

FEDERAL REGISTER

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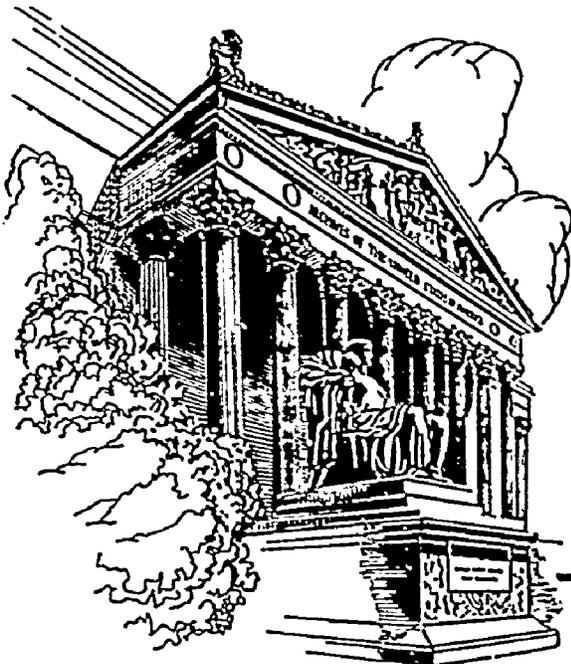
Friday, December 18, 1970 • Washington, D.C.

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Conservation Service
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Civil Aeronautics Board
Coast Guard
Commodity Credit Corporation
Consumer and Marketing Service
Environmental Protection Agency
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Volume 83

UNITED STATES
STATUTES AT LARGE

91st Congress, 1st Session
1969

Contains laws and concurrent resolutions enacted by the Congress during 1969, reorganization plan, recommendations of the President, and Presidential proclamations. Also in-

cluded are: numerical listings of bills enacted into public and private law, a guide to the legislative history of bills enacted into public law, tables of prior laws affected, and a subject index.

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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.

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Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

TRANSFER OF REGULATIONS

CROSS REFERENCE: For a document transferring regulations from Chapter III to Chapter XXVII of Title 7, see F.R. Doc. 76-17045, *infra*. The parts affected are as follows:

Former Part No.	New Part No.
Chapter I	Chapter XXVII
362	2762
363	2763
364	2764

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 3]

PART 725—FLUE-CURED TOBACCO

Subpart—Flue-Cured Tobacco, 1970-71 and Subsequent Marketing Years

This amendment is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281, et seq.).

The purpose of this amendment is to (1) expand the income requirement for new farm eligibility to include the income from farming rather than income from the farm for which the allotment is requested, (2) allow bona fide tobacco production experience gained while participating as a member of a partnership to qualify an applicant under the experience requirement for a new farm tobacco allotment, (3) permit the county committee to redelegate authority to the County Executive Director for approving lease and transfer agreements, (4) require signature of lienholder(s) and mortgagee(s) for transfers which extend for more than 1 year, (5) establish a different effective date for canceling a new farm allotment in cases where false information was unknowingly furnished, (6) require annual recomputation of allotments and quotas for transfers which extend for more than 1 year, (7) require that, if the warehouseman gains possession of a basket of tobacco through a rejected producer sale after bill-out, such tobacco be identified as resale tobacco, (8) eliminate provisions for the Discount Variety Program, and (9) change the reference to Form MQ-38 to agree with the title of the form to be used for the 1971 crop.

Tobacco producers are now making plans for the 1971 crop and it is essen-

tial that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and 30-day effective date requirements of 5 U.S.C., 553 is impracticable and contrary to the public interest and this amendment shall become effective upon filing of this document with the Director, Office of the Federal Register.

1. Subparagraphs (6) and (7) of paragraph (b) of § 725.69 are amended to read as follows:

§ 725.69 Determination of acreage allotments for new farms.

(b) Conditions. * * *

(6) (i) The operator shall expect to obtain during the current year more than 50 percent of his income from the production of agricultural commodities or products. In making this computation of income from farming, no value will be allowed for the estimated return from the production of the requested allotment. However, in addition to the value of agricultural products sold, credit will be allowed for the estimated value of home gardens, livestock and livestock products, poultry, or other agricultural products produced for consumption on the farm. Where the farm operator is a partnership, each partner, must expect to obtain, during the current year, more than 50 percent of his income from the production of agricultural commodities or products; where the farm operator is a corporation, it must have no major corporate purpose other than operation and ownership, where applicable, of such farm, and the officers and general manager of the corporation must expect to obtain more than 50 percent of their income from farming. Dividends and salary from the corporation shall be considered as income from farming.

(ii) When the farm operator is a low-income farmer, the county committee may waive the income provision in subdivision (i) of this subparagraph if it determines that the farm operator's income, from both farm and nonfarm sources, is so low that it will not provide a reasonable standard of living for the operator and his family; and a State committee representative approves such action. The county committee must exercise good judgment to see that its determination is reasonable in the light of all pertinent factors and that this special provision is made applicable only to those who qualify. In making its determination, the county committee shall consider such factors as size and type of farming operations, estimated net worth, esti-

mated gross family farm income, estimated family off-farm income, number of dependents, and other factors affecting the individual's ability to provide a reasonable standard of living for himself and his family.

(7) The farm operator shall have had experience in producing, harvesting, and marketing flue-cured tobacco either as a sharecropper, tenant, or farm operator during at least 2 of the 5 years immediately preceding the year for which the new farm allotment is requested. Bona fide tobacco production experience gained by a person as a member of a partnership shall be accepted as experience gained in meeting this requirement. If the applicant was in the armed services during any part or all of the 5-year period, the experience period shall be expanded, year for year, for each year of military service during such 5-year period. The production of flue-cured tobacco on a farm for which no farm acreage allotment for such kind of tobacco was established shall not be deemed as experience in growing tobacco for this purpose.

2. Paragraph (c) is amended and new paragraphs (r) and (s) of § 725.72 are added to read as follows:

§ 725.72 Lease and transfer of tobacco marketing quotas.

(c) *Filing and approval of lease.* The lease and transfer of an effective farm marketing quota or any part thereof shall not be effective until a copy of the lease, determined by the county committee to be in compliance with the provisions of this section, is filed with the county committee not later than April 1 of the current year, except that a lease shall be effective if (1) the county committee, with the approval of the State executive director, finds that it was agreed upon no later than April 1 of the current year, and (2) the terms of the lease, in writing, are filed with the county committee no later than July 31 of the current year. The county committee may redelegate authority to approve leasing agreements to the County Executive Director.

(r) *Consent of lienholder.* No transfer of allotment other than by annual lease shall be made from a farm subject to a mortgage or other lien unless the transfer is agreed to in writing by the lienholder.

(s) *Recomputation of allotment and quota for other than annual transfers.* The acreage allotment and marketing quota transferred shall be recomputed and adjusted where appropriate each year the transfer is in effect.

3. Paragraph (d) of § 725.98 is amended to read as follows:

§ 725.98 Producers records and reports.

(d) *Cancellation of new farm allotment.* Any new farm allotment approved under this subpart which was determined by the county committee on the basis of incomplete or inaccurate information knowingly furnished by the applicant shall be canceled by the county committee as of the date the allotment was established. Where incomplete or inaccurate information was unknowingly furnished by the applicant, the allotment shall be canceled effective for the current crop year except where the provisions of § 725.70 applies.

4. New paragraph (1) of § 725.99 is added to read as follows:

§ 725.99 Warehouseman's records and reports.

(1) *Handling rejected (Producer) sale after bill-out.* Where a producer rejects the sale of a basket of tobacco, and the tobacco has been billed out and bills presented to the buyer, the warehouseman shall not change the (i) MQ-76 or (ii) MQ-80 reporting the sale. If the warehouseman gains possession of the tobacco, and it is resold by such warehouseman, it shall be identified as resale tobacco.

§ 725.110 [Revoked]

5. Section 725.110, Determination of discount varieties, is hereby revoked.

6. Paragraph (b) of § 725.111 is amended to read as follows:

§ 725.111 Determination of use of DDT and TDE.

(b) *Producer's report.* For each farm on which flue-cured tobacco is produced, the farm operator or any producer on the farm shall for each year, beginning with the 1970 crop, file with the county office a report on MQ-38, Certification of Use or Nonuse of DDT or TDE on Tobacco, showing whether or not DDT or TDE was used on the tobacco in the field or after being harvested.

(Secs. 301, 313, 316, 317, 373, 375, 52 Stat. 38, as amended, 47, as amended, 75 Stat. 469, as amended, 79 Stat. 66, 52 Stat. 65, as amended, 66, as amended; 7 U.S.C. 1301, 1313, 1314b, 1314c, 1373, 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on December 14, 1970.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

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

PART 929—CRANBERRIES GROWN IN THE STATES OF MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK

Expenses and Rate of Assessment

On November 26, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 18125) regarding proposed expenses and the related rate of assessment for the fiscal period September 1, 1970, through August 31, 1971, pursuant to the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matter presented, including the proposals which were submitted by the Cranberry Marketing Committee (established pursuant to the amended marketing agreement and order) and set forth in the aforesaid notice, and other available information, it is hereby found and determined that:

§ 929.211 Expenses and rate of assessment.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Cranberry Marketing Committee during the fiscal period September 1, 1970, through August 31, 1971, will amount to \$68,230.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 929.41, is fixed at \$0.035 per barrel of cranberries, or equivalent quantity of cranberries.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of cranberries are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable cranberries handled during the aforesaid period, and (3) such period began on September 1, 1970, and said rate of assessment will automatically apply to all such cranberries beginning with such date.

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

Dated: December 8, 1970.

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

[F.R. Doc. 70-17109; Filed, Dec. 17, 1970; 8:53 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1464—TOBACCO

Subpart—Tobacco Loan Program

Set forth below is a schedule of advance rates, by grades, for the 1970 crop of types 42-44, 46, 51, 52, 53, 54, and 55 tobacco, under the tobacco loan program published June 18 1970 (35 F.R. 10000). The material previously appearing under the section numbers shown below remains applicable to the crop to which each refers.

- Sec.
1464.22 1970 Crop—Ohio Filler Tobacco, Types 42-44.
1464.23 1970 Crop—Connecticut Valley Broadleaf Tobacco, Type 51.
1464.24 1970 Crop—Connecticut Valley Havana Seed Tobacco, Type 52.
1464.25 1970 Crop—New York and Pennsylvania Havana Seed Tobacco, Type 53, and Southern Wisconsin Tobacco, Type 54.
1464.26 1970 Crop—Northern Wisconsin Tobacco, Type 55.
1464.27 1970 Crop—Puerto Rican Tobacco, Type 46.

AUTHORITY: Sections 1464.22-1464.27 issued under sec. 4, 62 Stat. 1070, as amended; sec. 5, 62 Stat. 1072; secs. 101, 106, 401, 403, 603 Stat. 1051, as amended, 1054; sec. 125, 70 Stat. 198; 74 Stat. 6; 7 U.S.C. 1441, 1445, 1431, 1433; 7 U.S.C. 1813; 15 U.S.C. 714b, 714c.

§ 1464.22 1970 Crop—Ohio Filler Tobacco, Types 42-44, Advance Schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate
Crop run (stripped together):	
X1	35.00
X2	32.00
X3	29.00
X4	27.00
Non-descript:	
N	17.00

§ 1464.23 1970 Crop—Connecticut Valley Broadleaf Tobacco, Type 51, Advance Schedule.²

[Dollars per hundred pounds, farm sales weight]

Binders:	Grade	Advance rate
B1		60.00
B2		60.00
B3		60.00
B4		41.00
B5		30.00
Nonbinders:		
X1		30.00

§ 1464.24 1970 Crop—Connecticut Valley Havana Seed Tobacco, Type 52, Advance Schedule.³

[Dollars per hundred pounds, farm sales weight]

Binders:	Grade	Advance rate
B1		61.00
B2		55.00

See footnotes at end of document.

Binders:	Grade	Advance rate
B3	-----	47.00
B4	-----	40.00
B5	-----	36.00
Nonbinders:		
X1	-----	30.00

§ 1464.25 1970 Crop—New York and Pennsylvania Havana Seed Tobacco, Type 53, and Southern Wisconsin Tobacco, Type 54, Advance Schedule.¹

[Dollars per hundred pounds, farm sales weight]

Crop-run:	Grade	Advance rate
X1	-----	39.00
X2	-----	35.00
X3	-----	28.00

Farm Fillers:		
Y1	-----	26.00
Y2	-----	24.00
Y3	-----	22.00

Nondescript:		
N1	-----	22.00
N2	-----	16.00

§ 1464.26 1970 Crop—Northern Wisconsin Tobacco, Type 55, Advance Schedule.²

[Dollars per hundred pounds, farm sales weight]

Binders:	Grade	Advance rate
B1	-----	54.00
B2	-----	50.00
B3	-----	44.00

Strippers:		
C1	-----	40.00
C2	-----	36.50
C3	-----	29.00

Crop-run:		
X1	-----	38.50
X2	-----	34.50
X3	-----	26.50

Farm Fillers:		
Y1	-----	31.00
Y2	-----	28.00
Y3	-----	26.00

Nondescript:		
N1	-----	21.00
N2	-----	16.00

§ 1464.27 1970 Crop—Puerto Rican Tobacco, Type 46, Advance Schedule.³

[Dollars per hundred pounds, farm sales weight]

	Grade	Advance rate
Price Block I (C1F and C1P)	-----	42.00
Price Block II (X1F, X1P, and X1S)	-----	33.50

¹The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower 50 cents per hundred pounds to apply against receiving and overhead costs. Only the original producer is eligible to receive advances. No advance is authorized for tobacco designated "No-G" (no grade).

