60                        |
| Nov. 23, 1975           | 157         | Pacific Gas & Electric Co.          | California             | Amador and Calaveras                      | North Fork Mokelumne                           | 162,800                  | 6 dams and storage reservoirs, forebays, diversion facilities, water conduits, 6 powerhouses, transmission lines  | 60                        |
| Dec. 31, 1975           | 189         | The Montana Power Co.               | Montana                | Sanders                                   | Clark Fork                                     | 30,000                   | Dam, powerhouse, reservoir, and transmission line   | 33                        |
| Do.                     | 2140        | Public Service Co. of New Hampshire | New Hampshire          | Merrimack                                 | Merrimack                                      | 7,500                    | Dam, reservoir, and powerhouse  | 33                        |

See footnote at end of table

| License expiration date | Licensee  | Project No. | State                     | County or town                            | Stream      | Installation (kilowatts) | Facilities under license                              | Period of license (years) |
|-------------------------|---|-------------|---------------------------|---|-------------|--------------------------|---|---------------------------|
| Feb. 19, 1970           | The Susquehanna Power Co. & Philadelphia Electric Power Co. | 406         | Maryland and Pennsylvania | Cecil, Harford, Md., York, Lancaster, Pa. | Susquehanna | 474,500                  | Dam, reservoir, powerhouse, and transmission line.    | 50                        |
| Feb. 24, 1970           | Union Electric Co.  | 460         | Missouri                  | Miffler, Morgan and Camden.               | Osage       | 172,000                  | Dams, reservoir, powerhouse, and transmission line.   | 50                        |
| June 9, 1970            | Crown Zellerbach Corp.                                      | 588         | Washington                | Clallam                                   | Elwha       | 12,000                   | Dam, reservoir, powerhouse, and transmission line.    | 50                        |
| June 7, 1970            | The Washington Water Power Co.                              | 621         | Idaho                     | Not Permitted                             | Clearwater  | 10,000                   | Dam, reservoir, powerhouse, and 2 transmission lines. | 50                        |

Section 14 of the Federal Power Act (16 U.S.C. 807) reserves the right to the United States to recapture the project works upon expiration of each license listed in this table at a price to be determined under that section. [F.R. Doc. 70-15820; Filed, Nov. 24, 1970; 8:45 a.m.]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
CALIFORNIA

### Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 18, 1970.  
The Forest Service, U.S. Department of Agriculture has filed an application, Serial No. R 3439, for the withdrawal of lands described below from prospecting, location, entry, and purchase under the mining laws, subject to valid existing rights.

The lands have previously been withdrawn for the Sierra Forest Reserve by Presidential Proclamation No. 43 of February 14, 1893, now the Sequoia National Forest, and as such have been open to entry under the mining laws.

The applicant desires the exclusion of mining activity to permit use of such lands as a botanical area for scientific study, research, demonstration, and education, which use is incompatible with mineral development.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 University Avenue, Post Office Box 729, Riverside, CA 92502.

The Department's regulations, 43 CFR 2351.4(c) (formerly 43 CFR 2311.3(c)), provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's need, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's and to reach an agreement on the concurrent management of the lands and their resources.

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

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

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

The lands involved in the application are:

- MOUNT Diablo MENDIAN, CALIFORNIA
- SEQUOIA NATIONAL FOREST
- T. 27 S., R. 33 E.,  
Sec. 31, lots 1 to 12, inclusive, SE¼.

The area described aggregates 560.95 acres in Kern County, Calif.

WALTER F. HOLMES,  
Assistant Land Office Manager.  
[F.R. Doc. 70-15820; Filed, Nov. 24, 1970; 8:46 a.m.]

[Serial No. Idaho 3579]

### IDAHO Order Providing for Opening of Public Lands

NOVEMBER 17, 1970.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1894 (48 Stat. 1269), as amended (43 U.S.C. 3157), the following described lands have been reconveyed to the United States:

- BOME MENDIAN, IDAHO
- T. 3 N., R. 25 E.,  
Sec. 32, NE¼, NE¼, SE¼;
- Sec. 33, NW¼, NE¼, NW¼, W¼, SW¼;
- T. 3 N., R. 26 E.,  
Sec. 31, NE¼, SE¼;
- Sec. 32, NW¼, SW¼;
- Sec. 34, SW¼, SW¼;
- Sec. 25, S¼, NE¼, NW¼, SW¼, E¼, SE¼;
- T. 9 N., R. 33 E.,  
Sec. 25, N¼;
- T. 10 N., R. 26 E.,  
Sec. 2, S¼, NW¼, N¼, SW¼;
- Sec. 36, S¼, NE¼, N¼, SE¼.

The areas described aggregate 1,440 acres.

2. The lands in T. 3 N., R. 25 E. are located about 14 miles southwest of Arco,

Idaho, in Butte County along Highway 28-20-93A between Arco and Craters of the Moon National Monument. Surface is gently rolling. Vegetation is sage-grass. Soil is silt loam.

3. The lands in T. 3 N., R. 26 E. are located about 5 miles south and southwest of Arco, Idaho, in Butte County. Elevation is about 5,350 feet. Access is by the Arco-Mindoka Road, unimproved farm roads from the highway or unimproved truck trails from a county road located about 2 miles to the east. Soils are a silt or sandy loam, generally deep with some rock outcroppings. Vegetation is sagebrush with an understory of native grasses and some squirrel tail.

4. The lands in T. 9 N., R. 32 E. are located about 25 miles southwest of Dubois, Idaho, in Clark County. Surface is rolling with areas of rock outcrop. Soils are light-colored silt loam. Vegetative cover varies from improved stands of crested wheatgrass to native grasses and sagebrush.

5. The lands in T. 10 N., R. 26 E. are located in the Little Lost River Valley of Butte County about 25 miles northwest of Howe, Idaho. Elevation is about 6,100 feet. Range fences cross or border the lands and they are crossed by live streams. Vegetation is crested wheatgrass, native sagebrush and grass. Soils are shallow and gravelly with low fertility. An improved gravelled road crosses Sec. 35.

6. Subject to valid existing rights, the provisions of existing withdrawals, and

the requirements of applicable law, the lands are hereby opened to application, petition, location and selection. All valid applications received at or prior to 10 a.m., on December 22, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

7. The mineral rights were not exchanged. Therefore, the mineral status of the lands are not affected by this order.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho 83702.

E. D. BARNES,  
*Acting Manager, Land Office.*

[F.R. Doc. 70-15840; Filed, Nov. 24, 1970;  
8:47 a.m.]

[Serial No. Idaho 3774]

## IDAHO

### Order Providing for Opening of Public Lands

NOVEMBER 17, 1970.

1. The State of Idaho has certified that the hereinafter described lands patented to the State under the provisions of section 4 of the Act of August 18, 1894 (28 Stat. 422, 43 U.S.C. sec. 641), as amended, commonly known as the Carey Act, have not been reclaimed as required by the Carey Act and that water is not available for the irrigation of these tracts. The State of Idaho has therefore reconveyed the lands to the United States:

BOISE MERIDIAN, IDAHO

T. 3 N., R. 26 E.,  
Sec. 22, NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described totals 40 acres in Butte County.

2. Since the described lands are classified for multiple use management under the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2420 and 2461, the lands will not be subject to disposition under the agricultural land laws (43 U.S.C. Parts 7 and 9; 24 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171).

3. Subject to valid existing rights, the provisions of existing withdrawals, the provisions of the Multiple-Use Classification of November 2, 1967, and the requirements of applicable law, the lands are hereby restored to the public domain status and open to application, petition, location, and selection, including location under the U.S. mining laws and to mineral leasing. All valid applications received at or prior to December 22, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

E. D. BARNES,  
*Acting Manager, Land Office.*

[F.R. Doc. 70-15841; Filed, Nov. 24, 1970;  
8:47 a.m.]

[I-3786]

## IDAHO

### Notice of Offer of Lands

NOVEMBER 18, 1970.

1. Pursuant to the provisions of the Act of May 31, 1962 (76 Stat. 89), the following lands, found upon survey to be omitted lands of the United States, will be offered for sale:

BOISE MERIDIAN, IDAHO

T. 5 N., R. 37 E.,

Sec. 14, lots 8, 13, and 14, portions described as follows: Beginning at a point on the original meander line for the left bank of the Snake River in sec. 14, between angle points 1 and 2 at the point of intersection with the centerline of the Flood Control dike; thence S. 60°10' W. along the original meander line to angle point No. 2; thence S. 51°58' W., 25.10 chains along the original meander line to angle point No. 3; thence S. 60°24' W., 20.08 chains along the original meander line to angle point No. 4; thence N. 89°47' W. along the original meander line to intersection with centerline of Flood Control dike; thence northeasterly along centerline of Flood Control dike to the point of beginning; containing approximately 32 acres.

Sec. 22, lot 12, containing 18.06 acres; lots 13 and 14, portions described as follows: Beginning at a point on the original meander line for the left bank in sec. 22 between angle points 3 and 4 at the point of intersection with the northerly boundary of the field; thence S. 46°30' W. along original meander line to angle point No. 4; thence S. 22°57' W., 8.97 chains along original meander line to the original meander corner between secs. 22 and 27; thence N. 89°55' W. along the section line to the intersection with the westerly boundary of the field and lot 13; thence northeasterly along the field boundary to the point of beginning; containing approximately 6.99 acres.

Sec. 26, lots 5 and 8, containing 30.98 acres; Secs. 27, lot 10, portions described as follows: Beginning at the original meander corner on the left bank on the section line between secs. 22 and 27; thence S. 23°7' W., 7 chains to angle point No. 1; thence S. 68°38' W., 4.01 chains to angle point No. 2; thence S. 80°05' W., 4.01 chains to angle point No. 3; thence N. 81°58' W. approximately 7 chains to the westerly boundary of a field; thence northeasterly along the westerly boundary of the field to the intersection with the section line between secs. 22 and 27; thence S. 89°55' E. approximately 11 chains along the section line between secs. 22 and 27 to the original meander corner, point of beginning; containing approximately 9.00 acres.

Lot 11, containing 1.83 acres.

Lot 12, portions described as follows: Beginning at a point on the original meander line for the left bank in sec. 27 between angle points 15 and 16 and the original meander corner between secs. 26 and 27, at the intersection of the original meander line with the centerline of the Flood Control dike; thence in a southwesterly direction along the centerline of the dike to a point on the dike marked by a brass cap; thence west approximately 5 chains to intersection with the original meander line between angle points 14 and 15; thence northerly and easterly along the original meander line to the point of beginning; containing approximately 3 acres.

Sec. 27, lots 14 and 15, portions described as follows: Beginning at the closing corner on the original meander line for the left bank between secs. 27 and 28; thence S. 44°56' E., 3.17 chains to angle point 8; thence S. 66°00' E., 19.07 chains to angle point No. 9; thence S. 39°28' E., 21.97 chains to angle point No. 10; thence S. 70°46' E. approximately 5 chains to intersection with north-south fence line along field boundary; thence south along fence line to point of intersection with an east-west boundary fence; thence westerly and northwesterly along fence line in field boundary to the section line between secs. 27 and 28; thence N. 0°02' E. along section line to closing corner, point of beginning; containing approximately 54.25 acres.

Sec. 28, lots 6, 10, and 11, portions described as follows: Beginning at the closing corner on the left bank of the river between secs. 27 and 28; thence S. 45°04' W., 2.53 chains to angle point No. 6; thence S. 0°04' W., 19.47 chains to angle point No. 7; thence S. 44°56' E., 2.82 chains to the closing corner between secs. 27 and 28; thence S. 0°03' W. along section line to intersection with fence line on field boundary; thence northwesterly, northerly, and northeasterly along fence line across lots 11, 10, and 6 to intersection with the left bank of the river; thence easterly along meander line of record to the closing corner between secs. 27 and 28, the point of beginning; containing approximately 24.51 acres.

Sec. 34, lots 10, 11, and 12, portions described as follows: Beginning at a point on the original meander line for the right bank in sec. 34 between angle points 3 and 4 at intersection with centerline of Highway 48; thence southerly along the original meander line through angle points 3, 4, 5, and 6, to the original meander corner of the south section line of sec. 34; thence S. 89°40' E., 5.03 chains to the right bank of the river; thence northerly along the right bank of the river to the special meander corner marking intersection of the right bank of the river with the original meander line for the left bank; thence northerly along the original meander line for the left bank through angle points 4 and 3 to intersection with the centerline of Highway 48; thence westerly along the centerline of Highway 48 to the point of beginning; containing approximately 40.5 acres.

The areas described above aggregate approximately 216.18 acres.

2. A plat of survey was filed (see 34 F.R. 14441) in the Land Office, Boise, Idaho, at 10 a.m. on October 23, 1969.

3. Persons claiming a preference right in accordance with the provisions of the Act, must file with the Manager, Land Office, Room 334 Federal Building, 550 West Fort Street, Boise, ID 83702, before January 27, 1971, a notice of their intention to apply to purchase all or part of the lands as qualified preference right claimants.

4. The Act grants a preference right to purchase the above lands to any citizens of the United States (including corporations, partnership, firm, or other legal entity having authority to hold title to lands in the State of Idaho) who, in good faith, under color of title or claiming as a riparian owner has, prior to March 30, 1961, placed valuable improvements upon, reduced to cultivation, or occupied any of the lands so offered

for sale, or whose ancestors or predecessors in interest have taken such action.

5. The lands are determined to be suitable for sale and will be sold at their fair market value subject to:

(a) Qualified preference right claims.

(b) A reservation to the United States of all the coal, oil, gas, shale, phosphate, potash, sodium, native asphalt, solid and semisolid bitumen and bitumen rock, including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried.

(c) A right of access for the public, 100 feet wide along the river front for those lots abutting the Snake River.

E. D. BARNES,

Acting Manager, Land Office.

[F.R. Doc. 70-15842; Filed, Nov. 24, 1970; 8:47 a.m.]

[Serial No. N-2573]

## NEVADA

### Notice of Proposed Classification of Public Lands for Transfer Out of Federal Ownership

NOVEMBER 16, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412) it is proposed to classify the public lands described in paragraph 4 below for transfer out of Federal ownership under the following statute: section 8 of the Taylor Grazing Act (43 U.S.C. 316g.).

2. Notice of this proposal has been sent to Nevada State and local government officials, State and District Advisory Boards, range users, and other interested parties.

3. Publication of this notice segregates the affected lands from all forms of disposal under the public land laws, including the general mining laws, except the form of disposal for which it is proposed to classify the lands. However, publication does not alter the applicability of the public lands laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources, other than under the general mining laws.

4. The public lands affected by this proposed classification are shown on the map on file in the Carson City District Office, 801 North Plaza Street, Carson City, NE 89701. The lands are located in Washoe County, Nev., and are described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 21 N., R. 21 E.,  
Sec. 36, all.

T. 21 N., R. 22 E.,  
Sec. 12, all;  
Sec. 24, all;  
Sec. 32, all;  
Sec. 34, all;

Sec. 36, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .

T. 22 N., R. 22 E.,  
Sec. 36, W $\frac{1}{2}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The lands described above aggregate 3,720 acres.

5. For a period of 60 days from the date of publication of this notice in the

FEDERAL REGISTER, all persons who wish to submit comments, objections, or suggestions in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Carson City District Office, 801 North Plaza Street, Carson City, NE 89701.

A. JOHN HILLSAMER,  
Acting Land Office Manager.

[F.R. Doc. 70-15821; Filed, Nov. 24, 1970; 8:46 a.m.]

## DEPARTMENT OF AGRICULTURE

Agricultural Research Service

### SPECIFIC APPROVAL OF STOCKYARDS AND SLAUGHTERING ESTABLISHMENTS

Pursuant to §§ 78.14(b), 78.15(b), and 78.16(b) of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the movement of certain animals because of brucellosis, under the Acts of May 29, 1884, as amended, February 2, 1903, as amended, and March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 115, 117, 120, 121, 125), notice is hereby given that the following stockyards and slaughtering establishments are specifically approved under said regulations as indicated below:

#### SPECIFICALLY APPROVED STOCKYARDS

The following stockyards preceded by an asterisk are specifically approved for the purposes of § 78.5, Title 9, Code of Federal Regulations, concerning brucellosis reactors and of paragraphs (b) and (c) of § 78.12 of said Title 9, concerning cattle not known to be affected with brucellosis. The following stockyards not preceded by an asterisk are specifically approved for the purposes of paragraphs (b) and (c) of § 78.12 only:

#### ALABAMA

- \*Adams & Eagle, Inc., Marion.
- \*Arab Stock Yard, Arab.
- \*Atmore Truckers Association, Inc., Atmore.
- \*Cherokee County Stockyard, Centre.
- \*Covington Livestock Auction, Inc., Andalusia.
- \*Dadeville Stockyards, Inc., Dadeville.
- \*Enterprise Livestock Company, Enterprise.
- \*Escambia County Cooperative, Inc., Brewton.
- \*Farmers Cooperative Market, Inc., Fricco City.
- \*Farmers Cooperative Market, Inc., Opp.
- \*Fayette Stockyards, Fayette.
- \*Florence Trading Post, Florence.
- \*Fort Payne Livestock Commission, Fort Payne.
- \*Geneva Stockyard, Geneva.
- \*Hartford Livestock Company, Hartford.
- \*Headland Stock Yard, Inc., Headland.
- \*Henry County Livestock Association, Inc., Abbeville.
- \*Hodges-Capital Stockyards, Montgomery.
- \*Hodges-Hurtsboro Stockyards, Hurtsboro.
- \*Hodges-Selma Stockyards, Selma.
- \*Hooper Auction Company, Inc., Montgomery.
- \*Jackson County Livestock Company, Scottsboro.
- \*Kennamer Livestock Company, Inc., Gunterville.

- \*Kennett-Murray & Company, Montgomery.
- \*King Livestock Auction Company, Florence.
- \*Limestone County Stockyard, Athens.
- \*Linden Stockyard, Linden.
- \*Livingston Stockyard, Livingston.
- \*Madison County Livestock Market, Huntsville.
- \*Pickens County Livestock Commission, Allacville.
- \*Ramsey & Sons, Inc., Dothan.
- \*Roanoke Stockyards, Inc., Roanoke.
- \*Robertdale Livestock Auction, Inc., Robertdale.
- \*L. A. Roll & Son Cattle Company, Montgomery.
- \*Stokes & Brogden Stockyard, Inc., Andalusia.
- \*Triple S Stockyards, Inc., Montgomery.
- \*Union Stockyards, Eufaula.
- \*Valley Stock Yard, Decatur.
- \*West Alabama Stockyards, Inc., Eutaw.
- \*White Livestock Commission Company, Inc., Morris.
- \*Winfield Livestock Commission Company, Winfield.

#### ARIZONA

- Arizona Livestock Auction, Phoenix.
- Laveen Livestock Auction, Laveen.
- Nelson Livestock Auction, Wilcox.
- Phoenix Livestock Auction, Phoenix.
- Wentz Bros. Livestock Auction, Tucson.

#### ARKANSAS

- Allen Auction Company, Harrison.
- Ash Flat Sale Barn, Ash Flat.
- B & S Livestock Sales, Marianna.
- Beebe Auction Company, Beebe.
- Bentonville Commission Sales, Bentonville.
- Carroll County L.S. Auction, Berryville.
- Central Arkansas Livestock Auction Sale, Inc., (formerly Roy Chaney Sale Barn) Morrilton.
- Clark County Livestock Auction, Arkadelphia.
- Corning Sales Co., Corning.
- County Line Sale, Ratcliff.
- Davis Livestock Auction (formerly Glenn Edgar Auction), Batesville.
- Decatur Livestock Auction, Decatur.
- Drew County Auction Company, Monticello.
- Eudora Sale Barn, Eudora.
- Farmers Livestock Auction, Springdale.
- Glover Livestock Commission Co., Pine Bluff.
- Bob Garden Livestock Auction (formerly Folk County Auction), Mena.
- Gravette Community Sales, Gravette.
- Harrison Stockyards (formerly Farmers L. S. Auction), Harrison.
- Hill Livestock Auction Nuel (formerly Hill & Montgomery Livestock Auction), Batesville.
- Hopa Livestock Commission Co., Hope.
- Jonesboro Stockyards, Jonesboro.
- Magnolia Livestock Auction, Magnolia.
- Montgomery L. S. Auction Co. (formerly Carson & Montgomery), Searcy.
- Mountain Home Livestock Auction, Mountain Home.
- Nettleton Stockyards, Jonesboro.
- Randolph County Livestock Auction, Foca-hontas.
- Scott County Livestock Auction, Waldron.
- Searcy County Auction, Marshall.
- Shantz & Rodman Livestock Auction, North Little Rock.
- Siloam Springs Sale Barn, Siloam Springs.
- Washington County Sale Barn, Fayetteville.

#### CALIFORNIA

- \*Chino Stockyards, Chino.
- \*Producers Livestock Marketing Assn., Artesia (Dairy Valley).
- \*California Livestock Marketing Assn., Red Bluff.

#### COLORADO

- \*Alamoca Livestock Sales, Alamoca.
- \*Basin Livestock Commission Company, Durango.
- \*Brush Livestock Commission Company, Brush.

\*Burlington Livestock Sales Company, Burlington.  
 \*Calhan Cash Auction Market, Calhan.  
 \*Cortez Sales Barn, Cortez.  
 \*Craig Sale Barn, Craig.  
 \*Delta Sales Yard, Delta.  
 \*Elizabeth Livestock Auction, Elizabeth.  
 \*Fowler Auction Company, Fowler.  
 \*Farmer & Rancher Commission Company, Fort Collins.  
 \*Grand Junction Livestock Auction, Grand Junction.  
 \*Haxtun Cooperative Livestock Exchange, Haxtun.  
 \*K & R Livestock Commission Company, Broomfield.  
 \*La Junta Livestock Commission Company, La Junta.  
 \*Livestock Exchange, Brush.  
 \*Limon Livestock Commission Company, Limon.  
 \*Longmont Sales Yard, Longmont.  
 \*McCanness Livestock Commission Company, Lamar.  
 \*Mellott Livestock Commission Company, Pueblo (formerly Hess Livestock Commission Company).  
 \*Monte Vista Livestock Commission Company, Monte Vista.  
 \*Ranchland Livestock Commission Company Wray.  
 \*Rifle Sale Yard, Rifle.  
 \*Salida Livestock Commission Company, Salida.  
 \*Sterling Livestock Commission Company, Sterling.  
 \*Sunset Livestock Commission Company, Greeley (formerly Greeley Livestock Comm. Company).  
 \*Valley Livestock Auction Company, Grand Junction.  
 \*Weld County Livestock Commission Company, Greeley.  
 \*Western Slope Livestock Auction, Montrose.  
 \*Winter Livestock Commission Company, La Junta.  
 \*Yuma Livestock Auction, Yuma.  
 \*Zavitsan Livestock Commission Company, Pueblo.  
 \*R. P. Lewis & Son Auction Company, La Junta.

## CONNECTICUT

Middlesex Livestock Auction, Durham.  
 Kahn's North Franklin Sales, North Franklin.

## DELAWARE

\*Carroll's Sale Company, Felton.  
 \*Goldinger Brothers, Inc., Smyrna.  
 Charles F. Poore Livestock Market, Smyrna.

## FLORIDA

\*Cattlemen's Livestock Auction Market of Tampa, Inc., Tampa.  
 Chipley Livestock Company, Chipley.  
 Interstate Livestock Auction Market, Inc., Seffner.  
 \*Jay Livestock Auction Market, Jay.  
 Tindel Livestock Auction Market, Inc., Graceville.

## GEORGIA

\*Bainbridge Auction Market, Inc., Bainbridge.  
 \*Bartow Livestock Commission Co., Cartersville.  
 \*Carroll Co. L/S Sale Barn, Carrollton.  
 \*Chatham Livestock Company, Savannah.  
 \*Citizens Stockyard, Arlington.  
 \*Columbus-Muscogee Stockyard Co., Columbus.  
 \*Cordele Livestock Company, Cordele.  
 \*Dublin Livestock Commission Co., Dublin.  
 \*Duvall-Wheeler Livestock Co., Greensboro.  
 \*Farmers' Stockyard, Sylvania.  
 \*Fitzgerald Farmers Auction, Fitzgerald.  
 \*Flint River Livestock Auction, Bainbridge.  
 \*Franklin Co. L/S Market, Inc., Carnesville.  
 \*Gainesville Livestock Auction (formerly Queen City L/S Auc. Co.), Gainesville.

\*Georgia Farm Products Sale Corp., Thomas-ton.  
 \*Georgia Farmer's Livestock, Inc., Cumming.  
 \*Georgia Livestock Terminal Market, Inc., Macon.  
 \*Irwin County Livestock Co., Inc., Ocella.  
 \*Jeppeway-Craig Commission Co., Dublin.  
 \*LaGrange Stockyards, LaGrange.  
 \*Livestock Marketers, Inc., Douglas.  
 \*McClure-Burnett Commission Co., Rome.  
 \*Metter Livestock Market, Metter.  
 \*Mitchell Co. Livestock Market, Inc., Camilla.  
 \*Moultrie Livestock Co., Moultrie.  
 \*North Ga. Farmers Livestock Market, Cumming.  
 \*North Ga. Livestock Auction, Inc., Athens.  
 \*Peoples Stockyard, Cuthbert.  
 \*Pierce County Stockyard, Blackshear.  
 \*Pulaski Stockyard, Hawkinsville.  
 \*Seminole L/S Auction Market, Donalsonville.  
 \*Hagan Livestock Market, Inc. (formerly Shuman Livestock Market, Inc.), Hagan.  
 \*Soperton Stockyard, Soperton.  
 \*Sumter Livestock Assoc., Inc., Americus.  
 \*Sutton Livestock Co., Sylvester.  
 \*Sylvania Stockyards, Sylvania.  
 \*Thomas County Stockyard, Inc., Thomasville.  
 \*Thomson Stockyard, Thomson.  
 \*Tifton Stockyards, Tifton.  
 \*Toccoa Livestock Auction Co. (formerly McClure-Burnett Comm. Co.), Toccoa.  
 \*Tri-County Livestock Co., Social Circle.  
 \*Turner County Stockyard, Ashburn.  
 \*Union Stockyards, Albany.  
 \*Valdosta Livestock Co., Inc., Valdosta.  
 \*Wayne County Livestock Co., Jesup.  
 \*Wilkes County Stockyard, Washington.

## IDAHO

\*Bonners Ferry Livestock, Inc., Bonners, Ferry.  
 \*Burley Livestock Commission Co., Inc., Burley.  
 \*Cache Valley Livestock Auction, Preston.  
 \*Coeur d'Alene Livestock Yards, Coeur d'Alene.  
 \*Cottonwood Salesyard, Cottonwood.  
 \*Emmett Livestock Comm. Co., Inc., Emmett.  
 \*Gooding Livestock Comm. Co., Inc., Gooding.  
 \*Jerome Producers Livestock Marketing Assoc., Jerome.  
 \*Meridian Salesyard, Meridian.  
 \*Nampa Livestock Markets, Inc., Nampa.  
 \*Rexburg Livestock Auction, Rexburg.  
 \*Salmon River Livestock Comm. Co., Salmon.  
 \*Sandpoint Livestock Auction Co., Sandpoint.  
 \*Shoshone Salesyard, Inc., Shoshone.  
 \*Stockgrower's Commission Co., Inc., Twin Falls.  
 \*Twin City Salesyard, Lewiston.  
 \*Valley Livestock Commission Co., Rupert.  
 \*Weiser Livestock Commission Co., Weiser.

## ILLINOIS

Barnard Livestock Auction Market, Wayne City.  
 Breed's Livestock Sale, Elizabeth.  
 Carthage Community Sale Co., Carthage.  
 Chicago Stockyards-Atkinson Market, Inc. (formerly Arnold Cattle Co.), Atkinson.  
 Dameron Livestock Auction, Vienna.  
 Danville Livestock Commission Co., Danville.  
 Decker's Livestock, Inc. (formerly Decker-Milford Sales & Comm. Co.), Milford.  
 DeWane's Livestock Exchange, Belvidere.  
 Greenville Livestock Auction Co., Greenville.  
 Heinholt Cattle Market (formerly Feller, Art, Livestock Auction), El Paso.  
 Illinois Auction Commission Co. (formerly Edgar Co. Mktg. Assoc., d.b.a. Ill. Auction Comm. Co.), Paris.  
 Interstate Producers Livestock Assoc., Shelbyville.  
 Interstate Producers Livestock Ass'n., Sullivan.  
 Jennings Sale Company, Macomb.

Kankakee Livestock Co., Bourbonnais.  
 Kewanee Sale Barn, Kewanee.  
 Knoxville Community Sale Co., Knoxville.  
 LaSalle Co. Livestock Market Center, Ottawa.  
 Mercer County Livestock Auction, Viola.  
 Paris Livestock Sales Co., Paris.  
 \*Peoria Union Stockyards, Peoria.  
 Rock Island Auction Sales, Inc., Rock Island.  
 Schrader, Harry, Consignment, Dakota.  
 Souders Stock Yards, Brookport.  
 \*Springfield Stockyards, Springfield.  
 Trainor's Livestock Sales, Clinton.  
 Winslow Marketing Center, Inc., Winslow.

## INDIANA

\*Boswell Livestock Commission, Boswell.  
 \*Delta Livestock Auction & Commission Co., Fort Wayne.  
 \*Lowell Livestock Auction, Inc., Lowell.  
 \*Producers Marketing Assn., Inc., Montpelier.  
 \*Producers Marketing Assn., Inc., Centerville.  
 \*Producers Marketing Assn., Inc., Terre Haute.  
 \*Producers Livestock Auction (formerly Producers Marketing Assn., Inc.), Vincennes.  
 \*Reynolds Sale Barn, Reynolds.  
 \*Shipshewana Auction Co., Shipshewana.  
 \*Valparaiso Community Sale, Valparaiso.

## IOWA

Ackley Sales Pavilion, Ackley.  
 Adams County Auction Company, Corning.  
 Adel Sales Pavilion, Adel.  
 Albia Sales Company, Albia.  
 Algona Livestock Auction, Algona.  
 Anamosa Livestock Auction, Anamosa.  
 Anita Auction Company, Anita.  
 Aplington Livestock Auction, Inc., Aplington.  
 Audubon Livestock Auction Market, Audubon.  
 Avoca Auction Company, Avoca.  
 B & H Cattle Company, Ida Grove.  
 Baxter Sales Company, Baxter.  
 Bedford Sales Company, Bedford.  
 \*Belle Plaine Livestock Auction, Inc., Belle Plaine.  
 Belmont Sales Pavilion, Belmont.  
 \*Bingley Sales Company, Knoxville.  
 Boone Sales Company, Boone.  
 Bradley Livestock Auction, Red Oak.  
 Cedar Valley Livestock Exchange, Vinton.  
 Centerville Sales Company, Centerville.  
 Chariton Sales Company, Chariton.  
 Clarinda Auction Company, Clarinda.  
 Clear Lake Auction Company, Clear Lake.  
 Coggon Livestock Sales Company, Coggon.  
 Colfax Livestock Sales Company (formerly Colfax Sales Company), Colfax.  
 Cow Palace, Inc., Forest City.  
 Creston Livestock Auction Market, Creston.  
 Davis County Sales Company, Bloomfield.  
 DeVries Auction Company, Buffalo.  
 Diagonal Livestock Auction, Inc., Diagonal.  
 Donnellson Livestock Sales, Inc., Donnellson.  
 Dunlap Livestock Auction, Dunlap.  
 Dyersville Sales Barn, Dyersville.  
 Eastern Iowa Livestock Commission, Inc., Mechanicsville.  
 Eddyville Sales Company, Eddyville.  
 Edgewood Sale Barn, Edgewood.  
 Eldora Livestock Sales, Inc., Eldora.  
 Fairfield Livestock Commission, Inc., Fairfield.  
 Farmers Auction Market, Eldora.  
 Farmers Sale Company, Carroll.  
 Fonda Livestock Sales Company, Fonda.  
 Garner Livestock Sales, Inc., Garner.  
 Greenfield Community Sale, Inc., Greenfield.  
 Grinnell Livestock Exchange, Grinnell.  
 \*Guthrie Stock Pavilion Company, Inc., Guthrie Center.  
 Hampton Auction, Hampton.  
 Harlan Auction Company, Harlan.  
 Hawkeye Livestock Auction, Fairfax.  
 Humeston Sale Barn, Humeston.  
 Independence Sale Company, Independence.  
 Indianola Sale Company, Indianola.  
 Interstate Producers Livestock Association, Waukon.

Iowa Falls Livestock, Iowa Falls.  
 Irwin Sales Company, Irwin.  
 Jansma & Van Kley, Sioux Center.  
 Kalona Salebarn, Kalona.  
 Keoco Auction Company, Sigourney.  
 Kimballton Auction Company, Kimballton.  
 Keosauqua Sale Company, Inc., Keosauqua.  
 Knickman Livestock Sales Company, Council Bluffs.  
 Lamoni Livestock Sales Company, Inc., Lamoni.  
 LeMars Sales Company, LeMars.  
 Lenox Livestock Auction, Lenox.  
 Livestock Auction Company, Denison.  
 Lizer Livestock Auction, Gowrie.  
 Madison County Auction, Winterset.  
 Mapleton Livestock Auction Company (formerly Mapleton Auction Company), Mapleton.  
 Maquoketa Sales Company, Maquoketa.  
 Marengo Livestock Commission Co., Marengo.  
 Marshalltown Livestock Auction, Marshalltown.  
 Massena Livestock Auction, Massena.  
 McCreary Sales Company, Centerville.  
 McIntosh Livestock Auction, Inc., Ida Grove.  
 Middletown Auction Sales, Inc., Middletown.  
 Montezuma Sales Company, Inc., Montezuma.  
 Monticello Sales, Monticello.  
 Moorhead Auction Company, Moorhead.  
 Mount Ayr Livestock Market, Mount Ayr.  
 Mountain States Stockyards, Inc., Sioux City.  
 New Liberty Sale Barn, New Liberty.  
 New Sharon Sales Company, Inc., New Sharon.  
 Nishna Valley Auction (formerly Ruby Auction Company), Shenandoah.  
 Northeast Iowa Sales Commission, Waukon.  
 Northside Sales Company, Sibley.  
 Northwest Iowa Livestock Exchange, Alta.  
 Northwood Sales Company, Northwood.  
 O & W Auction Market, Wadena.  
 Oelwein Dairy Sales, Oelwein.  
 Oelwein Livestock Exchange, Oelwein.  
 Ollie Livestock Exchange, Ollie.  
 Orient Sales Company, Inc., Orient.  
 Osceola Sales Company, Osceola.  
 Oskaloosa Livestock Auction, Inc., Oskaloosa.  
 Pella Sales Company, Pella.  
 Perry Sales Pavilion, Perry.  
 Riceville Sales Pavilion, Riceville.  
 Rock Valley Sales Company, Rock Valley.  
 Rubey Auction Company, Red Oak.  
 Russell Sales Company, Russell.  
 Sales Company of Hawarden, Hawarden.  
 Sharp Livestock, Inc., Grundy Center.  
 Sheldon Livestock Company (formerly Sheldon Sales Company), Sheldon.  
 Smylie-Hauptert Livestock, Inc. (formerly Smylie Livestock Company), Columbus Junction.  
 Spencer Livestock Sales, Spencer.  
 Spencer North Y Auction, Inc., Spencer.  
 Stanton Livestock Auction, Stanton.  
 Storm Lake Auction Company, Storm Lake.  
 Story City Auction Sales, Story City.  
 Sumner Livestock Auction, Sumner.  
 Tabor Sale Barn, Tabor.  
 Tama Livestock Auction Company, Tama.  
 Thompson Livestock Commission Company, Lamoni.  
 Traer Sales Company, Traer.  
 Tri-States Livestock Auction Company, Inc., Sioux Center.  
 United Livestock Auction Exchange, Inc., Maquoketa.  
 Walker Sales Company, Walker.  
 Wapello Livestock Sales, Inc., Wapello.  
 Washington Livestock Auction Market, Inc., Washington.  
 Waverly Sales Company, Waverly.  
 Wayland Sale Company, Inc., Wayland.  
 Webster City Livestock Market, Inc. (formerly Webster City Livestock Auction, Inc.), Webster City.  
 West Union Auction Exchange, West Union.  
 Winneshiek Coop Sales Commission, Decorah.

## KANSAS

\*Abilene Livestock Sales Company, Abilene.  
 \*Allen County Livestock Auction, Gas City.  
 \*Anderson County Sale Company, Garnett.  
 \*Anthony Livestock Company, Anthony.  
 \*Ashland Sales Company, Inc., Ashland.  
 \*Atchison County Auction Company, Atchison.  
 \*Atwood Sale Barn, Atwood.  
 \*Beloit Livestock Auction, Inc., Beloit.  
 \*Beverly Stockyard Company, Salina.  
 \*Caldwell Community Sale, Caldwell.  
 \*Cedar Vale Sales Company, Cedar Vale.  
 \*Central Livestock Sales Company, S. Hutchinson.  
 \*Chandler Sales Company, Smith Center.  
 \*Chanute Sale Pavilion, Chanute.  
 \*Clay Center Sales Company, Clay Center.  
 \*Cloud County Livestock Commission Co., Concordia.  
 \*Coffeyville Livestock Commission Co., Inc., Coffeyville.  
 \*Colby Livestock Auction, Inc., Colby.  
 \*Coldwater Sales Company, Inc., Coldwater.  
 \*Concordia Sales Company, Concordia.  
 \*Council Grove Livestock Auction, Council Grove.  
 \*Dighton Livestock Auction Market, Inc., Dighton.  
 \*Dodge City Livestock Commission Co., Inc., Dodge City.  
 \*Douglass Livestock Commission Company, Douglass.  
 \*Downs Sale Company, Downs.  
 \*Eflingham Auction Company, Eflingham.  
 \*El Dorado Sales, Inc., El Dorado.  
 \*Emporia Livestock Sale Company, Inc., Emporia.  
 \*Eureka Auction Sale, Eureka.  
 \*Farmers Livestock Exchange, Inc., Wakarusa.  
 \*Farmers Marketing Sales Corp., Inc., Hill City.  
 \*Farmers and Ranchers Livestock Comm. Co., Salina.  
 \*Flint Hills Livestock Auction, Eskridge.  
 \*Fort Scott Sale Company, Fort Scott.  
 \*Frankfort Community Sale, Frankfort.  
 \*Franklin County Sale Company, Inc., Ottawa.  
 \*Fredonia Livestock Sales Company, Inc., Fredonia.  
 \*The Garden City Sale Company, Inc., Garden City.  
 \*Glasco Livestock Exchange, Glasco.  
 \*Goodland Livestock Commission Co., Inc., Goodland.  
 \*Harper Livestock Sales Company, Harper.  
 \*Hays Livestock Commission Company, Inc., Hays.  
 \*Herington Livestock Auction Company, Herington.  
 \*Hiawatha Auction Company, Hiawatha.  
 \*Holton Community Sale, Holton.  
 \*Holton Livestock Exchange, Holton.

## KENTUCKY

\*Adair County Stockyards, Columbia.  
 \*Albany Stockyards, Albany.  
 \*Barren County Stockyards, Glasgow.  
 \*Blue Grass Stockyards, Lexington.  
 \*Bowling Green Livestock Market, Bowling Green.  
 \*Boyle County Stockyards, Danville.  
 \*Breckinridge County Livestock Sales, Irvington.  
 \*Don Brown Stockyard, Kevil.  
 \*Bullitt County Stockyards, Shepherdsville.  
 \*Burkesville Stockyards, Burkesville.  
 \*Carlisle Stockyards, Carlisle.  
 \*Catlettsburg Livestock Sales, Catlettsburg.  
 \*Christian County Livestock Market, Hopkinsville.  
 \*Clay Wachs Stockyards, Lexington.  
 \*Cynthiana Stockyards, Cynthiana.  
 \*Edmonton Livestock Market, Edmonton.  
 \*Farmers Commission Company, Tompkinsville.

\*Farmers Livestock Market, London.  
 \*Farmers Livestock Market, Mayfield.  
 \*Farmers Livestock Sales, Louisa.  
 \*Farmers Stockyards, Flemingsburg.  
 \*Farmers Stockyards, Mt. Sterling.  
 \*Floyd County Livestock Market, Ivel.  
 \*Franklin Livestock Market, Franklin.  
 \*Garfield Auction Barn, Garfield.  
 \*Garrard County Stockyard, Lancaster.  
 \*Gibson Livestock Co., Inc., Marion.  
 \*Glasgow Livestock Market, Glasgow.  
 \*Green County Stockyards, Greensburg.  
 \*Horse Cave Stockyards, Horse Cave.  
 \*Kentuckiana Livestock Market, Owenboro.  
 \*Kentucky-Tennessee Livestock Market, Guthrie.  
 \*Knox County Stockyards, Barbourville.  
 \*Laurel Sales Company, London.  
 \*Lebanon Stockyards, Inc., Lebanon.  
 \*Logan County Livestock Co., Russellville.  
 \*Fred Madison Sales Barn, Bowling Green.  
 \*Madison Sales Co., Richmond.  
 \*Mayfield Livestock Sales, Mayfield.  
 \*Mayville Stockyards, Mayville.  
 \*Middleboro Livestock Market, Middleboro.  
 \*Monticello Stockyards, Monticello.  
 \*Morganfield Stockyards, Morganfield.  
 \*Murray Livestock Co., Murray.  
 \*Ohio Valley Producers, Burna.  
 \*Ohio Valley Producers, Clinton.  
 \*O.K. Stockyards, Mayville.  
 \*Olive Hill Livestock Co., Olive Hill.  
 \*Owen County Stockyards, Owenston.  
 \*Paducah Livestock Auction, Paducah.  
 \*Paintsville Livestock Market, Paintsville.  
 \*Paris Stockyards, Paris.  
 \*Pulaski Co. Livestock Market, Inc., Somerset.  
 \*Ratiff Stockyards, Mt. Sterling.  
 \*Russell County Stockyards, Russell Springs.  
 \*Smith Livestock Co., Symonsia.  
 \*Smithland Livestock Co., Smithland.  
 \*Warren Co. Farmer Marketing Co-op., Bowling Green.  
 \*Williamstown Stockyards, Williamstown.  
 \*Winchester Stockyards, Winchester.

## LOUISIANA

\*Abbeville Commission Company, Abbeville.  
 \*Albrooks-Gullbeau Stockyards, Inc., Baton Rouge.  
 \*Albrooks-Gullbeau Stockyards, Inc., Opelousas.  
 \*Amite Livestock Co., Inc., Amite.  
 \*Avoyelles Livestock Commission Market, Mansura.  
 \*Bastrop Livestock Auction, Bastrop.  
 \*Charles A. Brown, Baton Rouge.  
 \*Clark Livestock Commission Company, Benton.  
 \*Delhi Livestock Auction, Delhi.  
 \*DeQuincy Livestock Commission Company, DeQuincy.  
 \*DeRidder Livestock Market, DeRidder.  
 \*Dominique's Cow Palace, Marksville.  
 \*Dominique's Livestock Auction, Alexandria.  
 \*Dominique's Stockyards, Inc., Baton Rouge.  
 \*Dominique's Stockyards, Inc., Lafayette.  
 \*Dominique's Stockyards, Inc., Opelousas.  
 \*Farmer & Stockman Auction, Inc., Clarence.  
 \*Franklin Livestock Auction, Inc., Winnaboro.  
 \*Franklinton Stockyards, Inc., Franklinton.  
 \*Hodges & Co., W. H., Alexandria.  
 \*Hodges & Co., W. H., Crowley.  
 \*Hodges & Co., W. H., New Roads.  
 \*Hodges Stock Yards, Inc., Raceland.  
 \*Homer Livestock Commission Co., Homer.  
 \*Kentwood Livestock Sales, Inc., Kentwood.  
 \*Lacassine Stockyards, Lacassine.  
 \*Lacy Stockyard, J. D., Alexandria.  
 \*Livestock Producers, Inc., Boudier City.  
 \*Lum Brothers Stockyards, Vidalia.  
 \*Lyles Auction Co., Bill, Grand Cane.  
 \*Mansfield Livestock Auction, Mansfield.  
 \*Micalie's Commission Yard, Lake Charles.  
 \*Miller & Dominique, Eunice.

- \*North Tangipahoa Stockyard, Inc., Kentwood.
- \*Rayville Livestock Auction, Inc., Rayville.
- \*Red River Livestock Auction, Inc., Coushatta.
- \*Tate Commission Barn, Joe, Ville Platte.
- \*Tate Commission Barn, Joe, LeBeau.
- \*Volron's Stockyard, Inc., Thibodaux.
- \*West Monroe Livestock Auction, West Monroe.
- \*Zachary Stockyards, Zachary.

## MASSACHUSETTS

- Flame, Inc., Littleton.
- Michelson's Livestock Commission Auctions, Inc., South Easton.
- Northampton Cooperative Auction, Whately.

## MARYLAND

- \*Aberdeen Sales Company, Aberdeen.
- Caroline Sales Company, Denton.
- \*Cumberland Stockyards, Inc., Cumberland.
- \*Farmers' Livestock Exchange, Inc., Boonsboro.
- Farmers' Market & Auction, Charlotte Hall.
- \*Four States Livestock Sales, Inc., Hagerstown.
- \*Frederick Livestock Auction, Inc., Frederick.
- \*Friend's Stockyard, Inc., Accident.
- \*Grantsville Community Sales, Inc., Grantsville.
- \*Rudnick & Sons, Inc., Harry, Galena.
- West Nottingham Livestock, Inc., Rising Sun.
- \*Western Maryland Stockyards, Inc., Westminster.
- Woodsboro Livestock Sales, Inc., Woodsboro.

## MICHIGAN

- \*Andy Adams Sale Barn, Hillsdale.
- \*Coldwater Livestock Auction, Coldwater.
- \*Dundee Livestock Sales, Inc., Dundee.
- Linsmeier Livestock Auction, Menominee.
- \*Michigan Livestock Exchange, Cassopolis.
- \*Napoleon Livestock Auction, Napoleon.
- \*Ravenna Livestock Sales, Ravenna.
- \*Three Rivers Livestock Auction, Three Rivers.

## MINNESOTA

- Farmers Livestock Auction Market, Caledonia.
- Arends Sale Yard, Inc., Blue Earth.

## MISSISSIPPI

- \*Alcorn County Stockyard, Corinth.
- \*Batesville Livestock Commission Company, Batesville.
- \*Billingsley's Auction Sale, "Doc", Senatobia.
- \*Booneville Commission Company, Booneville.
- Carl's Commission Company, Pontotoc.
- \*Chickasaw Commission Company, Houston.
- \*Clarksdale Livestock Sales Company, Clarksdale.
- \*Corinth Livestock Commission Company, Corinth.
- \*Decatur Stockyards, Decatur.
- \*Dixie Stockyards, Inc., Meridian.
- \*Farmers Livestock Yards (formerly Southern Stockyards & Hub City Stockyards), Hattiesburg.
- \*Fayette Stockyards, Inc., (formerly Jefferson County Stockyards, Inc.), Fayette.
- \*Felders Livestock Sales Company, Summit.
- \*George County Stockyards, Lucedale.
- \*Graves Livestock Company, Winona.
- \*Grenada Livestock Exchange, Grenada.
- \*Gulfport Livestock Yards, Gulfport.
- \*Highway 84 West Stockyard, Laurel.
- Holton's Livestock Sale, J. W. Centreville.
- \*Jackson Union Stockyards (& Quinns), Jackson.
- \*Knight Brothers Sale, Carthage.
- \*Laurel Stockyards, Laurel.
- \*Lexington Sales Company, Lexington.
- \*Lincoln County Livestock Commission Co., Brookhaven.
- \*Lipscomb Commission Company, Como.
- \*Livestock Producers Association, Tylertown.

- \*Lum Commission Company, Vicksburg.
- \*Meridian Stockyards, Inc., Meridian.
- \*Mid-South Order Buyers, Inc., Jackson.
- \*Mississippi Livestock Producers Assoc. (North Yard), Jackson.
- \*Mississippi Livestock Producers Association (South Yard), Jackson.
- \*Moore & Woods Commission Company, Inc., Macon.
- \*Natchez Stockyard, Natchez (formerly Allen Bros. Natchez Stkyd. and Natchez Stockyard), Natchez.
- \*New Albany Sales Company, New Albany.
- \*Olive Branch Sales Company, Olive Branch.
- \*Oxford Livestock Commission Company, Oxford.
- \*Pontotoc Livestock Commission Company, Pontotoc.
- Prairie Livestock, Inc., West Point.
- \*Ripley Sales Company, Ripley.
- \*S & A Livestock, Inc. (formerly S & S Livestock Dealers, Inc.), Tupelo.
- \*Southeast Mississippi Livestock Farmers Association (formerly South Mississippi Livestock Market), Hattiesburg.
- Southwest Mississippi Livestock Producers Association, Liberty.
- \*Southwest Stockyards, Inc., Port Gibson.
- \*Spicer Brothers Stockyard (same as Spicer Brothers), Tupelo.
- \*Starkville Livestock Commission Company, Starkville.
- Stiles Livestock Commission Co., Sturgis.
- \*Stringer Sale Barn, Columbia.
- \*Tri-State Stockyards, Inc., Greenville.
- \*Walnut Sales Company, Walnut.
- \*Waynesboro Livestock Yards, Inc., Waynesboro.
- \*West Point Livestock Auction, Inc. West Point.
- \*Winston County Community Sales, Louisville.

## MISSOURI

- Alton Sales Company, Alton.
- Ava Sales Company, Ava.
- Benton County Producers Association, Warsaw.
- Bollinger County Livestock Assoc., Marble Hill.
- Bowling Green Livestock Markets, Inc. Bowling Green.
- Brunswick Sale Company, Brunswick.
- Buffalo Sale Barn, Buffalo.
- Bullshippers, Inc., Rich Hill.
- Butler Community Sale (formerly Butler Livestock Auction), Butler.
- Cabool Livestock Market, Cabool.
- Callaway Stock Sales Association, Fulton.
- Cantrell & Sons Sale Company, Archie.
- Carrollton Livestock Auction, Carrollton.
- Central Missouri Livestock Auction, Inc., Mexico.
- Central Missouri Sales Company, Sedalia.
- Central Ozark Livestock Market, West Plains.
- \*Charleston Auction Company, Charleston.
- Chillicothe Livestock Auction, Inc., Chillicothe.
- Circle "S" Livestock Auction, Stanberry.
- Clark County Sales Company, Kahoka.
- Clinton Community Sale, Clinton.
- Columbia Livestock Auction, Inc., Columbia.
- Concordia Livestock Auction, Concordia.
- Cox (Noel) Auction Sale, Ozark.
- Doniphan Auction Sales Company, Doniphan.
- Edina Auction Company, Edina.
- El Dorado Sales Company, El Dorado Springs.
- Fair Play Sale and Auction Company, Fair Play.
- Farmers Auction Company, Mountain View.
- Farmers and Traders Commission Company, Inc., Palmyra.
- Farmington Auction Company, Inc., Farmington.
- Fredericktown Auction Company, Inc., Fredericktown.
- Gainesville Livestock Auction, Gainesville.

- Gallatin Livestock Auction, Gallatin.
- Golden Valley Auction Company, Clinton.
- Goodman Auction Market, Goodman.
- Grant City Sale Barn, Inc., Grant City.
- Green City Auction Company, Inc., Green City.
- H. R. H. Auction Company, Hamilton.
- Halsey-Riley Sales Company, Inc., Marshall.
- Hannibal Sale Company, Inc., Hannibal.
- Hayes Cattle, Inc., Chillicothe.
- Hinds Sale Company, Memphis.
- Interstate Producers Livestock Association, Callao.
- Interstate Producers Livestock Association, Marshall.
- Interstate Producers Livestock Association, Perryville.
- Johnson County Livestock Market, Inc., Warrensburg.
- Kahoka Sale Company, Inc., Kahoka.
- Kennett Sales Company, Inc., Kennett.
- Kirkville Community Sale, Kirkville.
- LaCade County Livestock Producers Association, Lebanon.
- Lamar Auction Market, Lamar.
- Lewis County Auction Company, Lowistown.
- Lexington Livestock Auction, Lexington.
- Licking Auction Sales Company, Licking.
- Lincoln County Livestock Market, Inc. (formerly Troy Sales Co., Inc.), Troy.
- Linn County Auction Company, Brookfield.
- Linn County Beef Producers Association, Brookfield.
- Lockwood Community Sale, Inc., Lockwood.
- Loll Sales Pavilion, Macon.
- Mansfield Livestock Auction, Mansfield.
- Maryville Auction Company, Maryville.
- Means Auction Company, Booneville.
- Mercer County Auction, Princeton.
- Mercer County Producers Association, Princeton.
- Merrigan Bros. Livestock Auction Market, Inc., Maryville.
- Milan Livestock Auction, Milan.
- Moberly Livestock Auction Company, Moberly.
- Monett Sale Company, Monett.
- Montgomery County Livestock Auction Company, Montgomery City.
- Moore, C. H. & Son, Memphis.
- Mountain Grove Livestock Auction, Mountain Grove.
- Nevada Livestock Auction, Nevada.
- New Cambria Community Sale, New Cambria.
- North Missouri Sale Pavilion, Trenton.
- Odessa Community Sale, Odessa.
- Olean Sale Company, Olean.
- Oregon Livestock Sales Company, Oregon.
- Palmyra Livestock Auction Market, Palmyra.
- Pasley (C. M.) Auction Company, Osceola.
- Payne Auction Sales, Lebanon.
- Platte County Sales Company, Inc., Platte City.
- Poplar Bluff Sales Company, Poplar Bluff.
- Potosi Auction Company, Inc., Potosi.
- Puxico Stockyards and Auction Company, Inc., Puxico.
- Ray County Sales Company, Inc., Richmond.
- Roberts Brothers Auction, Bolivar.
- Robertsons Community Sale, Bethany.
- Rock Port Sales Pavilion, Inc., Rock Port.
- St. Clair Auction, St. Clair.
- St. James Auction Company, St. James.
- Salem Auction Sale Company, Salem.
- Savannah Sale Company, Savannah.
- Schuyler County Sales Company, Lancaster.
- Sedgewickville Auction Barn, Sedgewickville.
- Seneca Community Sale, Inc., Seneca.
- Shelbina Auction Company, Shelbina.
- Sivils (Jack) Sale Company, Butler.
- Stewarts Sales Pavilion, Cameron.
- Stockman Sale Barn, Mota.
- Summersville Auction Sale, Summersville.
- Thayer Sales Company, Thayer.
- Unionville Sale Company, Unionville.
- Urbana Sale Barn, Urbana.
- Van Meter Auction Company, Kingsville.
- Versailles Auction, Versailles.
- Warsaw Sales Company, Warsaw.

Welly Sales Pavilion, Nevada.  
Wentzville Auction Company, Wentzville.  
West Plains City Scales, West Plains.  
West Plains Livestock Auction, West Plains.  
Wheaton Livestock Auction, Wheaton.  
Windsor Auction Company, Windsor.

## MONTANA

\*Billings Livestock Commission Company, Billings.  
\*Glendive Livestock Sales Company, Glendive.  
\*Sidney Livestock Market Center, Sidney.

## NEBRASKA

\*Ainsworth Livestock Market, Ainsworth.  
\*Albion Livestock Market, Inc., Albion.  
\*Alliance Livestock Auction Company, Alliance.  
\*Alma Sale Barn, Alma.  
\*Arnold Livestock Sales Co., Inc., Arnold.  
\*Ashland Sale Barn, Ashland.  
\*Atkinson Livestock Market, Atkinson.  
\*Augustin Brothers, Shelby.  
\*Bassett Livestock Auction, Inc., Bassett.  
\*Beatrice Sales Pavilion, Beatrice.  
\*Beatrice 77 Livestock Sales Co., Beatrice.  
\*Beaver Valley Livestock Co., Inc., Beaver City.  
\*Bloomfield Livestock Auction, Bloomfield.  
\*Blue Hill Livestock Co., Blue Hill.  
\*Burwell Livestock Market, Burwell.  
\*Butte Livestock Market, Butte.  
\*Central Nebraska Commission Co., Broken Bow.  
\*Chadron Sales Co., Chadron.  
\*Chappell Livestock Auction, Inc., Chappell.  
\*Columbus Sales Pavilion, Inc., Columbus.  
\*Crawford Livestock Market, Crawford.  
\*Creighton Livestock Market, Creighton.  
\*Elkhorn Valley Cattle Co., Norfolk.  
\*Ewing Livestock Market, Ewing.  
\*Fairbury Livestock Co., Fairbury.  
\*Falls City Auction Co., Falls City.  
\*Farmers Livestock Sales Co., Benkelman.  
\*Garden County Commission Co., Oshkosh.  
\*Gordon Livestock Auction Co., Inc., Gordon.  
\*Grand Island Livestock Auction, Inc., Grand Island.  
\*Hebron Livestock Commission Co., Hebron.  
\*Holdrege Commission Co., Holdrege.  
\*Imperial Auction Market, Inc., Imperial.  
\*Kearney Livestock Commission Co., Kearney.  
\*Kimball Livestock Auction, Kimball.  
\*Klug Brothers Livestock Co., Columbus.  
\*Lexington Livestock Commission Co., Lexington.  
\*Lockwood Livestock Auction, South Platte City.  
\*Minden Livestock Sales Co., Minden.  
\*Morris Livestock Auction, Plattsmouth.  
\*Nebraska City Salebarn, Inc., Nebraska City.  
\*Nebraska Livestock Sales Co., Lincoln.  
\*Nellig Livestock Commission Co., Neligh.  
\*Newman Grove Livestock Market, Newman Grove.  
\*Nollett Livestock Sales, Valentine.  
\*Norfolk Livestock Market, Inc., Norfolk.  
\*Ogallala Livestock Commission Co., Ogallala.  
\*O'Neill Livestock Market, O'Neill.  
\*Oxford Livestock Commission Co., Oxford.  
\*Pawnee Livestock Co., Pawnee City.  
\*Pender Livestock Sales Co., Pender.  
\*Producers Livestock Marketing Association, Gering.  
\*Producers Livestock Marketing Association, McCook.  
\*Red Cloud Livestock Commission Co., Inc., Red Cloud.  
\*Republican Valley Livestock Auction, Franklin.  
\*Sheridan Livestock Commission Co., Rushville.  
\*Sidney Livestock Sales Pavilion, Inc., Sidney.  
\*Sioux County Livestock Commission Co., Harrison.  
\*Spalding Livestock Market, Spalding.  
\*Stickelman Livestock Commission Co., Gothenburg.

\*Superior Livestock Commission Co., Inc., Superior.  
\*Theford Livestock Commission Co., Theford.  
\*Tri-State Livestock Commission Co., McCook.  
\*Twin City Livestock Auction Co., Gering.  
\*Valentine Livestock Market, Valentine.  
\*Verdigris Livestock Market, Verdigris.  
\*Wahoo Livestock Auction Market, Wahoo.  
\*Wayne Livestock Auction Co., Inc., Wayne.  
\*Wells Commission Co., Fremont.  
\*West Point Sales Co., West Point.  
\*Wisner Livestock Sales Co., Wisner.  
\*York Livestock Sales Co., York.  
\*Western Livestock Auction Co., North Platte.

## NEVADA

\*Gallagher Livestock Co., Fallon.

## NEW JERSEY

\*Community Livestock Auction, Woodstown.  
\*Cowtown Auctioneers (formerly Harris Sales Company), Woodstown.  
\*Flemington Agricultural Marketing Co-op, Inc., Flemington.  
\*Jaeger's Livestock Auction Market, Sussex.  
\*Livestock Cooperative Auction Market Ass'n. of North Jersey, Inc., Hackettstown.  
\*Henry Zlotkin Auction, Freehold.

## NEW MEXICO

Five States Livestock Auction, Inc., Clayton.  
Portales Livestock Commission Company, Portales.

## NEW YORK

Burton's Livestock Exchange, Inc., Vernon.  
Cambridge Valley Livestock Market, Cambridge.  
Chambers, D. R. & Sons, Inc., Unadilla.  
Chatham Area Auction Cooperative, Inc., Chatham.  
Condon's Auction Market, Cherry Creek.  
County Livestock Market, Amsterdam.  
DiBello, Ben Commission Sales, Hannibal.  
Empire Livestock Marketing Cooperative, Inc., Bath, New York (Burn's Property).  
Empire Livestock Marketing Cooperative, Inc., Bath (120 Wilson Avenue).  
Empire Livestock Marketing Cooperative, Inc., Caledonia.  
Empire Livestock Marketing Cooperative, Inc., Dryden.  
Empire Livestock Marketing Cooperative, Inc., Gouverneur.  
Empire Livestock Marketing Cooperative, Inc., Oneonta.  
Empire Livestock Marketing Cooperative, Inc., Watertown.  
Empire Livestock Marketing Cooperative, Inc., Whitney Point.  
Finger Lakes Livestock Market, Inc., Canandaigua.  
Gentner, Raymond Commission Market, Springville.  
Hillsdale Farmers Auction, Inc., Hillsdale.  
Kaplan, J. M. & Son, Inc., Millerton.  
Luther's Livestock Commission Market, Wassala.  
Maplehurst Livestock Market, Hinsdale.  
Milford Commission Sales Stable, Inc., Franklin.  
Miller's Livestock Market, Argyle.  
Miller's Livestock Market of Johnstown, Johnstown.  
Norwich Commission Sales, Norwich.  
North County Livestock Exchange, Inc., Chazy.  
Pavillon Livestock Market, Inc., Pavilion.  
Peter's Livestock Exchange, Jeffersonville.  
Norvel Reed & Sons, Inc., Jamestown.  
Norvel Reed & Sons, Inc., Sherman.  
Sullivan Brothers Livestock Exchange, Utica.  
Walkhill Livestock Market, Walden.  
Welch Livestock Market, Inc., West Edmeston.

## NORTH CAROLINA

Benthall's Stockyard, Rich Square.  
Brite and Tatum Livestock Co., Inc., Elizabeth City.  
Carolina Stockyards Co., Siler City.  
Cattleman's Livestock Yard, Inc., Canton.  
Central Carolina Farmers Livestock Market, Hillsborough.  
Creech Livestock Market, Inc., Norlina.  
Dedmen's Livestock Yards, Shelby.  
Farmers Livestock Exchange, Marshville.  
D. F. Foust Livestock Co., Inc., Greensboro.  
Franklin Livestock Auction, Franklin.  
Hill's Stockyard, Kinston.  
John P. Hobbs Stockyard, Inc., Goldsboro.  
Gus Z. Lancaster Stockyards, Inc., Rocky Mount.  
Lumberton Auction Co., Inc., Lumberton.  
R. D. Martin Livestock Market, Aberdeen.  
Morris Livestock Co., Charlotte.  
Mount Alry Livestock Market, Inc., Mount Alry.  
Murphy Livestock Auction Co., Murphy.  
Norwood Stockyard, Norwood.  
Oxford Livestock Market, Inc., Oxford.  
Pates Stockyard, Pembroke.  
Fowell Livestock Co., Smithfield.  
Shelby Sales Barn, Shelby.  
Union County Livestock Auction, Inc., Mineral Springs.  
Watauga Livestock Market, Inc., Boone.  
Western Carolina Livestock Market, Inc., Asheville.  
West Jefferson Livestock Market, West Jefferson.

## NORTH DAKOTA

\*Ashley Livestock Sales Company, Ashley.  
\*Badlands Auction Company, Watford City.  
\*Beulah Livestock Auction Market, Inc., Beulah.  
\*Carrington Livestock Sales, Inc. (formerly Carrington Livestock Auction, Inc.), Carrington.  
\*Edgeley Livestock Sales Company, Edgeley.  
\*Hamann Livestock Company, Hettinger.  
\*Harrington Brothers Livestock Auction, Minot.  
\*Harvey Livestock Auction, Harvey.  
\*Hettinger Livestock Sales, Hettinger.  
\*Home Base Auction Company, Bowman.  
\*Jamestown Livestock Sales, Jamestown.  
\*JKL Cattle Company, Williston.  
\*Kamrath Sales Pavilion, Mott.  
\*Kist Livestock Auction Company, Mandan.  
\*Lake Region Auction and Livestock Market, Inc., Devils Lake.  
\*Linton Livestock Sales, Inc., Linton.  
\*Lorenz Livestock Sales, Hazen.  
\*Meyer's Livestock Sales (formerly Williston Livestock Commission Company), Williston.  
\*Minot Livestock Auction, Minot.  
\*Missouri Slope Livestock Auction, Inc., Bismarck.  
\*Napoleon Livestock Sales (formerly Napoleon Livestock Auction), Napoleon.  
\*Oakes Livestock Terminal, Oakes.  
\*Park River Livestock Auction Market, Park River.  
\*Rugby Livestock Auction Market, Inc. (formerly Rugby Livestock Sales), Rugby.  
\*Schlichenmayer Livestock Sales, Turtle Lake.  
\*Schnell Livestock Auction Company, Dickinson.  
\*Sitting Bull Auction, Williston.  
\*Valley City Livestock Auction, Valley City.  
\*Wahpeton Livestock Company, Wahpeton.  
\*Western Livestock Company, Dickinson.  
\*Wishek Livestock Market, Wishek.

## OHIO

\*Athens Livestock Sales, Athens.  
\*Barnesville Livestock Exchange, Barnesville.  
\*Bloomfield Livestock Auction, North Bloomfield.  
\*Bowling Stockyard, Circleville.

\*Canfield Livestock Auction, Canfield.  
 \*Carrollton Livestock Auction, Carrollton.  
 \*Creston Livestock Sales, Creston.  
 \*Damascus Livestock Auction, Damascus.  
 \*Delta Livestock Auction & Commission Co., Delta.  
 \*Dorset Livestock Sales, Dorset.  
 \*Farmers Livestock Auction, Inc., Marietta.  
 \*Fremont Livestock Exchange, Fremont.  
 \*Kenton Farmers Marketing Co., Kenton.  
 \*Kidron Auction, Inc., Kidron.  
 \*Lugbill Brothers, Inc., Archbold.  
 \*Lugbill Brothers, Inc., Columbus Grove.  
 \*Muskingum Livestock Sales Co., Zanesville.  
 \*Ohio Valley Livestock Company, Gallipolis.  
 \*Peoples Livestock Exchange, Greenville.  
 \*Producers Livestock Association, Bucyrus.  
 \*Producers Livestock Association, Columbus.  
 \*Producers Livestock Association, Coshocton.  
 \*Producers Livestock Association, Eaton.  
 \*Producers Livestock Association, Findlay.  
 \*Producers Livestock Association, Hillsboro.  
 \*Producers Livestock Association, Lancaster.  
 \*Producers Livestock Association, Marion.  
 \*Producers Livestock Association, Mount Vernon.  
 \*Producers Livestock Association, Wapakoneta.  
 \*Producers Livestock Association, Washington, O.H.  
 \*Producers Livestock Association, Wilmington.  
 \*Rothschild Livestock Company, Stony Ridge.  
 \*Scio Auction Market, Scio.  
 \*Scioto Livestock Sales Co., Chillicothe.  
 \*Tiffin Livestock Sales Co., Tiffin.  
 \*Union Stockyards Company, Hillsboro.  
 \*Woodsfield Livestock Sales, Inc., Woodsfield.  
 \*Zanesville Community Sales, Zanesville.