²The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower \$1 per hundred pounds to apply against receiving and overhead costs. Only the original producer is eligible to receive advances. No advance is authorized for tobacco graded "N1" (first quality nondescript), "N2" (second quality nondescript) or "S" (scrap), or designated "No-G" (no grade).

³The cooperative associations through which price support is made available to growers are authorized to deduct \$1 per hundred pounds from the advances to grow-

	Grade	Advance rate
Price Block III (X2T, X2F, X2P, and X2S)	-----	24.00
Price Block IV (N)	-----	12.00

Effective date. Date of filing with Office of Federal Register.

Signed at Washington, D.C., on December 14, 1970.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-17049; Filed, Dec. 17, 1970; 8:45 a.m.]

Chapter XXVII—Environmental Protection Agency

ESTABLISHMENT OF CHAPTER AND TRANSFER OF REGULATIONS

The Environmental Protection Agency was created by Reorganization Plan No. 3 of 1970 (35 F.R. 15623). To implement the transfer of certain functions described by the Plan, a new Chapter XXVII is established in Title 7 of the Code of Federal Regulations to read as set forth above. Certain parts formerly appearing in Chapter III of Title 7 are hereby transferred to Chapter XXVII and redesignated as follows:

Former Part No.	New Part No.	
Chapter III	Chapter XXVII	
362		Regulations for the enforcement of the Federal Insecticide, and Fungicide, and Rodenticide Act..... 2762
363		Certification of Usefulness of Pesticide Chemicals..... 2763
364		Rules governing the appointment, compensation, and proceedings of an advisory committee; and rules of practice governing hearings under the Federal Insecticide, Fungicide and Rodenticide Act..... 2764

These redesignations are interim pending the establishment of a new title in the Code of Federal Regulations which will contain all of the regulations of the Environmental Protection Agency. Until that time, the terms relating to the Department of Agriculture will be deemed to mean "Environmental Protection Agency" and appropriate changes in the text and organizational references will be made at a later date in the redesignated Parts.

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

(Reorganization Plan No. 3 of 1970, 35 F.R. 15623)

WILLIAM D. RUCKELSHAUS,
Administrator.

DECEMBER 15, 1970.

[F.R. Doc. 70-17045; Filed, Dec. 17, 1970; 8:50 a.m.]

ers to apply against overhead and handling costs. Tobacco is eligible for advance only if consigned by the original producer. No advance is authorized for tobacco graded "S" (scrap) or designated "No-G" (no grade).

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[Docket No. 70-312]

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 Tennessee in the introductory portion of paragraph (e) and paragraph (e) (10) relating to the State of Tennessee are deleted, and paragraph (f) is amended by adding thereto the name of the State of Tennessee.

(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 excludes a portion of Chester County, Tenn., 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 excluded area. The amendment releases Tennessee from the list of States quarantined because of hog cholera.

The amendment adds the State of Tennessee 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 15th day of December 1970.

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

[F.R. Doc. 70-17074; Filed, Dec. 17, 1970;
8:52 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 70-WE-43-AD;
Amdt. 39-1128]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 747 Series Airplanes

During evacuation system operation at The Boeing Co., airline evacuation tests and in-service evacuations, there have been numerous malfunctions of the passenger evacuation system, resulting in unusable passenger evacuation slides.

Since these malfunctions are likely to exist or develop in other airplanes of the same type design, an Airworthiness Directive (AD) is being issued to require numerous modifications of the passenger evacuation system on all Boeing Model 747 Series Airplanes. These modifications to the passenger evacuation system will substantially reduce the possibility of similar malfunctions and improve the overall reliability of the passenger evacuation system.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days. In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to Model 747 Series Airplanes.

Compliance required as indicated.

To prevent malfunctions resulting in unusable passenger evacuation slides and improve the overall reliability of the passenger evacuation system, accomplish the following:

(a) Within the next 300 hours' time in service after the effective date of this AD, unless already accomplished, inspect and/or modify the passenger evacuation system in accordance with the following Service Bulletins, or later FAA-approved revisions, or equivalent inspections and/or modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region:

Boeing Service Bulletin 25-2031, Revision 1, dated March 20, 1970, Parts I and II; or in the alternative, Parts II and III. If Parts I and II only have been completed, accomplish

Part III when the slide is again disturbed, e.g., repaired, inflated or repacked.

Boeing Service Bulletin 25-2040, Revision 1, dated October 12, 1970.

Boeing Service Bulletin 25-2046, dated May 18, 1970.

Boeing Service Bulletin 25-2052, dated May 1, 1970, or Boeing Service Bulletin 25-2068, dated August 15, 1970.

Boeing Service Bulletin 25-2070, dated July 13, 1970.

Boeing Service Bulletin 25-2110, dated November 12, 1970.

Boeing Service Bulletin 25-2137, dated November 18, 1970.

Boeing Service Bulletin 57-2013, Revision 1, dated September 28, 1970.

(b) Within the next 2,000 hours' time in service after the effective date of this AD, unless already accomplished, modify the passenger evacuation system in accordance with the following Service Bulletins, or later FAA-approved revisions, or equivalent modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region:

Consolidated Controls Corp. Service Bulletin 521002-1, dated July 9, 1970.

B. F. Goodrich Service Bulletin 25-008, dated July 20, 1970, and B. F. Goodrich Service Bulletin 25-014, dated November 18, 1970.

This amendment becomes effective December 18, 1970.

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

Issued in Los Angeles, Calif., on December 8, 1970.

ARVIN O. BASNIGHT,
Director, Western Region.

[F.R. Doc. 70-17026; Filed, Dec. 17, 1970;
8:48 a.m.]

[Airworthiness Docket No. 70-WE-48-AD;
Amdt. 39-1126]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Airplane Co. Model 737

Tests have shown that on high gross weight Boeing 737 airplanes after approximately 3,000 hours of operation, the horizontal stabilizer trim actuator, Boeing P/N 10-61326-4, capability may deteriorate to a point where it will not afford the required torque to the stabilizer jackscrew in a mistrim maneuver.

Since this condition is likely to exist or develop in all high gross weight airplanes of this type design, an airworthiness directive is being issued to require periodic testing or replacement of horizontal stabilizer trim actuator Boeing P/N 10-61326-4, with new actuator, Boeing P/N 10-61326-5, on all Boeing Model 737-200 Series airplanes with gross weights equal to or greater than 104,000 pounds and on all Boeing Model 737-100 Series airplanes with gross weights equal to or greater than 111,000 pounds.

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

In consideration of the foregoing, and pursuant to the authority delegated to

me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following airworthiness directive:

BOEING. Applies to Model 737 airplanes as specified in effectivity list of Boeing Service Bulletin No. 27-1044, Revision 1, or later FAA-approved revisions.

Compliance required within the next 200 hours time in service after effective date of this AD, unless already accomplished.

To assure sufficient horizontal stabilizer trim capability on Boeing Model 737-200 Series airplanes with gross weights equal to or greater than 104,000 pounds and on Boeing Model 737-100 Series airplanes with gross weights equal to or greater than 111,000 pounds, accomplish one of the following:

(1) Test the stall torque of the stabilizer trim actuator Boeing P/N 10-61326-4 and take action in accordance with Boeing Service Bulletin No. 27-1044, Revision 1, dated July 22, 1970, or later FAA-approved revisions. Repeat the test per Figure 1 of the Service Bulletin at intervals not to exceed the maximum test intervals (hours) indicated by the curve in Figure 1. Actuators demonstrating less than 350 inch-pounds of torque must be discarded or returned to vendor for rework. If discarded, mark the part conspicuously and permanently so as to prevent its inadvertent return to service.

(2) Replace stabilizer trim actuator, Boeing P/N 10-61326-4 with stabilizer trim actuator, Boeing P/N 10-61326-5, in accordance with Boeing Service Bulletin No. 27-1044, Rev. 1, or later FAA-approved revisions. Replacing the stabilizer trim actuator Boeing P/N 10-61326-4 with Boeing P/N 10-61326-5 is the terminating requirement of this AD.

(3) Perform an equivalent inspection and/or installation approved by the Chief, Aircraft Engineering Division, FAA, Western Region.

This amendment becomes effective December 15, 1970.

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

Issued in Los Angeles, Calif., on December 3, 1970.

ARVIN O. BASNIGHT,
Director, FAA Western Region.

[F.R. Doc. 70-17027; Filed, Dec. 17, 1970;
8:48 a.m.]

[Airworthiness Docket No. 70-SW-70;
Amdt. 39-1127]

PART 39—AIRWORTHINESS DIRECTIVES

Aerostar Models 600 and 601 Airplanes

On some Aerostar Models 600 and 601 airplanes there have been reports of the microphone jack connections short circuiting to the oxygen outlet receptacle due to their proximity to each other, and resulting in loss of the airplane's radio transmitting capability. The inability to transmit during instrument flight conditions may result in an unsafe condition and since this condition is likely to exist on other airplanes of the same type design equipped with the Aerostar Model 601 oxygen system, an airworthiness directive is being issued to require relocation of each microphone jack.

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

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

AEROSTAR. Applies to Model 601, S/N's 61-001 through 61-0070, and to all Model 600 airplanes equipped with the Aerostar Model 601 oxygen system.

Compliance required within the next 10 hours time in service after the effective date of this AD unless already accomplished.

To prevent possible short circuiting of the microphone jack connection by contact with the oxygen outlet receptacle due to their proximity to each other, accomplish the relocation specified in Aerostar Aircraft Corp. Service Bulletin No. S.B. 600-26 dated November 6, 1970, or later FAA-approved revisions, or other equivalent modification approved by the Chief, Engineering and Manufacturing Branch, Southwest Region, FAA.

This amendment becomes effective to all known owners of Aerostar Model 601 airplanes and Model 600 airplanes equipped with the Aerostar Model 601 oxygen system upon receipt of individual copies mailed December 8, 1970, and to all other persons on December 18, 1970.

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

Issued in Fort Worth, Tex., on December 4, 1970.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-17028; Filed, Dec. 17, 1970; 8:48 a.m.]

[Airspace Docket No. 70-WE-83]

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

Designation of Transition Area

On October 24, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 16596) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a new transition area at Tracy, Calif.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendment is hereby adopted subject to the following change: Delete " * * * (latitude 37°51'25" N., * * *) and substitute " * * * (latitude 37°51'15" N., * * *) therefor.

Since this change is minor in nature and imposes no additional burden on any

person, notice and public procedure hereon is unnecessary.

Effective date. This amendment shall be effective 0901 G.m.t., February 4, 1971.

(Sec. 307(a), Federal Aviation Act of 1958, as amended, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on December 1, 1970.

LEE E. WARREN,
Acting Director, Western Region.

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

TRACY, CALIF.

That airspace extending upward from 700 feet above the surface within a 3-mile radius of Tracy Municipal Airport (latitude 37°51'15" N., longitude 121°26'25" W.), and within 2.5 miles each side of the Stockton VORTAC 237° radial, extending from the 3-mile radius area to 10.5 miles southwest of the VORTAC.

[F.R. Doc. 70-17029; Filed, Dec. 17, 1970; 8:48 a.m.]

[Airspace Docket No. 70-WE-85]

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

Alteration of Control Zone and Transition Area

On October 30, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 16804) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the descriptions of the Akron, Colo., control zone and transition area.

Interested persons were given 30 days in which to submit written comments, suggestions or objections. No objections have been received and the proposed amendments are hereby adopted without change.

Effective date. These amendments shall be effective 0901 GMT, February 4, 1971.

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended, 49 U.S.C. 1348(a) and of sec. 6(c) of the Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on December 4, 1970.

ARVIN O. BASNIGHT,
Director, Western Region.

In § 71.171 (35 F.R. 2054) the description of the Akron, Colo., control zone is amended to read as follows:

AKRON, COLO.

Within a 5-mile radius of Akron-Washington County Airport (latitude 40°10'30" N., longitude 103°12'45" W.) and within 4 miles each side of the Akron VORTAC 123° radial, extending from the 5-mile radius zone to 11 miles southeast of the VORTAC.

In § 71.131 (35 F.R. 2134) the description of the Akron, Colo., transition area is amended to read as follows:

AKRON, COLO.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Akron-Washington County Airport (latitude 40°10'30" N., longitude 103°12'45" W.), and that airspace extending upward from 1,200 feet above the surface within 10 miles northeast and 7 miles southwest of the Akron VORTAC 123° and 303° radials, extending from 20 miles southeast to 10 miles northwest of the VORTAC.

[F.R. Doc. 70-17030; Filed, Dec. 17, 1970; 8:48 a.m.]

[Airspace Docket No. 70-SO-82]

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

Designation of Transition Area

On October 30, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 16804), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Greeneville, Tenn., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to publication of the notice, it was noted that the extension predicated on the 038° bearing from Greene County RBN was erroneously described. It is necessary to alter the description to redescribe this extension. Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., February 4, 1971, as hereinafter set forth.

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

GREENEVILLE, TENN.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Greeneville Municipal Airport (lat. 36°-11'30" N., long. 82°49'01" W.); within 9.5 miles southeast and 4.5 miles northwest of the 038° bearing from Greene County RBN (lat. 36°11'26" N., long. 82°48'50" W.), extending from the RBN to 18.5 miles northeast of the RBN; excluding the portion within the Tri-City, Tennessee transition area.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348(a) and of sec. 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in East Point, Ga., on December 3, 1970.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 70-17031; Filed, Dec. 17, 1970; 8:49 a.m.]