OKLAHOMA

\*Ada Livestock Auction, Inc., Ada.  
 \*Alva Sales Company, Alva.  
 \*Antler Livestock Auction, Antlers.  
 \*Ardmore Livestock Auction, Inc., Ardmore.  
 \*Atoka Livestock Auction, Atoka.  
 \*Beaver Livestock Sale, Beaver.  
 \*Big Pasture Auction, Frederick.  
 \*Blackwell Livestock Auction, Blackwell.  
 \*Buffalo Livestock Commission Co., Buffalo.  
 \*Cattlemen's Stockyards, Comanche.  
 \*Chandler Auction, Chandler.  
 \*Cherokee Sales Company, Cherokee.  
 \*Clinton Livestock Auction, Clinton.  
 \*Cornwell-Ochsner Commission Sale, Yukon.  
 \*Covington Sale Barn, Covington.  
 \*Dewey Livestock Sale, Dewey.  
 \*Durant Stockyards Company, Durant.  
 \*Elk City Livestock Auction, Elk City.  
 \*Enid Livestock Market, Inc., Enid.  
 \*Fairview Sale Barn, Fairview.  
 \*Farmers and Ranchers Livestock Auction, Vinita.  
 \*Four-Way Stockyards Company, McAlester.  
 \*Grove Sales Company, Grove.  
 \*Hollis Livestock Commission Company, Hollis.  
 \*Hobart Stockyards, Hobart.  
 \*Holton Brothers Stockyards, Hugo.  
 \*Hugo Sales Commission Company, Hugo.  
 \*Idabel Livestock Commission Co., Idabel.  
 \*LeFlore County Livestock Auction, Wister.  
 \*Donald Leslie Commission Co., Hugo.  
 \*Locust Grove Sale, Locust Grove.  
 \*Loopers Auction, Stillwater.  
 \*Mangum Livestock Company, Mangum.  
 \*Marietta Auction Sale, Marietta.  
 \*Maxson Sales Company, Inc., South Coffeyville.  
 \*Maxson Sales Company, Inc., Welch.  
 \*Meeker Livestock Auction, Meeker.  
 \*Muskogee Stockyards and Livestock Auction, Inc., Muskogee.  
 \*Newkirk Livestock Auction, Newkirk.  
 \*Oklahoma Auction Yards, Hominy.

\*Panhandle Livestock Commission Co., Guy-  
 mon.  
 \*Pawnee Sale Company, Pawnee.  
 \*Perkins Y Livestock Auction, Perkins.  
 \*Perry Livestock Exchange, Perry.  
 \*Pryor Livestock Auction, Pryor.  
 \*Selling Sales Association, Inc., Selling.  
 \*Stigler Livestock Auction, Stigler.  
 \*Tahlequah Sale Barn, Tahlequah.  
 \*Texhoma Livestock Commission Co., Tex-  
 homa.  
 \*Tonkawa Livestock Auction, Tonkawa.  
 \*Waurika Auction Sale, Waurika.  
 \*Webb Livestock Sale, Sayre.  
 \*Western Oklahoma Livestock Auction, Elk  
 City.  
 \*Woodward Livestock Commission Co., Wood-  
 ward.

## PENNSYLVANIA

Belknap Auction Sales, Dayton.  
 Belleville Livestock Market, Belleville.  
 Carlisle Livestock Market, Carlisle.  
 Chambersburg Livestock Sales, Chambers-  
 burg.  
 Chesley's Livestock Market, North East.  
 Coudersport Livestock Market, Coudersport.  
 Cowanesque Valley Livestock Market, Knox-  
 ville.  
 Dewart Livestock Market, Dewart.  
 Eighty-Four Auction Sales, Eighty-Four.  
 Enon Valley Community Sales, Enon Valley.  
 Farmer's Tri-County Auction, Inc., Scenery  
 Hill.  
 Fayette Stockyard Company, Uniontown.  
 Greencastle Livestock Market, Greencastle.  
 Green Dragon Livestock Sale, Ephrata.  
 Hickory Auction Sales, Inc., Hickory.  
 Indiana Livestock Auction, Inc., Homer City.  
 Lebanon Valley Livestock Market, Freder-  
 icksburg.  
 Leesport Market & Auction, Leesport.  
 Meadville Livestock Auction, Saegertown.  
 Mercer Livestock Auction, Mercer.  
 Middleburg Auction Sales, Inc., Middleburg.  
 Montague Livestock Auction, Union City.  
 Montour Farmers Livestock Market, Danville.  
 Morrisons Cove Livestock Market, Martins-  
 burg.  
 New Holland Sales Stable, New Holland.  
 New Wilmington Livestock Auction, Inc.,  
 New Wilmington.  
 Nicholson Sales Company, Nicholson.  
 Penns Valley Livestock Auction, Centre Hall.  
 Pennsylvania Livestock Auction, Inc.,  
 Waynesburg.  
 Perkiomenville Sales Stable, Perkiomenville.  
 Quakertown Livestock Sale, Quakertown.  
 Sechrist Sales Company, Inc., Fawn Grove.  
 Showalter's Livestock Exchange, Duncans-  
 ville.  
 Silver Springs Livestock Market, Mechanics-  
 burg.  
 Troy Sales Cooperative, Troy.  
 Valley Stockyards, Inc., Athens.  
 Vintage Sales Stables, Inc., Paradise.  
 Wayne County Livestock Exchange, Hones-  
 dale.  
 Wyalusing Sales Company, Wyalusing.  
 York Livestock Market, Inc., York.

## SOUTH CAROLINA

Bruce & Co., P. L., Greenville.  
 Chesnee Livestock Co., Chesnee.  
 Conder Co., Inc., J. W., Columbia.  
 Darlington Auction Market, Inc., Darlington.  
 Farmer's Livestock Market, Leesville.  
 Greenwood Stockyard, Inc., Greenwood.  
 Herndon Stockyards, Inc., Ehrhardt.  
 Hutto Stockyards, Inc., Holly Hill.  
 Johnson Livestock Market, Honea Path.  
 Nichols Auction Market, Nichols.  
 Orangeburg Stockyards, Inc., Orangeburg.  
 Pickens Auction Market, Inc., Pickens.  
 Rock Hill Sales Barn, Rock Hill.  
 Saluda County Stockyards, Inc., Saluda.  
 Springfield Stockyards, Springfield.  
 Spartanburg Livestock Yards, Spartanburg.  
 Taylor Stockyards, John C., Anderson.

Walterboro Stockyards Company, Inc., Wal-  
 terboro.  
 York County Stockyards, Inc., York.

## TENNESSEE

\*Athens Livestock Auction Co., Athens.  
 \*Beasley Community Auction, Franklin.  
 \*Botts & Evans Livestock Co., Union City.  
 \*C & M Livestock Market, Jamestown.  
 \*Chattanooga Union Stockyard, Chatta-  
 nooga.  
 \*Clarksville Livestock Company, Clarksville.  
 \*Clarksville Livestock Market, Clarksville.  
 \*Cleveland Livestock Auction Co., Inc., Cleve-  
 land.  
 \*Clinton Livestock Auction Co., Inc., Clinton.  
 \*Coffee County Livestock Market, Man-  
 chester.  
 \*Collerville Livestock Auction Company,  
 Collerville.  
 \*Cookeville Livestock Company, Inc., Cooke-  
 ville.  
 \*Covington Sales Company, Covington.  
 \*Crockett County Sales Company, Maury  
 City.  
 \*Cumberland City Stockyard, Cumberland  
 City.  
 \*Dayton Livestock Auction Company, Dayton.  
 \*DeKalb County Livestock Company, Alexan-  
 dria.  
 \*East Tennessee Livestock Center, Inc.,  
 Sweetwater.  
 \*Farmers Auction Company, Fayetteville.  
 \*Farmers Commission Company, Carthage.  
 \*Farmers Livestock Exchange, Union City.  
 \*Farmers Livestock Market, Inc., Greenville.  
 \*Gallatin Livestock Market, Inc., Gallatin.  
 \*Gamallel Livestock Market, Inc., Gamallel.  
 \*Giles County Stockyard, Pulaski.  
 \*Greenville Livestock Company, Inc.,  
 Greenville.  
 \*Hardin County Stockyards, Savannah.  
 \*Hartsville Livestock Market, Hartsville.  
 \*Henderson Sales Company, Henderson.  
 \*Jackson County Commission Company,  
 Gainesboro.  
 \*Johnson City Livestock Market, Johnson  
 City.  
 \*Kingsport Livestock Market, Kingsport.  
 \*Lawrence County Stockyards, Lawrence-  
 burg.  
 \*Lewis County Stockyard, Hohenwald.  
 \*Lexington Livestock Market, Lexington.  
 \*Logan Livestock Company, Union City.  
 \*McNairy County Livestock & Auction Corp.,  
 Selmer.  
 \*Macon County Livestock Market, Lafayette.  
 \*Madisonville Livestock Auction Company,  
 Madisonville.  
 \*Mid-South Livestock Commission Company,  
 Columbia.  
 \*Middleton Sale Company, Middleton.  
 \*Morristown Stockyards, Inc., Morristown.  
 \*Murfreesboro Livestock Market, Murfrees-  
 boro.  
 \*New Tazewell Livestock Market, New Taze-  
 well.  
 \*Newbern Sales Company, Inc., Newbern.  
 \*Newport Livestock Auction Company, New-  
 port.  
 \*Nichols & Moore Sales Barn, Thompson Sta-  
 tion.  
 \*Oliver Livestock Company, Union City.  
 \*O'Neill, Sam Livestock Commission Com-  
 pany, Chattanooga.  
 \*Paris Livestock Commission Company,  
 Paris.  
 \*Payne Livestock Market, Telford.  
 \*Peoples Stockyard, Fayetteville.  
 \*People Stockyards, Cookeville.  
 \*Plateau Livestock Exchange, Crossville.  
 \*Pulaski Stockyard, Pulaski.  
 \*Rogersville Livestock Market, Rogersville.  
 \*Sampson Livestock Auction, Lewisburg.  
 \*Scotts Hill Auction Company, Inc., Scotts  
 Hill.  
 \*Sevier County Livestock Auction Company,  
 Seymour.  
 \*Shelbyville Stockyard, Shelbyville.

- \*Smith County Commission Company, Carthage.
- \*Smithville Stockyards, Smithville.
- \*Southern Livestock Auction Company, Columbia.
- \*Southwestern Sales Company, Inc., Huntington.
- \*Tennessee Producers Livestock Market Assn., Fayetteville.
- \*Thompson Livestock Company, Obion.
- \*Trenton Livestock Sales Company, Trenton.
- \*Tri-County Stockyards, McKenzie.
- \*Troup County Livestock Market, Hartsville.
- \*Union Livestock Yards, Inc., Knoxville.
- \*Unionville Livestock Market, Unionville.
- \*Ward, William Livestock, South Fulton.
- \*Warren County Livestock Company, McMinnville.
- \*West Tennessee Auction Company, Martin.
- \*White County Livestock Market, Sparta.
- \*Wilson County Livestock Market, Lebanon.
- \*Wilson Livestock Market, Newport.

## TEXAS

- \*Abilene Auction, Abilene.
- \*Amarillo Livestock Auction Co. (formerly Amarillo Livestock Auction Company #4), Amarillo.
- \*Athens Commission Company, Athens.
- \*Bay City Livestock Commission Co., Bay City.
- \*Belton Livestock Auction, Belton.
- \*Blanco Livestock Auction Co., Blanco.
- \*Bonham Livestock Commission Co., Bonham.
- \*Breckenridge Livestock Exchange Breckenridge.
- \*Bridgeport Auction Sale (formerly Bridgeport Sale Barn), Bridgeport.
- \*Brownwood Cattle Auction, Brownwood.
- \*Buffalo Livestock Commission Co., Buffalo.
- \*Burleson Dairy Cow Sale, Inc., Burleson.
- \*Canyon Livestock Commission Company (formerly Canyon Livestock Commission Company #2), Canyon.
- \*Cattleman Exchange, Inc., Edinburg.
- \*Center Auction Company, Center.
- \*Childress Livestock Auction, Childress.
- \*Clarksville Livestock Exchange, Clarksville.
- \*Cole Livestock Commission Company, Brownwood.
- \*Coleman Livestock Auction, Coleman.
- \*O. L. Colley Livestock Commission Co., Mt. Pleasant.
- \*Dalhart Livestock Auction Company, Dalhart.
- \*Decatur Auction Sale, Decatur.
- \*Ennis Auction Company, Ennis.
- \*Farmers & Ranchers Livestock Co., Denton.
- \*Farmers & Ranchers Livestock Commission Co., Paris.
- \*Frio Livestock Sale (formerly Frio Livestock Sale Company), Pearsall.
- \*Gainesville Livestock Auction, Gainesville.
- \*Gillespie Livestock Co., Inc. (formerly Gillespie County Livestock Auction), Fredericksburg.
- \*Gilmore Livestock Commission Co., Bowie.
- \*Graham Livestock Auction (formerly Graham Livestock Commission Co.), Graham.
- \*Groesbeck Commission Company, Groesbeck.
- \*Groveton Livestock Commission Company, Groveton.
- \*Haskell Livestock Auction, Haskell.
- \*Henderson County Livestock Auction, Inc. (formerly Henderson County Livestock Commission Company), Athens.
- \*Hopkins County Livestock Commission Co. (formerly Hopkins County Livestock), Sulphur Spring.
- \*Huntsville Livestock Auction (formerly Huntsville Auction Company), Huntsville.
- \*Jacksonville Livestock Commission Company, Jacksonville.
- \*Kirbyville Auction Barn, Kirbyville.

- \*Lampasas Auction, Inc. (formerly Lampasas Livestock Auction, Inc.), Lampasas.
- \*Lometa Commission Company, Lometa.
- \*Longview Livestock Commission, Longview.
- \*Lufkin Livestock Exchange, Lufkin.
- \*McCulloch County Commission Co., Brady.
- \*McDougal Livestock Auction, Comanche.
- \*McKinney Livestock Commission Co., McKinney.
- \*Madison County Livestock Commission Co., Madisonville.
- \*Mansfield Livestock Commission Company (formerly Mansfield Commission Company), Mansfield.
- \*Marshall Livestock Commission Company, Marshall.
- \*Meridian Livestock Auction, Meridian.
- \*Midland Livestock Market, Inc., Midland.
- \*Mineral Wells Stockyards Co., Mineral Wells.
- \*Moore's Livestock Commission Company, Inc. (formerly Moore's Livestock Commission), McKinney.
- \*Muenster Livestock Commission Company, Muenster.
- \*Olney Livestock Auction, Olney.
- \*Panola County Livestock Commission Co., Inc. (formerly Panola County Livestock Commission Co.), Carthage.
- \*Paris Livestock Commission Company, Paris.
- \*Parker County Livestock Commission Co. (formerly Parker County Livestock Comm.), Weatherford.
- \*Patton Auction Barn, Macgogoches.
- \*Pilot Point Livestock Exchange, Pilot Point.
- \*Pittsburg Livestock Commission Company, Pittsburg.
- \*Port City Stockyards, Sealy.
- \*Quannah Livestock Commission, Quannah.
- \*Rains County Livestock Commission, Emory.
- \*Ranchers & Farmers Livestock Commission Co. (formerly Ranchers & Farmers Commission Co.), Abilene.
- \*San Augustine Livestock Commission, San Augustine.
- \*Seymour Stockyards, Inc., Seymour.
- \*Southwest Livestock Exchange, Uvalde.
- \*Southwest Livestock Sales Co., Round Mountain.
- \*Sulphur Springs Livestock Commission Co., Sulphur Springs.
- \*Terrell Commission Company (formerly Terrell Livestock Commission Co.), Terrell.
- \*Tulla Livestock Auction, Tulla.
- \*Tyler Livestock Marketing Company (formerly Tyler Livestock Marketing Commission Company), Tyler.
- \*Vernon Stockyards Company, Inc., Vernon.
- \*Weatherford Livestock Commission Co., Weatherford.
- \*Wellington Livestock Commission Co. (formerly Wellington Livestock Commission), Wellington.
- \*Whitesboro Livestock & Commission Company (formerly Whitesboro Livestock & Commission), Whitesboro.
- \*Wichita Livestock Auction (formerly Wichita Falls Cattle Auction), Wichita Falls.
- \*Wills Point Livestock Commission Company (formerly Wills Point Livestock Comm.), Wills Point.
- \*Winnsboro Livestock Commission, Winnsboro.
- \*Wood County Livestock Auction, Mincola.
- \*Woodville Livestock Commission Co., Woodville.

## UTAH

- \*Delta Livestock Auction Company, Delta.
- \*Richfield Auction Market, Richfield.
- \*Salina Auction Co., Salina.
- \*Smithfield Livestock Auction, Inc., Smithfield.
- \*Spanish Fork Livestock Auction, Inc., Spanish Fork.
- \*Southern Utah Auction, Cedar City.
- \*Uintah Sales Barn, Roosevelt.

- \*Utah Valley Auction, Spanish Fork.
- \*Vernal Livestock Auction Co., Vernal.

## VERMONT

- Addison County Commission Sale, East Middlebury.
- Crosby's Commission Sale, Whiting.
- East Thetford Commission Sale, East Thetford.
- Vergennes Livestock Market, Vergennes.
- Westminster Commission Sale, Westminster.

## VIRGINIA

- \*Abingdon Livestock Market, Inc., Abingdon.
- \*Bedford Livestock Market, Inc., Bedford.
- \*Christiansburg Livestock Market, Inc., Christiansburg.
- \*Creech Livestock Market (formerly South Hill Livestock Market), South Hill.
- \*Farmers Livestock Market, Inc., Ewing.
- \*Farmers Livestock Exchange, Inc., Winchester.
- \*Fauquier Livestock Exchange, Inc., Marshall.
- \*Front Royal Livestock Market, Front Royal.
- \*Galax Livestock Market, Inc., Galax.
- \*Highland County Livestock Market, Inc., Monterey.
- \*Lee Farmers Livestock Market, Inc., Jonesville.
- \*Loudoun County Livestock Market, Inc., Leesburg.
- \*Lynchburg Livestock Market, Lynchburg.
- \*Narrows Livestock Market, Inc., Narrows.
- \*Nokesville Livestock Auction, Inc., Nokesville.
- \*Orange Livestock Market, Inc., Orange.
- \*Phenix Livestock Market, Phenix.
- \*Pulaski Livestock Market, Dublin.
- \*Roanoke Livestock Market, Roanoke.
- \*Rockingham Livestock Sales, Inc., Harrisonburg.
- \*Scott County Livestock Market, Gate City.
- \*Shenandoah Valley Livestock Sales, Inc., Harrisonburg.
- \*Smithfield Livestock Market, Inc., Smithfield.
- \*South Boston Livestock Market, South Boston.
- \*Southside Stockyards, Inc., Petersburg.
- \*Staunton Union Stockyards, Staunton.
- \*Staunton Livestock Market, Inc., Staunton.
- \*Tazewell Livestock Market, Inc., Tazewell.
- \*Tri-State Livestock Market, Inc., Abingdon.
- \*Victoria Livestock Market, Victoria.
- \*Woodstock Livestock Market, Woodstock.
- \*Wytheville Livestock Market, Inc., Wytheville.

## WASHINGTON

- \*Auburn Livestock Market, Inc., Auburn.
- \*Colville Auction Co., Colville.
- \*Procer Salesyard, Inc., Procer.
- Vancouver Livestock Auction Market, Vancouver.
- \*Walla Walla Livestock Commission Co., Walla Walla.

## WEST VIRGINIA

- \*Alderson Livestock Market, Alderson.
- \*Bluegrass Market, Inc., North Caldwell.
- \*Blueridge Livestock Sales, Inc., Charles Town.
- \*Bridgeport Stockyards, Inc., Bridgeport.
- \*Buckhannon Stockyards, Buckhannon.
- \*Elkins Stockyards, Inc., Elkins.
- \*Gassaway Livestock Market, Inc., Gassaway.
- \*Jackson County Livestock Market, Inc., Ripley.
- \*Mannington Stockyards, Inc., Mannington.
- \*Moundsville Livestock Auction Company, Moundsville.
- \*New River Livestock Market, Inc., Beckley.
- \*Ohio County Livestock Auction, Inc., West Alexander, Pa.
- \*Pocahontas Producers Cooperative Association, Marlinton.
- \*Point Pleasant Livestock Company, Point Pleasant.

- \*South Branch Stockyard, Inc., Moorefield.
- \*Spencer Livestock Exchange, Inc., Spencer.
- \*Terra Alta Stockyards, Inc., Terra Alta.
- \*Union Livestock Sales Company, Inc., Parkersburg.
- \*Weston Livestock Sales Company, Inc., Weston.

## WISCONSIN

- \*Beetown Sales Barn, Beetown.
- \*Benoit Livestock Market, Mason.
- \*Clear Lake Livestock Market, Clear Lake.
- \*Drees Livestock Market, Peshtigo.
- \*Equity Co-op. Livestock Sales Association, Bonduel.
- \*Equity Livestock Market, Coon Valley.
- \*Equity Co-op. Sales Association, Johnson Creek.
- \*Equity Co-op. Livestock Market, Sparta.
- \*Geurkink, Bill, Baldwin.
- \*Matthes Market, Viola.
- \*Mondovi NFO Collection Point, Mondovi.
- \*Randall, Jerry (formerly Central Wisconsin Livestock Market), Augusta.
- \*South Central Livestock Exchange, Portage.

## WYOMING

- \*Douglas Livestock Exchange Co., Douglas.
- \*Gillette Livestock Auction, Gillette.
- \*Greybull Livestock Commission Co., Greybull.
- \*Lander Livestock Commission Co., Lander.
- \*Laramie Livestock Exchange, Inc., Laramie.
- \*Lusk Livestock Exchange, Lusk.
- \*Powell Auction Market, Powell.
- \*Riverton Auction & Livestock Co. (formerly Riverton Livestock Auction), Riverton.
- \*Sheridan Livestock Commission Co., Sheridan.
- \*Stockman Livestock Commission, Inc., Torrington.
- \*Torrington Livestock Commission Co., Torrington.
- \*Worland Livestock Auction, Worland.

## SPECIFICALLY APPROVED SLAUGHTERING ESTABLISHMENTS

The following slaughtering establishments preceded by an asterisk are specifically approved for the purposes of § 78.5 of Title 9, Code of Federal Regulations, concerning brucellosis reactors and of paragraph (b) of § 78.12 of said Title 9, concerning cattle not known to be affected with brucellosis, and those not preceded by an asterisk are specifically approved for the purposes of paragraph (b) of § 78.12 only.

## ALABAMA

- Barney's Pork House, Decatur.
- \*Beesley Packing Co., Inc., Andalusia.
- Bird Packing Co., Inc., Midland City.
- \*Decatur Packing Co., Decatur.
- \*East Alabama Frozen Foods & Provision Co., Opelika.
- Florence Frozen Foods Slaughter Plant, Florence.
- Florence Packing Company, Florence.
- \*Haas-Davis Packing Company, Mobile.
- Hinote Packing Co., Loxley.
- \*Lumberjack Meats, Inc. (formerly Leeds Packing Company), Leeds.
- Nelms & Son, Decatur.
- \*Roanoke Packing Co., Inc., Roanoke.
- Williams Packing Co., Gadsden.
- \*R. L. Zeigler, Inc., Selma.
- \*R. L. Zeigler, Inc., Tuscaloosa.

## ARIZONA

- \*Busby, Vern, Meat Co., Tucson.
- Evans Meat Co., Phoenix.
- \*Herseth Meat Packing Co., Phoenix.
- Maricopa Packing Co., Phoenix.
- Paramount Packing Co., Casa Grande.
- Southwest Meat Co., Yuma.
- Stone & Randall Meat Co., Mesa.
- \*Tempe Meat Packing Co., Tempe.

## ARKANSAS

- Barnett's Slaughter House, Crossett.
- Bramlett's Country Market (formerly Clough's Country Market), Lowell.
- Brawner Packing Co., Wynne.
- \*Roy Burton Wholesale Meats, North Little Rock.
- Butcher Wholesale Meats, Camden.
- Carroll Packing Co., Paragould.
- Charleston Frozen Foods, Charleston.
- \*Columbia Packing Co., Magnolia.
- \*Community Abattoir, Inc., Ft. Smith.
- Dumas Packing Co., El Dorado.
- Phillip Freer & Son, Ivan.
- Garner's Abattoir & Meat Processing Co., Van Buren.
- Gude Packing Co., Blytheville.
- \*Hawthorne Packing Co., Hot Springs.
- Huber Slaughter Plant, Subiaco.
- \*Leo Hunt, Pine Bluff.
- \*Hot Springs Packing Co., Inc., Hot Springs.
- \*Kierre & Sons, North Little Rock.
- \*Kindervater & Sons Market, R., Little Rock.
- \*Krus Packing Company, Alexander.
- Lasiter Packing Co. (formerly Robertson Packing Co.), Booneville.
- Lawton Wholesale Meats, Warren.
- \*Meacham Packing Company, Batesville.
- Mhoon Beef, Co., Fayetteville.
- \*Middleton Packing Company, Newport.
- \*Miller Packing Company (formerly Steed Pkg. Co.), Judsonia.
- Mitchell Locker Plant (formerly Riggan Brothers Locker Plant), Sheridan.
- Montgomery, Ralph Grocery & Market, Hope.
- Monticello Packing Co. (formerly McKiever's Wholesale Meats), Monticello.
- Morrilton Packing Co., Morrilton.
- North West Arkansas Packing Co., Rogers.
- \*Oliver Slaughtering House, Stuttgart.
- Pruett Meat Market, Batesville.
- Redd Slaughter House, Harrisburg.
- \*Reeder Meat Company, Arkadelphia.
- Russellville Packing Co., Russellville.
- \*Ryburn & Glover Meat Co. (formerly Monroe Ryburn Meats), Pine Bluff.
- St. Scholastica, Ft. Smith.
- \*Searcy Frozen Foods, Searcy.
- \*Taylor Brothers Wholesale Meats, Gurdon.
- \*White County Packing Co., Searcy.

## CALIFORNIA

- \*Crum Meat Co., McArthur.
- \*Hill Top Meat Co., Roseville.
- \*Moller & Sons, Pleasanton.
- \*Moxon's Gold Star Meats, Eureka.
- \*C. V. Panizzera, Occidental.
- \*Regusci Meat Co., Napa.
- \*Trophy Meat Co., San Miguel.

## COLORADO

- \*Colorado Packing Company, La Junta.

## CONNECTICUT

- E. & J. Farms, Windham.
- \*Connecticut Packing Company, Bloomfield.
- \*Dan Brook Packing Company, New Milford.
- F. DeMartino & Son, Seymour.
- Hazardville Packing, Hazardville.
- \*Shore Line Packing Co., East Haven.
- \*Southington Packing, Southington.

## DELAWARE

- Goldberg Brothers, Wilmington.
- Sidney Hendler, Wilmington.
- Kemp's Meats, Wyoming.
- Anthony G. Messina, Wilmington.
- Townsend Locker Plant, Townsend.

## FLORIDA

- \*Beesley Packing Company of Florida, Inc., Pensacola.
- \*Economy Packing House, Hialeah.
- Florida Packing & Provision Co., Division of Triangle Lockers, Palatka.
- \*Jones-Chambliss Co., Jacksonville.
- \*Meat Supply Co., Pensacola.
- Register Meat Company, Inc., Cottondale.

- \*Summyland Packing Company, Gainesville.
- Suwannee Packing Company, Live Oak.
- \*Taylor Industries, Jay.

## GEORGIA

- Acuff Meat Processing Plant, Ringgold.
- \*Beavers Packing Company, Newnan.
- Brooks County Packing Company, Quitman.
- Bullard's Sausage Plant, Summerville.
- Carroll Packing Company, Valdosta.
- City Abattoir, Albany.
- \*Cochran Provision Company, Dublin.
- Dalton Slaughterhouse, Dalton.
- Duffey Sausage Company, Inc., Carrollton.
- Harrell Sausage Company, Bainbridge.
- D. L. Lee & Sons, Alma.
- Levinson Bros., Inc., Rome.
- Quitman Abattoir, Quitman.
- Evans Locker Plant, Evans.
- Lowell Packing Company, Fitzgerald.
- \*R. H. McEver Packing Company, Talmo.
- \*Moree Packing Company, Albany.
- \*Rome Provision Company, Inc., Rome.
- \*Scott Meat Packers, Augusta.
- \*Southern Foods, Inc., Columbus.

## IDAHO

- \*Ball Packing Corp., Idaho Falls.
- Bendel's Packing Plant, Troy.
- \*Boise Valley Packing Co., Eagle.
- Bryant Packing Co., Burley.
- Dahmen Food Lockers, Lewiston.
- \*Gem Meat Packing Co., Boise.
- Gooby and Sons Meats, Inc., Sandpoint.
- \*Grimes Packing Co., Nampa.
- Hilbo Meats, Emmett.
- Hillcrest Packing Co., Nampa.
- Howard's Meat Processing Plant, Grangeville.
- \*Idaho Falls Meat Co., Idaho Falls.
- \*Independent Meat Co., Inc., Twin Falls.
- Jenson Custom Packing Co., Rupert.
- Johnston Bros. Packing Co., Caldwell.
- \*Knudson Packing Co., Preston.
- \*Michelson Pack, Blackfoot.
- Nampa Packing Co., Nampa.
- Owyhee Meat Packers, Homedale.
- Penguin Lockers, Fruitland.
- Peoples Packing Co., Rupert.
- Williams Customs Service, Council.
- \*Y-J Packing Co., Coeur d'Alene.

## ILLINOIS

- Al's Packing Plant, Maperville.
- Bartlow Bros., Inc., Rushville.
- Bergman Meat Packing Co., Inc., Pittsfield.
- Brighton Locker Plant, Brighton.
- Callihan & Company, Peoria.
- Covemaker Packing Company, Moline.
- David's Frozen Food Center, Millford.
- DeSchepper Packing Co., Milan.
- Ducey Packing Co., Jerseyville.
- DuQuoin Packing Company, DuQuoin.
- Eckert Orchard Association, Belleville.
- Edgar County Locker Service, Paris.
- Elmwood Locker Service, Elmwood.
- Goble, Howard, Danville.
- Hamilton Locker Service, Hamilton.
- Hansen Packing Co., Jerseyville.
- Harmon Packing Co., Paris.
- Hartrich Meat Processing Plant, St. Marie.
- Hill Packing Company, Danville.
- Hoopeston Food Lockers, Hoopeston.
- Hubbard Packing Company, Chicago.
- Humphrey Packing Co., Lawrenceville.
- Johannes Market, Quincy.
- Jones Packing Company, Harvard.
- Kabrick Locker Plant, Plainville.
- L & M Slaughter House, Georgetown.
- McLain's Locker Plant, Warren.
- Marengo Packing Co. (formerly Burnside & Son), Marengo.
- Margolin Packing Co., Danville.
- Metamora Abattoir, Metamora.
- Papineau Lockers, Papineau.
- Parks Processing Plant, Warren.
- Petroff Packing Company, Benton.
- Potomac Slaughter House, Potomac.
- Raber Packing Company, Peoria.
- Rock River Provision Company, Rock Falls.

Rocke's Cold Storage, Morton.  
Ruff Locker Service, Quincy.  
Sheldon Market & Food Lockers, Sheldon.  
Sievers, Tony, Slaughter House, Palestine.  
Smith Packing Co., Harrisburg.  
Stone Meat Packing, Chicago Heights.  
Streck Packing Company, Belleville.  
Tuscola Locker Service, Tuscola.  
Virginia Packing Company, Virginia.  
Weyhaupt Bros. Packing Co., Belleville.  
Wunderlich Packing Co., Sharon (Wisconsin).  
Y. T. Packing Company, Springfield.

## INDIANA

Barney's Meat Packing (formerly Vale City Packing Co.), Valparaiso.  
Berne Locker, Berne.  
Bloomington Packing Co., Bloomington.  
Brook Locker Plant, Brook.  
Cable Line Meats, Elkhart.  
Carpenter, K. & Sons, Shipshewana.  
Clark & Moore Processing Plant, Monticello.  
Clinton Packing Co., Clinton.  
Cole, Mark Packing Co., Sharpsville.  
Jewig Bros. Packing Co., Haubstadt.  
Elcona Foods Inc. (formerly Elkhart Packing Co.), Elkhart.  
Farm Boy Meats of Evansville, Inc., Evansville.  
Fisher Packing Co., Portland.  
Greenfield Abattoir, Inc., Greenfield.  
Justin Slaughter House, Antwerp, Ohio.  
Futzweiler Packing Co., Jasper.  
Hamford Packing Co., Thayer.  
Hargis, Inc. (formerly Hamilton Locker Co.), Hamilton.  
Harlow Meat Market, Seymour.  
Helm Market, Winchester.  
Hitch Packing Co., Princeton.  
Kucan Food Shop, Gary.  
Lengerich Slaughter House, Monroe.  
Main Meat Market, Inc., Brookville.  
Manley, Glen Custom Butchering, Decatur.  
Marburger Packing Inc., Peru.  
Merkley & Sons, Inc., Jasper.  
Miller Packing Co., Kokomo.  
Miller Processing Co., Georgetown.  
Mischler Packing Co., Lagrange.  
Monticello Packing Co. Inc., Monticello.  
Moore Packing, Gary.  
Ossian Locker Plant, Ossian.  
Parrott Packing Co., Ft. Wayne.  
Price, Walter Abattoir, Plymouth.  
Producers-Marketing Assn., Columbia City.  
Rahe, Wm. J. & Sons, Muncie.  
Rockville Packing Co., Rockville.  
Roos Packing Co., Indianapolis.  
Rose City Packing Co., Inc., New Castle.  
Towe, A. & Sons, Terre Haute.  
Rutzel Slaughter House, Aurora.  
Schmitt, H. P. Packing Co., Decatur.  
Schuler Packing Co., Ferdinand.  
Shackelford, W. E., Owensville.  
Standard Packing Co., Kokomo.  
State Line Packing Co., Mokenzee, Illinois.  
Stephens, M. M. & Sons Packing Co., Chesterton.  
Straub & Smith Packing Co., Indianapolis.  
Top of Indiana Beef Co., Fort Wayne.  
Troy Packing Co., Indianapolis.  
Valentine Co., Inc., Terre Haute.  
Vetter Meat Co., Kokomo.  
Vetli Bros. Packing Co., Clinton.  
Vard Packing Co., Monon.  
Wilcox Inc., North Liberty.  
Wolf Meat Market, New Albany.  
Wright Packing Co., Chandler.  
Young Bros. Market, Lakoda.

## IOWA

Bryant's Locker, Donnellson.  
Jarstensen Meats & Processing Service, Lake Park.  
Community Meat Processors, Mount Ayr.  
) & H Storage Company, Sibley.  
Falk's Lockers, Ocheyedan.  
Frozen Foods Center, Akron.

Grandia Locker, Otley.  
Groff Locker Service, Blockton.  
Hamburg Lockers, Hamburg.  
Haviland Brothers, Sergeant Bluffs.  
Holst's Frozen Foods, Forest City.  
Inwood Locker, Inwood.  
Jim & Dean's Town & County Market, Inc., Council Bluffs.  
Johnson Market and Locker, Rake.  
K & K Locker Service, Milton.  
Keosauqua Locker, Keosauqua.  
Lansing Lockers, Lansing.  
Lime Springs Locker, Lime Springs.  
Little Rock Locker (formerly Meendering's Locker Plant), Little Rock.  
Manufactures Surplus Outlet, West Burlington.  
Martin Meat Processing Company, Underwood.  
Moulton Locker, Moulton.  
Nissen & Son Packing Company, Inc., Webster City.  
Northwood Locker Service, Northwood.  
Paullina Locker Plant, Paullina.  
Pella Packing Company, Pella.  
Pierce Lockers, Armstrong.  
Potter Cheese Factories, Inc., New Albin.  
Preston Locker, Preston.  
Pulaski Locker Service, Pulaski.  
Puritan Ice Cream Company, Cresco.  
Riceville Locker, Riceville.  
Richard & Sons, Inc., Muscatine.  
Risetter Pack, Jewell.  
Rock Rapids Locker & Freezer Provisioning, Rock Rapids.  
Scarville Food Market, Scarville.  
Steele Packing Company, Centerville.  
Swea City Locker, Swea City.  
Thompsons Locker and Grocery, Harris.  
Thompson Processing Service, Bloomfield.  
Valley Locker Service, Rock Valley.  
Younie Processing Plant, Hawarden.

## KANSAS

A & H Butchers, Arkansas City.  
\*Ablene Packing Company, Ablene.  
\*Adams Bros. Packing Company, Colby.  
Addington Slaughtering Establishment, Elkhart.  
Anthony Meat, Anthony.  
Ayres Packing Plant, Greenleaf.  
Ball Lockers, Baxter Springs.  
Barnes Beef Company, Parsons.  
Beattie Lockers, Beattie.  
Beverly Independent Slaughtering Establishment, Salina.  
Beverly Meat & Locker, Inc., Salina.  
Bichelmeyer Slaughterhouse, Kansas City.  
Brooks Locker Service, Blue Rapids.  
Burd Locker and Grocery, Atwood.  
Butchers Packing Company, Coffeyville.  
Claude Cady Slaughtering Establishment, Osborne.  
Colby Lockers, Colby.  
Coldwater Lockers, Coldwater.  
Columbus Wholesale & Retail Meat Market, Columbus.  
Comanche Meat Company, Wichita.  
Community Locker Service, Medicine Lodge.  
Cramer Food Bank, Washington.  
Davenport Meat Plant, Lawrence.  
Loren DeGraeve Slaughtering Establishment, Bucyrus.  
\*Dunn Packing Company, Wichita.  
Dye Slaughterhouse, Meade.  
Economy Lockers, Sharon Springs.  
Emporia Packing Company, Emporia.  
\*Fanesill Packing Company, Emporia.  
Roy Fisher Grocery & Locker, Bird City.  
\*Fredonia Packing Company, Fredonia.  
\*Fort Scott Packing Company, Inc., Fort Scott.  
\*Gallagher Processing, Concordia.  
Garden City Packing Company, Hutchinson.  
Gardner Packing Company, Hutchinson.  
\*Gettle Packing Company, Haysville.  
Glenn's Frozen Food Service, Dighton.  
\*Griffith Provision Company, Inc., Downs.

Grinnell Locker, Grinnell.  
Haag Locker Plant, Fairview.  
Haddam Locker, Haddam.  
Harrell Packing Company, Hugoton.  
Hentzler Packing Company, Topeka.  
Herndon and Sons, Syracuse.  
Herrmann Locker, Waterville.  
\*Hinman Packing Company, Wichita.  
Hocney's Dressed Beef, Coffeyville.  
Howard Packing Company, Howard.  
Howell's Market, St. Francis.  
Jesco Meat Products, Caldwell.  
Jones Packing Company, Dodge City.  
K-12 Meat Company, Baxter Springs.  
Kane's Packing Plant, Meade.  
Katches Packing Company, Wichita.  
Kaw Valley Packing Company, Kansas City.  
Kier Grocery & Market, Mankato.  
Kimmel Packing Company, Norton.  
Kiowa Locker System, Kiowa.  
C. W. Lee Packing Company, Portis.  
Liberal Packing Company, Liberal.  
Louie's Zero Locker, Girard.  
\*McArthur Meats, Inc., Hutchinson.  
McFerron Bros. Wholesale Meats, Lawton.  
\*M & M Packing Company, Iola.  
W. A. Mathes Meat Company, Kansas City.  
\*Menghini Bros. Slaughtering Establishment, Frontenac.  
Miller Locker System, Erie.  
Miller Packing Company, Wilton.  
Modern Market & Lockers, Winona.  
Oberlin Locker, Oberlin.  
\*O. K. Packing Company, Goodland.  
Old Fashion Meat Market, DeSoto.  
\*P & B Packing Company, Hays.  
Palaca Market, St. Francis.  
Phillips Slaughterhouse, Hill City.  
Phillipsburg Locker, Phillipsburg.  
Pratt Frozen Food Locker, Pratt.  
Ragsdale Slaughtering Establishment, Liberal.  
Rindt Slaughtering Company, Galena.  
S & S Packing Co., Inc., Girard.  
Schnelle's Wholesale Meats, Greensburg.  
Snow's Locker Plant, Kansas City.  
Spring Hill Packing Company, Spring Hill.  
\*Sunflower Packing Company, Wichita.  
Stoney Bros. Slaughterhouse, Herndon.  
Swim Locker Service, Marysville.  
Synovec Grocery & Locker, Morrowville.  
\*Thies Packing Company, Inc., Great Bend.  
Tonganoxie Frozen Foods Locker, Tonganoxie.  
Valley Vista Locker Service, Topeka.  
Joseph Vlach & Sons, Hanover.  
Washburn Packing Company, Hutchinson.  
Welch's Frozen Food Center, Frankfort.  
Willey & Green Packing Company, Leavenworth.  
Wilkerson Meat Company, Pittsburg.  
\*Winchester Packing Company, Inc., South Hutchinson.  
Winkler's Slaughterhouse, Liberal.  
\*Woody's Wholesale Meats, St. Marys.  
C. C. Wurst Locker Service, Grainfield.

## KENTUCKY

Ashland Meat Company, Ashland.  
Boone's Abattoir, Bardotown.  
S. M. Campbell Co., Gray.  
\*Elm Hill Meats, Inc., Lexington.  
Emory Gillum Warehouse Meats, Inc., Ashland.  
\*Field Packing Company, Owensboro.  
Field Packing Co., Bowling Green.  
Frosty Foods Locker, Taylorville.  
Griffin Packing Company, Danville.  
Henderson Slaughtering, Henderson.  
Jones Packing Co., Paducah.  
\*Koch Beef Company, Louisville.  
\*Louisville Beef Company, Louisville.  
Metzger Bros., Paducah.  
\*Mt. Sterling Packing Co., Mt. Sterling.  
\*Parker Sausage Company, Georgetown.  
\*C. Rice Packing Co., Covington.  
Rivalde Packing Co., Paducah.  
\*Harry Ross Packing Co., Paducah.

J. F. Schneider & Son, Inc., Middlesboro.  
Shroat Meat Market, Murray.  
\*Walton Locker & Slaughtering House, Wal-  
ton.  
\*Bob White Packing Co., Bowling Green.  
Winman Packing Company, Madisonville.

## LOUISIANA

\*Autin Packing Co., Houma.  
\*Berry Packing Co., H. O., Bastrop.  
Crawford's Super Market, Covington.  
\*Gullot, Inc., Arthur J., Slidell.  
\*H & S Packing Co., Baton Rouge.  
\*Micelle's Packing Plant (John Micelle),  
Lake Charles.  
\*Millwood Packing Company, Scotlandville.  
Port City Packing Co., Inc., Satsuma.  
\*Thompson Packing Company, Thibodaux.  
Western Packing Co., Slidell.

## MARYLAND

\*Bauerlien, Edward C., Hampstead.  
\*Benson Meat Products Company, Fallston.  
\*Boyle, B. H., Emmitsburg.  
\*Brook Meadow Provision Company, Hagers-  
town.  
\*Bullocks, G. Winston, Westminster.  
\*Burger, Ray, Halfway Processing, Williams-  
port.  
\*Burtner's Meats, Middletown.  
\*Cecil Provision Co., Elkton.  
\*Cumberland Meats, Inc., Cumberland.  
\*Dameron Butcher Shop, Dameron.  
\*Gladhill Brothers (formerly Gladhill Meat  
Market, Damascus).  
\*Grelse, Frances A. & Franklin, Cumber-  
land.  
\*Garvick's Meat Market, Westminster.  
\*Harsh's Meat Market (formerly Harsh, Sr.,  
M. D.), Williamsport.  
\*Heinzerling's Meats, Inc., Baltimore.  
\*Hemp & Sons, R. D., Jefferson.  
\*Hoffman & Son, Roy L., Hagerstown.  
\*Lotz Wholesale Meats, John F., Frostburg.  
\*Martins Meats, Joppa.  
\*Maurer & Miller Meats, Inc., Manchester.  
\*Mount Airy Locker Company, Mount Airy.  
\*135 Meat Market, Mountain Lake Park.  
\*Reid, Inc., George L., Baltimore.  
\*Ruppersberger & Sons, Inc., George G.,  
Baltimore.  
\*Schmidt & Son, Inc., A. W., Baltimore.  
\*Schmidt, C. J., Baltimore.  
\*Shrivers, Mark A., Millstone Grocery, Cum-  
berland.  
\*Shriver, Jr., Norman J., Emmitsburg.  
\*Shuff's Meats (formerly Shuff, Harry Wil-  
liam), Thurmont.  
\*Stapf, August, Baltimore.  
\*Thompson's Food Market, Maryland Line.  
\*Will, Weldon W., Sykesville.  
\*Working, H. R., Hagerstown.  
\*Yoder's Locker Plant, Grantsville.

## MASSACHUSETTS

Adams, Lewis, Athol.  
Arena & Sons, A., Hopkinton.  
Blood & Son, E. L., W. Groton.  
Bonanno, Rocco, Methuen.  
Brito's Market, Dartmouth.  
Budnick & Son, E., W. Boxford.  
Cohen Beef Company, Inc., Jacob, Ipswich.  
Cook's Slaughterhouse, Edric, Leyden.  
Crestfield Meat Packing, Brockton.  
Hatfield Beef Company, Hatfield.  
Jaeschke Slaughterhouse, Carl, Cheshire.  
Mason, Frank, Williamstown.  
Molinari, John, Milford.  
Reynolds Slaughterhouse, Shelburne.  
Scibelli's, Anthony, Southwick.  
Scibelli's, George, Southwick.  
Sheinhit, Jacob, Peabody.  
Stearns, Ed., Charlton.  
Streeter's Slaughterhouse, Bernardston.  
Szala, John, N. Hadley.  
Warmesit Abattoir, Tewksbury.  
Wegert Company, George, Worcester.  
Wilbur, Joseph H., S. Easton.  
Woods Slaughterhouse, Westport.

## MICHIGAN

\*Ada Beef Company, Ada.  
Allen Packing Company, Charlotte.  
\*Allendale Beef Co., Allendale.  
Bellefeuil Bros., Wilson.  
\*Besbris & Sons, Max, Kalamazoo.  
Brady's Midway Market, Cassopolis.  
\*Choice Packing Co., Detroit.  
DeBoer & Son, Mark, St. Johns.  
\*Dykstra Wholesale Beef, Grand Rapids.  
Edson, Inc., Lee, Hudsonville.  
Feldman Brothers, Detroit.  
\*Fillmore Beef Company, Holland.  
\*Gemmen & Sons, Inc., A. Allendale.  
Gerding Packing Co., Davison.  
Haarer's Meat Processing Plant, Saline.  
Hazekamp & Sons, Bert, Muskegon.  
Hillsdale County Meats, Waldron.  
Houghton Beef Packers, Ionia.  
\*Johnson, Inc., Carl R., Kalamazoo.  
Johnson & Son, Felix, Escanaba.  
Kappler Packing Co., Ann Arbor.  
Kastel Slaughtering House, Riga.  
Keefer's Market, Morenci.  
Kiebler & Sons, A. M., Clinton.  
Laden Packing Company, Hillsdale.  
Lake Superior Beef, Dafer.  
Little River Packing, Menominee.  
Marshall-Collicker Packing, Bay City.  
\*Merritt Packing Co., Carrollton.  
Meyer Provision Co., Iron River.  
\*Midway Packing Company, Wayland.  
\*Monarch Packing, Detroit.  
Moor's Slaughterhouse, Don, Homer.  
Nemetz, James (41 Super Market),  
Menominee.  
Parsell Beef Co., Flint.  
\*Peet Packing Co., Bay City.  
\*Peet Packing Co., Grand Rapids.  
Perry Packing Co., J., Hart.  
\*Rochester Packing Co., Rochester.  
\*Reznik's Slaughtering Establishment, South  
Haven.  
\*Smallegan, Arthur, Forest Grove.  
Smith, Hubert H., Muskegon.  
\*Snow & Company, Morris, Detroit.  
\*Standard Beef, Inc. (East), Detroit.  
\*Standard Beef, Inc. (West), Detroit.  
Stone's Meat Packing Co., Inc., South Haven.  
Superior Packing, Ironwood.  
\*Tamaren Beef Co., Inc., Detroit.  
\*Tannehill & DeYoung, Inc., Traverse City.  
Teifer Packing Co., Inc., Owosso.  
Terrill Supermarket, Marcellus.  
Van Alstine Packing, Inc., East Lansing.  
\*Victory Beef Co., Detroit.  
\*Wall Packing Co., Sturgis.  
Weeks & Sons, Co., Inc., Ray, Richmond.  
\*Weiss, George J., Inc., Detroit.  
\*Zandbergen Slaughterhouse, Grandville.

## MISSISSIPPI

Barnes & Son, Poplarville.  
Brown's Slaughter House, Walnut.  
Burk's Slaughter House, Carriere.  
Columbus Provision Company, Columbus.  
\*Dedeaux Packing Company, Inc., Gulfport.  
\*Delta Packing Company, Inc., Clarksdale.  
\*Gilbert's Slaughter House, McComb.  
Jackson Packing Company, Jackson.  
Jones Slaughter House, Mrs. Ruby, Summit.  
\*Owen Brothers Packing Company, Meridian.  
Passbach Slaughter House, Natchez.  
\*Robinson Brothers Packing Company,  
Batesville.  
\*Valley Farm, Inc., Laurel.  
Van Norman Slaughter House, McComb.  
Well's Processing and Meat Company, Drev.

## MISSOURI

Alewell Brothers Locker Plant, Concordia.  
Anderman, Edward, Raytown.  
Baker Packing Company, Mexico.  
Barton County Packing Company, Inc.,  
Lamar.  
Bouckaert Packing Company, St. Louis.  
Central Packing Company, Cape Girardeau.

Cloud (Ned) and Son Packing Company,  
Springfield.  
Cope's Slaughter Company, Palmyra.  
Crandal's Frozen Food Lockers, Warrensburg.  
Crenshaw Packing Company, Charleston.  
Cummins Custom Butchery, Webb City.  
Delaloye, Robert and Sons, Troy.  
Dexter Packing Company, Inc., Dexter.  
Edwards Slaughter House, Salem.  
F & J Meat Producers Slaughtering House,  
Warrensburg.  
Francis Packing Company, St. Louis.  
Frick Slaughtering Service, Union.  
Frick's Super Market, Inc., Washington.  
Grand Packing Company, Imperial.  
Grote, T. J., St. Louis.  
Herrod Packing Company, Inc., Joplin.  
Hester, A. L., Packing Company, Bernlo.  
Lebanon Packing Company, Lebanon.  
LeDuc Packing Company, Springfield.  
Liberty Locker Company, Liberty.  
McGee's Home Killed Meats, Mexico.  
Manning Dressed Beef, Springfield.  
Maryville Packing Company, Maryville.  
Moberly Packing Plant, Moberly.  
Modlin, Jack, Slaughtering Establishment,  
Joplin.  
Ogden, Cottle P., Slaughtering Establish-  
ment, Vandalia.  
Paige Packing Company, St. Louis.  
Paris Lockers and Abattoir, Inc., Paris.  
Pemiscot Packing Company, Wardell.  
Pipkin-Boyd-Neal Packing Company, Capo  
Girardeau.  
Porter, Kay M., "Deep Freeze", Poplar Bluff.  
Raders, Inc., Columbia.  
Silkeston Food Lockers, Silkeston.  
Twin City Packing Company, Festus.  
United Meat Company, Inc., St. Louis.  
Urbana Locker, Urbana.  
V & B Meat Company, Washington.  
Welsh Packing Company, Inc., Springfield.  
Westerman, John, Troy.  
Willy, Leo, Rolla.  
Wuestling Packing Company, St. Louis.  
Yontz Packing Company, Tipton.

## MONTANA

Blastock Meats, Inc., Butte.  
City Meat Company, Wolf Point.  
Oljar Meat, Glendive.  
Rahr Meat Service, Glendive.  
Rick's Packing Company, Livingston.  
Sidney Locker and Creamery Company,  
Sidney.  
Valley Meat Packing Company, Sidney.

## NEBRASKA

Consumers Packing Co., Superior.  
Dundy County Processors, Benkelman.  
Flicker Packing Co., Scottsbluff.  
Hersch Packing Co., Scottsbluff.  
North Platte Packing Co., North Platte.  
Schorzman Locker Plant, Halgler.  
Yost Packing Plant, Inc. (formerly Red Cloud  
Packing Company), Red Cloud.

## NEVADA

Carson Valley Meat Co., Minden.  
K. Pack (formerly Heck's Market), Fallon.  
Ruby Mountain Packing Co., Elko.

## NEW HAMPSHIRE

Eastern Beef Slaughtering Establishment,  
Lancaster.  
George Edwards, Walpole.  
Pel-Son Meats, Inc., Grantham.  
George Taylor, Dover.

## NEW JERSEY

\*Borden Company, Trenton.  
\*Bringhurst Brothers, Berlin.  
Dealaman, George, Plainfield.  
\*DeVries, John, Sussex.  
Diekmann, Fritz, Oak Ridge.  
Earrusso, Joseph, Whippany.  
\*Green Village Packing Company, Green  
Village.

\*Irell Packing, Monroeville.  
Maresca's, Stockton.  
\*Marx Brothers, Shrewsbury.  
Moonlight Hog Farm, Flemington.  
\*Muench, Egon, Trenton.  
Russo Packing Company, Green Village.  
\*Salem Packing Company, Salem.  
Sussex Packing Company, Sussex.  
\*Vineland Dressed Beef, Vineland.  
Vogel's Farm, Bound Brook.

## NEW MEXICO

Ben's Slaughter House, Las Vegas.  
Curry County Meat Co., Clovis.  
Deming Packing Co., Deming.  
Hatch Packing Co., Portales.  
Joe's Packing Co., Raton.  
Las Cruces Meat Co., Las Cruces.  
New Mexico Packing Co., Inc., Carlsbad.  
Rayjax Packing Co., Fort Sumner.  
Rollins Packing Co., Clovis.  
Schwartzman Packing Co., Albuquerque.  
66 Packing Co., Tucumcari.  
Stephens Packing Co., Albuquerque.  
Zero Locker Plant, Portales.

## NEW YORK

Acer, Inc., Buffalo.  
Adams Meat Company, Adams.  
Ahl, Charles F., Warsaw.  
Apthorpe, Charles F., Jamestown.  
Aronson, Jerome & Milton, Glens Falls.  
Barbalich's Slaughterhouse, Watertown.  
Bernacki Brothers, Depew.  
Bertch's Slaughterhouse & Processing Plant, Almond.  
Bond, Frederick, West Valley.  
Booth, Harry L., Poughkeepsie.  
Bostwick, J. M. and Son, Inc., Caledonia.  
Brennan, Patrick, Inc., Buffalo.  
Bricetti's Bedford Market, Yorktown Heights.  
Canastota Frozen Food Locker, Canastota.  
Cárelas, Peter, Greenville.  
Conley, George, Slaughterhouse, Bath.  
Conti Packing Company, Inc., Henrietta.  
Country Butcher Service, Nichols.  
Cuomo, Alphonso, Altamont.  
Cuomo, Neil, Schenectady.  
Davis Brothers, Oswego.  
Dillon, Edward, Wyoming.  
Dye's Meat Market, Bridgewater.  
Ehmer, Karl Farms Corp., LaGrangeville.  
F. K. & Sons, Inc., Buffalo.  
Frank Brothers Farms, Inc., Poughkeepsie.  
Geerken Packers, Inc., Worcester.  
Gorham Meat Products Co., Gorham.  
Hanlon, Gilfus & Foltz, Weedsport.  
Hobart's Refrigerated Service, Clarence Center.  
Hokan's Slaughter House, Angola.  
Kamery's Wholesale Meats, Olean.  
Kingston Beef Corp., Inc., Kingston.  
Klink Bros., Inc., Buffalo.  
L & C Meat Co., Split Rock.  
Lashway, Victor & Sons, Saranac.  
Lewis Market, Rome.  
Lillie's Wholesale Meats, Auburn.  
Locker, Plant, The, Randolph, Randolph.  
Lynch, Don J. Packing House, Chaffee.  
Macri Beef & Veal Co., Inc., Utica.  
Maple Grove Farms, Warners.  
McGuire, B. Frank, Granville.  
Medina Provision Company, Inc., Medina.  
Mest, William G. Packing Co., Strykersville.  
Morandi Packing Co., Inc., Hillsdale.  
Nadler, Vergil, Moravia.  
Newell, Donald, Morrisville.  
Orleans Meat Processing Co., Albion.  
Packer's Wholesale Meats, Amsterdam.  
Pagliuso, Joe & Bors., Inc., Ontario.  
Pat's Market, Batavia.  
Polyniak, Victoria, Newark Valley.  
Potter Packing Company, Middlesex.  
Puritan Provisions, Cohoes.  
Riteway Processing Co., Middleport.  
Saltsman, Glenn L., Fonda.  
Schreiber, Frank & Sons, Webster.  
Shappee & Shelve Meat Plant, Pine City.

Sipperly Bros., Inc., Albany.  
Smith's Slaughterhouse, H. J., Pine Plains.  
South Dayton Meat Market, South Dayton.  
Steiger's Slaughterhouse, Ithaca.  
Steiner, Roger, Otego.  
Strandburg's Wholesale Meats, Jamestown.  
Tears, Erwin, Penn Yan.  
Van Camps, Newark.  
Wagner, Harry G., Alden.  
Willard, Ward & Son, Heuvelton.  
Ziff, Herbert M., Inc., Elmira.

## NORTH CAROLINA

\*Aberdeen Packing Co., Aberdeen.  
Asheville Packing Co., West Asheville.  
\*Bonanza Meat Processing Co., Mineral Springs.  
John Boyd and Son's, Gastonia.  
Z. B. Bulluck, Inc., Rocky Mount.  
\*Carolina Packers, Smithfield.  
Charlotte Abattoir, Charlotte.  
Cook's Packing Co., Inc., Concord.  
\*Curtis Packing Co., Greensboro.  
Draughon Abattoir, Fayetteville.  
Edwards Abattoir, Eden.  
Fritts Packing Co., Inc., Lexington.  
Greenville Packing Co., Greenville.  
\*Hickory Packing Co., Hickory.  
Land's Slaughterhouse, Eden.  
Martin's Abattoir, Godwin.  
Mechlenburg Abattoir, Charlotte.  
Moricle Abattoir, Reidsville.  
Mount Airy Abattoir, Mount Airy.  
Norris Packing Co., Shelby.  
Peacock Meat Co., Inc., Recky Mount.  
Randolph Packing Co., Asheboro.  
Robersonville Packing Co., Robersonville.  
A. J. Schlosser and Sons, Greensboro.  
Scottish Packing Co., Lumberton.  
Stewart's Abattoir, Mount Airy.  
White Packing Co., Inc., Salisbury.  
Whiteville Packing Co., Whiteville.  
Williamston Packing Co., Williamston.  
Yadkin Valley Packers, Inc., Elkin.

## NORTH DAKOTA

Abercrombie Meat Processing, Abercrombie.  
Brown's Meat and Lockers, Ellendale.  
Goldade's Butcher Shop, Linton.  
Hillside Meat Company, Williston.  
Houghton Meat Market, Ellendale.  
Merwin Pack, Hettinger.  
Northland Packing Company, Grand Forks.  
Pembina Locker Plant, Pembina.  
Schmaltz Meats, Linton.  
Wagner's Super Market, Strasburg.  
Whelan's Processing Plant, Ellendale.

## OHIO

Arnett's Packing House, Laura.  
Barnes Provision, Inc., Alliance.  
Bollantz, E. R., Co., Mansfield.  
Boll, John & Son, Ironton.  
Boomershine Slaughtering Establishment, Germantown.  
Brewster Slaughtering Establishment, Mason.  
Buchy, Chas. G., Packing Co., Greenville.  
Busse, L. W. & Sons, Fort Lorame.  
Conneaut Frozen Food Locker, Conneaut.  
Convoy Meat Market, Convoy.  
\*Copley Packing Co., Copley.  
Cuyahoga Meat Co., Cleveland.  
Dayton Packing Co., Dayton.  
DeLuca Slaughtering Establishment, Rayland.  
\*Evans Packing Company, Gallipolis.  
Fairmont Provision Co., Alliance.  
Falter, Herman, Packing Co., Columbus.  
Feher's, Martins Ferry.  
Fidel Bros., Packing Co., Unionville.  
Flechtner Bros. Packing Co., Inc., Fectoria.  
Frame, Myron, Slaughtering Establishment, Manchester.  
Gibson Packing Co., Zanesville.  
Goldsberry Meat Market, Ripley.  
\*Hall Bros., Inc., Olmstead Falls.  
Hasselback, E. E. & Son, Fremont.  
\*Henderson Meats, Waterloo.

\*Henry Packing Company, Lima City.  
Herberth, W. J. & Son, Cincinnati.  
Hermann, C. & Son Slaughtering Establishment, Portsmouth.  
Hornung Packing Plant, Hamilton.  
Hunt Meat Packing Company, Grove City.  
Ideal Provision Packing Company, Martins Ferry.  
Jacoby, Hal C., West Unity.  
Keble Brothers Packing Co., Berlin Heights.  
Krug's Slaughtering Establishment, Wren.  
Lloyd Packing Company, Youngstown.  
Mahan Slaughtering Establishment, Bristolville.  
\*Marks and Sons, Inc., Cleveland.  
Martin Farm Slaughter House, Fremont.  
Meloni's Meats, Kinman.  
Myers and Son, Archbold.  
New Cooperative Company, Dillonvale.  
Nesse, Joe, Packing, Middlefield.  
\*Pacer Packing Company, Toledo.  
Parlman Packing Company, Parlman.  
Peden's Meat Establishment, Kinman.  
Perching Packing Company, Springfield.  
Piper and Son Provision Company, Dorset.  
Pride of Lima Provision Company, Lima.  
Rittberger Bros., Zanesville.  
Rockford Locker Service, Rockford.  
Ross Abattoir Company, Springfield.  
\*Routh Packing Company, Tiffin.  
Sielkinen, Harold W., Williamfield.  
Stehlin, John & Sons, Cincinnati.  
Sturgis Packing Company, Kenton.  
Suter's Meat Market, Greenville.  
\*Tank's Meats, Elmore.  
Valley Packing Company, Lansing.  
Village Packing Company, Columbus.  
Warren and Berer Processing, Whipple.  
Weber Packing, Marietta.  
Werling, Eleanor, Slaughtering Establishment, Burkettsville.  
Williams, B. J. Slaughtering Establishment, Picrpat.  
Willmans, Van Wert.  
Winner, Robert F., Sons, Orgeod.  
Young's Slaughter Plant, Manchester.  
Zimmerman Packing Company, Youngstown.

## OKLAHOMA

\*Akins and Fincannon, Sand Springs.  
Antlers Slaughter House, Antlers.  
B & B Grocery and Locker, Dacoma.  
B & B Packing Company, Oklahoma City.  
\*Braden's Slaughter Establishment, Ponca City.  
\*Brooks Packing Company, Tulsa.  
\*Brown's Slaughtering Establishment, Joe S., Tulsa.  
\*Butcher Packing Company, W. H., Oklahoma City.  
Butcher Slaughtering Establishment, Bartlesville.  
\*Butch's Meat Cottage, Seminole.  
\*Canadian Valley Slaughtering Establishment, Oklahoma City.  
\*Central Packing Company, Muskogee.  
City Packing Company, Shawnee.  
Cleveland Lockers, Cleveland.  
Coly's, H. H., Belco City.  
Cones Packing Company, Miami.  
\*Cornett Slaughtering Establishment, Oklahoma City.  
Crosby & Crosby Slaughtering Establishment, Wright City.  
Cushing Packing and Provision Co., Cushing.  
\*Custom Slaughtering, Inc., Tulsa.  
\*Daack Packing Company, Ponca City.  
Douglas-Pierce Company, Norman.  
Dudley Tucker Slaughter, Durant.  
Elkins Market, Waurika.  
\*Enid Packing Company, Enid.  
Fairfax Packing Company, Fairfax.  
Fairview Packing Company, Fairview.  
Frazer Packing Company, Aline.  
Frazer Wholesale Meat Company, Ardmore.  
Gibson Meat Company, Nowata.  
Grant, R. O., Slaughtering Establishment, Idabel.

Halstead Slaughtering Establishment, Fairview.  
 Harris Meat & Produce Company, Oklahoma City.  
 Harrison's Meat House, Oklahoma City.  
 Hilburn Meat Market, Madill.  
 Hominy Food Lockers, Hominy.  
 \*Husband Brothers Slaughtering Establishment, Oklahoma City.  
 Hutchinson Slaughtering Establishment, W. R., Waynoka.  
 Jackson Slaughtering Establishment, Earl, Pawhuska.  
 \*Jones Packing Co., Madill.  
 Kay Packing Company, Ponca City.  
 Klein's Meats, Perry.  
 \*Lawton Meat Supply, Lawton.  
 \*Little Dixie Packing Company, McAlester.  
 Manschreck Wholesale Meats, Krebs.  
 \*Miller Packing Company, Sapulpa.  
 Miller Slaughtering Establishment, Elmer, Covington.  
 Morris Slaughtering Establishment, J. C., Stillwell.  
 Norman Wholesale Meat Company, Norman.  
 \*OK Packing Company, Tecumseh.  
 \*Oklahoma Packing Company, Oklahoma City.  
 \*Okmulgee Packing Company, Okmulgee.  
 Panhandle A&M College, Goodwell.  
 Puckett Packing Company, Sayre.  
 Ralph's Packing Company, Perkins.  
 \*Reeves Packing Company, W. E., Ada.  
 Ribber Custom Slaughtering Establishment, Hominy.  
 Ridley Packing Company, Duncan.  
 \*Santa Fe Packing Company, Muskogee.  
 \*Shaloup Slaughtering Establishment, Alva.  
 Shults Slaughtering Establishment, Stratford.  
 Simank's Frozen Food Center, Stillwater.  
 Tri-State Super Market, Guymon.  
 \*Tulsa Beef and Provision Company, Tulsa.  
 Turner Brothers, Mowata.  
 Turner, C. L., Slaughtering Establishment, Moore.  
 \*Turvey, Inc., Oklahoma City.  
 \*Turvey Packing Company, Blackwell.  
 \*Virginia B., Slaughtering Establishment, Tulsa.  
 Whitten Slaughter House, Broken Bow.  
 \*Wickham Packing Company, Ada.  
 \*Wickham Packing Company, Sapulpa.  
 Wiley Brewer Slaughtering Establishment, Selling.  
 Wolfe Processing Plant, Perry.  
 Woods, Lloyd, Westville.  
 Woodward Packing Company, Woodward.

## OREGON

Alpine Meat Company, Inc., Grants Pass.  
 Bond Brothers, Lakeview.  
 Boston's Beef House, Ontario.  
 Boyer Meat Co., Roseburg.  
 \*Bruce Packing Co., Sublimity.  
 Cannon Meat Co., Salem.  
 Cinder Butte Packing Co., Redmond.  
 Coos Bay Packing Co., Inc., Coos Bay.  
 \*Crooked River Meat Co., Prineville.  
 Erdman Packing Co., Bandon.  
 Farmer's Packing Co., Medford.  
 H & M Meat Co., Union.  
 Hill Meat Co., Pendleton.  
 \*Hopkins Wholesale Meats, Nyssa.  
 Jacobsmuhlen Slaughterhouse, Cornelius.  
 Lewis Meat Co., Gresham.  
 Merrill Meat Co., Merrill.  
 Mt. Angel Meat Co., Mt. Angel.  
 Myrtle Packing Co., Coquille.  
 Ponderosa Packing Co., Ashland.  
 Steen Bros. Meat Co., Albany.  
 \*TP Packing Co., Inc., Klamath Falls.  
 The Dalles City Pack, The Dalles.  
 Van Dine Meat Co., Myrtle Creek.  
 Western Meats, Milton-Freewater.