[Airspace Docket No. 70-SO-85]

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

Alteration of Control Zone and Transition Area

On October 30, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 16804), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Palm Beach, Fla., control zone and transition area. On November 11, 1970, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 17555), amending the transition area description by adding the proviso "excluding the portion outside the continental limits of the United States."

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., February 4, 1971, as hereinafter set forth.

In § 71.171 (35 F.R. 2054), the Palm Beach, Fla., control zone is amended to read:

PALM BEACH, FLA.

Within a 5-mile radius of Palm Beach International Airport (lat. 26°41'05" N., long. 80°05'35" W.); within 3 miles each side of the Palm Beach VORTAC 275° radial, extending from the 5-mile radius zone to 8.5 miles west of the VORTAC; excluding that airspace within a 1.5-mile radius of Palm Beach County Park (Lantana) Airport (lat. 26°35'35" N., long. 80°05'10" W.).

In § 71.181 (35 F.R. 2134), the Palm Beach, Fla., transition area is amended to read:

PALM BEACH, FLA.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Palm Beach International Airport (lat. 26°41'05" N., long. 80°05'35" W.); excluding the portion outside the continental limits of the United States.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348(a) and of sec. 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in East Point, Ga., on December 3, 1970.

GORDON A. WILLIAMS, JR.

Acting Director, Southern Region.

[F.R. Doc. 70-17032; Filed, Dec. 17, 1970; 8:49 a.m.]

[Airspace Docket No. 70-CE-77]

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

Designation of Transition Area

On Pages 12955 and 12956 of the FEDERAL REGISTER dated August 14, 1970, the

Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Sparta, Ill.

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

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following change:

The latitude coordinate recited in the Sparta, Ill., Community Airport transition area designation as "latitude 38°08'30" N.," is changed to read "latitude 38°08'55" N."

This amendment shall be effective 0901 G.m.t., January 7, 1971.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348, and of sec. 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c))

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

EDWARD C. MARSH,

Director, Central Region.

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

SPARTA, ILL.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Sparta Community Airport (latitude 38°08'55" N., longitude 89°41'55" W.); and within 3 miles each side of the 009° bearing from Sparta Community Airport, extending from the 5-mile radius area to 8 miles north of the airport.

[F.R. Doc. 70-17033; Filed, Dec. 17, 1970; 8:49 a.m.]

[Airspace Docket No. 70-SW-64]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Las Cruces, N. Mex., transition area.

On November 14, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 17554) stating the Federal Aviation Administration proposed to designate a 700-foot transition area at Las Cruces, N. Mex.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., February 4, 1971, as hereinafter set forth.

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

LAS CRUCES, N. MEX.

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the Las Cruces Municipal Airport (lat. 32°17'27" N., long. 106°55'18" W.); and within 3.5 miles either side of the Las Cruces NDB (lat. 32°16'56" N., long. 106°55'23" W.)

180° bearing extending from the 10.5-mile radius areas to 12 miles south of the NDB.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

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

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-17034; Filed, Dec. 17, 1970; 8:49 a.m.]

[Airspace Docket No. 70-EA-76]

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

Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Lakehurst, N.J., Control Zone (35 F.R. 2093).

The hours of operation of the Navy Lakehurst tower are to be reduced from 24 hours daily to 0700 to 2300 hours daily. This reduction in tower operation will require reduction in the daily effective period of the control zone to coincide with the hours of operation of the tower.

Since the foregoing alteration is less restrictive and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Federal Aviation Administration having reviewed the airspace requirements in the terminal airspace of Lakehurst, N.J., and amendment is herewith made effective upon publication in the FEDERAL REGISTER as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by adding the following to the description of the Lakehurst, N.J., control zone: "This control zone is effective from 0700 to 2300 hours, local time, daily."

(Sec. 307(a) of the Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348 and sec. 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on November 24, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 70-17035; Filed, Dec. 17, 1970; 8:49 a.m.]

[Docket No. 10402; Amdt. 150-13]

PART 159—NATIONAL CAPITAL AIRPORTS

Motor Vehicles Carrying Passengers for Hire on National Capital Airports

The purpose of this amendment to § 159.3 of the Federal Aviation Regulations is to provide new rules for persons operating motor vehicles for persons operating motor vehicles for the purpose of carrying passengers for hire (including taxicabs) on Washington National and Dulles International airports.

Interested persons have been afforded an opportunity to participate in the making of this amendment by notice of proposed rule making (Notice 74-24) issued on June 24, 1970, and published in the FEDERAL REGISTER on July 1, 1970 (35 F.R. 10695). Due consideration has been given to all comments received in response to the notice.

Five comments were received in response to the notice. Four comments were favorable. One commentator opposed the proposed amendment, asserting the following:

(1) The manifest record requirements of § 159.3(b) of the proposed amendment would encroach upon the jurisdiction of the Public Service Commission of the District of Columbia and as such constitute an illegal exercise of jurisdiction by the FAA. However, the information required to be entered by § 159.3(b) supplements the requirements of the regulations of that Commission and no conflict or jurisdictional problem exists. Substantially the same information is required to be entered on the manifest by Commission rules and by the Metropolitan Area taxicab reciprocity agreement for prearranged transportation.

(2) The proposed amendment would perpetuate an undesirable condition at Washington National Airport by providing for the loading and unloading of passengers at the same place. The FAA recognizes that the establishment of separate loading and unloading zones could reduce congestion at the airport, and it is currently studying the possibility of providing for this separation.

(3) The proposed amendment would cause further deterioration of service and safety, and would increase costs to the users. The FAA expects that the rule will improve safety and service by reducing traffic, particularly at Washington National Airport.

(4) The proposed amendment would continue in existence a ground transportation monopoly that has proven generally retrogressive of good service at other airports. However, a primary reason for an exclusive contract for ground transportation service for air travelers is to assure that adequate services of this nature are available at all times at the airport. Thus, Dulles International Airport is 26 miles from Washington, D.C., and it may be doubted that satisfactory service could be provided without a contract carrier.

(5) The proposed amendment would require the contract carrier to increase its fleet, to the extent that the availability of noncontractor cabs would be reduced, to take care of peak periods of demand, resulting in higher costs to the users. The amendment is not intended to reduce the use of noncontractor cabs by passengers at the airport. It should eliminate cruising, with the attendant traffic congestion at critical traffic points, particularly at Washington National Airport. Noncontractor cabs bringing passengers to the airport would be allowed to pick up passengers at the point of and immediately upon discharge of passengers destined for the airport. It should be noted that practically all of

the passengers coming on the airport do so in noncontractor cabs because contractor cabs cannot freely pick up passengers for the airport in the metropolitan area. Alternatively, the commentator suggests that an open cab policy be established wherein all cabs would be charged a specific sum, in the form of a toll, for doing business on the airport. The toll gate suggestion was considered by the FAA, but not implemented because it would not assure adequate service at all times and in all kinds of weather.

One commentator who was generally favorable to the proposed amendment asserted that permitting noncontractor cabs only to carry immediately from the airport passengers picked up (without a prior request) at the point of and immediately upon discharge of other passengers delivered there, would be inconvenient to a passenger who is at another point on the terminal but desires to engage such a cab. One purpose of this amendment is to alleviate airport congestion. Thus, taxicab-loading zones at Washington National Airport have usually been filled with both contractor and noncontractor cabs the length of the terminal, with cabs waiting to slip into these zones. While this situation may immediately benefit the passenger waiting for a cab, congestion has existed. This commentator also pointed out that the fare structures of cabs licensed in Washington, D.C., are lower than those of contractor cabs, therefore restricting their rights of access could deprive the airport user of a lower fare. As already noted, the FAA determined that contractual arrangements were necessary to assure that adequate ground transportation to and from the airport is available to the public at all times. Additional costs, if any, would merely reflect the price for this assurance of availability.

This commentator also was concerned with the fact that the proposed amendment would provide that a person operating a motor vehicle for the purpose of carrying passengers for hire on the airport in response to a prior request to pick up passengers there would show on his manifest the name of the person who made the request but not the name of the person to be picked up. The party who places the call and requests the transportation is the responsible party. To require that the name of every passenger picked up be listed in the manifest would not only be an undue burden on the cab driver but might raise questions of invasion of privacy. The objective is to assure that all cabs coming on the airport are there pursuant to a legitimate request to provide transportation. The requirement for noting the name of the caller on the manifest is to provide verification that a prior request to pick up passengers was made. The name of the person to be picked up is not necessary for such verification.

In consideration of the foregoing, and for the reasons stated in Notice 70-24, § 159.3 of the Federal Aviation Regulations is amended, effective January 15, 1971, to read as follows:

§ 159.3 Motor vehicles carrying passengers for hire.

(a) No person may operate a motor vehicle for the purpose of carrying passengers for hire (including a taxicab) on the airport unless—

(1) He is authorized to do so by contract with the United States; or

(2) He is operating that vehicle—

(i) To carry passengers to the airport for delivery there;

(ii) To carry immediately from the airport passengers picked up in response to a prior request; or

(iii) To carry immediately from the airport passengers picked up, without a prior request, at the point of and immediately upon discharge of other passengers delivered there.

(b) A person operating a motor vehicle for the purpose of carrying passengers for hire (including a taxicab) on the airport in response to a prior request to pick up passengers there must show on his manifest the time the request was made, the name of the person who made the request, and the time of pickup.

(Sec. 4 of the Second Washington Airport Act; Title 7, District of Columbia 1404; sec. 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c); § 1.47(a) of the regulations of the Office of the Secretary of Transportation)

Issued in Washington, D.C., on December 9, 1970.

K. M. SMITH,
Deputy Administrator.

[F.R. Doc. 70-17037; Filed, Dec. 17, 1970; 8:49 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER E—REGULATIONS UNDER NATURAL GAS ACT

[Docket No. R-404; Order No. 418]

PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT

Commission Expands Scope of Exempt Acts by Pipelines and Producers in Emergency Situations

DECEMBER 10, 1970.

The Federal Power Commission, by notice issued October 6, 1970 (35 F.R. 17957; Nov. 21, 1970), proposed to amend its regulations under the Natural Gas Act in order to expand the scope of exempt acts by pipelines and independent producers to allow sales for 60 days without independent producers first having to obtain a certificate of public convenience and necessity under circumstances described in the proposed regulation and for other reasons.

Natural gas pipeline companies, subject to the jurisdiction of the Commission, can interconnect and engage in certain stated emergency operations for a 60-day period without prior Commission approval under § 157.22 of the regulations. Section 157.29 of the regulations provides for emergency sales by independent producers where the emergency relates to the latter's operations. In order to bring into harmony §§ 157.22 and 157.29 we shall adopt the proposed amendments so as to permit emergency purchases of natural gas by pipelines directly from independent producers where the emergency exists on the pipeline's system and further, to make clear that facilities constructed under the emergency provisions of the regulations may, upon proper application to the Commission, be retained.

In response to the notice, comments were received from 14 parties, none of whom oppose the proposed amendments although several modifications were proposed. No one requested a formal conference.

Several parties suggested that the proposed 60-day period of emergency operation be extended to periods ranging from 3 to 6 months. To do so here would be a drastic departure of our heretofore stated purpose resulting in a major revision of § 157.22. We shall therefore defer disposition of this issue until such time as we may propose additional rules applicable to emergency transactions on a more extended basis.

Having reviewed the other recommendations made in this proceeding, we have decided to adopt the amendments as initially proposed in our notice of October 6, 1970.

Upon consideration of the record in this proceeding.

The Commission finds: Adoption of these amendments to the Regulations under the Natural Gas Act is necessary and appropriate to the administration of the Natural Gas Act.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, as amended, particularly sections 4, 7, 15, and 16, thereof (52 Stat. 822, 823, 824, 825, and 830; 56 Stat. 83, 84; 61 Stat. 459; 76 Stat. 72; 15 U.S.C. 717c, 717d, 717f, 717n, and 717o), orders:

(A) Section 157.22(d), Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations, is amended to read as follows:

§ 157.22 Exemption of temporary acts and operations.

(d) Emergency operations undertaken without certificate authorization pursuant to paragraph (a) of this section shall be discontinued upon the expiration of the 60-day period. In the national emergency, emergency operations shall be discontinued upon the expiration of the 6 months' period or any extension thereof ordered by the Commission. All facilities installed for such temporary acts or operations shall be promptly

removed after expiration of the exempt period of operation. Every person shall advise the Commission in writing and under oath within ten (10) days following the removal of facilities constructed for emergency operations pursuant to this section of the regulations. Every person undertaking any such construction or operation, pursuant to this section of the regulations desiring to retain such facilities in place shall file applications for certificates of public convenience and necessity pursuant to the regulations under the Natural Gas Act with the Commission prior to the expiration of the exempt period provided herein.

(B) Section 157.29, Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations, is amended to read as follows:

§ 157.29 Exemption of emergency sales or transportation.

Public interest does not require the issuance of a certificate authorizing the sale or transportation of natural gas by an independent producer where imminent danger to life and property can be eliminated by such sale or transportation or where the sale or transportation of natural gas is necessary to assure maintenance of adequate natural gas service on the purchaser's pipeline system or where serious curtailment of service exists or is threatened on purchaser's system because of failure of facilities or failure or curtailment of supply or unusual and unexpected demand on such facilities or supply, and where such sale or transportation is limited to a single period of not more than sixty (60) days: *Provided, however, That:*

(a) Every person undertaking such sale, transportation, or purchase shall so advise the Commission immediately by telegram or letter stating briefly the circumstances and shall within ten (10) days file a statement in writing and under oath, together with four (4) conformed copies thereof, setting forth the purpose and character of the sale, transportation, or purchase, the rate being charged, the facts warranting invocation of this Section, and the anticipated period of the stated emergency.