## PENNSYLVANIA

Ahrens, E. F., & Sons, Inc., York.  
 Alan Beef Co., Dunmore.  
 Albert Packing Co., Washington.  
 Alfrey's Sausage Co., Greensburg.  
 Alinkoff's Harry & Son, Wilkes-Barre.  
 American Foods, Inc. (formerly Delfrate Packing Co.), Slovan.  
 Anderson, Roy, East Berlin.  
 Aquilante, Congens, Berwyn.  
 Bladerston Brothers, Newtown.  
 Bardine Packing Co., Crabtree.  
 Barnes, T. William, Waynesburg.  
 Battles Meat Processing, Saegertown.  
 Baumgardner Packing Co., Finleyville.  
 Beaver Valley Packing Co., New Brighton.  
 Bliski, Joseph, Waterford.  
 Bingman Packing Co., Berlin.  
 Blough's Slaughter House, Hooversville.  
 Bovalina Packing Co., Slovan.  
 Boyer, Kenneth L., Klingers town.  
 Brann's Slaughtering House, Canton.  
 Breauchy, Harry H., Sharon.  
 Bristol Beef Co., Bristol.  
 Broadwater, Forrest, Sallsbury.  
 Brown's Slaughter House, Smethport.  
 Brown, Victor, Port Allegany.  
 Burkee's Food Market, McSherrystown.  
 Burkholder, Eugene, Garrett.  
 Butler Packing Co., Butler.  
 Carpenter, Rex Packing Co., Townville.  
 Carpenter, Simon T., Sheridan.  
 Castle Provision Co., Darragh.  
 Center Valley Packing Co., Center Valley.  
 Clark Packing Co., Paxinos.  
 Clark, William A., Homer City.  
 Coffaro, Frank B., Sugar Grove.  
 Crissman Brothers, Castanea.  
 Cunningham Locker & Slaughter House, Meyersdale.  
 Danko, Matthew, Latrobe.  
 Darling, Howard, La Plume.  
 DeFranco, Phillip & Son (formerly Phillip DeFranco), North Bangor.  
 Devault Packing Co., Devault.  
 Dressler, Norman, Eketer.  
 Dysinger, B. C. & Son, Thompsontown.  
 East Carson Packing Co., Pittsburgh.  
 Edward Brothers, Dalton.  
 Eremic, George N., Monroeville.  
 Fine, Dave, Saxonburg.  
 Fischer, J. Fred & Sons, Inc., York.  
 Fisher, Wellington J., Selingsgrove.  
 Frazier, Charles E., Stoystown.  
 Frigid-Freeze Lockers, Riegelsville.  
 Froehlich Packing Co., Johnstown.  
 Gajan, John, Coal Center.  
 Gashel, Lee, Claysville.  
 Ginther, Urban, St. Mary's.  
 Glick Brothers, Mt. Pleasant.  
 Godfrey Brothers, Felton.  
 Gouldley, Wesley R. & Sons, Pipersville.  
 Gourley, James P., New Bethlehem.  
 Grande Bros. Packing, Farrell.  
 Green Valley Packing Co., Claysville.  
 Greenville Packing Co., Greenville.  
 Grettler's Market, Girard.  
 Gurgacz, Mike P., New Castle.  
 Halbach Brothers, Erie.  
 Heckel & Ferlan, Pittsburgh.  
 Heinnickel, S. & A., Crabtree.  
 Hershey, R. E. Meats, Inc., Elizabethtown.  
 Hervitz Packing Co., Harrisburg.  
 Hillcrest Packing Co., Inc. (formerly Prime Packing Co.), Philadelphia.  
 Hill-N-Dale Farm Meat Co., Downingtown.  
 Hilltop Beef & Provision Co., Loyalhanna.  
 Hippey, Samuel W., Willow Street.  
 Hirsch, William E., Kossuth.  
 Hollinger Meat Products Co., Mechanicsburg.  
 Horne's Slaughter House, Marianna.  
 Hostoffer, E. B. & Sons, Mt. Pleasant.  
 Hynes, O. J. Abattoir, Cedars.  
 Indiana Slaughter Co., Philadelphia.  
 Ishman, Robert J., Worthington.  
 J & B Meat Plant, Friendsville.  
 J. T. Provision Co., Inc., McKeesport.  
 Joseph Packing Co., Connellsville.  
 Kaufman Beef & Provision Co., Dalton.  
 Kelly's Packing, Connellsville.  
 \*Kessler's, Lomoyne.  
 Kline Brothers, Hollidaysburg.  
 Knapp, Lee & Son, Albion.  
 Kolb, Samuel, Spring City.  
 Kovacevic Brothers, Sowlkloy.  
 Kresl Brothers, Hazleton.  
 Kunzler & Co., Inc., Lancaster.  
 Kverages Meat Plant, Rome.  
 Lakeview Packing Co., Inc., Sandy Lako.  
 Landis Brothers, Skippack.  
 Lavella, Victor L., Kersoy.  
 Lawrence, H. M. & Son, Albion.  
 Leal Brothers, Wheatland.  
 Leona Meat Plant, Troy.  
 Lepidl & Sons, Inc., Jeanette.  
 Levchik, Mike, Hooversville.  
 Lichliter, J. C. & Co., Sallsbury.  
 Livezey, Merrill, Sugar Grove.  
 Locustdale Packing Co., Locustdale.  
 Loutsion Packing Co., Canonsburg.  
 Lovewell, Thomas, Waterford.  
 Lukon Meats, Burgettstown.  
 Madrigale, Frank, Bristol.  
 Mamula, Pete, Alliquippa.  
 Martin, Ezra W., Lancaster.  
 Martin, Gerald, Chambersburg.  
 Martin, John F. & Sons, Inc., Denver.  
 Melvin, Arthur G., Greenville.  
 Midway Market, Milan.  
 Miller, E. R., Hanover.  
 Millers Fayetteville Abattoir (formerly Fayetteville Abattoir), Fayetteville.  
 Mitman, Vernon K., Nazareth.  
 Moxham Packing Co., Johnstown.  
 Moyer Brothers, Reinholds.  
 Myers Brothers, Spring Mills.  
 Nace, Melvin M., Hanover.  
 Neil, Charles & Wayne N., East Berlin.  
 Northrup, Gerry C., North East.  
 Northwestern Packing Co., Pittsburgh.  
 Olljnyk, M. & B., Harrison City.  
 Patterson's Meat Market, Littlestown.  
 Peluso, John M., New Castle.  
 Pennsylvania State University, University Park.  
 Perry Packing Co., Dalsytown.  
 Peters Bros. Meat Market, Lenhartsville.  
 Pezzner Brothers, Ashley.  
 Pienlazel, Walter, Waterford.  
 Pleasant Unity Packing Co., Pleasant Unity.  
 Prim Packing Co., McDonald.  
 Prinz, August, Mars.  
 Pudliner's Home Dressed Meats, Johnstown.  
 Putnak, Robert L., Monongahela.  
 Rehrig Slaughter House, Ashfield.  
 Rendulic, Frank D., McKeesport.  
 Rex, George Slaughter House, Ashfield.  
 Rice, Robert L. Abattoir & Market, Waynesburg.  
 Riley, James C., Greenville.  
 Riverside Meat Packing Co., New Castle.  
 Roble Meat Packers, Inc., Erie.  
 Rockhill's Meat Processing, Greenville.  
 Rothermel, Wellington A., Danville.  
 Shade Meat Packing, Hooversville.  
 Shaffer, Arthur L., New Cumberland.  
 Shamokin Packing Co., Shamokin.  
 Sharon Best Meats, Sharon.  
 Shively Brothers, Millinburg.  
 Silverberg Meats, Bradford.  
 Slagle's Packing House, Kittanning.  
 Smalstig, Fred, Pittsburgh.  
 Smelko Brothers, Mt. Pleasant.  
 Smith, Wilbur, Blairsville.  
 Stairs, James, Confluence.  
 Stehle, Julius, Eighty-Four.  
 Stepniak, William, Hop Bottom.  
 Sterner's Grocery, Inc., Hanover.  
 Taylor, J. V. Company, Wyalusing.  
 Thoma, Paul, Saxonburg.  
 Thomas & Diehl, Glen Rock.  
 Thomas & Ralph E., Hungerford.

Thompson Packing Co., Jersey Shore.  
 Thornton, Howard J. Erie.  
 Troutman Brothers, Klingers town.  
 Troutman, M. S. & C. H., Freeburg.  
 Troy Meat Packing, Inc., South of Troy.  
 Venezia, Carl, Conshohocken.  
 Warner, Paul Frozen Food Center, Union City.  
 Warrington Packing Co., Inc., Chalfont.  
 Wayne Meats & Processing Co., Honesdale.  
 Waynesburg Packing Co., Waynesburg.  
 Weaver Bros., Wellsville.  
 Weise, R. A., Hyndman.  
 Weiss Packing Co., Donora.  
 \*Weller, Frank & Sons, Plymouth Meeting.  
 Werry Provision, Scottsdale.  
 West Apollo Packing House, West Apollo.  
 Weyandt, Hughey, Jr., Claysburg.  
 Wilkes-Barre Abattoir, Wilkes-Barre.  
 Williamson's Wholesale Meats, Turbotville.  
 Willrich, Thomas B. & Son, Edinboro.  
 Winner Packing Co., Lock Haven.  
 Wisniewski, Steve, New Castle.  
 Worthington, Warren H., Pennsdale.  
 Yakubik, Frank, New Castle.  
 Yambrovich, Steve, Sharpshooter.  
 Yoder, Kermit C., Hollisville.  
 Yoder's Meat Market, Shoemakersville.  
 Yost, Dale, Loganville.  
 Youndt Brothers, Denver.  
 Zaluski Meats, Alliquippa.  
 Zrlie, Mike, Sharon.

## SOUTH CAROLINA

\*Azalea Meats, Inc., Orangeburg.  
 \*Carolina Abattoir, Columbia.  
 \*Caugman Meat Plant, Lexington.  
 Cheraw Packing Co., Cheraw.  
 \*Harvin Packing Co., Sumter.  
 Hodges Sale Co., Abbeville.  
 \*Kemmerlin Wholesale Meat Packing Plant, Orangeburg.  
 Lancaster Frozen Foods, Inc., Lancaster.  
 \*Old Fort Packing Co., Walterboro.  
 Oconee County Abattoir, Seneca.  
 Rick's Meat Packers, Aiken.  
 \*Spartanburg Abattoir, Spartanburg.  
 \*Sumter Frozen Foods, Inc., Sumter.  
 \*Truesdale Wholesale Meat Co., West Columbia.  
 \*Vaughn Packing Company, Greer.

## SOUTH DAKOTA

Siouxland Packing Company, Sioux Falls.

## TENNESSEE

\*Ausmus, Wade Slaughter House, Speedwell.  
 \*B & J Packing Company, Humboldt.  
 \*Baltz Brothers Packing Company, Nashville.  
 \*Benton, Lewis Slaughter House, Hixson.  
 Bolivar Packing Company, Bolivar.  
 \*Bradley Processing Company, Cleveland.  
 \*Bulla, Wade Slaughter, Wautauga.  
 \*Carrier, Phil Slaughter, Bluff City.  
 \*Davis Country Sausage, Dyersburg.  
 \*DeLozier, E. A., Sevierville.  
 \*DeLozier, W. R. Sausage Co., Inc., Seymour.  
 \*Dixie Sausage Company, Lebanon.  
 \*Dunn Packing Company, Union City.  
 \*E & K Processing Plant, White Bluff.  
 \*Ed's Processing Company, Cleveland.  
 \*Elm Hill Meats, Inc., Lenoir City.  
 \*Estep Slaughter, Limestone.  
 \*Fayette Packing Company, Eads.  
 \*Ferguson Packing Plant, Atoka.  
 \*Fortenberry Sausage Company, Kodak.  
 Foutch, J. J. & Son Packing Company, Cookeville.  
 \*Fuller Locker Service, Maryville.  
 \*Garrett's Slaughter House, Bell Buckle.  
 \*Gilbert's Slaughter House, Paris.  
 Glasgow's Market, Dresden.  
 \*Goodman's Custom Slaughter, Lafayette.  
 \*Groce Provision Company, Fayetteville.  
 \*Harvey's Slaughter House, Brownsville.  
 \*Hayes, Harold Slaughter Plant, Huntingdon.  
 \*Hendon's Meat Plant, Milan.  
 \*Henson & Courtner, Butler.

Herron Packing Company, Concord.  
 \*Hill's Meat Processing Company, Cleveland.  
 \*Hilwasse College Slaughter House, Madisonville.  
 \*Howard, James Slaughter House, Lexington.  
 \*Hutchins Brothers Packing House, Kingsport.  
 \*Jones Locker & Cold Storage System, Murfreesboro.  
 \*Laine, Gilliam, Lebanon.  
 \*Lehman's Packing Company, McEwen.  
 \*Lingo Packing Company, Jonesboro.  
 \*Loomis Packing Company, Inc., Sweetwater.  
 \*McDonald Meats, Carthage.  
 \*M & G Slaughter House, Dresden.  
 \*Mac's Slaughtering & Processing, Winchester.  
 \*Meek's Slaughter House, Dickson.  
 \*Mitchell's Processing Plant, Selmer.  
 Modern Slaughters, Greeneville.  
 Moore's Slaughter House, Fayetteville.  
 Morrissey Meats & Provisions, Nashville.  
 Morrison Provision Company, Russellville.  
 New 20 Packing Company, Alamo.  
 \*Norman's Packing Plant, Covington.  
 \*Parks, Harris & Company, Columbia.  
 \*Processors, Inc., Celina.  
 \*Rebel Packing Company, Martin.  
 \*S & H Honey Farms, Columbia.  
 \*Savannah Processing & Locker Company, Savannah.  
 \*Sell Meat Company, Johnson City.  
 \*Smelcer, Charles Slaughter, Newport.  
 \*Smith, Jamel Slaughter House, Huntingdon.  
 Southern Abattoir & Meat Supply Co., Knoxville.  
 \*Southern Provision Company, Inc., Chattanooga.  
 \*Swaggerty Sausage Company, Kodak.  
 \*Tennessee Valley Packing Company, Inc., Columbia.  
 \*Tri-City Packing Company, Kingsport.  
 \*Tucker's Sausage, Lebanon.  
 \*University of Tennessee-Meat Laboratory, Knoxville.  
 Wampler's Wholesale Meats, Inc., Lenoir City.  
 \*Wells Processing Plant, Brighton.

## TEXAS

ABC Packing Company, Wichita Falls.  
 \*ALLEN'S Wholesale Meats, McKinney.  
 Anderson Slaughtering & Processing Plant, Sherman.  
 Apache Packing Company, San Antonio.  
 Ed Auge Packing Company, San Antonio.  
 Azle Food Locker Corporation, Azle.  
 Berryhill Packing Company, Inc., Levelland.  
 Big 4 Packing Company, Perryton.  
 Big "M" Packing Co., Inc., Denton.  
 Brown's Slaughter House, Annona.  
 Burton Brothers Public Abattoir, Houston.  
 \*Caddo Packing Company, Marshall.  
 \*Central Packing Company, Wichita Falls.  
 Chief Packing Company, Quannah.  
 Columbia Packing Company, Dallas.  
 Floyd Locker, Spearman.  
 \*Freedman Packing Company, Houston.  
 Graham Packing Company, Graham.  
 Haley's Food Locker, Crowley.  
 Morton Packing Company, Morton.  
 Nemecek Brothers, West.  
 \*P & S Meat Company, Texasiana.  
 Pitner & Hensley, Denton.  
 \*Pratt Packing Company, Inc., Sulphur Springs.  
 Smith's Frozen Food Plant, Atlanta.  
 \*Southern Packing Company, Denison.  
 Steuernagel Packing Company, San Antonio.  
 Swindell's Country Sausage Plant, Quannah.  
 Tyler Packing Company, Tyler.  
 Wickham Packing Company, Inc., Longview.  
 Wilburn & Miller Wholesale Meats, Denison.  
 Zummo Meat Company, Beaumont.

## UTAH

\*Langston Packing Company, Hurricane.  
 \*Midvale Packing Company, Midvale.

\*Ogden Dressed Meat Co., Ogden.  
 \*Tri-Miller Packing Co., Hyrum.  
 \*Ellison Packing Co., Logan.

## VERMONT

Lawrence Bailey, Hardwick.  
 Baker's Market, Pittsford.  
 Delair's Slaughtering Establishment, East Montpelier.  
 Gallerani's Market, Bradford.  
 Jewett Meat Processing Plant, Randolph.  
 Ourensma Slaughter House, Ferrisburg Center.  
 Precau's Slaughter House, Poultney.

## VIRGINIA

Corn Valley Packers, Inc., Danville.  
 \*Fleet and Co., Inc., Winchester.  
 \*Green Hill, Inc., Elliston.  
 Isom's Slaughter House, Galax.  
 Lea Packing Co., Fannington Gap.  
 \*Dinner Bell Meat Products, Lynchburg.  
 \*Orndorff, Charles, Abattoir, Winchester.  
 \*Ferry's Abattoir, Winchester.  
 Rosenbaum Slaughterhouse, Clyde, Glade Springs.  
 \*Southern Packing Corp., Norfolk.  
 \*Suffolk Packing Co., Inc., Suffolk.  
 \*Woodstock Wholesale Meats, Woodstock.

## WASHINGTON

Chambers Packing Company, No. 36, Olympia.  
 Colfax Meat Packing Plant No. 117, Colfax.  
 \*Curcio Meats No. 76, Walla Walla.  
 Evergreen Packing Co., No. 92, Vancouver.  
 \*Federal Meat Co., No. 33, Tacoma.  
 Ferry Bros., Inc., No. 16, Ferndale.  
 Florence Packing Co., No. 6043 (formerly No. 0), Stanwood.  
 \*Grandview Packing Co., No. 6033 (formerly No. 15), Grandview.  
 Kratzig Meat Co., No. 6110 (formerly No. 81), Bellingham.  
 \*Lewis River Meat Co., No. 118, Woodland.  
 McInroy Meat Co., No. 94, Wilbur.  
 \*McKinley Meat Packing Co., No. 39, Longview.  
 Midway Meats No. 62, Centralia.  
 Moses Lake Meat Co., No. 32 Moses Lake.  
 Mt. Vernon Meat Co., Inc., No. 6039 (formerly No. 93), Mount Vernon.  
 Pacco Meat Packers, Inc., No. 6040 (formerly No. 37), Pacco.  
 Rice Meat Packing Co., No. 103, Veradale.  
 Slerk Meat Packing Co., No. 55, Wenatchee.  
 Sky Valley Meats No. 51, Monroe.  
 \*Valley Packing Co., No. 18, Puyallup.  
 Weber, Inc., No. 6041 (formerly No. 20), Sumner.  
 \*Wenatchee Packing Co., No. 22, Wenatchee.

## WEST VIRGINIA

Bluegrass Market, Inc., Lewisburg.  
 \*Byard's Famous Meats, Kenova.  
 Camp Packing Company, Parkersburg.  
 Chadwick and Son, Wayne.  
 Chapman Packing Company, Ona.  
 \*Cloverdale Packing Company, Parkersburg.  
 Coleman, M. E. Packing Company, Oak Hill.  
 Elm Grove Packing, Wheeling.  
 Ennis Slaughter House, Uffington.  
 Fancher, E. L., Shinnston.  
 \*Fisher's Quality Meats, Sissonville.  
 Fotos and Company, Beckley.  
 Gamble's Market, Moundsville.  
 Glacell Packing Company, Inc., Huntington.  
 Hatten Wholesale Meat Company, Huntington.  
 P. E. Holz Sons Company, Charleston.  
 Independent Dressed Beef Company, Morgantown.  
 \*Jeffries Slaughterhouse, Lewisburg.  
 Jenkins, Frank M., Martinsburg.  
 Eldwiler, Frank E., Harpers Ferry.  
 Lambert and Beavers, Squire.  
 Logan, S. S. Packing Company, Huntington.  
 \*McCown & Sons Company, L. M., Charleston.

## NOTICES

Martini Packing Company, Inc., Wheeling.  
Miller Brothers, Martinsburg.  
Niebergall Meats Slaughtering Establishment,  
Wheeling.  
Places Butchering Quarters, Martinsburg.  
Rupert Meat-Poultry Supply, Rupert.  
Smittle Packing Company, Paden City.  
Soloman's Establishment, Frank, Fairview.  
Spitznogle, Glen L. Slaughtering Establish-  
ment, Blacksville.  
Staggs Meat Market, Burlington.  
Stuart, Nate & Sons Inc., Mount Clare.  
Thomas and Wolfe Slaughtering Establish-  
ment, Ripley.  
Thompson Brothers Packing Company, Blue-  
field.  
Tony's Super Market, Beckley.  
Tri-County Processing Plant, Inc., Martins-  
burg.  
V & G Slaughterhouse, Sweetland.  
Wade's Slaughter House, Mount Morris.  
Welmer Packing Company, Wheeling.  
West Virginia Sausage, New Haven.  
Wooddell's Meats, Green Bank.  
\*Young and Stout, Inc., Clarksburg.

## WISCONSIN

Black Creek Meat Market, Black Creek.  
\*Born & Son, August, Milwaukee.  
Clinton Packing Co., Inc., Clinton.  
Coenen Packing Company, Appleton.  
Coloma Meat Products, Coloma.  
Dobratz Meat Service, Shawano.  
Dohr's Market, Grafton.  
Faust & Sons, Hy, Mayville.  
Foss Locker Plant, Sparta.  
Hagert's Locker, Siren.  
Harry Hanson Meat Service, Franksville.  
Helland's Food & Locker, Juda.  
Holmen Locker Service, Holmen.  
Kimmes Hereford Farm, Superior.  
Kress Packing Co., Inc., Waterloo.  
Lake Geneva Packing House, Lake Geneva.  
Marchant, W. J., Brussels.  
Meier Slaughtering Establishment, A.  
Monroe.  
Osseo Locker, Osseo.  
Paulus Market, Cedarburg.  
Royal Meats, Watertown.  
Sawyer Meat Plant, East Troy.  
Schaefer Sausage Co., Inc., Oshkosh.  
Schams Company, J., La Crosse.  
Schroedl Market, Jefferson.  
Seymour Locker Storage, Peshtigo.  
Sorg Farm Packing, Inc., Darien.  
Super Lockers, Amery.  
S & S Meats, Stoughton.  
Tarlton Company, L., Athelstane.  
Thomson Packing Co., West De Pere.  
Townsend-Filler Packing Co., Cumberland.  
\*Valley Meat Service, Appleton.  
Weber's Processing Plant, Inc., Cuba City.  
Weinstein Slaughtering Establishment,  
Superior.  
\*Wolf River Sausage, Co., Weyauwega.

## WYOMING

Big Horn Processing, Lovell.  
Gillette Meat Service, Gillette.  
Jim's Place, Cheyenne.  
K & B Cold Storage Co., Afton.  
Kelly Slaughtering Establishment,  
Torrington.  
Ken's Locker and Slaughtering, South  
Laramie.  
Lincoln Meats, Rock Springs.  
Nield Cold Storage and Supply, Afton.  
Pilch Slaughtering & Processing Service,  
Acme.  
Rock Springs Butchering, Rock Springs.  
\*Roitz Meat Cutting, Fort Bridger.  
Triangle Packing Co., Worland.

The following stockyards and slaugh-  
tering establishments are deleted from  
the specifically approved lists:

## STOCKYARDS

## ALABAMA

Monroe Livestock Market, Inc., Monroeville.  
Montgomery Livestock Commission, Mont-  
gomery.  
Samson Livestock Auction, Samson.

## COLORADO

Alsby Sales Pavilion, Glenwood Springs.  
Springfield Livestock Commission Company,  
Springfield.

## GEORGIA

McClure-Burnett Commission Company,  
Atlanta.  
Waycross Hog & Cattle Market, Waycross.

## IOWA

Fort Dodge Livestock Auction, Inc., Fort  
Dodge.  
Humboldt Livestock Exchange, Inc., Hum-  
boldt.  
Iowa City Sales Company, Iowa City.  
Mahaska Sales Company, Inc., Oskaloosa.  
Ossian Livestock Exchange, Ossian.  
Troutman Auction Sales, Bonaparte.

## KENTUCKY

Morehead Stockyard, Morehead.  
Sparta Stockyard, Sparta.

## LOUISIANA

Coltharp's Livestock Market, DeRidder.  
Vernon Livestock Co-operative, Inc., Leesville.

## MISSISSIPPI

\*Amory Commission Company, Amory.  
\*Hattiesburg Livestock Market, Hattiesburg.  
\*Mississippi Livestock Yards, Laurel.  
\*North Mississippi Livestock Cooperative,  
Corinth.  
\*Sardis Livestock Sales Company, Sardis.  
\*Tadlock Stockyards, Forest.

## MISSOURI

Bethany Livestock Auction, Bethany.  
Producers Livestock Market, Marshall  
Junction.  
Sikeston Auction Company, Inc., Sikeston.

## MONTANA

Miles City Saleyards, Miles City.

## NEBRASKA

Grant Sales, Grant.  
Producers Platte Valley Livestock Auction,  
Kearney.  
Tecumseh Livestock Market, Tecumseh.

## NEW JERSEY

Nixon Sales Stable, Mount Holly.

## NEW YORK

Empire Livestock Marketing Cooperative,  
Inc., Bullville.  
Ray's Auction Service, Owego.  
Steuben County Livestock Market, Bath.

## NORTH CAROLINA

Raleigh Stockyards, Raleigh.  
Sweet and Turner, Inc., Elizabeth City.  
Whiteville Livestock Auction, Inc., Whiteville.

## NORTH DAKOTA

Dobler's Ellendale Livestock Sales Co.,  
Ellendale.

## OHIO

Union Stockyards Company, Washington  
C. H.

## OKLAHOMA

Mountain View Community Sale, Mountain  
View.  
Osage Sale Barn, Fairfax.

## OREGON

Cedar Point Packing Company, Coquille.  
Montgomery's Meat Company, Silverton.  
Tualatin Packing, Inc., Sherwood.

## PENNSYLVANIA

Hatfield Livestock Market, Hatfield.

## SOUTH CAROLINA

Lenox Stockyards, Bennettsville.  
Pageland Livestock Barn, Pageland.  
Smith Stockyards, Columbia.  
Twin States Auction Market, Tabor City.

## TEXAS

Coastal Cattle Association, Beaumont.  
North Houston Livestock Auction, Houston.  
Rusk County Auction, Henderson.

## WISCONSIN

Brigham, Forrest, Evansville.  
Central Wisconsin Livestock Market,  
Augusta.

## SLAUGHTERING ESTABLISHMENTS

## ALABAMA

Bartel's Frozen Foods, Atmore.  
Brewton Abattoir, Brewton.  
Dauphin's Clover Farm and Processing  
Plant, Brewton.  
Morgan Packing Company, Tuscaloosa.  
Robertsdale Locker Plant, Robertsdale.  
White Rock Packing Company, Dothan.

## ARIZONA

O. K. Wholesale Meat Company, Phoenix.  
Safford Packing Company, Safford.

## ARKANSAS

Broadaway Packing Co., Jonesboro.  
Brown Packing Co., Little Rock.  
Calhoun General Merchandise, Brown,  
Monticello.  
Fletcher Beef Co., Jim, Fayetteville.  
Little Rock Packing Co., Little Rock.  
Mann Slaughtering and Processing Company,  
Piggott.  
Mazzanti Food Bank, Monticello.  
Melbourne Packing Co., Melbourne.  
Morris Packing Company, Hope.  
Nance and Rutledge Meat Co., Batesville.  
O. E. Owens Wholesale Butcher, Pearey.  
Paul Payne Meats, Paragould.  
Phillips Packing Company, Magnolia.  
Prairie Grove Locker Plant, Prairie Grove.  
Prickett Packing Co., Batesville.  
Sutton Slaughter Plant, Claud H., Hope.  
Townsend Processing Co., Texarkana.  
Webb Packing Company, Helena.  
Western Meat Packers, Inc., Little Rock.

## GEORGIA

\*Meddin Packing Company, Savannah.  
Grady Packing Company, Cairo.  
Javetz Abattoir, Savannah.  
Perkins Processing Plant, Chickamauga.

## ILLINOIS

Dad's Country Market, Beaverville.  
Foremost Packing Company, East Moline.  
Kreps Locker Service, Bushnell.  
Kunkel Packing and Provision Co., Quincy.  
Quincy Beef and Veal Company, Quincy.  
Shanks Packing Company, Mattoon.  
Ursa Cooperative Locker Service, Ursa.  
Frankfort Packing Company, West Frankfort.

## IOWA

Besse Pack, Cincinnati.  
Ford Lockers, Spirit Lake.  
Marshall Packing Company, Marshalltown.

## LOUISIANA

\*Britt Packing Co., Shreveport.  
\*Old South Packing Company, Baton Rouge.

## RHODE ISLAND

Parillo, Inc., Anthony, Johnston.  
Bruno's Slaughterhouse, Westerly.

## MISSISSIPPI

\*Beard's Slaughter House, Waynesboro.  
Lamey's Slaughter House, Biloxi.

## MISSOURI

Poplar Bluff Packing Company, Poplar Bluff.

## MONTANA

New Butte Butchering Company, Butte.

## NEBRASKA

Brauer Packing Co., Shappell.  
Bridgmon Wholesale, Tecumseh.  
Community Locker Center, Fullerton.  
Custom Pack, Hastings.  
Deerson Meat Packing Plant, Elkhorn.  
F & S Sausage Company, Cozad.  
Farmers Union Co-op Gas and Oil Co., Big Springs.

\*Flicker Packing Co., Scottsbluff.  
Ford Packing Co., Grand Island.  
Gude, O. A., Nebraska City.  
H & B Packing Co., Scottsbluff.  
\*Hersch Packing Co., Scottsbluff.  
Hollstein's Packing Company, Rushville.  
Ideal Market, Gordon.  
Jurgens Meat Service, Big Springs.  
Kauf Packing Co., Hastings.  
Nebraska Ice and Locker Service, Falls City.  
Osborn's I.G.A. Store, Hay Springs.  
\*Red Cloud Packing Co., Red Cloud.  
Roman Packing Company, Norfolk.  
Sanitary Market, Mitchell.  
Saum Lockers, Davenport.  
Shald Market, Gordon.  
Standard Market, Hebron.  
Sterling Packing Company, Sidney.  
Superior Locker, Superior.  
Swayze Packing Company, S. E., Edison.

## NEW HAMPSHIRE

French Brothers, Hooksett.  
Luciene Langelier, Rochester.  
Samuel Satzow, Claremont.  
Sherman's Market, Grantham.  
Tri-City Beef and Pork Company,  
Somersworth.

## NEW JERSEY

Fisher Brothers, Bridgeton.  
Haskell Packing, Haskell.  
Clarence Rome, Sussex.  
J. Tindik Sons, Bordentown.  
Trenton Packing Company, Trenton.  
Victory Beef, Trenton.  
A. A. Young, Phillipsburg.

## NEW YORK

Easton Market, Kanona.  
East River Packing Company, East River.  
Ford, E. D. and Sons, West Valley.  
Kennedy Meat Market, Kennedy.  
Kittle, Nicholas A., Hudson.  
Klinck and Schaller, Inc., Buffalo.  
Kross-Ahl, Albany.  
Lucarelli, John W., Mechanicville.  
Maplevale Farms, Clymer.  
Morris Mendel and Company, Norwich.  
Newburgh Superior Packing Company,  
Newburgh.  
Scott, Herbert R., Brocton.  
Waldenmaier, George and Sons, Feura Bush.  
Wallens-Byrne Packing Corporation, Buffalo.

## NORTH CAROLINA

Azalea Meats Corporation, New Bern.  
Caldwell Packing Company, Cramerton.  
\*Elliott Packing Company, Inc., Goldsboro.  
\*Jones Abattoir Company, Garner.  
E. T. Nivens, Charlotte.  
\*Piedmont Packing Company, Hillsborough.

## OHIO

Bussard Slaughter House, Germantown.  
Ciralsky Packing Company, Toledo.  
David Davies, Inc., Columbus.  
Dicillo, A. and Sons, Inc., Cleveland.  
Fink and Heine Company, Springfield.  
Giles, K. C., Slaughtering Establishment,  
Cleveland.  
Petrigalia Meat Company, Hubbard.  
Samuel, Sigi, Slaughter House, Jefferson.  
Sandusky Dressed Beef Company, Sandusky.  
Sears Meat Market, Greenville.  
Teufel, Howard A., Company, Cleveland.  
Webb Beef Company, Cleveland.

## PENNSYLVANIA

Baker's Meat Market, Biglerville.  
Bongiorno Brothers, Hickory.  
Brown Brothers and Sons, Inc., Fairview.  
Cary, William L., Harrison Valley.  
DeFranco, Nick, Bangor.  
Detwiler's Abattoir, Pottstown.  
Elizabethville Abattoir, Elizabethville.  
Esposito, Attilio, Philadelphia.  
Flagler, Glenn Co., Raubsville.  
Freed's Store, Gilbertsville.  
Gartner and Harf, Waterford.  
Ginther, Gervase, St. Mary's.  
Giunta, Joseph L. and Sons, Philadelphia.  
Goldberg Provision Co., Greensburg.  
Haas, Raymond, East Weissport.  
Hershey Estate Abattoir, Hershey.  
Hess, Bob G. Meats, Winfield.  
Hoffman Brothers, York.  
Johnson Packing Co., Emigh.  
Junjata Packing Co., Tyrone.  
Kudasik, Andy, Central City.  
Landis, Abram A., Harleysville.  
Landis, T. M., Mainland.  
Lesnett's Green Top Farm, Greenville.  
Liddiard, Richard W., South Waverly.  
Little, L. D. and Son, Hanover.  
McGee, G. Fred, Connellsville.  
Martocci, Anthony, Roseto.  
Marvin, Russell T., Covington.  
Meadow Valley Abattoir, Inc., Gettysburg.  
\*Medford's Inc., Chester.  
Paigon Brothers, Tarentum.  
Palumbo, Dominic, Du Bois.  
Paul's Market, Penfield.  
People's Meat Market, Brackenridge.  
Pettello, Charles A., Keiser.  
Price, B. J., Division of Shane Enterprises,  
Chester.  
Reitz, Maynard M., Winfield.  
Rook B. A., Milroy.  
S and H Country Butchers, Littlestown.  
Shaw Brothers, Newry.  
Smith, John Raymond, Titusville.  
\*Spungin's Abattoir, Inc., Harrisburg.  
Stockton's Wholesale Meats, Columbus.  
Taddio, Fred, Monaca.  
Union Provision and Packing Company,  
Pittsburgh.  
Utz, Harold Meat Market, Hanover.  
Venezla, Joseph, Norristown.  
Venuto, Joseph, Philadelphia.  
Weiss Packing Company, Inc., Uniontown.  
Wilcox, Gilbert, Millan.  
Wildasin's Meat Market, Hanover.  
Winters, Walter W., Mahoningtown.