(b) Emergency operations undertaken without certificate authorizations pursuant to paragraph (a) of this section shall be discontinued upon the expiration of the 60-day period. In the national emergency operations initiated pursuant to these provisions shall be discontinued upon the expiration of the 6 months' period or any extension thereof ordered by the Commission. All facilities installed for such temporary acts or operations shall be promptly removed after expiration of the exempt period of operation. Every person shall advise the Commission in writing and under oath within ten (10) days following the removal of facilities constructed for emergency operations pursuant to this section of the regulations. Every person undertaking any such construction or operation, pursuant to this section desiring to retain

such facilities in place shall file applications for certificates of public convenience and necessity pursuant to the regulations under the Natural Gas Act with the Commission prior to the expiration of the exempt period provided herein.

(C) Good cause exists that the amendments herein adopted become effective upon the issuance of this order.

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

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-16996; Filed, Dec. 17, 1970; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

SANITIZING SOLUTIONS; CORRECTION

In F.R. Doc. 70-7322 appearing at page 9208 in the FEDERAL REGISTER of June 12, 1970, the portion of § 121.2547(b) (12) reading "27 to 31 moles to polyoxyethylene," is corrected to read "27 to 31 moles of polyoxypropylene)."

Dated: December 4, 1970.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-17013; Filed, Dec. 17, 1970; 8:47 a.m.]

SUBCHAPTER C—DRUGS

POTASSIUM HETACILLIN CAPSULES AND TABLETS

The Commissioner of Food and Drugs has evaluated new animal drug applications filed by Bristol Laboratories Division of Bristol-Myers Co., proposing the safe and effective use of potassium hetacillin capsules (55-021V) and tablets (55-022V) for the treatment of dogs and cats. The applications are approved.

Since said drug is subject to batch certification under provisions of section 512(n) of the Federal Food, Drug, and Cosmetic Act, this order provides for appropriate amendments to the antibiotic drug certification regulations.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512 (i), (n), 32 Stat. 347, 350-51; 21 U.S.C. 360b (i), (n)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135c, 141, and 145 are amended, and new Part 149c is established, as follows:

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

1. Part 135c is amended by adding the following new section:

§ 135c.31 Potassium hetacillin oral veterinary.

(a) *Specifications.* The drug is in capsule or tablet form. The capsules conform to the certification requirements of § 149c.6 of this chapter, and the tablets conform to the certification requirements of § 149c.7 of this chapter.

(b) *Sponsor.* Bristol Laboratories, Division of Bristol-Myers Co., Post Office Box 657, Syracuse, N.Y. 13201.

(c) *Conditions of use.* (1) It is used in dogs and cats as a treatment against strains of organisms sensitive to potassium hetacillin and associated with respiratory tract infections, urinary tract infections, gastrointestinal infections, skin infections, soft tissue infections, and postsurgical infections.

(2) Dosage is administered as follows:

(i) In dogs, administer twice daily at a minimum rate of 5 milligrams per pound of body weight. In severe infections the frequency of the dosage may be increased to three times daily, or alternatively, the dosage may be increased to 10 milligrams per pound of body weight twice daily. For stubborn urinary tract infections, the dosage may be increased to 20 milligrams per pound of body weight twice daily. Treatment should be continued for 48 to 72 hours after the animal has become afebrile or asymptomatic. The oral drug should be administered in a fasting state to ensure maximum absorption.

In stubborn infections, therapy may be required for several weeks.

(ii) In cats the recommended dosage is 50 milligrams twice daily. Treatment should be continued for 48 to 72 hours after the animal has become afebrile or asymptomatic. The oral drug should be administered in a fasting state to ensure maximum absorption. In stubborn infections, therapy may be required for several weeks.

(3) For use in dogs and cats only. Not to be used in animals which are raised for food production.

(4) For use only by or on the order of a licensed veterinarian.

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTI-BIOTIC-CONTAINING DRUGS

2. Section 141.3(b) is amended by adding new subparagraph (11) as follows:

§ 141.3 Equipment and diluents for use in biological testing.

* * * *

(11) Dilute 11 (0.12N sodium hydroxide).

3. Section 141.5(b) is amended by inserting alphabetically in the table two new items and by adding a new footnote, as follows:

§ 141.5 Safety test.

* * * *

(b) * * *

Antibiotic drug	Diluent (diluent number as listed in § 141.3)	Test dose		Route of administration as described in paragraph (c) of this section
		Concentration in units or milligrams of activity per milliliter	Volume in milliliters to be administered to each mouse	
Hetacillin.....	11	45 mg. ²	0.4	Intravenous.
Potassium hetacillin.....	4	8 mg. ²	0.5	Intravenous.

² Ampicillin activity.

* * * *

PART 145—ANTIBIOTIC DRUGS; DEFINITIONS AND INTERPRETATIVE REGULATIONS

4. Section 145.3(b) (1) is amended by adding a new subdivision as follows:

§ 145.3 Definitions of master and working standards.

* * * *

(b) * * *

(1) * * *

(xii) The term "hetacillin working standard" means a specific lot of homogenous preparation of hetacillin.

* * * *

5. Title 21 is amended by adding to Chapter I the following new part:

PART 149c—HETACILLIN

- Sec. 149c.1 Nonsterile hetacillin.
- 149c.1b Nonsterile potassium hetacillin.
- 149c.6 Potassium hetacillin capsules, veterinary.
- 149c.7 Potassium hetacillin tablets, veterinary.

AUTHORITY: The provisions of this Part 149c issued under sec. 512(n), 82 Stat. 347, 350-51; 21 U.S.C. 360b(n).

§ 149c.1 Nonsterile hetacillin.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Hetacillin is 6-(2,2-Dimethyl-5-oxo-4-phenyl-1-imidazolindinyl) - 3,3-dimethyl-7-oxo-4-thia-1-azabicyclo[3.2.0]heptane - 2 - carboxylic acid. It occurs as a fine, white to off-white powder. It is so purified and dried that:

- (i) Its potency is not less than 810 micrograms of ampicillin per milligram.
- (ii) It passes the safety test.
- (iii) Its moisture content is not more than 1.0 percent.
- (iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 2.5 nor more than 5.5.
- (v) Its hetacillin content is not less than 90 and not more than 105 percent.
- (vi) It gives a positive identity test for hetacillin.
- (vii) It is crystalline.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3(b) of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, moisture, pH, hetacillin content, identity, and crystallinity.

(ii) Samples required: 10 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed for ampicillin in § 141.110 of this chapter, using the ampicillin working standard as the standard of comparison and preparing the sample for assay as follows: Dissolve an accurately weighed sample in sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a stock solution of convenient concentration. Further dilute the stock solution with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(2) *Safety.* Proceed as directed in § 141.5 of this chapter.

(3) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(5) *Hetacillin content—*(i). *Reagents.—*(a) *Hydrochloric acid-acetone solution.* Dilute 8.5 milliliters of concentrated hydrochloric acid to 1 liter with acetone and mix well. Use for 1 day only.

(b) *p-Dimethylaminocinnamaldehyde solution.* Dissolve 0.5 gram of p-dimethylaminocinnamaldehyde in sufficient hydrochloric acid-acetone solution to a final volume of 100 milliliters and shake well, filtering if necessary. Prepare immediately before use.

(ii) *Preparation of standard solutions.* Transfer about 100 milligrams of the hetacillin working standard, accurately weighed, to a 200-milliliter volumetric flask. Add 150 milliliters of refrigerated distilled water and 20 milliliters of 1N hydrochloric acid, shake, dilute to volume with distilled water, and mix well. Transfer 0.5, 1.0, and 2.0 milliliters into three respective 25-milliliter volumetric flasks. Add 1.5 and 1.0 milliliters of 0.1N hydrochloric acid respectively to the first and second flasks to bring the volume in each to 2.0 milliliters.

(iii) *Blank.* Use 2.0 milliliters of 0.1N hydrochloric acid in a 25-milliliter volumetric flask.

(iv) *Preparation of sample solutions.* Using a mortar and pestle, grind the sample to a fine powder. Transfer an accurately weighed portion of about 100 milligrams to a 200-milliliter volumetric flask. Add 150 milliliters of refrigerated distilled water and 20 milliliters of 1N hydrochloric acid, shake, dilute to volume with distilled water, and mix well. Transfer 1.0 milliliter to a 25-milliliter volumetric flask, add 1.0 milliliter of 0.1N hydrochloric acid, and mix.

(v) *Procedure.* To each of the flasks containing standards, blank, and sample, add 15 milliliters of hydrochloric acid-acetone solution and mix. Then add 3 milliliters of *p*-dimethylaminocinnamaldehyde solution to each and mix. Add 3 milliliters of 0.1*N* hydrochloric acid to each, dilute to volume with hydrochloric acid-acetone solution, mix well, and allow to stand at 25° C. for exactly 30 minutes. (Filter the sample solutions, if necessary, to remove any turbidity.) Using a suitable spectrophotometer, read the absorbance values of standard and sample solutions at a wavelength of 515 nanometers against the blank. Plot the absorbance values of the standards versus their concentrations and read the sample concentration from this standard response line.

(vi) *Calculations.*

$$\text{Percent hetacillin} = \frac{c \times 5,000 \times 100}{\text{Wt. of sample in milligrams}}$$

where:

c = Concentration in milligrams of hetacillin per milliliter of the final solution of the sample obtained from the standard response line.

5,000 = Dilution factor (200 × 25).

(6) *Identity.* Proceed as directed in § 141.521 of this chapter, using a 1 percent potassium bromide disc prepared as directed in paragraph (b)(1) of that section.

(7) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

§ 149c.1b Nonsterile potassium hetacillin.

(a) *Requirements for certification—(1) Standards of identity, strength, quality and purity.* Potassium hetacillin is the potassium salt of hetacillin. It occurs as a fine, white to light buff powder. It is so purified and dried that:

(i) Its potency is not less than 735 micrograms of ampicillin per milligram.

(ii) It passes the safety test.

(iii) Its moisture content is not more than 1.0 percent.

(iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 7.0 and not more than 9.0.

(v) Its potassium hetacillin content is not less than 90 percent and not more than 105 percent.

(vi) It gives a positive identity test for potassium hetacillin.

(vii) It is crystalline.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3(b) of this chapter.

(3) *Requests for certification samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, moisture, pH, potassium hetacillin content, identity, and crystallinity.

(ii) Samples required: 10 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay—(1) Potency.* Proceed as directed for ampicillin in § 141.110 of this chapter, using the ampicillin working standard as the standard of comparison and preparing

the sample for assay as follows: Dissolve an accurately weighed sample in sufficient 0.1*M* potassium phosphate buffer, pH 8.0 (solution 3), to give a stock solution of convenient concentration. Further dilute the stock solution with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(2) *Safety.* Proceed as directed in § 141.5 of this chapter.

$$\text{Percent potassium hetacillin} = \frac{c \times 5,000 \times 427.57 \times 100}{\text{Wt. of sample in milligrams} \times 389.48}$$

where:

c = Concentration in milligrams of hetacillin per milliliter of the final solution of the sample obtained from the standard response line.

5,000 = Dilution factor (200 × 25).

427.57 = Molecular weight of potassium hetacillin.

389.48 = Molecular weight of hetacillin.

(6) *Identity.* Proceed as directed in § 141.521 of this chapter, using a 1 percent potassium bromide disc prepared as directed in paragraph (b)(1) of that section.

(7) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

§ 149c.6 Potassium hetacillin capsules, veterinary.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Potassium hetacillin capsules, veterinary, are composed of potassium hetacillin with or without one or more suitable diluents, lubricants, and drying agents. Each capsule contains an amount of potassium hetacillin equivalent to 50, 100, or 200 milligrams of ampicillin. Its potency is satisfactory if it contains not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. The moisture content is not more than 3 percent. The potassium hetacillin used conforms to the requirements of § 149c.1b.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter, except that in lieu of the requirements of § 148.3(a)(1), it shall be labeled in accordance with the requirements prescribed by § 1.106(c) of this chapter, issued under section 502(f) of the act.

(3) *Requests for certification; samples.* In addition to complying with the requirements of section 512(b) of the Federal Food, Drug, and Cosmetic Act and § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The potassium hetacillin used in making the batch for potency, safety, moisture, pH, potassium hetacillin content, identity, and crystallinity.

(b) The batch for potency and moisture.

(ii) Samples required:

(a) The potassium hetacillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 capsules.

(3) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(5) *Potassium hetacillin content.* Proceed as directed in § 149c.1(b)(5), except use about 110 milligrams of sample and calculate the potassium hetacillin content as follows:

$$\text{Percent potassium hetacillin} = \frac{c \times 5,000 \times 427.57 \times 100}{\text{Wt. of sample in milligrams} \times 389.48}$$

(b) *Tests and methods of assay—(1) Potency.* Proceed as directed for ampicillin in § 141.110 of this chapter, using the ampicillin working standard as the standard of comparison and preparing the sample for assay as follows: Place a representative number of capsules in a high-speed glass blender with sufficient 0.1*M* potassium phosphate buffer, pH 8.0 (solution 3), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Further dilute an aliquot of the stock solution with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

§ 149c.7 Potassium hetacillin tablets, veterinary.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Potassium hetacillin tablets, veterinary, are composed of potassium hetacillin with or without one or more suitable buffer substances, diluents, binders, lubricants, flavorings, and colorings. Each tablet contains an amount of potassium hetacillin equivalent to 50, 100, or 200 milligrams of ampicillin. Its potency is satisfactory if it contains not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. The moisture content is not more than 5 percent. Tablets shall disintegrate within 30 minutes. The potassium hetacillin used conforms to the requirements of § 149c.1b.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter, except that in lieu of the requirements of § 148.3(a)(1), it shall be labeled in accordance with the requirements prescribed by § 1.106(c) of this chapter, issued under section 502(f) of the act.

(3) *Requests for certification; samples.* In addition to complying with the requirements of section 512(b) of the Federal Food, Drug, and Cosmetic Act and § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The potassium hetacillin used in making the batch for potency, safety, moisture, pH, potassium hetacillin content, identity, and crystallinity.

(b) The batch for potency, moisture, and disintegration time.

(ii) Samples required:

(a) The potassium hetacillin used in making the batch: 10 packages,

each containing approximately 300 milligrams.

(b) The batch: A minimum of 36 tablets.

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed for ampicillin in § 141.110 of this chapter, using the ampicillin working standard as the standard of comparison and preparing the sample for assay as follows: Place a representative number of tablets in a high-speed glass blender with sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Further dilute an aliquot of the stock solution with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(3) *Disintegration time.* Proceed as directed in § 141.540 of this chapter, using the procedure described in § 141.540 (e) (1) of this chapter.

Data supplied by the manufacturer concerning the subject drugs have been evaluated. Since the conditions prerequisite to providing for certification of these drugs have been complied with and since not delaying in so providing is in the public interest, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 512 (i), (n), 82 Stat. 347, 350-51; 21 U.S.C. 360b (i), (n))

Dated: December 9, 1970.

C. D. VAN HOUWELING,
Director,

Bureau of Veterinary Medicine.

[F.R. Doc. 70-17014; Filed, Dec. 17, 1970; 8:47 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 90—TABLE OF CHARGES AND REGULATIONS OF THE MINTS AND ASSAY OFFICES OF THE UNITED STATES FOR PROCESSING SILVER AND ASSAYING BULLION, METALS, AND ORES¹

The purpose of these amendments and revisions is to implement the termination of acceptance of silver deposits for exchange into bars at the U.S. Mints and Assay Offices. Notice of termination of such deposits for exchange was pub-

¹ Coinage Mints are located at Philadelphia, Pa., and Denver, Colo.; U.S. Assay Offices are located at New York, N.Y., and San Francisco, Calif. Deposits are not accepted in Washington, D.C.

lished in the FEDERAL REGISTER on October 9, 1970 (35 F.R. 15922).

Part 90 of Title 31 of the Code of Federal Regulations is revised to read as follows:

- Sec.
90.1 Application and general regulations.
90.2 Silver bullion which may be accepted.
90.3 Requisites for acceptable bullion, as to fineness.
90.4 Return or rejection of silver deposited.
90.5 Charges for treating and processing silver.
90.6 Charges for special assays and assays of ores.
90.7 Transactions not subject to various treating and processing charges.
90.8 Settlement for transactions conducted.

AUTHORITY: The provisions of this Part 90 issued under 5 U.S.C. 301, R.S. 3524, as amended, R.S. 3546, 48 Stat. 337; 31 U.S.C. 332, 360.

§ 90.1 Application and general regulations.

(a) *Scope.* This part prescribes policies, regulations, and charges of the U.S. Mints and Assay Offices governing the acceptance and treatment of silver deposited for purchase, under provisions of the Newly-Mined Domestic Silver Regulations of 1965, the regulations of the Office of Domestic Gold and Silver Operations (Parts 31 and 93 of this chapter, respectively) and Title 31 of the United States Code.

(b) *Assaying, melting, parting and refining, and other related services.* The charges for the various operations on bullion deposited, for the preparation of bars, and for the assay of samples of bullion and ores are fixed from time to time by the Director of the Mint, with the concurrence of the Secretary of the Treasury, so as to equal but not exceed in their judgment the actual average costs. The U.S. Mints and Assay Offices shall impose appropriate charges for services performed under these regulations.

(c) *Metals not returned to depositors.* Metals other than silver contained in bullion accepted will not be returned to the depositor, nor will credit or payment be given for them.

§ 90.2 Silver bullion which may be accepted.

The U.S. Mints and Assay Offices will accept for purchase, silver which meets the requisites set forth in Parts 81 and 93 of this chapter, and the general regulations in this part.

§ 90.3 Requisites for acceptable bullion as to fineness.

(a) Silver governed by the regulations in Parts 81 and 93 of this chapter must contain at least 600 parts of silver in 1,000, to be eligible for deposit under the regulations in this part.

(b) In addition to this requisite as to fineness, deposits in this category must also be accompanied by duly executed affidavits as evidence that such silver is eligible. Forms for this purpose are prescribed in Part 93 of this chapter.

§ 90.4 Return or rejection of silver deposited.

(a) *Unsatisfactory silver bullion.* Any silver bullion that fails to meet the neces-

sary requisites set forth in Parts 81 and 93 of this chapter, and this part, or that is unsuitable for mint operations, shall not be accepted, but shall be returned according to provisions of paragraph (b) of this section.

(b) *Return of bullion.* Subject to payment in cash to the Government for charges incurred, bullion may be returned to the depositor at any time before settlement is made or payment is tendered therefor, and thereafter at the option of the superintendent of the Mint or the officer in charge of the Assay Office handling the bullion.

§ 90.5 Charges for treating and processing silver.

(a) *Melting charges.* A melting charge of \$5 shall be imposed for the first 1,000 gross troy ounces of each deposit of bullion. An additional melting charge of 50 cents shall be imposed for each additional 100 gross troy ounces or fraction thereof. These rates shall be applied to the after melting gross weight of the deposit.

(b) *Excess melting loss charge.* When there is a melting loss in excess of 15 percent of the before melting weight of a deposit of bullion, an additional melting charge of \$3 shall be imposed for the first 100 gross troy ounces. An additional melting charge of \$1 shall be imposed in this case for each additional 100 gross troy ounces or fraction thereof. These additional rates shall be applied to the before melting gross weight of the deposit.

(c) *Abnormal treatment charges.* At the discretion of the superintendent of the Mint or the officer in charge of the Assay Office, deposits of bullion which require abnormal treatment shall be subjected to additional charges equal to the extra cost, including remelting and re-treatment if necessary. When charges for abnormal treatment are assessed, a charge will not be made for an excess melting loss.

(d) *Parting and refining charge (rate per gross troy ounce to the nearest hundredth)*—*Silver Bullion.*

Silver content:	Charge (cents)
600 to 850 thousandths.....	12
850½ to 995¼ thousandths.....	6

§ 90.6 Charges for special assays and assays of ores.

(a) *General.* Gold or silver bullion and ores submitted for special assay will be accepted by the United States Mints and Assay Offices only if the owner is authorized by the regulations in Part 54 of this chapter to receive in return any gold contained therein.

(b) *Special assays.*

Metals determined	Gold or silver bullion (under 800 parts metal)	Plated or filled goods and white gold
Gold.....	\$11	\$12
Silver.....	11	12
Gold and silver (same sample).....	19	23
Additional charge when the sample contains any of the platinum group metals.....	5	5

(c) *Assay of ores.* Assays of ores will be made at the U.S. Mint, Denver, Colo. The charge for each metal determined will be:

	Charge
Gold -----	\$5
Silver -----	5
Gold and Silver (same sample) -----	8
Lead -----	8
Zinc -----	8
Copper -----	7

§ 90.7 Transactions not subject to various treating and processing charges.

(a) *Deposits exempt from melting charges.* (1) Uncurrent U.S. coin.

(2) Silver bullion of at least 999 thousandths fineness when a satisfactory assay can be obtained without melting.

(b) *Deposits exempt from parting and refining charges.* Deposits of domestic mutilated or uncurrent silver coin received in accordance with Part 100 of this chapter, are not subject to charges for parting and refining, except as provided in § 90.5.

§ 90.8 Settlement for transactions conducted.

(a) *Advance settlement.* When the approximate fineness of bullion containing 5,000 or more ounces of silver may be readily determined, settlement of 90 percent of the value may be made at the discretion of the superintendent or officer in charge. If the fineness is closely determined by assay, and the bullion is awaiting remelting and reassay for exact determination, settlement of 98 percent of the value may be made. Other advances may be authorized by the Secretary of the Treasury. In any case of an advance the depositor must give a written guaranty that the value of the deposit is at least equal to the amount advanced.

(b) *Statement of charges.* The detailed memorandum of the weight of bullion after melting, the report of the Assayer as to fineness, the value of the bullion deposited and the amount of the charges shall be given to the depositor.

(c) *Payment for silver bullion deposits.* Payment for silver bullion is made, in so far as practicable, in the order in which the deposits are received, by check drawn in favor of the depositor or to such other person as he may designate. In no case is a check in payment of a deposit drawn in favor of any officer or employee of the institution where the deposit is made, and in no case may any person employed in the institution act as agent for the depositor. Checks may be sent by ordinary mail at the risk of the payee or by registered mail at his request and expense.

Effective date. These regulations are effective as of the close of business November 10, 1970, as indicated in the notice of termination of silver deposits for exchange published in the FEDERAL REGISTER on October 9, 1970 (35 F.R. 15922). Deposits received at the U.S. Mints and Assay Offices prior to this time will be accepted for exchange in accord-

ance with the regulations governing such exchanges.

Dated: December 9, 1970.

[SEAL] MARY BROOKS,
Director of the Mint.

[F.R. Doc. 70-17077; Filed, Dec. 17, 1970; 8:52 a.m.]

PART 91—REGULATIONS GOVERNING CONDUCT IN OR ON THE BUREAU OF THE MINT BUILDINGS AND GROUNDS

Miscellaneous Amendments

These amendments delete from Part 91 the references to obsolete delegation orders of the Administrator of General Services and the Under Secretary of the Treasury, and insert in lieu thereof references to recently revised delegation orders. In accordance with provisions of 5 U.S.C. 553, notice and public procedure thereon are found to be impractical, unnecessary and not required because the amendments relate to the management of public property. These amendments affect all Bureau of the Mint field facilities listed below in § 91.1 and § 91.2.

1. The authority paragraph following the table of contents is deleted and in lieu thereof the following is substituted:

AUTHORITY: The provisions of this Part 91 issued under 5 U.S.C. 301, by delegation from the Administrator of General Services, 35 F.R. 14426, and Treasury Department Order 177-25 (Revision 1), 35 F.R. 15312.

2. Section 91.1 *Authority* is deleted and in lieu thereof the following is substituted:

§ 91.1 Authority.

The regulations in this part governing conduct in and on the Bureau of the Mint buildings and grounds located as follows: U.S. Mint, Colfax and Delaware Streets, Denver, CO; U.S. Bullion Depository, Fort Knox, KY; U.S. Assay Office, 32 Old Slip, New York, NY; U.S. Mint, 16th and Spring Garden Streets, Philadelphia, PA; U.S. Mint, 5th and Arch Streets, Philadelphia, PA; U.S. Assay Office, 155 Hermann Street, San Francisco, CA; and U.S. Bullion Depository, West Point, N.Y.; are promulgated pursuant to the authority vested in the Secretary of the Treasury, including 5 U.S.C. 301, and that vested in him by delegation from the Administrator of General Services, 35 F.R. 14426 (1970), and in accordance with the authority vested in the Director of the Mint by Treasury Department Order No. 177-25 (Revision 1), 35 F.R. 15312 (1970).

3. Section 91.2 *Applicability* is deleted and in lieu thereof the following is substituted:

§ 91.2 Applicability.

The regulations in this part apply to the buildings and grounds of the Bureau of the Mint located as follows: U.S. Mint, Colfax and Delaware Streets, Denver, CO; U.S. Bullion Depository, Fort Knox, Ky.; U.S. Assay Office, 32 Old Slip, New

York, NY; U.S. Mint, 16th and Spring Garden Streets, Philadelphia, PA; U.S. Mint, 5th and Arch Streets, Philadelphia, PA; U.S. Assay Office, 155 Hermann Street, San Francisco, CA; and U.S. Bullion Depository, West Point, N.Y.; apply to all persons entering in or on such property. Unless otherwise stated herein, the Bureau of the Mint buildings and grounds shall be referred to in the regulations in this part as the "property".

Effective date. These amendments are effective from September 4, 1970.

Dated: December 9, 1970.

[SEAL] MARY BROOKS,
Director of the Mint.

[F.R. Doc. 70-17075; Filed, Dec. 17, 1970; 8:52 a.m.]

PART 92—BUREAU OF THE MINT OPERATIONS AND PROCEDURES

The purpose of these amendments and revisions is to implement the termination of acceptance of silver deposits for exchange into bars at the U.S. Mints and Assay Offices. Notice of termination of such deposits for exchange was published in the FEDERAL REGISTER on October 9, 1970 (35 F.R. 15922).

Part 92 of Title 31 of the Code of Federal Regulations is revised to read as follows:

- Sec.
- 92.1 Receipt of bullion.
 - 92.2 Handling of bullion.
 - 92.3 Redemption and deposit of U.S. coin.
 - 92.4 Sale of silver.
 - 92.5 Manufacture of medals.
 - 92.6 Sale of "11st" medals.
 - 92.7 Manufacture and sale of "proof" coins.
 - 92.8 Uncirculated Mint Sets.
 - 92.9 Procedure governing availability of Bureau of the Mint records.
 - 92.10 Appeal.