## SOUTH CAROLINA

Fairview Abattoir, Greenville.  
Harman Provision Company, Saluda.  
Hughes Market, Easley.  
Roddey Packing Company, Columbia.  
Turner Abattoir, T. M., Woodruff.

## SOUTH DAKOTA

Dean Packing Company, Vermillion.

## TEXAS

Shamrock Slaughtering Plant, Shamrock.  
H & R Meat Company, Vernon.

Stratford Food Locker, Stratford.  
O. B. Jackson Wholesale Meats, Plainview.  
Winfree Packing Company, Orange.  
Wingate Brothers, Orange.

## UTAH

\*Parke and Son, William C., Ogden.

## WASHINGTON

Johansen's Meats, Inc., Enumclaw.  
\*Longview Meat Company, Longview.  
Methow Valley Meat Company, Twisp.  
Schoner Meat Company, Silverdale.  
Thorp's Meat, Snohomish.

## WISCONSIN

Bohrer's Packing Company, Muskego.  
Bruinema, Casey, Union Grove.  
Falls Locker Service, Kaukauna.  
Goldberg Establishment, Superior.  
Sykes Packing Company, Cameron.  
Valley Packing Company, Kaukauna.

*Effective Date.* The foregoing notice shall become effective upon publication in the FEDERAL REGISTER.

Certain additional stockyards and slaughtering establishments are added to the list of those heretofore specifically approved under the regulations in 9 CFR Part 78. It has been determined that the inspection and handling of livestock or carcasses or products thereof at such stockyards or establishments are adequate to effectuate the purposes of such regulations. Certain stockyards and slaughtering establishments are removed from the list of those heretofore specifically approved under said regulations, because it has been determined that such stockyards and establishments no longer qualify for specific approval under the regulations. Name changes affecting certain stockyards and slaughtering establishments are also set forth in the foregoing notice. This action, therefore, imposes certain restrictions necessary to prevent the spread of brucellosis, relieves certain restrictions presently imposed, and makes certain changes which do not affect the substance of the restrictions set forth in 9 CFR Part 78. The action should become effective promptly in order to accomplish its purpose in the public interest, to be of maximum benefit to persons subject to the restrictions which are relieved hereby, and to promptly correct the names of all listed stockyards and slaughtering establishments. Therefore, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this action are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making this notice effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 20th day of November 1970.

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

[F.R. Doc. 70-15376; Filed, Nov. 24, 1970;  
8:45 a.m.]

## DEPARTMENT OF COMMERCE

Bureau of Domestic Commerce

### AMERICAN ONCOLOGIC HOSPITAL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00803-33-83000. Applicant: American Oncologic Hospital, Central and Shelmire Avenues, Philadelphia, PA 19111. Article: Medical thermography unit, Model PD-780. Manufacturer: Smith's Industries Ltd., United Kingdom.

Intended use of article: The article will be used for medical research and diagnosis concerning malignant and benign diseases by means of infrared radiation detection and associated mapping of actual patient body sites.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides an optical resolution of 0.120 inches (in.) square at the patient, thermal discrimination of 0.02° centigrade, 30,000 resolution elements per full frame, horizontal resolution of 100 or 300 lines per inch and a frame size of 19 inches by 19 inches. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated October 23, 1970, that the resolution and suitability for large scale use of the foreign article are pertinent to the applicant's research studies. HEW further advises that it knows of no comparable domestic instrument which matches the pertinent characteristics of the article.

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

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15858; Filed, Nov. 24, 1970; 8:49 a.m.]

### FOOD AND DRUG ADMINISTRATION

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 71-00152-00-46040. Applicant: DHEW/Public Health Service, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852. Article: Plate magazine camera. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom.

Intended use of article: The article is an accessory for an existing Model EM 6B Electron Microscope.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15859; Filed, Nov. 24, 1970; 8:49 a.m.]

### STANFORD UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 71-00150-00-46040. Applicant: Stanford University, Purchasing Department, 820 Quarry Road, Palo Alto, CA. 94304. Article: Shutter/Exposure Meter. Manufacturer: Siemens A.G., West Germany.

Intended use of article: The article is an accessory for an existing Elmiskop IA Electron Microscope.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used. The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15860; Filed, Nov. 24, 1970; 8:49 a.m.]

### UNIVERSITY OF IOWA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00820-33-46040. Applicant: University of Iowa, Biochemistry Department, Medical Research Center, Iowa City, IA 52240. Article: Electron Microscope, Model HU-125E-1. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used to study nucleohistones, the nuclear membrane, interface chromosomes, DNA, and yeast phosphofructokinase with emphasis on possible interactions between the nuclear membrane and isolated interphase chromosomes. The experiments involve shadowing with metal and the use of negative staining technique.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for

such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corp. of America and which is presently being supplied by the Forgnio Corp. The Model EMU-4B has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of October 23, 1970 that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15861; Filed, Nov. 24, 1970;  
8:49 a.m.]

## UNIVERSITY OF MARYLAND ET AL.

### Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Bureau of Domestic Commerce, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 71-00220-65-46070. Applicant: The University of Maryland, Department of Mechanical Engineering,

Engineering Classroom Building, College Park, MD 20740. Article: Scanning electron microscope, Model SEM-11A-68. Manufacturer: Cambridge Instrument Co., Ltd., United Kingdom. Intended use of article: The article will be used for research on the mechanisms involved in the rusting of various types of steel; the nature of fracture surfaces in order to determine the mechanism for cracking; and the effectiveness of plastic-fiber bonding. In-depth exposure to electron microscopy, as it pertains to engineering materials, will be taught in four courses. Application received by Commissioner of Customs: October 21, 1970.

Docket No. 71-00222-75-65600. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: High voltage power supply. Manufacturer: Emile Haefely Co., Ltd., Switzerland. Intended use of article: The article is designed to produce 750 kilovolts of potential and at the same time to deliver 13 milliamperes of current. Application received by Commissioner of Customs: October 21, 1970.

Docket No. 71-00223-33-46040. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, MA 02138. Article: Electron microscope, Model 801. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used for research in three areas, the cell junctions of the endothelium of small blood vessels, the gap intercellular junctions which possibly are involved in intercellular communication, and the structural basis of glomerular permeability. Application received by Commissioner of Customs: October 22, 1970.

Docket No. 71-00224-33-46040. Applicant: The University of Texas at Austin, Box 7306, University Station, Austin, TX 78712. Article: Electron microscope, Model Elmiskop IA. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used for research on the ultrastructural changes in responding tissues during and after embryonic induction; for studies of the developmental basis of genetic lethals in *Drosophila*; for studies of conformational changes in ribosomes and transferase enzymes during peptide chain elongation in the rabbit reticulocyte system; and for autoradiographic electron microscope studies of the distribution of radioactive hormone within endometrial cells of the rat uterus. Application received by Commissioner of Customs: October 22, 1970.

Docket No. 71-00225-33-46500. Applicant: Passavant Memorial Hospital, 303 East Superior Street, Chicago, IL 60611. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for sectioning of a variety of materials including renal and surgical biopsy material. An initial and essential part of the work will be development of techniques for the rapid embedding and sectioning of biopsy material

for diagnostic purpose. Application received by Commissioner of Customs: October 22, 1970.

Docket No. 71-00227-00-07795. Applicant: National Aeronautics & Space Administration, Manned Spacecraft Center, Houston, TX 77053, R&D Procurement Branch, Space Station & Special Projects Contract Section JC44. Article: Accessories for an aerial camera system. Manufacturer: Goteberg Co., Sweden. Intended use of article: The articles are accessories for an existing Hasselblad electric data camera system. Application received by Commissioner of Customs: October 26, 1970.

Docket No. 71-00228-98-78000. Applicant: Indiana University, Department of Physics, Bloomington, IN 47401. Article: Spectrophotometer, Model FS-720. Manufacturer: Beckman-RIC Ltd., United Kingdom. Intended use of article: The article will be used for the determination of the lasing frequency of a far-infrared gas laser which the applicant has constructed. Various gases and solids will be used and absorption strength will also be measured. Application received by Commissioner of Customs: October 26, 1970.

Docket No. 71-00234-55-17500. Applicant: University of Miami, Coral Gables, FL 33124. Article: Recording current meter, Model 4. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is to be attached to a neutrally buoyant float which the applicant has designated as a pycnocline follower. This device is weighted precisely so that it will remain at the depth of a constant density surface. The objective of the experiment is to distinguish between motions of the density surface due to internal waves and apparent motions of a temperature surface. Application received by Commissioner of Customs: October 27, 1970.

Docket No. 71-00235-33-46040. Applicant: Passavant Memorial Hospital, 303 East Superior Street, Chicago, IL 60611. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used in the study of a wide variety of materials for both diagnostic and research purposes. Routine tissue section techniques will be used for the study of surgical biopsy material, particularly renal biopsies and tumor pathology. Also, material is being collected for the study of the relationship of viruses to human disease, particularly their presence in certain tumors. Application received by Commissioner of Customs: October 27, 1970.

Docket No. 71-00236-33-90000. Applicant: The Rockefeller University, 66th Street and York Avenue, New York, NY 10021. Article: Rotating anode X-ray generator. Manufacturer: Elliot Automation Radar Systems, Ltd., United Kingdom. Intended use of article: The article will be used to provide a uniquely powerful and finely focussed source of X-rays for crystallographic determination of the three-dimensional structures of protein molecules of immunological importance. This knowledge will extend

the understanding of the mechanism of the immune reaction, of certain reactions of cell walls, and of the factors determining the three-dimensional arrangement of atoms in protein molecules. Application received by Commissioner of Customs: October 27, 1970.

Docket No. 71-00237-33-46040. Applicant: Louisiana State University, 510 East Stoner Avenue, Shreveport, LA 71101. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The article will be used for high resolution studies of the micromorphology and capsomere structure of papovaviruses, picornaviruses and picodnaviruses; for comparative studies of osteolytic and osteogenic states induced by picodnaviruses in fetal hamsters; and for attempts to identify virus-like particles in human osteosarcoma. Application received by Commissioner of Customs: October 26, 1970.

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15862; Filed, Nov. 24, 1970; 8:49 a.m.]

#### UNIVERSITY OF ROCHESTER

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 71-00026-98-77095. Applicant: University of Rochester, River Campus Station, Rochester, NY 14627. Article: Photoelectron spectrometer, Model ESCA. Manufacturer: Vacuum Generators Ltd., United Kingdom.

Intended use of article: The article will be used for research experiments to obtain the binding energies (ionization potentials) of the valence and core electron states of molecules. The ultraviolet photoelectron spectra of organic and inorganic compounds in the energy range from 0-40.8 eV and under high resolution will be measured.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a vacuum system that can provide a vacuum of  $10^{-6}$  Torricelli (torr). The most closely comparable domestic instrument is the Model VIEE-15 photoelec-

tron spectrometer manufactured by Varian Associates (Varian). We are advised by the National Bureau of Standards (NBS) in its memorandum dated October 6, 1970, that the very high vacuum provided by the foreign article is pertinent to the applicant's research studies. NBS further advises that the Model VIEE-15 does not provide a vacuum as good as  $10^{-7}$  torr. We, therefore, find that the Model VIEE-15 was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15863; Filed, Nov. 24, 1970; 8:49 a.m.]

#### UNIVERSITY OF WISCONSIN

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00813-33-46040. Applicant: University of Wisconsin, 750 University Avenue, Madison, WI 53706. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands.

Intended use of article: The article will be used for research on the determination of the structure of several polymorphic forms of tubes of glutamate dehydrogenase; for ultrastructural studies of mitochondrial membrane and crystalline membrane structure protein in respiratory deficient mutants of Neurospora; and for studies on the structure and length distribution of replicating and nonreplicating DNA of bacterial episomes.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C manufactured by Forgio Corp. The Model EMU-4C has a specified resolving

capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated October 23, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15864; Filed, Nov. 24, 1970; 8:49 a.m.]

#### VIRGINIA POLYTECHNIC INSTITUTE

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00817-33-46040. Applicant: Virginia Polytechnic Institute, Purchasing Department, 222 Burruss Hall, Blacksburg, VA 24061. Article: Electron microscope, Model JEM-100B. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan.

Intended use of article: The article will be used for the examination of bacteria and other micro-organisms at low and medium magnification to determine the presence or absence of appendages such as pili, microcapsules and spores, and the nature and arrangement of flagella; of subcellular fractions produced by the mechanical disintegration of micro-organisms, such as cell wall fragments, membrane fragments, internal fibrils, ribosomes and high molecular weight DNA fraction; and to examine plant tissues at low magnification for orientation, followed by examination at high magnification to detect virus particles in the selected areas.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended

to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU-4C manufactured by Forgflo Corp. (Forgflo). The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated October 23, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Bureau of Domestic Commerce.

[F.R. Doc. 70-15865; Filed, Nov. 24, 1970;  
8:49 a.m.]

### National Oceanic and Atmospheric Administration

[Docket No. A-559]

HARVEY WARDEN DAVIS

#### Notice of Loan Application

NOVEMBER 19, 1970.

Harvey Warden Davis, Box 1268, Sitka, AK 99835, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchases of a used 36.8-foot registered length wood vessel to engage in the fishery for salmon.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, DC 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief,  
Division of Financial Assistance.

[F.R. Doc. 70-15814; Filed, Nov. 24, 1970;  
8:45 a.m.]

[Docket No. G-473]

JAMES JOHNSON, JR., AND  
JAMES R. HENDERSON

#### Notice of Loan Application

NOVEMBER 19, 1970.

James Johnson, Jr., and James R. Henderson, 524 West 17th Street, Jacksonville, FL 32206, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 70-foot length overall wood vessel to operate in the fishery for shrimp.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, DC 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-15816; Filed, Nov. 24, 1970;  
8:45 a.m.]

[Docket No. G-470]

B. P. AND LARRY W. HICKS

#### Notice of Loan Application

NOVEMBER 19, 1970.

B. P. Hicks and Larry W. Hicks, Route 1, Box 48, Niceville, FL 32578, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 62-foot length overall wood vessel to engage in the fishery for shrimp.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, DC 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may

be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-15815; Filed, Nov. 24, 1970;  
8:45 a.m.]

[Docket No. B-495]

ARNOLD A. KINNEY

#### Notice of Loan Application

NOVEMBER 19, 1970.

Arnold A. Kinney, Spruce Head, Maine 04859, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 34-foot length over-all wood vessel to engage in the fishery for lobsters, shrimp, scallops, halibut, and groundfish.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, DC 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-15817; Filed, Nov. 24, 1970;  
8:45 a.m.]

[Docket No. S-520]

OTTAR G. LARSEN

#### Notice of Loan Application

NOVEMBER 19, 1970.

Ottar G. Larsen, Box 365, Grayland, WA 98547, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used, 45-foot length overall wood vessel to engage in the fishery for salmon, albacore, and Dungeness crab.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, DC 20235.

Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-15818; Filed, Nov. 24, 1970;  
8:45 a.m.]

[Docket No. A-555]

**CHARLES RAY MARTIN, JR.**

**Notice of Loan Application**

NOVEMBER 19, 1970.

Charles Ray Martin, Jr., Box 513, Kodiak, AK 99615, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 32-foot registered length wood vessel to engage in the fishery for salmon.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedure (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above-entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, DC 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-15819; Filed, Nov. 24, 1970;  
8:45 a.m.]

**DEPARTMENT OF  
TRANSPORTATION**

**Federal Aviation Administration  
EL MONTE AIR TRAFFIC CONTROL  
TOWER**

**Notice of Commissioning**

Notice is hereby given that on or about January 15, 1971, the Airport Traffic

Control Tower at El Monte, Calif., will be operationally commissioned. This information will be reflected in the FAA Organization Statement the next time it is reissued. Communications to the El Monte Airport Traffic Control Tower should be addressed as follows:

El Monte Airport Traffic Control Tower,  
Department of Transportation, Federal  
Aviation Administration, 10924 Lambert  
Avenue, El Monte, CA 91731.

Issued in Los Angeles, Calif., on  
November 13, 1970.

LEE E. WARREN,  
Acting Director, Western Region.

[F.R. Doc. 70-15822; Filed, Nov. 24, 1970;  
8:46 a.m.]

**ATOMIC ENERGY COMMISSION**

[Docket Nos. 50-373, 50-374]

**COMMONWEALTH EDISON CO.**

**Notice of Receipt of Application for  
Construction Permits and Facility  
Licenses**

Commonwealth Edison Co., 1 First National Plaza, Chicago, IL 60690, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, has filed an application dated November 3, 1970, for authorization to construct and operate two single-cycle, forced circulation, boiling water nuclear reactors at its site, located in Brookfield Township, La Salle County, Ill. The proposed site is located approximately 5 miles southwest of Seneca, Ill.

The proposed facilities are designated by the applicant as La Salle County Nuclear Power Station, Units, 1 and 2. Each reactor is designed for initial operation at approximately 3,293 megawatts (thermal) with a net electrical output of approximately 1,078 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., this 19th day  
of November 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,

Division of Reactor Licensing.

[F.R. Doc. 70-15844; Filed, Nov. 24, 1970;  
8:47 a.m.]

[Docket No. 50-322]

**LONG ISLAND LIGHTING CO.**

**Schedule for Hearing**

In the matter of Long Island Lighting Co. Shoreham Nuclear Power Station Unit No. 1.

The hearing in the captioned matter will be continued on Tuesday, December 1, 1970, at 10 a.m., local time, in the Holiday Inn, 4089 Nesconset, Port Jefferson Highway, Centereach, NY 11720.

Dated: November 19, 1970.

ATOMIC SAFETY AND LICENSING BOARD,  
JACK I. CAMPBELL,  
Chairman.

[F.R. Doc. 70-15828; Filed, Nov. 24, 1970;  
8:46 a.m.]

**CIVIL AERONAUTICS BOARD**

[Docket No. 22577]

**AIR HAITI, S.A.**

**Notice of Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on December 8, 1970, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned examiner.

Dated at Washington, D.C., November 19, 1970.

[SEAL] WILLIAM H. DAPPER,  
Hearing Examiner.

[F.R. Doc. 70-15866; Filed, Nov. 24, 1970;  
8:49 a.m.]

[Docket No. 22779; Order 70-11-84]

**HOP AIR FREIGHT FORWARDER, INC.**

**Order of Suspension and Investigation**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of November 1970.

By tariff revision<sup>1</sup> filed October 23, 1970, and marked to become effective November 22, 1970, Hop Air Freight Forwarder, Inc. (Hop) an air freight forwarder, proposes to increase its excess valuation rate on all commodities from 20 to 30 cents for each \$100 (or fraction thereof) by which the declared value of the shipment exceeds 50 cents per pound or \$50 per shipment, whichever is higher. Most major forwarders currently have an excess valuation rate of 15 cents per \$100 by which the declared value exceeds 50 cents per pound or \$50 per shipment, whichever is greater. The Board has consistently suspended, pending investigation, proposed increases above this level.<sup>2</sup>

Hop has provided no data on the relationship between revenues from current excess value charges and losses from claims paid on shipments for which such charges have been paid, nor otherwise supported the proposed increase.

Upon consideration of all relevant factors, the Board finds that the proposed

<sup>1</sup> Revision to Hop Air Freight Forwarder, Inc., Tariff CAB No. 5.

<sup>2</sup> In recent actions, the Board suspended, pending investigation, increased excess valuation charges proposed by: (1) Shulman Air Freight (Order 69-5-78, May 19, 1969, and Order 69-9-107, Sept. 18, 1969); (2) Eagle Air Dispatch, Inc. (Order 69-10-155, Oct. 31, 1969); and (3) Satellite Air Freight, Inc. (Order 70-10-92, Oct. 19, 1970).

excess valuation rates may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial or otherwise unlawful, and should be suspended pending investigation.

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

*It is ordered, That:*

1. An investigation be instituted to determine whether the charge and provisions in Rule No. 80(b) on 2d Revised Page 6 of Hop Air Freight Forwarder, Inc.'s, CAB No. 5 and rules, regulations, or practices affecting such charge are, or will be, unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful charge, and rules, regulations, or practices affecting such charge;

2. Pending hearing and decision by the Board, the charge and provisions in Rule No. 80(b) on 2d Revised Page 6 of Hop Air Freight Forwarder, Inc.'s, CAB No. 5 are suspended and their use deferred to and including February 19, 1970, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by Order or special permission of the Board;

3. The proceeding herein be assigned before an examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariffs and served upon Hop Air Freight Forwarder, Inc., who is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-15867; Filed, Nov. 24, 1970; 8:49 a.m.]

[Docket No. 22628; Order 70-11-68]

**INTERNATIONAL AIR TRANSPORT ASSOCIATION**

**Order Regarding Fare Matters**

Issued under delegated authority November 17, 1970.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreement, which has been assigned the above-designated CAB agreement number, was adopted at meetings held in Honolulu in the fall of 1970, and is intended to be effective for a 2-year period with certain exceptions<sup>1</sup> from April 1, 1971.

<sup>1</sup>R-33 is for indefinite duration, while R-54 is for a 1-year period.

The agreement amends, revalidates and amends, and readopts a number of fare resolutions applicable within the area composed of Asia/Australasia/South Pacific Islands (Traffic Conference 3). In addition, the agreement includes two new resolutions establishing certain group inclusive tour fares and youth fares valid for travel within TC3. None of these resolutions which are incorporated in the agreement involve U.S. points within TC3 nor are the fares combinable in air transportation.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, finds that the following resolutions, which are incorporated in the agreement indicated, do not affect air transportation within the meaning of the Act:

|                |                         |  |
|----------------|-------------------------|--|
| Agreement CAB: |                         |  |
| 22628:         | <i>IATA Resolutions</i> |  |
| R-28 -----     | 333/070h.               |  |
| R-29 -----     | 333/070n.               |  |
| R-33 -----     | 333/075g.               |  |
| R-38 -----     | 333/077b.               |  |
| R-39 -----     | 333/077c.               |  |
| R-45 -----     | 333/080f.               |  |
| R-48 -----     | 333/081j.               |  |
| R-51 -----     | 333/084k.               |  |
| R-53 -----     | 333/091f.               |  |
| R-54 -----     | 333/092c.               |  |

*Accordingly, it is ordered, That:*

Jurisdiction is disclaimed with respect to those portions of Agreement CAB 22036 as set forth above.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulation, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-15868; Filed, Nov. 24, 1970; 8:49 a.m.]

[Docket No. 20993; Order 70-11-77]

**INTERNATIONAL AIR TRANSPORT ASSOCIATION**

**Order Regarding Specific Commodity Rates**

Issued under delegated authority November 18, 1970.

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

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated November 10, 1970, names additional specific commodity rates, as set forth below, which reflect significant reductions from the general cargo rates.

R-34:

Commodity Item No. 1832—Animal Hunting Trophies, 186 cents per kg., minimum weight 100 eggs., Dar Es Salaam to New York.

R-35:

Commodity Item No. 6002—Chemicals, Dyes, Fertilizers, Insecticides, Paints, Pigments, Varnishes, Drugs, Pharmaceuticals etc.<sup>1</sup> 84 cents per kg., minimum weight 1,000 eggs., Auckland to Los Angeles.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act: *Provided, That* tentative approval thereof is conditioned as hereinafter ordered.

*Accordingly, it is ordered, That:*

Action on Agreement CAB 21753, R-34 and R-35, be and hereby is deferred with a view toward eventual approval: *Provided, That* approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-15869; Filed, Nov. 24, 1970; 8:49 a.m.]

[Docket No. 20993; Order 70-11-78]

**INTERNATIONAL AIR TRANSPORT ASSOCIATION**

**Order Regarding Specific Commodity Rates**

Issued under delegated authority November 18, 1970.

By Order 70-11-10, dated November 3, 1970, action was deferred, with a view toward eventual approval, on an agreement adopted by the International Air Transport Association (IATA), relating to specific commodity rates. The agreement would amend the existing specific commodity rate structure within the Western Hemisphere by the inclusion of rates for Commodity Item 0380 (Shrimp) to be applied from Santiago on the one hand to Los Angeles and San Francisco on the other.

In deferring action on the agreement 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period, and the tentative conclusions in Order 70-11-10 will herein be made final.

*Accordingly, it is ordered, That:*

Agreement CAB 22026 be and if hereby is approved: *Provided, That* approval

<sup>1</sup>For complete and accurate description see applicable tariff.

shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-15870; Filed, Nov. 24, 1970;  
8:50 a.m.]

[Docket No. 21811; Order 70-11-87]

**SEDALIA, MARSHALL, BOONVILLE  
STAGE LINE, INC.**

**Order To Show Cause Regarding  
Establishment of Service Mail Rate**

Issued under delegated authority November 19, 1970.

A final service mail rate for the transportation of mail by aircraft, established by Order 70-4-106, April 21, 1970, in this docket, is currently in effect for the above-captioned air taxi operating under 14 CFR Part 298. This rate is based on two one-way trips 6 days per week between Chicago, Ill., and Louisville, Ky.

The Postmaster General filed a petition on October 28, 1970, stating that the needs of the Postal Service can be efficiently met with less frequent service and he has been authorized by the carrier to petition for a new rate of 58.26 cents per great circle aircraft mile, based on five round trips per week. The carrier and the Post Office Department have agreed that the proposed rate is a fair and reasonable rate for these services.

The Board finds it in the public interest to fix and determine the fair and reasonable rate of compensation to be paid by the Postmaster General for the transportation of mail by aircraft between the aforesaid points. Upon consideration of the petition and other matters officially noticed, it is proposed to issue an order<sup>1</sup> to include the following findings and conclusions:

1. The fair and reasonable final service mail rate to be paid on and after October 28, 1970, to Sedalia, Marshall, Boonville Stage Line, Inc., pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 58.26 per great circle aircraft mile between Chicago, Ill., and Louisville, Ky.;

2. This final rate, to be paid entirely by the Postmaster General, is based on five round trips per week flown with Beechcraft 18 aircraft;

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.16(f).

<sup>1</sup> As this order to show cause is not a final action, it is not regarded as subject to the review provisions of 14 CFR Part 385. These provisions will apply to final action taken by the staff under authority delegated in § 385.16(g).

*It is ordered, That:*

1. Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Sedalia, Marshall, Boonville Stage Line, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Sedalia, Marshall, Boonville Stage Line, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-15871; Filed, Nov. 24, 1970;  
8:50 a.m.]

[Dockets Nos. 22566, 17665; Order 70-11-85]

**WASHINGTON AIRWAYS, INC.**

**Order Setting Application for Hearing  
and Instituting Limited Reopening  
of Proceeding**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of November 1970.

Application of Washington Airways, Inc., for permission to abandon route 160 pursuant to section 401(j) of the Federal Aviation Act of 1958, as amended, Docket 22566; reopened Washington/Baltimore Helicopter Service Investigation, Docket 17665.

On September 16, 1970, Washington Airways, Inc. (WAI), filed an application seeking permission to abandon route 160 pursuant to section 401(j) of the Federal Aviation Act of 1958.

WAI was first certificated to serve route 160 in 1968 in the Washington-Baltimore Helicopter Service Investigation, Docket 17665, when it was selected over other applicants for authority to provide city center and interairport service in the Washington-Baltimore metropolitan area.<sup>1</sup> Since December 8, 1969, when WAI's authority first became effective, the Board has granted permission for several postponements of inauguration of service on route 160.<sup>2</sup>

WAI's present application to abandon this route comes in response to the Board's suggestion in Order 70-7-118, dated July 24, 1970, that such a course of action might be appropriate in the event that the carrier found itself unwilling or unable to institute service by October 19, 1970.<sup>3</sup> In making this suggestion, and in denying the carrier's request for a 1-year additional postponement of service, we concluded that the absence of a downtown Washington helicopter site was not a sufficient basis for extending the postponement period beyond October 19, 1970.<sup>4</sup>

Answers to WAI's application to abandon have been filed by three of the parties to the original certification proceeding. Hutter Ports has filed an answer supporting the application for abandonment and urging that it be awarded authority on route 160. Answers in opposition to the application have been filed by Pioneer Airlines, Inc. (formerly, Washington-Baltimore Helicopter Airways, Inc.), and by the Metropolitan Washington Board of Trade. In addition, National Capital Airlines, Inc. (NCA), has filed a letter, dated October 20, 1970, opposing the abandonment application and urging that WAI be directed to institute service by November 18, 1970. WAI filed a memorandum in response to the foregoing answers on October 30, 1970.<sup>5</sup>

<sup>1</sup> WAI's certificate for route 160 was issued pursuant to Orders 68-11-71 and 68-11-73, dated Nov. 18, 1968. Petitions for reconsideration and motions for stay pendente lite of the Board's orders were denied by Order 69-3-55, dated Mar. 17, 1969, and WAI's certificate became effective on Mar. 23, 1969, but was subsequently stayed until Dec. 8, 1969, by the U.S. Court of Appeals for the District of Columbia Circuit pending review (419 F.2d 668).

<sup>2</sup> Orders 70-3-30, dated Mar. 6, 1970; 70-4-45, dated Apr. 9, 1970; 70-7-118, dated July 24, 1970; 70-10-75, dated Oct. 13, 1970.

<sup>3</sup> The Oct. 19, 1970, date was established by Order 70-4-45, in response to WAI's request for a postponement until Mar. 8, 1971. In Order 70-7-118, we denied the carrier's petition for reconsideration of our prior refusal to grant a 1-year extension.

<sup>4</sup> This date was subsequently extended by Order 70-10-75, dated Oct. 13, 1970, until Nov. 18, 1970, in order to afford sufficient time for consideration of the matters raised by WAI's application and the answers thereto. By this order, we are authorizing an extension of the postponement period until 60 days after final decision in the reopened proceeding hereby instituted.

<sup>5</sup> Permission to file a response to the opposing pleadings was granted by the Chief Examiner in a letter to counsel for WAI, dated Oct. 20, 1970.

Upon consideration of the foregoing pleadings and other relevant facts, we have decided to consolidate WAI's application to abandon for simultaneous hearing with a Reopened Washington/Baltimore Helicopter Service Investigation, Docket 17665, hereby instituted for the limited purpose of considering applications for authority over route 160.<sup>6</sup>

Our decision to institute a proceeding is based on a number of considerations. There appears to be at least one applicant with helicopter operating experience which is willing to undertake the certificate obligations of route 160, and stands ready to provide scheduled inter-airport service at the present time. In addition, both Pioneer and the Board of Trade assert that WAI's fruitless efforts to obtain a downtown Washington site for a commercial heliport on privately owned land have left unexplored the alternative possibility of establishing a heliport on Federal property, which is not subject to District zoning requirements. Pioneer urges that it would energetically pursue the latter course, and has indicated that it would withdraw its opposition to WAI's abandonment application in the event that a transfer of route 160 to Pioneer could be effected. Similarly, the Board of Trade's opposition to abandonment is predicated primarily on its desire to have helicopter service inaugurated, and it would be satisfied by a transfer of WAI's authority to a more willing operator.

In these circumstances, we believe it appropriate to examine the question of whether permitting WAI to abandon its certificate would be in the public interest and, if so, whether another applicant should be authorized to serve route 160.<sup>7</sup>

In reaching our decision to reopen the prior investigation, we have considered the alternative procedure, urged by Pioneer, that we may simply transfer WAI's route 160 to Pioneer, following a determination that such transfer is in the public interest. We believe that it would be more appropriate to examine

<sup>6</sup> We will require that applications for authority over route 160 and motions to consolidate such applications in the reopened proceeding be filed not later than 20 days after the date of service of this order. Our consolidation of the two issues (abandonment and replacement carrier selection) into a single investigation should not be construed as a prejudgment of WAI's application to abandon route 160. We believe, however, that the interrelationship of the two issues warrants a consolidated proceeding.

<sup>7</sup> All parties to the prior proceeding shall be deemed to be parties with equivalent status in the reopened proceeding without further action. In addition, we will invite the participation of those agencies having jurisdiction over zoning matters in the District of Columbia, in the interest of developing a more complete record with respect to the availability of a downtown Washington heliport site. In addition to the abandonment question, we will also place in issue the termination of WAI's present area exemption, by which it is authorized to provide suburban helicopter service in the Washington-Baltimore metropolitan area.

the question of a possible new certification for route 160 in an evidentiary proceeding in which there can be full consideration of the comparative qualification and fitness of all applicants for route 160.

Accordingly, it is ordered, That:

1. The application of Washington Airways, Inc., for authority to abandon its route 160 pursuant to section 401(j) of the Act, be and it hereby is set for hearing and consolidated with the Washington/Baltimore Helicopter Service Investigation, Docket 17665;

2. The Washington/Baltimore Helicopter Service Investigation, Docket 17665, be and it hereby is reopened pursuant to sections 204(a) and 401(g) of the Federal Aviation Act of 1958, as amended, to consider the following issues: Whether the application of Washington Airways, Inc., in Docket 22566 to abandon route 160 should be granted; whether the area exemption issued to Washington Airways, Inc., by Order 68-11-72, dated November 18, 1968, should be terminated or otherwise amended; and in the event Washington Airways, Inc.'s application for abandonment is granted; whether the public convenience and necessity require the certification of another carrier for route 160;

3. All parties to the investigation in Docket 17665 shall be deemed to be parties in the Reopened proceeding, without further action, and, in addition, the Zoning Commission of the District of Columbia, the District of Columbia Board of Zoning Adjustment, and the National Capital Planning Commission are invited to participate in the Reopened proceeding by filing appropriate pleadings under Rule 14 or Rule 15 of the Board's rules of practice;

4. Applications and motions to consolidate and motions or petitions seeking modification or reconsideration of this order shall be filed no later than 20 days after the date of service of this order, and answers to such pleadings shall be filed within 15 days thereafter;

5. This proceeding shall be set for hearing at a time and place to be designated hereafter;

6. Washington Airways, Inc., be and it hereby is authorized to postpone the inauguration of service pursuant to its certificate for route 160 until 60 days after issuance of a final order with respect to its abandonment application in the reopened proceeding instituted herein; and

7. A copy of this order shall be served upon each carrier and civic party to Docket 17665 and, in addition, upon all persons listed in paragraph 3 above, and upon those persons designated for service in the memorandum of Washington Airways, Inc., in response to answers, dated October 30, 1970, in Docket 22566.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

HARRY J. ZINN,  
Secretary.