AUTHORITY: The provisions of this Part 92 issued under 5 U.S.C. 301.

§ 92.1 Receipt of bullion.

As a matter of expedience and convenience to the public, the superintendents and officers in charge of the Mint institutions are authorized to receive newly mined domestic silver bullion, as provided by Parts 81 and 93 of this chapter, for deposit by express or mail. In cases where reasonable doubts may arise as to the ownership and eligibility or any other pertinent factor concerning bullion, the superintendents and officers in charge may decline to receive deposits unless made in person. When silver bullion is received by express or mail, or when formal receipts are not requested by the depositors of silver bullion, memorandum receipts are issued to the depositors. Whenever the depositor of silver requests a formal receipt, he is given a receipt on Form 7a for the before-melting weight of his deposit. Receipts on Form 7a must be surrendered, properly indorsed by the depositor at the time payment is made for the silver bullion represented thereby. If the depositor of silver bullion loses his receipt on Form 7a, payment for his

deposit will not be made to him until he shall have posted an indemnity bond for double the value of his deposit.

§ 92.2 Handling of bullion.

(a) All bullion deposited at any of the Mints or Assay Offices is weighed, when practicable, in the presence of the depositor or his agent, and the weight is verified by an authorized official or competent employee of the Mint or Assay Office. Weights are recorded in troy ounces and hundredths of an ounce. In receiving and weighing deposits, fractions of one-hundredth of an ounce are disregarded. When several parcels are deposited by the same depositor at the same time, they may be weighed separately at his request, but they will be assayed separately only when separate melting charges are assessed for each parcel assayed.

(b) The Assayer takes at least two samples in sufficient portions for assay from each deposit of bullion. The percentages of the gold, silver and base metal contained, as well as the charges to which the deposit is subject, are indicated by the Assayer on a special form provided for that purpose, which is signed by the Assayer. This form also contains the depositor's name, the number and the date of the deposit, the class of bullion, the weight before and after melting and the deductions, if any, to which the deposit has been subjected. The depositor will not be paid for any gold contained in silver deposits. The depositor should be informed of such gold content and given the opportunity to withdraw the deposit before processing and purchase.

§ 92.3 Redemption and deposit of U.S. coin.

(a) U.S. gold coin eligible for acceptance if of legal weight, is redeemed at face value. If U.S. gold coin is worn or mutilated, it is received as standard metal without previous melt or assay and and it is redeemed as bullion at the rate of \$20.67+ per ounce of fine gold.

(b) The regulations governing the redemption and exchange of silver coins and minor coins are set forth in Part 100 of this chapter.

§ 92.4 Sale of silver.

See Part 56 of this chapter.

§ 92.5 Manufacture of medals.

With the approval of the Director of the Mint, dies for medals of a national character designated by Congress may be executed at the Philadelphia Mint, and struck in such field offices of the Mints and Assay Offices as the Director shall designate. Application for the manufacture of such medals may be made by letter to the Director of the Mint, Treasury Department, Washington, D.C. 20220.

§ 92.6 Sale of "list" medals.

Medals on the regular Mint list, when available, are sold to the public at a charge sufficient to cover their cost, and

to include mailing cost when mailed. Copies of the list of medals available for sale and their selling prices may be obtained from the Director of the Mint, Washington, D.C.

§ 92.7 Manufacture and sale of "proof" coins.

"Proof" coins, i.e., coins prepared from blanks specially polished and struck, are made as authorized by the Director of the Mint and are sold at a price sufficient to cover their face value plus the additional expense of their manufacture and sale. Their manufacture and issuance are contingent upon the demands of regular operations. Information concerning availability and price may be obtained from the Director of the Mint, Treasury Department, Washington, D.C. 20220.

§ 92.8 Uncirculated Mint Sets.

Uncirculated Mint Sets, i.e., specially packaged coin sets containing one coin of each denomination struck at the Mints at Philadelphia and Denver, and the Assay Office at San Francisco, will be made as authorized by the Director of the Mint and will be sold at a price sufficient to cover their face value plus the additional expense of their processing and sale. Their manufacture and issuance are contingent upon demands of regular operations. Information concerning availability and price may be obtained from the Director of the Mint, Treasury Department, Washington, D.C. 20220.

§ 92.9 Procedure governing availability of Bureau of the Mint records.

(a) *Regulations of the Office of the Secretary adopted.* The regulations on the Disclosure of Records of the Office of the Secretary and other bureaus and offices of the Department issued under 5 U.S.C. 301 and 552 and published as Part 1 of this title, 32 F.R. No. 127, July 1, 1967, except for § 1.7 of this title entitled "Appeal", shall govern the availability of Bureau of the Mint records.

(b) *Determination of availability.* The Director of the Mint delegates authority to the following Mint officials to determine, in accordance with Part 1 of this title, which of the records or information requested is available, subject to the appeal provided in § 92.10: The Deputy Director of the Mint, Division Heads in the Office of the Director, and the Superintendent or Officer in Charge of the field office where the record is located.

(c) *Requests for identifiable records.* A written request for an identifiable record shall be addressed to the Director of the Mint, Washington, D.C. 20220. A request presented in person shall be made in the public reading room of the Treasury Department, 15th Street and Pennsylvania Avenue NW., Washington, DC, or in such other office designated by the Director of the Mint.

§ 92.10 Appeal.

Any person denied access to records requested under § 92.9 may file an ap-

peal to the Director of the Mint within 30 days after notification of such denial. The appeal shall provide the name and address of the appellant, the identification of the record denied, and the date of the original request and its denial.

Effective date. These regulations are effective as of the close of business November 10, 1970, as indicated in the notice of termination of silver deposits for exchange published in the FEDERAL REGISTER on October 9, 1970 (35 F.R. 15922). Deposits received at the U.S. Mints and Assay Offices prior to this time will be accepted for exchange in accordance with the regulations governing such exchanges.

Dated: December 9, 1970.

[SEAL]

MARY BROOKS,
Director of the Mint.

[F.R. Dec. 70-17076; Filed, Dec. 17, 1970; 8:52 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 67—CANAL ZONE POSTAL SERVICE

Miscellaneous Amendments

Effective January 1, 1971, Part 67 of Title 35 of the Code of Federal Regulations is amended as follows:

1. Section 67.91 is revised to read as follows:

§ 67.91 Domestic rates for first-class mail.

Except as otherwise provided by this section, the domestic postage rates for first-class mail set forth in 39 CFR are applicable to and within the Canal Zone and to regular mail exchanged with the Republic of Panama, the United States, its Territories, Possessions, and the Commonwealth of Puerto Rico.

(a) First-class matter weighing over 13 ounces mailed in the Canal Zone and destined to the Canal Zone and the Republic of Panama is subject to the first-class rate provided in 39 CFR for such mail destined to the Local Zone and Zones 1, 2, and 3.

(b) First-class matter weighing over 13 ounces mailed in the Canal Zone and destined to the United States, its Territories, Possessions, and the Commonwealth of Puerto Rico is subject to the first-class rate provided in 39 CFR for such mail destined to Zone 8.

Cross Reference: Rates for first-class mail, see 39 CFR 131.1. Airmail rates, see § 67.161 in this Part 67.

2. Section 67.92 is revised to read as follows:

§ 67.92 Classification.

The provisions of 39 CFR describing the various classifications of first-class mail are applicable to and within the Canal Zone.

CROSS REFERENCE: Classification of first-class mail, see 39 CFR 131.2.

3. Subparagraph (1) of paragraph (a) of § 67.131 is revised to read as follows:

THIRD-CLASS MATTER

§ 67.131 Applicability of Federal postal regulations.

(a) *Rates.* (1) The domestic postage rates for third-class matter set forth in 39 CFR are applicable to and within the Canal Zone and to such third-class matter when mailed in the Canal Zone and destined for the United States, its Territories, Possessions, and the Commonwealth of Puerto Rico.

4. Paragraph (b) of § 67.401, is revised to read as follows:

FORWARDING MAIL

§ 67.401 All classes.

(b) *Government personnel.* Mail matter of all classes for employees of the U.S. Government, the Panama Canal Company, the Canal Zone Government, members of the armed forces of the United States, and dependent members of their families, may be forwarded from one post office or branch to another post office or branch in the Canal Zone without additional postage.

6. Paragraph (b) of § 67.591 is amended to read as follows:

§ 67.591 Surface mails.

(b) *Postal Union mail.*

all other questions arising in the application of chapter 60 of this title and the provisions of this subpart to Treasury contracts.

(E.O. 11246, as amended by E.O. 11375; 43 U.S.C. 2000e note; and 41 CFR Ch. 60)

Effective date. This Notice will become effective upon the date of publication in the FEDERAL REGISTER.

Dated: December 15, 1970.

[SEAL] ERNEST C. BETTS, Jr.,
Assistant Secretary
for Administration.

[F.R. Doc. 70-17078; Filed, Dec. 17, 1970; 8:52 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER H—UTILIZATION AND DISPOSAL MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

This amendment adds new § 101-43.313-10 to provide for transfer between Federal agencies of excess nonappropriated fund property; adds new § 101-43.315-5(j) to prohibit issuance of Standard Form 97, The U.S. Government Certificate of Release of a Motor Vehicle, when excess vehicles are transferred between Federal agencies; adds a new sentence to § 101-43.318-3 to specifically state that nonappropriated fund property is not donable; illustrates a revised GSA Form 1539, December 1969 edition, Request for Excess Personal Property, and a revised Instructions for preparing GSA Form 1539; and adds new § 101-44.201-3(d) to except nonappropriated fund property from the definition of donable property.

PART 101-43—UTILIZATION OF PERSONAL PROPERTY

The table of contents for Part 101-43 is amended to provide for a new entry as follows:

Sec. 101-43.313-10 Nonappropriated fund property.

Subpart 101-43.3—Utilization of Excess

1. New § 101-43.313-10 is added as follows:

§ 101-43.313-10 Nonappropriated fund property.

(a) Nonappropriated fund property determined to be excess shall be made available for transfer as provided in this Part 101-43.

(b) Transfers of excess nonappropriated fund property shall be made upon such terms as shall be agreed to by the owning agency and the transferee agency. However, agencies offering such property for transfer shall not, in any instance, require reimbursement of an amount greater than the best estimate of the gross proceeds if the property were to be sold on a competitive-bid basis or the dollar value offered on a trade-in basis.

Classifications	Surface rates	Weight limits (surface)
Letters and Letter Packages:		
Panama	Domestic rates for first-class mail.	See 39 CFR.
To all other countries.	13 cents first ounce, 8 cents each additional ounce.	Do.
Post Cards:		
Panama	5 cents single; 10 cents reply paid.	
To all other countries.	8 cents single; 16 cents reply-paid.	
Printed Matter:		
a. Regular prints not stated in b and c:		
To all countries.	6 cents first 2 ounces; 4 cents each additional 2 ounces.	Do.
b. Books and sheet music:		
To PUAS countries except Spain and Spanish possessions.	14 cents first 10 ounces; 1 cent each additional 2 ounces.	Do.
To all other countries including Spain and Spanish possessions.	14 cents first 10 ounces; 1½ cents each additional 2 ounces.	Do.
c. Publishers' Second Class:		
To P.U.A.S. countries.	3 cents first 2 ounces; 1 cent each additional 2 ounces.	Do.
To all other countries.	4 cents first 2 ounces; 1½ cents each additional 2 ounces.	Do.
Matter for the blind.	Free. See Directory, International Mail.	Do.
Samples of merchandise:		
To all countries.	6 cents first 2 ounces; 4 cents each additional 2 ounces; minimum charge 13 cents.	Do.
Small packets:		
To all countries accepting.	6 cents each 2 ounces; minimum charge 26 cents.	Do.

(2 C.Z.C. sec. 1131-1133, 76A Stat. 38-39)

Date signed: December 4, 1970.

W. P. LEBER,
Governor.

[F.R. Doc. 70-17053; Filed, Dec. 17, 1970; 8:45 a.m.]

and add a new second paragraph. The Department finds that notice to the public of these regulations is not necessary under 5 U.S.C. 553 since these regulations relate exclusively to Department personnel.

Accordingly, § 10-12.802 is revised to read as follows:

§ 10-12.802 Administrative responsibility.

The Secretary has designated the General Counsel as the Treasury Department Contract Compliance Officer, who is responsible to the Secretary for carrying out the duties and responsibilities of the Department under Executive Orders 11246 and 11375, and Chapter 60 of this title and the provisions of this subpart. The General Counsel is assisted by the Director of the Office of Equal Opportunity Program, who is also the Deputy Contract Compliance Officer for the Department. The Deputy Contract Compliance Officer is responsible for conducting or supervising the conduct of all compliance reviews to be undertaken by the Department of banks and financial institutions. He will also furnish assistance required in determining such matters as the compliance status of contractors, the Compliance Agency for any contract, and

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 10—Department of the Treasury

PART 10-12—LABOR

Subpart 10-12.8—Equal Opportunity in Employment

ADMINISTRATIVE RESPONSIBILITY

The Department of the Treasury finds it necessary to revise the provisions of 41 CFR 10-12.802, Administrative responsibility, in order to reflect the designation of the General Counsel in place of an Assistant Secretary as the Treasury Department Contract Compliance Officer and to revise the first paragraph

2. New § 101-43.315-5(j) is added as follows:

§ 101-43.315-5 Procedure for effecting transfers.

(j) When excess vehicles are transferred between Federal agencies as provided in this Part 101-43, Standard Form 97, The U.S. Government Certificate of Release of a Motor Vehicle, shall not be issued by a property disposal officer or accountable official. Use of the Standard Form 97 is restricted to situations where title to the vehicle leaves the Federal Government.

3. Section 101-43.318-3 is revised by the addition of a new sentence as follows:

§ 101-43.318-3 Donation and sale of surplus property.

Holding agencies shall hold property determined to be surplus, as provided in §§ 101-43.318-1 and 101-43.318-2, available for donation program screening in accordance with Part 101-44 of this subchapter before it shall be assigned for sale, abandonment, or destruction in accordance with Part 101-45 of this subchapter. Nonappropriated fund property, upon being determined surplus, shall not be available for donation but may be disposed of as provided in Part 101-45 of this chapter.

Subpart 101-43.49—Illustrations

1. Sections 101-43.4904 and 101-43.4904-1 are revised as follows:

§ 101-43.4904 GSA Form 1539, Request for Excess Personal Property.

§ 101-43.4904-1 Instructions for preparing GSA Form 1539.

NOTE: The form and instructions listed in §§ 101-43.4904 and 101-43.4904-1 are filed as part of the original document.

PART 101-44—DONATION OF PERSONAL PROPERTY

Subpart 101-44.2—Definition of Terms

New § 101-44.201-3(d) is added as follows:

§ 101-44.201-3 Donable property.

(d) Nonappropriated fund property. (Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

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

Dated: December 10, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-17008; Filed, Dec. 17, 1970; 8:46 a.m.]

Title 42—PUBLIC HEALTH

Chapter IV—Environmental Protection Agency

ORGANIZATION AND FUNCTIONS

The Environmental Protection Agency was created by Reorganization Plan No.

3 of 1970 (35 F.R. 15623). To implement the transfer of certain functions described by the Plan, a new Chapter IV is established in Title 42 of the Code of Federal Regulations to read as set forth above. Certain parts formerly appearing in Chapter I of Title 42 are hereby transferred to Chapter IV (F.R. Doc. 70-16941, 35 F.R. 18972, 19019).

These redesignations are interim pending the establishment of a new title in the Code of Federal Regulations which will contain all of the regulations of the Environmental Protection Agency. Until that time, the terms "Public Health Service" and "Department" will be deemed to mean "Environmental Protection Agency" and the terms "Secretary" and "Surgeon General" will be deemed to mean "Administrator" in the redesignated Parts.

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

(Reorganization Plan No. 3 of 1970, 35 F.R. 15623)

WILLIAM D. RUCKELSHAUS,
Administrator.

DECEMBER 15, 1970.

[F.R. Doc. 70-17051; Filed, Dec. 17, 1970; 8:50 a.m.]

Title 45—PUBLIC WELFARE

Subtitle A—Department of Health, Education, and Welfare, General Administration

PART 85—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES

Redesignation

CROSS REFERENCE: For a document redesignating Part 85 of Subtitle A as Part 1201 of Chapter XII in Title 45, see F.R. Doc. 70-17047, *infra*.

Chapter XII—Environmental Protection Agency

ESTABLISHMENT OF CHAPTER AND TRANSFER OF REGULATIONS

The Environmental Protection Agency was created by Reorganization Plan No. 3 of 1970 (35 F.R. 15623). To implement the transfer of certain functions described by the Plan, a new Chapter XII is established in Title 45 of the Code of Federal Regulations to read as set forth above. Former Part 85 of Subtitle A of Title 45 is hereby redesignated as Part 1201 and transferred to Chapter XII.

This redesignation is interim pending the establishment of a new title in the Code of Federal Regulations which will contain all of the regulations of the Environmental Protection Agency. Until that time, the term "Department of Health, Education, and Welfare" will be deemed to mean "Environmental Protection Agency" and the term "Secretary" will be deemed to mean "Administrator" in the redesignated Part 1201.

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

(Reorganization Plan No. 3 of 1970, 35 F.R. 15623)

WILLIAM D. RUCKELSHAUS,
Administrator.

DECEMBER 15, 1970.

[F.R. Doc. 70-17047; Filed, Dec. 17, 1970; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter III—Federal Highway Administration, Department of Transportation

SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-7; Notice No. 70-20]

PART 391—QUALIFICATIONS OF DRIVERS

Written Examination

The revision of Part 391 of the Motor Carrier Safety Regulations, which was announced on April 22, 1970 (35 F.R. 6458), includes a requirement that all new drivers must take a written examination, and achieve a passing grade of at least 70 percent, to demonstrate their knowledge of the provisions of pertinent Federal safety regulations. The requirement is scheduled to become effective on January 1, 1971, and is applicable, generally, to persons who were not regularly employed as drivers prior to that date.

After the issuance of the revised driver qualification regulations, the Equal Employment Opportunity Commission, acting under Title VII of the Civil Rights Act of 1964 (42 U.S.C. 20003-1 et seq.), issued a set of guidelines which provide that employers subject to that act who employ test performance as a pre-employment screening device must be able to demonstrate, among other things, that performance on the examination has been shown by actual experiential data to have a direct relationship to on-the-job ability and skill. In the case of the written examination prescribed in the revised driver qualification regulations, such demonstration data are nonexistent; necessarily so, because the examination represents a new departure in Federal safety regulation.

The examination requirement was developed for a number of reasons. First, it was an effort to screen out driver candidates who lack knowledge of the rudimentary safety rules. The experience of virtually all driver licensing jurisdictions teaches that such knowledge is an indispensable element in safe driving. Second, the examination requirement was aimed at inducing carriers to educate new drivers in the contents of the safety regulations. To date, there have been gratifying indications that carriers have been developing new instructional materials in an effort to explain the provisions of the regulations in language that their new driver candidates can readily

understand and absorb. A third, and related, objective was to afford persons seeking to qualify as drivers an incentive to learn the safety regulations and, concomitantly, to foster an attitude of professionalism on the part of drivers who qualify. Instead of attempting to pick up his knowledge of the safety rules after he begins to drive, the new driver, it was hoped, would undertake a systematic study of the rules before getting behind the wheel of a commercial vehicle. Finally, it was believed that by prescribing, for universal application, a set of examination questions and answers developed by the Bureau of Motor Carrier Safety, coupled with a stiff records retention requirement, any potential abuse of the written examination requirement might be averted.

However, as noted above, the Equal Employment Opportunity Commission issued, on August 1, 1970, guidelines which may make it unlawful for certain employers to make use of written examinations which have not been validated in accordance with those guidelines. More recently, the Commission has taken the position that it will not regard the examination prescribed in § 391.25 as being on a different footing than examinations created by employers as a matter of free choice. Hence, it appears that adherence to the written examination requirement in its present form would place many motor carriers in the position of either violating the motor carrier safety regulations, on the one hand, or regulations of the Equal Employment Opportunity Commission, on the other.

In the circumstances, the Director has altered the examination requirement to avoid conflict with the equal employment opportunity guidelines. He has, at the same time, sought to preserve the examination as an instructional tool in order to maximize attainment of the objectives for which it was originally instituted. The principal change is elimination of the requirement that carriers must regard a passing grade as a prerequisite to qualification for employment as a commercial driver. Carriers are still required to give the examination to every new driver, to explain the correct answers to questions answered incorrectly, to furnish drivers who have taken the examination with a certificate to that effect, and to retain records of the questions asked and the drivers' answers in their files. In this way, the examination will be retained as a mechanism for familiarization of drivers with safety rules they must follow in order to operate safely. A number of mandatory procedural steps, designed to maximize the value of the examination as an instructional device, have been added.

However, the Director remains convinced that, in the interests of safety, drivers should be required to demonstrate their familiarity with the regulations by passing a written examination. He will, therefore, promptly undertake the development of a validated examination with a view towards reinstating, in full, the written examination requirement.

In consideration of the foregoing, Part 391 of the Motor Carrier Safety Regula-

tions, as effective on January 1, 1971, is amended as set forth below.

Since these amendments do not add any material burden upon any motor carrier and in view of the importance of having all provisions of the revised driver qualifications become effective on January 1, 1971, notice and public procedure are impracticable. For the same reasons, these amendments are effective on January 1, 1971.

These amendments are issued under the authority of section 204 of the Interstate Commerce Act, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655 and the delegations of authority at 49 CFR 1.48 and 389.4.

Issued on December 16, 1970.

ROBERT A. KAYE,
Director, Bureau of Motor
Carrier Safety.

Part 391 of Chapter III in Title 49, Code of Federal Regulations is amended as follows:

1. Paragraph (b)(11) of § 391.11 is amended by striking out the word "successfully". As so amended, § 391.11(b)(11) reads as follows:

§ 391.11 Qualifications of drivers.

* * * * *

(11) Has taken a written examination and has been issued a certificate of written examination in accordance with § 391.35, or has presented a certificate of written examination which the motor carrier that employs him has accepted as equivalent to a written examination in accordance with § 391.37; and

* * * * *

2. Section 391.35 is revised to read as follows:

§ 391.35 Written examination.

(a) Except as provided in §§ 391.37 and 391.61, a person shall not drive a motor vehicle unless he has first taken a written examination and has been issued a certificate of written examination in accordance with this section.

(b) The objective of the written examination is to instruct prospective drivers in the rules and regulations established by the Federal Highway Administration pertaining to commercial vehicle safety. It is an instructional tool only, and a person's qualifications to drive a motor vehicle under the rules in this part are not affected by his performance on the examination. Motor carriers subject to title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1-2000e-15), Executive Order 11246, or both, are cautioned that neither the written examination requirements in this section nor any other rule in this part authorizes a motor carrier to violate the provisions of the Act, the Executive Order, or regulations issued under them with respect to equal opportunity in employment.

(c) The written examination shall be given by the motor carrier or a person designated by it, on a form prescribed by the motor carrier.

(d) Prior to, and during, the examination, the person who takes it shall be

permitted to examine and consult a copy of the Motor Carrier Safety Regulations (Subchapter B of this title) in addition to any other material explaining the provisions of those regulations that the motor carrier may provide. There is no time limit for completing the examination, and persons taking it shall be so advised in advance.

(e) The examination shall consist of at least 30 questions, covering the examinee's knowledge of the Motor Carrier Safety Regulations and, in the case of a person who may drive a vehicle transporting hazardous materials, the Hazardous Materials Regulations. The questions shall be taken from the list of questions published by the Bureau of Motor Carrier Safety in Appendix C to this subchapter.¹

(f) After the examinee completes the examination, the person who administered it shall advise him of the correct answers to any questions he failed to answer correctly. The motor carrier may also provide the examinee with such additional instruction in the pertinent regulations as appears to be warranted on the basis of his performance on the examination.

(g) The motor carrier, or the person who administered the examination on the motor carrier's behalf, shall provide every person who completes the examination with a certificate substantially the following form:

CERTIFICATE OF WRITTEN EXAMINATION

This is to certify that the person whose signature appears below has completed the written examination under my supervision in accordance with the provisions of § 391.35 of the Motor Carrier Safety Regulations.

(Signature of person taking examination)

(Date of examination)

(Location of examination)

(Signature of examiner)

(Title)

(Organization and address of examiner)

(h) A copy of the certificate required by paragraph (g) of this section shall be given to the person who was examined. The motor carrier shall retain, in the driver qualification file of the person who was examined—

(1) The original, or a copy of, the certificate required by paragraph (g) of this section;

(2) The questions asked on the examination; and

(3) The person's answers to those questions.

3. Paragraph (c) of § 391.37 is revised to read as follows:

§ 391.37 Equivalent of written examination.

* * * * *

¹ Copies of the list of questions (and answers to the questions) may be obtained by writing to the Director, Bureau of Motor Carrier Safety, Washington, D.C. 20591, or to any Regional Federal Highway Administrator at the address given in § 390.40 of this subchapter.

(c) A motor carrier may require any person who presents a certificate as equivalent to the written examination to take the written examination prescribed in § 391.35 or participate in any other instructional process designed to acquaint him with the provisions of Parts 390-397 of this subchapter.

[F.R. Doc. 70-17154; Filed, Dec. 17, 1970; 9:13 a.m.]

APPENDIX A—INTERPRETATIONS

Fire Extinguishers; Visual Determination Requirement

The Director of the Bureau of Motor Carrier Safety is amending Appendix A of the Motor Carrier Safety Regulations by adding Interpretation 70-3 reading as set forth below.

This interpretation is issued under the authority of section 204 of the Interstate Commerce Act, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655; and the delegations of authority in 49 CFR 1.48 and 35 F.R. 5958.

Issued on December 8, 1970.

ROBERT A. KAYE,
Director,
Bureau of Motor Carrier Safety.

WHEN IS IT POSSIBLE TO DETERMINE VISUALLY WHETHER A FIRE EXTINGUISHER IS FULLY CHARGED?

[Interpretation No. 70-3]

Section 393.95(a) of the Motor Carrier Safety Regulations requires certain commercial motor vehicles to be equipped with a fire extinguisher that is " * * * designed, constructed, and maintained to permit visual determination of whether it is fully charged." The Bureau of Motor Carrier Safety has responded in the following manner to inquiries concerning the visual determination requirement in relation to three basic types of hand portable extinguishers commonly installed in commercial vehicles: stored pressure and cartridge types of dry chemical extinguishers and carbon dioxide extinguishers.