[F.R. Doc. 70-15873; Filed, Nov. 24, 1970; 8:50 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Dockets Nos. 18089-19035; FCC 70-1293]

NIAGARA COMMUNICATIONS,  
INC., ET AL.

Memorandum Opinion and Order  
Designating Applications for Consolidated Hearing on Stated Issues

In the matter of application of Niagara Communications, Inc., for a construction permit for a new public Class III-B coast station to be located at Bay Shore, N.Y., Docket No. 19080, File No. 750-M-P-89; application of Niagara Communications, Inc., for a construction permit for a new public Class III-B coast station to be located at East Hampton, N.Y., Docket No. 19081, File No. 807-M-P-99; application of Niagara Communications, Inc., for a construction permit for a new public Class III-B coast station to be located at Providence, R.I., Docket No. 19082, File No. 876-M-L-109; application of Great Eastern Communications Co. for license modification to authorize an additional working frequency at its Groton, Conn., station, Docket No. 19083, File No. 856-M-ML-70; applications of Great Eastern Communications Co. for license modification to authorize an additional working frequency at its New Bedford, Mass., station, Docket No. 19084, File No. 857-M-ML-70; application of Radio Telephone Answering Service, Inc., for a construction permit for a new public Class III-B coast station to be located at Richmond (Staten Island), N.Y., Docket No. 19085, File No. 744-M-L-40.

1. The above-captioned applications are for authority to operate new or additional facilities for Class III-B public coast stations. This class of station provides ship-shore radiotelephone common carrier service, primarily of a local character, on VHF channels.<sup>1</sup> The applicants seek authority to serve portions of an area from New York Harbor to Cape Cod.

2. On August 25, 1969, and by amendment on October 22, 1970, Niagara Communications, Inc. (Niagara), applied for a construction permit for a new station at Bay Shore, N.Y. On September 15, 1969, Niagara filed a similar application for East Hampton, N.Y., and, on October 2, 1969, for Warwick (since amended for Providence), R.I. The two New York applications seek authority to serve portions of the Long Island Coast. The Providence application seeks to serve the Narragansett Bay area.

3. Francis I. Lambert and Harry L. Brock, then doing business as Advanced

<sup>1</sup> Section 81.3(j) of the rules defines a Class III-B coast station as one " \* \* \* licensed to provide a maritime mobile service primarily of a local character \* \* \* as distinguished from Class I stations which provide service " \* \* \* up to several thousand miles \* \* \* and Class II stations which " \* \* \* provide service primarily of a regional character \* \* \* as defined in §§ 81.3 (h) and (i) of our rules.

Communications Co. (Advanced), filed petitions to deny all three of the Niagara applications. The petition to deny the Bay Shore station was filed on November 12, 1969; to deny the Warwick (Providence) station on November 14, 1969; and to deny the East Hampton station on November 17, 1969. Since the filing of these petitions to deny, Francis I. Lambert accepted assignment of all the public coast station licenses formerly held by Advanced and reincorporated under the name Great Eastern Communications Co. (Great Eastern). As a result of these transactions, Francis I. Lambert is now doing business as Great Eastern Communications Co. of which he is a 100 percent stockholder and successor in interest to the public coast licenses formerly held by Advanced. Great Eastern is presently the licensee of Station KLU785 at Monroe (Bridgeport), Conn.; of Station KWB437 at Groton, Conn.; and of Station KJC737 at New Bedford, Mass. The Commission, by a consent to assignment, approved the assignments on April 22, 1970.

4. New York Telephone Co. (New York) is the licensee of Station KEA693 at New York, N.Y., and of Station KLU786 at Riverhead, N.Y. New York filed petitions to deny Niagara's Bay Shore and East Hampton applications on January 19, 1970. Niagara filed oppositions to both of these petitions and New York has replied.

5. On July 29, 1970, Great Eastern applied for modification of its existing station licenses to provide an additional working frequency for its New Bedford and Groton stations respectively. Great Eastern already has been issued an authorization for a second frequency at its Groton station, thus the subject application is for a third frequency at that site. Niagara has filed petitions to deny the grant of the additional frequencies to Great Eastern. Great Eastern has filed oppositions to these petitions to deny.

6. On April 8, 1970, Radio Telephone Answering Service, Inc. (Radio Telephone), filed an application for a new Class III-B public coast station to be located at Richmond (Staten Island), N.Y. On May 15, 1970, New York filed a petition to deny the application. On June 23, 1970, Radio Telephone filed an opposition to the petition to deny.

7. Except for the issues specified herein, each applicant is otherwise qualified. All petitioners are found to be parties in interest. The Safety and Special Radio Services Bureau and the Common Carrier Bureau of the Federal Communications Commission are parties to this proceeding.

8. It is evident from an analysis of the applications and related pleadings that overlap in service areas will be substantial if all of the applications are granted. In addition, disruptive electrical interference could result. Potential electrical interference could result to the Riverhead station by the grant of the Richmond application; the Monroe station by the grant of the Bay Shore application; and by simultaneous grant of the Groton and East Hampton applications

for Channel 27 or of the East Hampton application for Channel 26.

9. An analysis of the applications and pleadings does not establish conclusively whether, or to what extent, there is now an unmet need for public radio maritime communications service facilities to serve the areas here involved. Additionally, there is a fundamental question whether boating communities in places such as Bay Shore and East Hampton would be entitled to local service notwithstanding the fact that they may be within the coverage of a station in another locality. Accordingly, in view of these substantial and material questions of fact the Commission is unable to make a determination that it would be in the public interest to grant the applications; therefore, an evidentiary hearing is required to resolve the questions of fact and to determine if the public interest would be served by the grant of any or all of the subject applications.

10. *It is ordered*, That the above-captioned applications of Niagara Communications, Inc., Great Eastern Communications Co., and Radio Telephone Answering Service, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order on the following issues:

a. To determine the facts with respect to the proposed facilities, rates, practices and services of the applicants, including areas to be served.

b. To determine the nature, source and amount of traffic to be handled by each station.

c. To determine the economic impact on Stations KLU785, KWB437, and KJC 737 if the applications of Niagara are granted.

d. To determine the economic impact on Station KEA693 if the application of Radio Telephone is granted.

e. To determine the economic impact on Station KLU786 if the applications of Niagara for Bay Shore and East Hampton are granted.

f. To determine if there is a need for any or all of the proposed public coast facilities, taking into consideration the existing stations.

g. To determine the nature and extent of cochannel interference, if any, which would result from simultaneous operation of the proposed and existing facilities, and whether such interference would be tolerable or mutually destructive.

h. To determine, in the light of the evidence adduced on all of the foregoing issues, whether the public interest, convenience, and necessity will be served by the grant of any or all of the subject applications.

11. *It is further ordered*, That the petitions to deny, filed herein by Great Eastern Communications Co. against the applications of Niagara Communications, Inc., and by New York Telephone Co. against the applications of Niagara Communications, Inc., and Radio Telephone Answering Service, Inc., are granted to the extent indicated herein and are otherwise denied.

12. *It is further ordered*, That coverage areas will be computed on the basis of the information in Commission notice of proposed rule making, Docket No. 18944.

13. *It is further ordered*, That the Niagara oppositions to the Great Eastern petitions to deny, to the extent they depend on an allegation of ineffective license transfers from Advanced Communications Co. to Great Eastern Communications Co. (see paragraph 3 above), are denied.

14. *It is further ordered*, That the burden of proof and the burden of proceeding with the introduction of evidence on issue (c) is on Great Eastern Communications Co., and on New York Telephone Co. with respect to issues (d) and (e). On all other issues, the burden is on each applicant with respect to its applications except on issue (g) the burden is on the petitioner who alleges interference.

15. *It is further ordered*, That to avail themselves of an opportunity to be heard, Niagara Communications Co., Great Eastern Communications Co., New York Telephone Co., and Radio Telephone Answering Service, Inc., pursuant to § 1.221(c) of the rules of the Commission, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission in triplicate a written appearing stating an intention to appear on the date set for hearing and present evidence on the issues specified in this order.

Adopted: November 10, 1970.

Released: November 19, 1970.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>

[SEAL] BEN F. WARLE,  
Secretary.

[F.R. Doc. 70-15839; Filed, Nov. 24, 1970;  
8:47 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### FEDERAL WAGE GARNISHMENT LAW

#### Application by the State of Utah for Exemption; Opportunity To Comment

1. Pursuant to section 305 of the Consumer Credit Protection Act (CCPA) (16 U.S.C. 1675) and Subpart C of 29 CFR Part 870 (35 F.R. 8226, May 26, 1970; 36 F.R. 14368, Sept. 11, 1970), the State of Utah has filed an application with the Administrator of the Wage and Hour Division for exemption of State-regulated garnishments from the provisions of section 303(a) of the CCPA.

2. Interested persons are hereby afforded an opportunity to comment in writing concerning this application within 30 days following publication of this notice in the FEDERAL REGISTER. Comments should be addressed to the

<sup>2</sup> Commissioner Bartley absent.

Administrator, Wage and Hour Division, U.S. Department of Labor, Washington, D.C. 20210.

3. Copies of the application of the State will be available for public inspection and copying during business hours at the National Office of the Wage and Hour Division and in the Regional Office of the Wage and Hour Division in Kansas City, Mo.

4. The rules published in 29 CFR Part 870 shall govern action upon this application.

Signed at Washington, D.C., this 19th day of November 1970.

ROBERT D. MORAN,  
Administrator.

[F.R. Doc. 70-15857; Filed, Nov. 24, 1970;  
8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Ex Parte Nos. 265, 267]

### INCREASED FREIGHT RATES, 1970 AND 1971

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 13th day of November, A.D. 1970.

Upon consideration of the records in the above-entitled proceedings, a petition filed by the National Industrial Traffic League on November 10, 1970, seeking postponement of certain further hearings for cross-examination, a telegraphic request by Atlantic City Electric Co. et al., and a request entered upon the record in the proceedings on November 13, 1970, by the State of California seeking similar relief, and of a reply thereto by the respondents similarly entered upon the record in these proceedings on November 13, 1970, and good cause appearing therefor,

it is ordered, That the order of the Commission entered September 2, 1970, as most recently amended by the order of the Commission, Division 2, entered October 5, 1970, be, and it is hereby, further amended to reflect the following changes:

(1) The further hearing provided in subparagraph (6) of the order of the Commission (Division 2) entered October 5, 1970, for the purpose of cross-examination of witnesses with respect to affiliate data be and it is hereby postponed to December 7, 1970, at 9:30 a.m., District of Columbia standard time at the Offices of the Interstate Commerce Commission, Washington, D.C.

(2) On or before December 7, 1970, any party desiring oral argument before the Commission on the merits of either of these proceedings shall make such request in writing addressed to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, stating in full the reasons therefor and the amount of time desired. Based upon such requests and due consideration of the record, the Commission will determine whether to receive oral argument. It is contemplated

that oral argument, if held, will be set for one or more days in mid-January 1971.

(3) Briefs may be filed by any party to these proceedings on or before January 22, 1971. Briefs may, if desired, argue separately the issues in X-265 and X-267, but such is not required. Any party who has heretofore filed a brief or separately filed argument in either X-265 or X-267 may incorporate such by reference and need not repeat the contents thereof.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-15856; Filed, Nov. 24, 1970  
8:48 a.m.]

[Notice 106]

### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 20, 1970.

The following publications are governed by the new Special Rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

#### APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

No. MC 114028 (Sub-No. 18) (Republication), filed October 13, 1970. Published in FEDERAL REGISTER, issue of November 5, 1970, and republished this issue to reflect the hearing information. Applicant: ROWLEY INTERSTATE TRANSPORTATION COMPANY, INC., 1717 Maple Street, Dubuque, IA 52001. Applicant's representative: Wilmer B. Hill, 705 McLachlen Bank Building, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* between Dubuque, Iowa, on the one hand, and, on the other, points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. Note: Applicant states that the requested authority cannot be tacked with its existing authority.

HEARING: December 10, 1970, before an examiner to be later designated at Chicago, Ill., in Room 2302C Everett McKinley Dirksen Building, 219 South Dearborn Street.

No. MC 29990 (Sub-No. 8) (Republication), filed April 6, 1970, published in the FEDERAL REGISTER issue of May 7,

1970, and republished this issue. Applicant: BADGER LINES, INC., 3109 West Lisbon Avenue, Milwaukee, WI 53208. Applicant's representative: Philip H. Porter, 121 South Pinckney Street, Madison, WI 53703. The modified procedure has been followed in this proceeding and an order of the Commission, Operating Rights Board, dated November 5, 1970, and served November 16, 1970, finds; that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, malt beverages, from Sheboygan and La Crosse, Wis., to points in Cook, Kane, Lake, McHenry, and Will Counties, Ill., that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder and that an appropriate certificate be issued concurrently with or subsequent to the issuance to applicant of appropriate certificates and the cancellation of applicant's outstanding permits in No. MC 29990, and subs thereunder, and, that should the conversion proceedings in Nos. MC 29990 and subs thereunder be disapproved by the Commission, the instant application will stand denied in its entirety. Because it is possible that other persons who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order a notice of authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 48501 (Sub-No. 14) (Republication), filed May 25, 1970, published in the FEDERAL REGISTER issue of June 25, 1970, and republished this issue. Applicant: INDIANA MOTOR BUS COMPANY, a corporation, 715 South Michigan Street, South Bend, IN 46624. Applicant's representative: Harry J. Harman, 1110 Fidelity Building, Indianapolis, IN 46204. The modified procedure has been followed in this proceeding and an order of the Commission, Operating Rights Board, dated October 30, 1970, and served November 17, 1970, finds: That the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes; (1) of passengers and their baggage in the same vehicle with passengers, in special operations; and (2) of general commodities (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), restricted (a) to the transportation of

shipments in the same vehicle with passengers; and (b) against the transportation of packages or articles weighing more than 100 pounds in the aggregate from one consignor at one location to one consignee at one location during a single day, between South Bend, Ind., on the one hand, and, on the other O'Hara International Airport, at Chicago, Ill., and Midway Airport, at Chicago, Ill., and restricted to the transportation of passengers and their baggage, in (1) above, and traffic, in (2) above, having a prior or subsequent movement by air; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in the proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 100666 (Sub-No. 163) (Republication), filed February 20, 1970, published in the FEDERAL REGISTER issue of April 2, 1970, and republished this issue. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representatives: Wilburn L. Williamson, 600 Leiminger Building, Oklahoma City, OK 73112, and Paul Caplinger, Post Office Box 7666, Shreveport, LA 71107. The modified procedure has been followed in this proceeding and an order of the Commission, Operating Rights Board, dated October 29, 1970, served November 17, 1970, finds: that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of gypsum products, asbestos products, and building materials (except commodities in bulk), from the plantsites and storage facilities of the National Gypsum Co. at Westwego and New Orleans, La., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Kentucky, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the

authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen the proceeding or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 107403 (Sub-No. 795) (Republication), filed May 14, 1970, published in the FEDERAL REGISTER issue of June 11, 1970, and republished this issue. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, PA 19050. Applicant's representatives: John Nelson (same address as applicant), and Harry C. Ames, Jr., 666 11th Street NW., Washington, DC 20001. The modified procedure has been followed in this proceeding and an order of the Commission, Operating Rights Board, dated October 15, 1970, and served November 17, 1970, finds: That the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of cement byproducts, from the plantsite of Atlantic Cement Co., Ravena, N.Y., to points in Connecticut, Massachusetts, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties), and New Hampshire; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition for leave to reopen the proceeding or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 118806 (Sub-No. 11) (Republication), filed January 22, 1970, published in the FEDERAL REGISTER issue of March 26, 1970, and republished this issue. Applicant: ARNOLD BROS. TRANSPORT, LTD., 1101 Dawson Road, Winnipeg, MB Canada. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. The modified procedure has been followed in this proceeding and an order of the Commission, Operating Rights Board, dated September 30, 1970, and served October 26, 1970, finds: That the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle over irregular routes, of iron and steel products, and aluminum products,

from those ports of entry on the international boundary line between the United States and Canada located in Minnesota and North Dakota to points in Minnesota, Montana, North Dakota, South Dakota, and Wisconsin; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as previously published may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 125785 (Sub-No. 5) (Republication), filed November 7, 1968, published in the FEDERAL REGISTER issue of December 5, 1968, and republished this issue. Applicant: SATURN EXPRESS, INC., 605 South 14th Street, Post Office Box 2028, Lincoln, NE 68501. Applicant's representative: J. Max Harding (same address as above). An order of the Commission, Division 1, Acting as an Appellate Division, dated November 2, 1970, and served November 10, 1970, finds: that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of rope and cord (a) from St. Louis, Mo., Beverly, N.J., New Orleans, La., and Chicago, Ill., to the plantsite of Dan H. Shield Cordage Co., located approximately 15 miles from Woodstock, Ill., and (b) from the said plantsite to St. Louis, Mo., Beverly, N.J., Houston, Tex., Norcross, Ga., Litchfield Heights, Md., Boston and Lawrence, Mass., Minneapolis, Minn., Denver, Colo., Los Angeles and San Francisco, Calif., Seattle, Wash., Portland, Oreg., and points in Queens County, N.Y., under a continuing contract with Dan H. Shield Cordage Co., of Chicago, Ill., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in the proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a

petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 128866 (Sub-No. 13) (Republication), filed April 17, 1970, published in the FEDERAL REGISTER May 28, 1970, and republished this issue. Applicant: B & B TRUCKING, INC., Post Office Box 128, Cherry Hill, NJ 08034. Applicant's representative: Daniel L. O'Connor, 1815 H Street NW., Washington, DC 20006. The modified procedure has been followed in this proceeding and an order of the Commission, Operating Rights Board, dated October 21, 1970, and served November 10, 1970, finds: That the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of new aluminum stock, from the plantsites of Penny Plate, Inc., at Cherry Hill, N.J., and Searcy, Ark., to the plantsite of the Aluminum Co. of America at Davenport, Iowa, under a continuing contract with Penny Plate, Inc., of Cherry Hill, N.J., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition for leave to reopen the proceeding or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 134114 (Sub-No. 1) (Republication), filed October 20, 1969, published in the FEDERAL REGISTER issue of November 14, 1969, and republished this issue. Applicant: ELMER WILSON, doing business as NEBRASKA BEEF EXPRESS, 8024 State Street, Ralston, NE 68051. Applicant's representative: Kenneth P. Weiner, 630 City National Bank Building, Omaha, NE 68102. A report and recommended order of the Hearing Examiner served October 9, 1970, was made of effective and served November 18, 1970, and finds, upon consideration of all evidence of record, that applicant is fit, willing, and able properly to perform the service of a contract carrier by motor vehicle and to conform to the provisions of the Interstate Commerce Act and with the lawful requirements, rules, and regulations of the Commission thereunder, and that operation in interstate or foreign commerce by applicant as a contract carrier by motor vehicle, over irregular routes, of meat, meat products, and meat byproducts, and articles distributed by meat packinghouses as described in

section A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Omaha, Neb., to points in Cook and Du Page Counties, Ill.; Cedar Rapids and Waterloo, Iowa; and Milwaukee, Kenosha, Madison, and Green Bay, Wis.; under a continuing contract with J. F. O'Neill Packing Co., of Omaha, Neb., will be consistent with the public interest and the national transportation policy. Because it is possible that other persons, who relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order a notice of authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in the proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 134648 (Republication) filed May 11, 1970, published in the FEDERAL REGISTER issue of June 18, 1970, and republished this issue. Applicant: MORGAN COUNTY TRUCKING INC., 1010 East Nutter Street, Martinsville, IN 46151. Applicant's representative: William H. Hancock (same address as applicant). The modified procedure has been followed in this proceeding and an order of the Commission, Operating Rights Board, dated October 13, 1970, and served November 16, 1970, finds: That operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of malt beverages (1) from Milwaukee, Wis.; Cleveland, Ohio; Newport and Louisville, Ky.; Fort Wayne, South Bend, and Evansville, Ind.; St. Louis, Mo.; Detroit, Mich.; and Peoria, Ill.; to Martinsville, Ind.; and (2) from Milwaukee, Wis.; Chicago, Ill.; and Newport, Ky.; to Bloomington, Ind., under continuing contracts with Morgan County Beverage, Inc., of Martinsville, Ind.; in (1) above and with Monroe County Beverage, Inc., of Bloomington, Ill., in (2) above, will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition for leave to reopen the proceeding or for other appropriate relief setting forth in detail the pre-

else manner in which it has been so prejudiced.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 43442 (Sub-No. 22), filed October 19, 1970. Applicant: TRANSPORTATION SERVICE, INC., 2021 South Schaefer Highway, Detroit, MI 48217. Applicant's representatives: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215, and John Graham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all points in Ohio as off-route points in connection with applicant's regular route service at Bellefontaine, Ohio. NOTE: This application is directly related to MC-F-10998, published in the FEDERAL REGISTER issue of October 28, 1970, wherein Transportation Service, Inc., seeks to purchase the rights from Atkinson Lines, Inc., a certificate of registration No. MC 120247 Sub 2. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Detroit, Mich.

No. MC 120516 (Sub-No. 3), filed October 27, 1970. Applicant: THOMAS H. MARROW TRUCKING CO., a corporation, 8050 Othello Street, San Diego, CA 92111. Applicant's representatives: Frank Loughran and Marshall G. Berol, 100 Bush Street, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except used household goods as defined by the Commission, automobiles, trucks, buses, livestock, commodities in bulk, and commodities requiring special equipment); Irregular routes: (1) Between points in the Los Angeles Basin California Area as follows: Beginning at the intersection of Sunset Boulevard and U.S. Highway 101, alternate, thence northeasterly on Sunset Boulevard to California Highway 7; northerly along California Highway 7 to Ventura Boulevard; westerly along Ventura Boulevard to Topanga Canyon Boulevard; northerly along Topanga Canyon Boulevard to Santa Susana Avenue, northerly along Santa Susana Avenue to San Fernando Mission Boulevard; easterly and northeasterly along San Fernando Mission Boulevard and its prolongation to the Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest boundary and San Bernardino National Forest boundary to the Riverside County boundary east of Yucaipa; southerly and westerly along the Riverside County boundary to a point directly north of Redlands Boulevard; southerly from said point along an imaginary line and along Redlands Boulevard to Alessandro Avenue in Moreno; westerly along Alessandro Avenue to Ferris Boulevard;

southerly along Perris Boulevard to the county road paralleling the southerly boundary of March Air Force Base; westerly along said county road to U.S. Highway 395; northerly and easterly along U.S. Highway 395 to California Highway 18; southwesterly along California Highway 18 to U.S. Highway 91; westerly along U.S. Highway 91 to California Highway 55; southerly on California Highway 55 to the Pacific Ocean; westerly and northerly along the shoreline of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and U.S. Highway 101, alternate; thence northerly along an imaginary line to point of beginning; and

(2) Between points in the San Diego-Escondido, Calif., territory as follows: Beginning at Oceanside at the junction of U.S. Highway 101 and California Highway 76, thence easterly on California Highway 76 and county roads to Vista; thence southeasterly on California 78 to Escondido; thence southerly on U.S. Highway 395 and county roads via to Miramar on U.S. Highway 395; thence southeasterly to Lakeside on the El Cajon-Ramona Highway; thence southerly to Bostonia on U.S. Highway 80; thence southeasterly to Jamul on California Highway 94; thence due south to the international boundary line; thence westerly to the Pacific Ocean; thence north along the Pacific Ocean including North Island and Coronado to the point of beginning at Oceanside; Regular routes: (3) Between all points in said Los Angeles Basin Area, on the one hand, and, on the other, all points in said San Diego-Escondido territory as follows: (a) Over U.S. Highway 101, serving all intermediate points and all off-route points on and along and within 3 miles laterally of said highway and the off-route points of El Toro Marine Base, Camp Pendleton, Fallbrook Valley Center, and Bonsall; (b) over U.S. Highway 395, serving all intermediate points and all off-route points on and along and within 3 miles laterally of said highway between Escondido and San Diego and the off-route point of Poway; Regular routes: (4) Between said San Diego-Escondido territory, on the one hand, and, on the other, El Centro and points in Imperial County, Calif., over U.S. Highway 80 serving all intermediate points on and along said highway; and

Regular routes: (5) Between all points in said Los Angeles Basin Area, on the one hand, and, on the other, El Centro and points in Imperial County, Calif., over U.S. Highways 60 and 10 between the eastern boundary of said Los Angeles Basin Area and their junction at or near Beaumont, Calif., and via California Highways 86 or 111 between the said junction and the northern boundary of the said El Centro Area, consisting of El Centro and points in Imperial County, Calif. When using this alternate route, applicant shall provide no service at points intermediate between said Los Angeles Basin Area and the said El Centro Area, as an alternate route operating convenience only. NOTE: This application is a matter directly related to

MC-F-10925, published in the FEDERAL REGISTER issue of August 26, 1970. The instant application seeks to convert its certificate of registration under MC 120516 (Sub-No. 2) into a certificate of public convenience and necessity. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Diego, Calif.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

#### MOTOR CARRIERS OF PROPERTY

No. MC-F-10903. (Amendment) (COLE'S EXPRESS—Purchase—HUNNEWELL TRUCKING, INC.), published in August 5, 1970, issue of the FEDERAL REGISTER on page 12511, republished correction in August 19, 1970, issue of FEDERAL REGISTER on page 13236. Amendment is to eliminate the following authority. *General commodities*, excepting, among others, classes A and B explosives, commodities in bulk, as a *common carrier* over irregular routes, between Boston, Mass., and points in Massachusetts within 15 miles of Boston, on the one hand, and, on the other, points in that part of Maine on and south of a line beginning at the Maine-New Hampshire State line and extending along Maine Highway 16 to Milo, Maine, thence along unnumbered highway (formerly portion Main Highway 16) to West Enfield, Maine, thence along Maine Highway 155 (formerly portion Maine Highway 16) to Lincoln, Maine, thence along Maine Highway 6 (formerly Maine Highway 16) to the United States-Canada boundary line, except points in York, Cumberland, Hancock Counties and those points in Penobscot and Washington Counties on and south of Maine Highway 6, with restriction.

No. MC-F-10996. (Amendment) (NELSON FREIGHTWAYS, INC.—Purchase Portion—C. RICKARD & SONS, INC.), amendment so as to include in purchase (1) rights to transport *general commodities* excepting, among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in Fairfield County, Conn., on the one hand, and on the other, points in Suffolk County, N.Y.; (2) *petroleum and petroleum products* (except commodities in bulk) and *advertising materials*, from Reno, Rouseville, and Oil City, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, and New York (except points on and east of U.S. Highway 11 from the New York-Pennsylvania State line to junction New York Highway 57 near Syracuse, N.Y., and points on and west of New York Highway 57 from Syracuse to Oswego), Rhode Island, and Vermont.

NOTE: They have amended the section 210a(b) application to include in the authority the additional operating rights they wish to acquire.

No. MC-F-11014 (Supplemental) (CAMPBELL SIXTY-SIX EXPRESS, INC.—Control—REPUBLIC TRUCK LINES, INC.), in connection with the notice published in the FEDERAL REGISTER on November 18, 1970, of the filing of the applications under sections 5 and 210a(b) of the Interstate Commerce Act in the above-numbered proceeding, the following information is furnished: Prior applications under the same sections are pending under section 5, in No. MC-F-10573, BESTWAY FREIGHT LINES, INC.—Control—REPUBLIC TRUCK LINES, INC., and under section 207, in No. MC-48963 (Sub-No. 6), REPUBLIC TRUCK LINES, INC., as noticed in the FEDERAL REGISTER of August 13, 1969. Temporary authority is outstanding in No. MC-F-10573 and the proceedings in the latter and No. MC-48963 (Sub-No. 6) were the subject of a report and recommended order served November 9, 1970. Applicants in No. MC-F-11014 advise that, if temporary authority is granted and exercised therein, it is their understanding that temporary authority in force with regard to No. MC-F-10573 will thereupon be terminated and the section 5 application in No. MC-F-10573 dismissed; and they request that, in such cases the application in No. MC-48963 (Sub-No. 6) be treated as a matter directly related to the transaction proposed in No. MC-F-11014.

No. MC-F-11017. Authority sought for purchase by JOHNSON MOTOR LINES, INC., 2426 North Graham Street, Post Office Box 10877, Charlotte, NC 28201, of a portion of the operating rights of EAZOR EXPRESS, INC., Eazor Square, 30th Street, Pittsburgh, PA 15201, and for acquisition by H. BEALE ROLLINS, Sixth Floor, Title Building, Baltimore, MD 21202, of control of such rights through the purchase. Applicants' attorneys: Donald E. Cross, 917 Munsey Building, 1329 E Street NW., Washington, DC 20004, and David Axelrod, 39 South La Salle Street, Chicago, IL 60603. Operating rights sought to be transferred: *General commodities*, except those of unusual value, classes A and B explosives, tobacco, liquor, commodities in bulk, and those requiring special equipment, as a *common carrier* over regular routes, between Cartersville, Ga., and Parkersburg, W. Va., between Atlanta, Ga., and Chattanooga, Tenn., with restriction; *general commodities*, except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, over irregular routes, restricted to the transportation of traffic between the Georgia points authorized on the one hand, and, on the other, points in West Virginia, and points in that part of Pennsylvania on and west of U.S. Highway 219, via the gateway of Belpre, Ohio; between Belpro (Washington County), Ohio on the one hand, and, on the other, points in West Virginia, and points in that part of

Pennsylvania on and west of U.S. Highway 219; *general commodities*, except those of unusual value, classes A and B explosives, tobacco, liquor, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Atlanta, Albany, Columbus, Fort Benning, Ga., and points in Georgia within 100 miles of Atlanta, Ga., on the one hand, and, on the other, Parkersburg and Charleston, W. Va., with restriction. Vendee is authorized to operate as a *common carrier* in Rhode Island, Massachusetts, Pennsylvania, New Jersey, Delaware, Virginia, North Carolina, South Carolina, Georgia, New York, Connecticut, Alabama, Florida, Louisiana, Mississippi, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11018. Authority sought for control by THURSTON, INC., Pst Office Box 10638, Charlotte, NC 28201, of BUSH MOTOR FREIGHT, INC., 327 West Avenue, Lenoir, NC 28645, and for acquisition by D. J. THURSTON, JR., Post Office Box 10638, Charlotte, NC 28201, of control of BUSH MOTOR FREIGHT, INC., through the acquisition by THURSTON, INC. Applicants' attorneys: Drew L. Carraway, 1111 E Street NW., Washington, DC 20004 and Edward J. Allen, Post Office Box 1086, Jacksonville, FL 32201. Operating rights sought to be controlled: *General commodities*, excepting among others, dangerous explosives, commodities in bulk, but not excepting household goods, as a *common carrier*, over regular routes, between Boone, N.C., and Conover, N.C., between Conover, N.C., and Charlotte, N.C., between Lenoir, N.C., and Morganton, N.C.; *general commodities*, excepting among others, dangerous explosives, household goods, and commodities in bulk, over irregular routes, from New York, N.Y., Philadelphia, Pa., Baltimore, Md., and certain specified points in Virginia, to Lenoir, N.C., and points in North Carolina within 45 miles of Lenoir, between Lenoir, N.C., on the one hand, and, on the other, points in Virginia (with exceptions), Maryland (except from Baltimore), Pennsylvania (except from Philadelphia), Delaware, New Jersey, the District of Columbia, and points in New York within the New York, N.Y., commercial zone, as defined by the Commission (except from New York City); *glass*, from Ford City, Pa., to Lenoir, N.C., and points within 5 miles of Lenoir;

*Paper*, from Hopewell, Va., to Lenoir, N.C., and points within 5 miles of Lenoir; *roofing*, from York, Pa., to points in North Carolina on and west of U.S. Highway 1; *nursery stock*, from Lenoir, N.C., and points within 45 miles of Lenoir, to Washington, D.C., New York, N.Y., points on Long Island, N.Y., and those in Maryland, Pennsylvania, Delaware, and New Jersey, from Jonas Ridge, N.C., to points in Virginia, and New York (except New York, N.Y. and points on Long Island, N.Y.); *new furniture*, from Lenoir, N.C., and points within 5 miles of Lenoir, to certain specified points in South Carolina, Virginia,

Baltimore, Md., certain specified points in Pennsylvania, certain specified points in West Virginia, Knoxville, and Chattanooga, Tenn., Camden, N.J., and points in that part of New York and New Jersey within 15 miles of Columbus Circle, New York, N.Y., and the District of Columbia, from Lenoir, N.C., and points within 5 miles of Lenoir, to points in Virginia (with exceptions), those in Maryland (except Baltimore), those in Pennsylvania (with exceptions), those in New Jersey (except Camden and those in New Jersey within 15 miles of Columbus Circle, New York, N.Y.), and those in Delaware; *petroleum products*, in containers, from Coraopolis, Pa., to Lincolnton, N.C.; *tobacco pipes, buris, stumps, stummels, and dimension wood blocks*, and materials including machinery and equipment used in the manufacture and shipping of tobacco pipes, such machinery and equipment limited to individual pieces weighing 1,000 pounds or less and not requiring special equipment to transport, between Boone, N.C., and points in North Carolina within 75 miles of Boone, on the one hand, and, on the other, points in Virginia, Maryland, Pennsylvania, New Jersey, Delaware, New York, and the District of Columbia;

*Nursery materials, supplies, and equipment*, from Stoudsburg, Pa., to Jonas Ridge, N.C.; *petroleum oils and greases*, in containers, from Marcus Hook and Oil City, Pa., to Whitnel, N.C.; and *new furniture and new furniture parts*, from the plantsites of Broyhill Furniture Factories, at or near Rutherfordton, in Rutherford County, N.C., to points in Virginia, Maryland, Pennsylvania, New Jersey, Delaware, New York, N.Y., and points in New York within 15 miles of Columbus Circle, N.Y., certain specified points in South Carolina, certain specified points in West Virginia, Knoxville and Chattanooga, Tenn., and the District of Columbia. THURSTON, INC., holds no authority from this Commission. However, it controls THURSTON MOTOR LINES, INC., 601 Johnson Road, Post Office Box 10638, Charlotte, NC 28201, which is authorized to operate as a common carrier in North Carolina, Virginia, Maryland, South Carolina, Tennessee, Georgia, Alabama, Mississippi, Louisiana, Kentucky, West Virginia, and Arkansas. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11019. Authority sought for purchase by CHAIR CITY MOTOR EXPRESS COMPANY, 3321 Highway 141 South, Sheboygan, WI 53081, of a portion of the operating rights of HENSEL TRANSFER & WAREHOUSE COMPANY, 1209 South 11th Street, Sheboygan, WI 53081, and for acquisition by ELDRED A. BECKER, 1024 Main Avenue, Sheboygan, WI, and RONALD E. BECKER, 1409 Carmen Avenue, Sheboygan, WI, of control of such rights through the purchase. Applicants' attorney: John L. Bruemmer, 121 West Doty Street, Madison, WI 53703. Operating rights sought to be transferred: *New furniture*, uncrated, as a *common carrier* over irregular routes,

from the town of Sheboygan Falls, WI, to points in Michigan, Ohio, Kentucky, and Missouri. Vendee is authorized to operate as a *common carrier* in Wisconsin, Illinois, Iowa, Indiana, Connecticut, Delaware, Kentucky, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Maine, Colorado, Nebraska, Texas, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11020. Authority sought for purchase by GRAF BROS., INC., 180 Main Street, Salisbury, MA 01950, of the operating rights of JET SERVICE MOTOR TRANSPORTATION CO., 601 Newport Avenue, Pawtucket, RI 02861, and for acquisition by FRED WM. GRAF, HENRY GRAFF, III and DANIEL A. GRAF, all also of 180 Main Street, Salisbury, MA 01950, of control of such rights through the purchase. Applicants' attorney: Kenneth B. William, 111 State Street, Boston, MA 02109. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-120632 Sub-1, covering the transportation of general commodities, as a common carrier in interstate commerce, within the State of Rhode Island. Vendee is authorized to operate as a *common carrier* in New York, New Jersey, Massachusetts, Maine, New Hampshire, Rhode Island, Connecticut, Vermont, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b). Note: No. MC-15821 Sub-No. 13, is a matter directly related.

No. MC-F-11021. Authority sought for purchase by CONSOLIDATED DELIVERY CO., INC., 614 Market Street, Sioux City, IA 51101, of the operating rights of WALTER O. SCHRIER, doing business as CONSOLIDATED DELIVERY CO., 614 Market Street, Sioux City, IA 51101, and for acquisition by IRVING NOGG, 3263 Stone Park Boulevard, Sioux City, IA, of control of such rights through the purchase. Applicants' attorney: E. A. Hutchison, 414 Security Bank Building, Sioux City, IA 51101. Operating rights sought to be transferred: *Such commodities* as are dealt in by retail department and dry goods stores, as a *contract carrier*, over irregular routes, from Sioux City, Iowa, to points in Minnesota, Nebraska, and South Dakota within 150 miles of Sioux City, Iowa; and *returned, damaged or trade-in shipments* of the above-specified commodities, from the above-specified destination points to Sioux City, Iowa, with restriction. Vendee holds no authority from this Commission. However, its controlling stockholder (IRVING NOGG) which controls I-GO VAN AND STORAGE COMPANY, who is authorized to operate as a *common carrier* in Kansas, Iowa, Illinois, Indiana, Minnesota, Wyoming, Nebraska, Oklahoma, Wisconsin, Ohio, Colorado, Missouri, Arkansas, South Dakota, Texas, Maryland, Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11022. Application under section 5(1) of the Interstate Commerce Act for approval of an agreement between common carriers for the pooling of traffic. Applicants: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Post Office Box 958, Oakland, CA 94606 (MC-730), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025 (MC-42487), EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, IN 47801 (MC-106943), GRAVES TRUCK LINE, INC., 739 North 10th Street, Post Office Box 838, Salina, KS 67401 (MC-53965), seeks to enter into an agreement for the pooling of traffic consisting of general commodities moving in interstate commerce between certain specified points in Kansas. Attorney: Ronald D. Eastman, 1660 L Street NW., Washington, DC 20036.

No. MC-F-11023. Authority sought for control by DUNDEE TRUCK LINE, INC., 6006 Stickney Avenue, Toledo, OH 43612, of the operating rights of MODERN MOTOR EXPRESS, INC., 2701 Lakeside Avenue, Cleveland, OH 44114, and for acquisition by DUNDEE MOTOR EXPRESS, INC., 623 Manitou Drive, Maumee, OH 43537, and in turn by JOHN D. PHILLIPS also of Toledo, Ohio, of control of such rights through the purchase. Applicants' attorney: Arthur R. Cline, 420 Security Building, Toledo, OH 43604. Operating rights sought to be controlled: Under a certificate of registration, in Docket No. MC-58116 Sub 4, covering the transportation of property, as a common carrier, in interstate commerce, within the State of Ohio. Vendee is authorized to operate as a common carrier in Michigan, Ohio, and Indiana. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11024. Authority sought for purchase by SMITH'S TRUCK LINES, Post Office Box 88, Muncy, PA 17756, of the operating rights of HAROLD ZEISLOFT, JR., INTERNAL REVENUE SERVICE (SUCCESSOR-IN-INTEREST RECEIVER), 401 North Broad Street, Philadelphia, PA, and for acquisition by WALTER F. SMITH, also of Muncy, Pa., of control of such rights through the purchase. Applicants' attorney: John M. Musselman, 400 North Third Street, Harrisburg, PA 17108. Operating rights sought to be transferred: Soy bean meal, as a common carrier, over irregular routes, from Delphos and Bellevue, Ohio to certain specified points in Pennsylvania; brick, from the plantsites of Glen-Gary Shale Brick Corp., located in Royalton Borough, Dauphin County, Pa., Susquehanna Township, Dauphin County, Pa., Delaware Township, Northumberland County and Spring Garden Township, York County, Pa., to points in the Lower Peninsula of Michigan, with restriction. Vendee is authorized to operate as a common carrier in Maryland, New Jersey, New York, District of Columbia, Pennsylvania, Delaware, Virginia, Ohio, Connecticut, West Virginia, Indiana, Massachusetts, Rhode Island, Maine,

New Hampshire, Vermont, Kentucky, and Tennessee. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11025. Authority sought for purchase by VIRGINIA-CAROLINA FREIGHT LINES, INCORPORATED, V-C Drive, Martinsville, VA 24112, of the operating rights of MERIT TRANSPORT CORPORATION (JOSEPH KEANE, STATUTORY RECEIVER), North Central National Bank, 40 Journal Square, Jersey City, NJ 07306, and for acquisition by JAMES C. STONE, V-C Drive, Martinsville, VA 24112, of control of such rights through the purchase. Applicants' attorney: Mr. Spencer T. Money, 110 Park Lane Building, 2025 Eye Street NW., Washington, DC 20006. Operating rights sought to be transferred: General commodities, excepting among others, classes A and B explosives, household goods, and commodities in bulk, as a common carrier over irregular routes, between points in New Jersey, on the one hand, and, on the other, Washington, D.C., between points in Philadelphia, Pa. Vendee is authorized to operate as a common carrier in South Carolina, Virginia, North Carolina, Georgia, Maryland, Tennessee, Pennsylvania, Delaware, New Jersey, West Virginia, Kentucky, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

#### MOTOR CARRIER OF PASSENGERS

No. MC-F-11015. Authority sought for purchase by NORTH STAR LINE, INC., 341 Ellsworth SW., Grand Rapids, MI 49502, of a portion of the operating rights of GREYHOUND LINES, INC., 1400 West Third Street, Cleveland, OH 44113, and for acquisition by WILLIAM W. POST, JENNIE R. POST, and LAWRENCE E. POST, all of 341 Ellsworth, Grand Rapids, MI 49502. Applicants' attorneys: William B. Elmer, 22644 Gratiot Avenue, East Detroit MI 48021, and Anthony P. Carr, 1400 West Third Street, Cleveland, OH 44113. Operating rights sought to be transferred: Passengers and their baggage, and express, and newspapers, in the same vehicle with passengers, as a common carrier, over regular routes, between Holland and Petoskey, Mich., being part of a longer route, viz., between South Bend, Ind., and Sault Ste. Marie, Mich., shown as route 16, pages 6 and 7 of certificate issue in No. MC-1515 Sub-No. 6; and passengers and their baggage; this route is described in Certificate No. MC-1501 Sub-No. 33, issued to Greyhound Lines' predecessor in interest and assigned No. MC-1515 Sub-No. 8, and is presently pending before the Commission. Vendee is authorized to operate as a common carrier in Michigan and Indiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11026. Authority sought for purchase by CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue, South Nashville, TN 37203, of a portion of the operating rights of KENTUCKY BUS LINES, INC., 213 West Liberty

Street, Louisville, KY 40202 and for acquisition by CONTINENTAL TRAILWAYS, INC., 315 Continental Avenue, Dallas, TX 75207, and TCO INDUSTRIES, INC., 1500 Jackson Street, Dallas, TX 75202, of control of such rights through the purchase. Applicants' attorney: James Clarence Evans, 1800 Third National Bank Building, Nashville, TN 37219. Operating rights sought to be transferred: Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a common carrier over regular routes, between Louisville, Ky., and Paducah, Ky., between junction U.S. Highway 62 and Kentucky Highway 282, near Gilbertsville, Ky., and junction Kentucky Highway 95 and U.S. Highway 62, between Nortonville, Ky., and Madisonville, Ky., between junction U.S. Highway 41 and Kentucky Highway 112; near Earlington, Ky., and junction Kentucky Highway 112 and U.S. Highway 62, near Dawson Springs, Ky., serving all intermediate points. Vendee is authorized to operate as a common carrier in Tennessee and Kentucky. Application has not been filed for temporary authority under section 210a(b). Note: No. MC-55312 Sub-13 is a matter directly related.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-15852; Filed, Nov. 24, 1970;  
8:48 a.m.]

#### NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

NOVEMBER 20, 1970.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by special rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MC-5495, filed November 13, 1970. Applicant: CRAWFORD FREIGHT LINE, INC., 606 West Main Street, McMinnville, TN 37011. Applicant's representative: Robert L. Baker, 500 Court Square Building, 300 James Robertson Parkway, Nashville, TN 37201. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of General commodities (except household

goods, classes A and B explosives, commodities in bulk and articles requiring special equipment), between Nashville, Tenn., on the one hand, and all points and places in Warren County, Tenn., on the other hand, over the following routes:

(1) From Nashville over U.S. Highway 70S to the Warren County line, thence over any and all highways and roads to all points and places in Warren County, and return over the same route, serving no intermediate points between Nashville and the Warren County line; (2) from Nashville over U.S. Highway 41 and/or Interstate Highway 24 to Manchester, thence over Tennessee Highway 55 to the Warren County line, thence over any and all highways and roads to all points and places in Warren County, and return over the same route, serving no intermediate points between Nashville and the Warren County line. Both intrastate and interstate authority sought.

**HEARING:** January 26, 1971, 9:30 a.m., C-1-110 Cordell Hull Building, Nashville, TN 37219. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Bldg., Nashville, TN 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. MC 23323 (Sub-No. 1), filed September 29, 1970. Applicant:

**PAWHUSKA MOTOR FREIGHT, INC.**, 321 North Detroit, Tulsa, OK 74120. Applicant's representative: William L. Anderson, 4400 North Lincoln, Suite 35, Oklahoma City, OK 73105. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, as a common carrier, over regular routes, as follows: From Tulsa over U.S. Highway 75 to Collinsville; thence via Highway 20 to Skiatook and from Tulsa over State Highway 11 to Pawhuska, serving the intermediate points of Turley, Sperry, Skiatook, Avant, Barnsdall, Walco, Pawhuska, Collinsville, Owasso, Pershing, and Talant, and return, serving all points in both directions. Both intrastate and interstate authority sought.

**HEARING:** December 28, 1970, 9 a.m., Third floor, Jim Thorpe Building, Oklahoma City, OK. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Oklahoma Corporation Commission, 300 Jim Thorpe Building, Oklahoma City, OK 73105, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-15853; Filed, Nov. 24, 1970; 8:48 a.m.]

[Notice 617]

**MOTOR CARRIER TRANSFER PROCEEDINGS**

NOVEMBER 20, 1970.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-72511. By application filed November 18, 1970, DOUGLASS MOVING AND TRANSFER COMPANY, 441 Idaho Street, Girard, OH 44420, seeks temporary authority to lease the operating rights of ANDREW J. DOUGLASS, doing business as DOUGLASS MOVING & TRANSFER COMPANY, 320 West Ravenwood Avenue, Youngstown, OH 44511, under section 210a(b). The transfer to DOUGLASS MOVING AND TRANSFER COMPANY, of the operating rights of ANDREW J. DOUGLASS, doing business as DOUGLASS MOVING & TRANSFER COMPANY, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[F.R. Doc. 70-15854; Filed, Nov. 24, 1970; 8:48 a.m.]

**CUMULATIVE LIST OF PARTS AFFECTED—NOVEMBER**

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

| 3 CFR                                       | Page                              | 7 CFR—Continued        | Page                       | 7 CFR—Continued                 | Page                               |
|---|-----------------------------------|------------------------|----------------------------|---------------------------------|------------------------------------|
| <b>PROCLAMATIONS:</b>                       |                                   |                        |                            |                                 |                                    |
| Oct. 5, 1906 (revoked in part by PLO 4942)  | 17948                             | 319                    | 17777, 18033               | <b>PROPOSED RULES—Continued</b> |                                    |
| 4020  | 16903                             | 401                    | 17935                      | 932                             | 17046                              |
| 4021  | 17235                             | 722                    | 17029, 17653               | 966                             | 17745                              |
| <b>EXECUTIVE ORDERS:</b>                    |                                   |                        |                            |                                 |                                    |
| July 2, 1910 (revoked in part by PLO 4941)  | 17786                             | 729                    | 17705                      | 993                             | 17953                              |
| July 1, 1913 (revoked by PLO 4943)          | 17948                             | 871                    | 17831                      | 1001                            | 17663                              |
| Nov. 24, 1916 (revoked in part by PLO 4941) | 17786                             | 905                    | 16909, 17167, 17936-17938  | 1006                            | 17340                              |
| 5327:                                       |                                   | 907                    | 17107, 17321, 17778        | 1012                            | 17340                              |
| See PLO 4933                                | 17107                             | 909                    | 17653                      | 1013                            | 17340                              |
| Revoked in part by PLO 4938                 | 17546                             | 910                    | 17237, 17527, 17528, 17939 | 1050                            | 17046                              |
| 11567                                       | 17701                             | 912                    | 17168, 17654               | 1064                            | 17188, 17554, 17789, 17859         |
| 11568                                       | 17703                             | 913                    | 17168, 17654               | 1126                            | 17954                              |
| <b>5 CFR</b>                                |                                   |                        |                            |                                 |                                    |
| 151   | 17705                             | 914                    | 17169                      | <b>8 CFR</b>                    |                                    |
| 213   | 16905,                            | 929                    | 17706                      | 100                             | 17322                              |
|   | 17167, 17322, 17527, 17705, 17935 | 932                    | 17778                      | 214                             | 17939                              |
| <b>7 CFR</b>                                |                                   |                        |                            |                                 |                                    |
| 27  | 17935                             | 944                    | 17107                      | 235                             | 17322                              |
| 46  | 17527                             | 967                    | 17528                      | 238                             | 17323                              |
| 52  | 16906                             | 987                    | 17174, 17528               | 264                             | 17529                              |
| 215   | 16973                             | 991                    | 17237                      | 335                             | 17530                              |
| <b>PROPOSED RULES:</b>                      |                                   |                        |                            |                                 |                                    |
|   |                                   | 1136                   | 17238                      | <b>9 CFR</b>                    |                                    |
|   |                                   | 1446                   | 17321                      | 76                              | 16912,                             |
|   |                                   | 1464                   | 16910, 17397, 17989        |                                 | 16917, 16918, 16973, 17108, 17167, |
|   |                                   | 1472                   | 17321                      |                                 | 17244, 17323, 17397, 17706-17708,  |
|   |                                   | 1520                   | 16911                      |                                 | 18034-18036                        |
|   |                                   | 1806                   | 17238                      | 78                              | 17244                              |
|   |                                   | 1810                   | 17243                      | 97                              | 18036                              |
|   |                                   | <b>PROPOSED RULES:</b> |                            |                                 |                                    |
|   |                                   | 70                     | 17340                      | <b>PROPOSED RULES:</b>          |                                    |
|   |                                   | 811                    | 17422                      | 311                             | 17188                              |
|   |                                   | 814                    | 17953                      |                                 |                                    |
|   |                                   | 930                    | 17726                      |                                 |                                    |

| 10 CFR          | Page  |
|-----------------|-------|
| 34.....         | 17397 |
| 50.....         | 17530 |
| PROPOSED RULES: |       |
| 60.....         | 17271 |

**12 CFR**

|                 |              |
|-----------------|--------------|
| 1.....          | 17174, 18037 |
| 226.....        | 16919, 17029 |
| 261.....        | 16973        |
| 555.....        | 18038        |
| 563.....        | 18038        |
| 571.....        | 18038        |
| 700.....        | 17398        |
| 701.....        | 17398        |
| 702.....        | 17398        |
| 706.....        | 17398        |
| 707.....        | 17398        |
| 708.....        | 17398        |
| 709.....        | 17398        |
| 710.....        | 17398        |
| 715.....        | 17398        |
| 720.....        | 17398        |
| PROPOSED RULES: |              |
| 226.....        | 17061        |
| 545.....        | 17360        |
| 556.....        | 17360        |
| 561.....        | 17361        |
| 563.....        | 17361        |

**13 CFR**

|                 |                     |
|-----------------|---------------------|
| 121.....        | 17989               |
| 124.....        | 17833               |
| PROPOSED RULES: |                     |
| 121.....        | 16939, 16940, 17119 |

**14 CFR**

|           |  |
|-----------|--|
| 39.....   | 17030,<br>17234, 17246, 17398, 17533, 17534,<br>17834                    |
| 71.....   | 17031-17036,<br>17246-17249, 17398, 17535, 17536,<br>17708, 17834, 18039 |
| 73.....   | 17249, 17536   |
| 91.....   | 17036  |
| 95.....   | 17835  |
| 97.....   | 17109, 17398, 17837  |
| 121.....  | 17037, 17176   |
| 127.....  | 17176  |
| 198.....  | 17038  |
| 208.....  | 17177  |
| 302.....  | 17657  |
| 1209..... | 17323  |

**PROPOSED RULES:**

|             |   |
|-------------|---|
| Ch. I.....  | 16980                                       |
| 23.....     | 18054                                       |
| 27.....     | 18054                                       |
| 37.....     | 17192                                       |
| 39.....     | 16937, 17054, 17427, 17789                  |
| 71.....     | 17554,<br>17555, 17790, 17859, 17860, 17955 |
| 73.....     | 17555                                       |
| 75.....     | 17556                                       |
| 91.....     | 18054                                       |
| 121.....    | 17193, 18054                                |
| 127.....    | 18054                                       |
| Ch. II..... | 17955                                       |
| 207.....    | 17195                                       |
| 208.....    | 17195                                       |
| 212.....    | 17195, 17556                                |
| 214.....    | 17195, 17556                                |
| 217.....    | 17556                                       |
| 221.....    | 17273, 18001                                |
| 241.....    | 17356                                       |
| 288.....    | 18056                                       |
| 295.....    | 17195                                       |

| 14 CFR—Continued         | Page                |
|--------------------------|---------------------|
| PROPOSED RULES—Continued |                     |
| 373.....                 | 17195               |
| 378.....                 | 17199, 17674        |
| 378a.....                | 17199, 17674        |
| 399.....                 | 17273, 18001, 18056 |

**15 CFR**

|                 |       |
|-----------------|-------|
| 377.....        | 17536 |
| PROPOSED RULES: |       |
| 7.....          | 17670 |
| 367.....        | 17189 |

**16 CFR**

|          |                    |
|----------|--------------------|
| 13.....  | 17177, 17940-17943 |
| 252..... | 18039              |
| 253..... | 18039              |

**PROPOSED RULES:**

|          |       |
|----------|-------|
| 502..... | 18001 |
|----------|-------|

**17 CFR**

|          |              |
|----------|--------------|
| 200..... | 17779, 17989 |
| 210..... | 17400        |
| 231..... | 16919, 17990 |
| 239..... | 17992        |
| 240..... | 17537, 17538 |
| 241..... | 17990        |
| 249..... | 16919        |
| 261..... | 17990        |

**PROPOSED RULES:**

|          |       |
|----------|-------|
| 249..... | 17431 |
|----------|-------|

**18 CFR**

|          |                     |
|----------|---------------------|
| 2.....   | 17040               |
| 154..... | 17040, 17041, 17109 |
| 157..... | 17041               |

**PROPOSED RULES:**

|          |                            |
|----------|----------------------------|
| 2.....   | 17427, 17428               |
| 101..... | 17956                      |
| 104..... | 17956                      |
| 141..... | 17956                      |
| 154..... | 17061, 17790, 17957, 18001 |
| 157..... | 17428, 17957, 18001        |
| 201..... | 17431, 17956               |
| 204..... | 17431, 17956               |
| 205..... | 17431                      |
| 250..... | 18001                      |
| 260..... | 17188, 17431, 17956        |

**19 CFR**

|         |       |
|---------|-------|
| 4.....  | 17042 |
| 12..... | 17992 |

**PROPOSED RULES:**

|         |       |
|---------|-------|
| 22..... | 17724 |
|---------|-------|

**20 CFR**

|          |       |
|----------|-------|
| 609..... | 17400 |
| 614..... | 17400 |

**PROPOSED RULES:**

|          |       |
|----------|-------|
| 405..... | 17343 |
|----------|-------|

**21 CFR**

|           |                            |
|-----------|----------------------------|
| 19.....   | 17110                      |
| 120.....  | 16974, 17111, 17708, 17780 |
| 121.....  | 17400, 17781, 17994        |
| 128a..... | 17401, 17840               |
| 135c..... | 17708, 17781, 17995        |
| 141.....  | 17539                      |
| 141c..... | 17539                      |
| 144.....  | 17654                      |
| 145.....  | 17539                      |
| 146c..... | 17539                      |
| 146d..... | 17250                      |

| 21 CFR—Continued | Page         |
|------------------|--------------|
| 147.....         | 17530        |
| 148b.....        | 17324        |
| 148c.....        | 17402, 17840 |
| 148d.....        | 17405        |
| 148m.....        | 17530        |
| 148v.....        | 17406        |
| 191.....         | 17540        |

**PROPOSED RULES:**

|          |                     |
|----------|---------------------|
| 3.....   | 16937, 17116, 17191 |
| 19.....  | 17191               |
| 30.....  | 17663               |
| 120..... | 16980               |
| 130..... | 16937, 17191        |
| 146..... | 17191               |
| 191..... | 17663, 17748        |
| 320..... | 17006               |

**22 CFR**

|         |       |
|---------|-------|
| 41..... | 17178 |
|---------|-------|

**24 CFR**

|           |                            |
|-----------|----------------------------|
| 201.....  | 17545                      |
| 207.....  | 17709                      |
| 213.....  | 17709                      |
| 221.....  | 17709                      |
| 232.....  | 17710                      |
| 1914..... | 17113, 17655, 17838        |
| 1915..... | 17113, 17656, 17839, 17906 |

**25 CFR**

|          |       |
|----------|-------|
| 41.....  | 17840 |
| 131..... | 18051 |

**PROPOSED RULES:**

|          |              |
|----------|--------------|
| 221..... | 17662, 17789 |
|----------|--------------|

**26 CFR**

|          |                                  |
|----------|----------------------------------|
| 1.....   | 17326-17329, 17710, 17840, 17906 |
| 13.....  | 17331, 17406                     |
| 31.....  | 17328                            |
| 48.....  | 17408                            |
| 301..... | 17329                            |
| 402..... | 17266                            |

**PROPOSED RULES:**

|          |                                   |
|----------|-----------------------------------|
| 1.....   | 17336, 17844, 17845, 17858, 18055 |
| 245..... | 17952                             |
| 301..... | 17268, 18056                      |

**28 CFR**

|        |       |
|--------|-------|
| 0..... | 17332 |
|--------|-------|

**29 CFR**

|          |       |
|----------|-------|
| 551..... | 17841 |
|----------|-------|

**PROPOSED RULES:**

|          |              |
|----------|--------------|
| 60.....  | 17665        |
| 462..... | 17270        |
| 541..... | 17116, 17424 |

**30 CFR**

|          |       |
|----------|-------|
| 75.....  | 17890 |
| 301..... | 17711 |

**PROPOSED RULES:**

|          |       |
|----------|-------|
| 503..... | 17063 |
|----------|-------|

**31 CFR**

|          |       |
|----------|-------|
| 100..... | 17841 |
| 316..... | 17602 |
| 332..... | 17602 |
| 605..... | 17260 |

**32 CFR**

|         |       |
|---------|-------|
| 62..... | 16974 |
| 75..... | 17711 |
| 76..... | 17711 |

**32 CFR—Continued**

|      | Page  |
|------|-------|
| 80   | 17540 |
| 80a  | 17540 |
| 90   | 17540 |
| 94   | 17540 |
| 126  | 17711 |
| 127  | 17711 |
| 166  | 18040 |
| 211  | 18045 |
| 289  | 18047 |
| 591  | 18048 |
| 593  | 18048 |
| 594  | 18050 |
| 596  | 18050 |
| 597  | 18050 |
| 599  | 18050 |
| 603  | 18050 |
| 606  | 18051 |
| 608  | 18051 |
| 817  | 17716 |
| 821  | 17542 |
| 846  | 17543 |
| 861  | 17543 |
| 890  | 17544 |
| 901  | 17717 |
| 908  | 17657 |
| 1001 | 17545 |
| 1807 | 17997 |

**32A CFR**

|                 |       |
|-----------------|-------|
| BDC (Ch. VI):   |       |
| Reg. 5          | 17781 |
| Reg. 6          | 17781 |
| Reg. 7          | 17781 |
| OIA (Ch. X):    |       |
| OI Reg. 1       | 16976 |
| PROPOSED RULES: |       |
| Ch. X           | 17725 |

**33 CFR**

|                 |                     |
|-----------------|---------------------|
| 153             | 17944               |
| 204             | 17178, 17841        |
| PROPOSED RULES: |                     |
| 117             | 17425, 17426, 17673 |

**36 CFR**

|                 |              |
|-----------------|--------------|
| 7               | 17946        |
| 50              | 17042, 17552 |
| PROPOSED RULES: |              |
| 7               | 17663        |

**38 CFR**

|    |              |
|----|--------------|
| 17 | 16920, 17946 |
| 36 | 17179        |

**39 CFR**

|                 |       |
|-----------------|-------|
| 155             | 17038 |
| PROPOSED RULES: |       |
| 151             | 17662 |

**41 CFR**

|       |       |
|-------|-------|
| 3-1   | 16920 |
| 3-7   | 16922 |
| 3-11  | 16923 |
| 3-75  | 16924 |
| 4-1   | 17181 |
| 4-4   | 17181 |
| 5A-2  | 17949 |
| 5A-60 | 17250 |
| 5A-76 | 17252 |

**41 CFR—Continued**

|        | Page  |
|--------|-------|
| 8-16   | 17252 |
| 9-5    | 17181 |
| 50-201 | 17782 |
| 101-19 | 17782 |
| 101-32 | 17782 |
| 101-35 | 17114 |
| 101-47 | 17256 |

**42 CFR**

|                 |                                    |
|-----------------|------------------------------------|
| 81              | 16927,                             |
|                 | 16976, 16977, 17042, 17256, 17418, |
|                 | 17545, 17785, 18051                |
| PROPOSED RULES: |                                    |
| 73              | 17954                              |
| 81              | 17191, 17342, 17664                |

**43 CFR**

|                                    |       |
|------------------------------------|-------|
| 1850                               | 17996 |
| PUBLIC LAND ORDERS:                |       |
| 1256 (see PLO 4941)                | 17786 |
| 1726 (revoked in part by PLO 4942) | 17948 |
| 3140 (revoked by PLO 4939)         | 17785 |
| 3623 (revoked in part by PLO 4934) | 17182 |
| 3871 (see PLO 4941)                | 17786 |
| 4342 (see PLO 4934)                | 17182 |
| 4522:                              |       |
| See PLO 4933                       | 17107 |
| Revoked in part by PLO 4938        | 17546 |
| 4582 (modified by PLO 4940)        | 17786 |
| 4933                               | 17107 |
| 4934                               | 17182 |
| 4935                               | 17182 |
| 4936                               | 17257 |
| 4937                               | 17546 |
| 4938                               | 17546 |
| 4939                               | 17785 |
| 4940                               | 17786 |
| 4941                               | 17786 |
| 4942                               | 17948 |
| 4943                               | 17948 |
| 4944                               | 17949 |
| 4945                               | 17949 |
| 4946                               | 17949 |
| 4947                               | 17949 |

**45 CFR**

|     |       |
|-----|-------|
| 3   | 17409 |
| 85  | 17298 |
| 202 | 17719 |
| 205 | 17546 |
| 233 | 17719 |
| 248 | 17719 |
| 300 | 17411 |
| 301 | 17411 |
| 302 | 17411 |
| 306 | 17411 |
| 307 | 17411 |
| 308 | 17411 |
| 309 | 17411 |
| 310 | 17411 |
| 315 | 17411 |
| 320 | 17411 |

**46 CFR**

|   |       |
|---|-------|
| 2 | 17997 |
|---|-------|

**47 CFR**

|    | Page                               |
|----|------------------------------------|
| 0  | 17332                              |
| 1  | 17332                              |
| 2  | 17547, 17720                       |
| 5  | 16926                              |
| 43 | 17411                              |
| 67 | 17111                              |
| 73 | 16926,                             |
|    | 16977, 17042, 17549, 17720, 17950, |
|    | 18052                              |
| 81 | 17412, 17548                       |
| 83 | 17412, 17548                       |
| 85 | 17412                              |
| 87 | 17334                              |
| 89 | 17548                              |
| 91 | 17548                              |
| 93 | 17548                              |

PROPOSED RULES:

|    |                                    |
|----|------------------------------------|
| 23 | 17057                              |
| 25 | 17674, 17956                       |
| 42 | 17119                              |
| 73 | 16983,                             |
|    | 17121, 17202, 17357, 17359, 17746, |
|    | 17956, 18059                       |
| 83 | 17360                              |
| 89 | 17747                              |
| 91 | 17747                              |
| 93 | 17747                              |

**49 CFR**

|      |                                    |
|------|------------------------------------|
| 1    | 17044, 17658, 17722                |
| 174  | 17950                              |
| 179  | 17418                              |
| 192  | 17335, 17659                       |
| 195  | 17183                              |
| 390  | 17787                              |
| 391  | 17419                              |
| 392  | 17419                              |
| 571  | 16927                              |
| 574  | 17257                              |
| 603  | 17186                              |
| 1033 | 16931,                             |
|      | 16933, 16934, 17114, 17421, 17552, |
|      | 17841, 17842, 17951                |
| 1056 | 16935                              |
| 1060 | 17264                              |
| 1131 | 17045                              |

PROPOSED RULES:

|      |                                    |
|------|------------------------------------|
| 71   | 17195                              |
| 179  | 16983, 17790                       |
| 392  | 17194, 17343                       |
| 393  | 17194, 17343, 17427                |
| 395  | 17194                              |
| 571  | 16937,                             |
|      | 17055, 17116, 17117, 17272, 17345, |
|      | 17350, 17999, 18001, 18055         |
| 575  | 17057, 17353                       |
| 1048 | 17063                              |

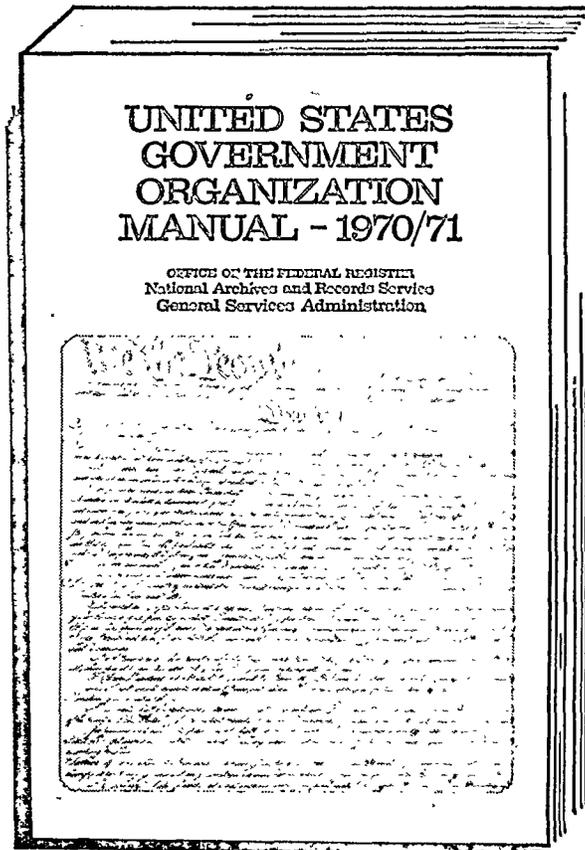
**50 CFR**

|    |                                   |
|----|-----------------------------------|
| 10 | 17843, 18053                      |
| 12 | 16935                             |
| 16 | 17265                             |
| 28 | 17029                             |
| 32 | 17787                             |
| 33 | 17029, 17722, 17787, 17788, 17950 |
| 80 | 17421                             |

PROPOSED RULES:

|     |       |
|-----|-------|
| 280 | 17424 |
|-----|-------|

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