1. A stored pressure type dry chemical fire extinguisher complies with the visual determination requirement if the unit has (a) either a gauge or similar device indicating the pressure in the unit; or (b) a seal that is used to retain pressure in the unit, that is accessible without the use of tools, and that would be broken if the unit were discharged.

2. In the case of a fire extinguisher having a cartridge of compressed gas to expel its dry chemical extinguishing agent, a seal that would be broken if the cartridge is not fully charged would be a sufficient indicator of

the condition of the cartridge. In that event, however, it must be possible to examine the seal or to remove the cartridge for examination of the seal without the use of tools. There must also be a means of determining whether the extinguisher is fully charged with extinguishing agent. A gauge or similar device may also be employed to comply with the visual determination requirement.

3. A carbon dioxide type of fire extinguisher would comply if it had either a gauge or similar device, indicating the interior pressure, or a visible seal which would be broken upon discharge of the unit's contents.

A fire extinguisher does not comply with the visual determination requirement merely because its operating mechanism is sealed in some manner. A broken seal would indicate only that the mechanism had been manipulated, but it would not necessarily show whether the extinguisher is fully charged.

Finally, an extinguisher which must be weighed to determine whether it is fully charged does not comply with the visual determination requirement.

The foregoing rulings are intended merely to represent instances of specific application of the visual determination requirement. They do not purport to prohibit methods of compliance which are not specifically discussed herein.

[F.R. Doc. 70-17043; Filed, Dec. 17, 1970; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 70-WE-92]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the San Diego, Calif., transition area.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Program Standards Branch, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, CA 90045.

The Thermal VORTAC 180° M radial is a preferential routing for civil turbojet aircraft inbound into San Diego. The proposed additional 1,200-foot transition area is required to provide controlled airspace protection for this routing.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.181 (35 F.R. 2134) the description of the San Diego, Calif., transition area is amended by deleting the geographical coordinates " * * * latitude 33°00'00" N., longitude 116°18'00" W., * * * " in the ninth line of the description of the transition area and substituting therefor " * * * latitude 33°18'00" N., longitude 116°10'30" W., thence to latitude 33°00'00" N., longitude 116°15'00" W., * * * "

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on December 1, 1970.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 70-17038; Filed, Dec. 17, 1970;
8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SO-89]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation and Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Jacksonville, Fla. (Craig Municipal Airport), control zone, alter the Jacksonville, Fla. (International Airport), NAS Jacksonville, NAS Cecil Field), and Mayport, Fla. (NS Mayport), control zones, and alter the Jacksonville, Fla., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Area Manager, Miami Area Office, Air Traffic Branch, Post Office Box 2014, AMF Branch, Miami, FL 33159. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

The Jacksonville, Fla. (Craig Municipal Airport), control zone would be designated as:

Within a 5-mile radius of Craig Municipal Airport (lat. 30°20'15" N., long. 81°31'00" W.); excluding the portion within the Mayport, Fla. (NS Mayport) (lat. 30°23'25" N., long. 81°25'15" W.) control zone.

The following control zones described in § 71.171 (35 F.R. 2054) would be redesignated as follows:

JACKSONVILLE, FLA. (INTERNATIONAL AIRPORT)

Within a 5-mile radius of Jacksonville International Airport (lat. 30°20'26" N., long. 81°41'19" W.); within 2 miles each side of the ILS localizer west course, extending from the 5-mile-radius zone to 1.5 miles east of the LOM.

JACKSONVILLE, FLA. (NAS JACKSONVILLE)

Within a 5-mile radius of NAS Jacksonville (lat. 30°14'00" N., long. 81°40'30" W.); within 3 miles each side of Navy Cecil VOR 084° radial, extending from the 5-mile-radius zone to the NAS Cecil Field (lat. 30°13'00" N., long. 81°52'45" W.) control zone.

JACKSONVILLE, FLA. (NAS CECIL FIELD)

Within a 5-mile radius of NAS Cecil Field (lat. 30°13'00" N., long. 81°52'45" W.); within 3 miles each side of the 180° bearing from Navy Cecil RBN, extending from the 5-mile-radius zone to 8.5 miles south of the RBN; within 3 miles each side of Navy Cecil VOR 180° radial, extending from the 5-mile-radius zone to 8.5 miles south of the VOR; within 2 miles each side of Navy Cecil TACAN 184° radial, extending from the 5-mile-radius zone to 14 miles south of the TACAN; within 1.5 miles each side of Navy Cecil TACAN 355° radial, extending from the 5-mile-radius zone to 5.5 miles north of the TACAN.

The Mayport, Fla. (NS Mayport), control zone described in § 71.171 (35 F.R. 2054) would be amended as follows: " * * * (lat. 30°23'30" N., long. 81°25'25" W.) * * * " would be deleted and " * * * (lat. 30°23'25" N., long. 81°25'15" W.) * * * " would be substituted therefor.

The Jacksonville, Fla. transition area described in § 71.181 (35 F.R. 2134) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Jacksonville International Airport (lat. 30°29'26" N., long. 81°41'19" W.), NAS Jacksonville (lat. 30°14'00" N., long. 81°40'30" W.), NAS Cecil Field (lat. 30°13'00" N., long. 81°52'45" W.), Craig Municipal Airport (lat. 30°20'15" N., long. 81°31'00" W.); within an 8-mile radius of NS Mayport (lat. 30°23'25" N., long. 81°25'15" W.); within 2 miles each side of Navy Mayport TACAN 041° radial, extending from the 8-mile-radius area to 12 miles northeast of the TACAN.

The application of Terminal Instrument Procedures (TERPs) and current airspace criteria to the Jacksonville terminal complex requires the following actions:

CONTROL ZONES

1. *International Airport.*
 - a. Revoke the extension predicated on Jacksonville VORTAC 284° radial.
 - b. Designate an extension predicated on the ILS localizer west course 4 miles in width and extending to 1.5 miles east of the LOM.
2. *NAS Jacksonville.*
 - a. Revoke the extension predicated on the 085° bearing from Navy Cecil RBN.

b. Increase the extension predicated on Navy Cecil VOR 084° radial 2 miles in width and reduce it 5 miles in length.

3. *NAS Cecil Field.*

a. Increase the extension predicated on the 180° bearing from Navy Cecil RBN 2 miles in width and reduce it 3.5 miles in length.

b. Increase the extension predicated on Navy Cecil VOR 2 miles in width and reduce it 3.5 miles in length.

c. Reduce the extension predicated on Navy Cecil TACAN 355° radial 1 mile in width and 1.5 miles in length.

d. Designate an extension predicated on Navy Cecil TACAN 184° radial 4 miles in width and 14 miles in length.

4. *NS Mayport.*

Redefine the geographic coordinate of the airport.

5. *Craig Municipal Airport.*

Designate a 5-mile basic radius circle predicated on Craig Municipal Airport.

TRANSITION AREA

1. Increase the basic radius circles predicated on Jacksonville International Airport, NAS Jacksonville, and NAS Cecil Field from 8 to 8.5 miles.

2. Designate an 8.5-mile basic radius circle predicated on Craig Municipal Airport.

3. Revoke the extension predicated on Jacksonville VORTAC 160° radial.

The proposed designation and alterations are required to provide adequate controlled airspace protection for IFR operations in the Jacksonville terminal complex.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on December 2, 1970.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 70-17039; Filed, Dec. 17, 1970; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SO-98]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation and Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Fort Lauderdale, Fla. (Executive Airport), control zone and alter the Miami, Fla., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Area Manager, Miami Area Office, Air Traffic Branch, Post Office Box 2014, AMF Branch, Miami, Fla. 33159. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration of-

officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

The Fort Lauderdale (Executive Airport) control zone would be designated as:

Within a 5-mile radius of Fort Lauderdale Executive Airport (lat. 26°11'41" N., long. 80°10'15" W.); excluding the portion within Fort Lauderdale-Hollywood International Airport (lat. 26°04'15" N., long. 80°09'10" W.) control zone and within a 1.5-mile radius of Pompano Beach Airpark (lat. 26°15'00" N., long. 80°06'30" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

The Miami transition area described in § 71.181 (35 F.R. 2134) would be amended as follows: " * * * 9 miles northeast of Homestead AFB." would be deleted and " * * * 9 miles northeast of Homestead AFB; within a 6.5-mile radius of Fort Lauderdale Executive Airport (lat. 26°11'41" N., long. 80°10'15" W.)" would be substituted therefor.

The proposed designation and alteration are required to provide controlled airspace protection for IFR aircraft departing Fort Lauderdale Executive Airport in climb to 1,200 feet above the surface.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on December 1, 1970.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 70-17040; Filed, Dec. 17, 1970; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SW-71]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Clovis, N. Mex., 700-foot transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered be-

fore action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

An NDB(ADF) instrument approach procedure has been developed to serve the Portales, N. Mex., Municipal Airport. As this airport underlies the existing Clovis, N. Mex., transition area, a minor alteration of the Clovis, N. Mex., transition area will provide adequate additional controlled airspace to accommodate the Portales, N. Mex., approach/departure procedure. Minor alterations are also being made to the 700-foot transition area extensions in the vicinity of the Texico VORTAC to conform to Standard Terminal Instrument Procedures (TERPs) criteria.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (35 F.R. 2134, 11617, 14304), the Clovis, N. Mex., 700-foot transition area is amended to read:

CLOVIS, N. Mex.

That airspace extending upward from 700 feet above the surface within a 23-mile radius of Cannon AFB, Clovis, N. Mex. (lat. 34°23'01" N., long. 103°18'58" W.; within 7.5 miles north and 2 miles south of the Texico VORTAC 254° and 074° radials, extending from the 23-mile-radius area to 1.5 miles east of the Texico VORTAC; and within 3.5 miles each side of the Portales NDB (lat. 34°10'45" N., long. 103°22'33" W.) 202° bearing extending from the 23-mile-radius area to 12 miles south of the NDB.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)].

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

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 70-17041; Filed, Dec. 17, 1970; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-EA-87]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation

Regulations so as to alter the Presque Isle, Maine, control zone (35 F.R. 2114) and transition area (35 F.R. 2248).

The U.S. Standard for Terminal Instrument Procedures requires alteration of the control zone and 700-foot transition area to provide controlled airspace protection for aircraft executing the instrument procedures for Presque Isle Municipal Airport. An alteration in the transition area is also required to reflect the correct geographic position of Caribou Municipal Airport, Caribou, Maine.

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

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Presque Isle, Maine, proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Presque Isle, Maine control zone and insert the following in lieu thereof:

Within a 5-mile radius of the center, 46°41'30" N., 68°02'30" W. of Presque Isle Municipal Airport, Presque Isle, Maine; within 3.5 miles each side of the 167° bearing from the Spragueville, Maine RBN, extending from the 5-mile-radius zone to 10 miles south of the RBN, and within 1.5 miles each side of the Presque Isle VORTAC 158° radial extending from the 5-mile-radius zone to the Presque Isle VORTAC. This control zone is effective from 0800 to 2000 hours, local time, Sunday through Friday; 0800 to 1730 hours, local time, Saturday or during the specific dates and times established in advance by a Notice to Airmen which thereafter will be continuously published in the Airmen's Information Manual.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Presque Isle, Maine, 700-foot transition area, all before "Caribou, Maine", and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, 46°41'30" N., 68°02'30"

W. of Presque Isle Municipal Airport, Presque Isle, Maine; within 3.5 miles each side of the Presque Isle VORTAC 338° radial, extending from the 8-mile-radius area to 11.5 miles north of the VORTAC; within 3.5 miles each side of the 167° bearing from the Spragueville, Maine, RBN, extending from the 8-mile radius area to 11 miles south of the RBN; within a 5-mile radius of the center, 46°52'20" N., 68°01'10" W. of Caribou Municipal Airport.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on November 27, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 70-17042, Filed, Dec. 17, 1970;
8:49 a.m.]

National Highway Safety Bureau

[49 CFR Part 571]

[Docket No. 70-23; Notice 2]

MOTOR VEHICLE BRAKE FLUIDS

Proposed Motor Vehicle Safety Standard; Corrections

In 35 F.R. 15229 (Wednesday, Sept. 30, 1970), the following corrections should be made:

Page 15230: The third line of S4.1.7(i) is corrected to read "mm. (0.055 in.)". The third line of S4.1.8(a) is corrected to read "cernible when viewed through every part".

Page 15231: The third line of S4.1.10(a)(1) is corrected to read "cernible when viewed through every part". The second line of S4.1.10(b)(2) is corrected to read "than 0.05 percent by volume, after centri-". The third line of S4.1.11(a)(1) is corrected to read "cernible when viewed through every part". The second line of S4.1.11(b)(2) is corrected to read "than 0.05 percent by volume, after centri-". The third line of S4.1.4(i) is corrected to read "be more than 36 ml..".

Page 15232: In S5.1.5(c), the text following the semicolon in the last line in the second column is corrected to read "otherwise, repeat the entire test, averaging the four corrected observed values to obtain the original ERBP." In S5.2.5, correct the last line on the page to read "Prepare a duplicate test sample, and two similar".

Page 15233: The third line in the first column under S5.2.5 is corrected to read "fluid shall be adjusted to 0.50± 0.05 per-". The first sentence in the first complete paragraph in the first column is corrected to read "At intervals, remove the rubber stopper in the top of each dessicator containing SAE RM-1 fluid. Using a long needled hypodermic syringe, take a sample of not more than 2 ml. from each jar, and determine its water

content." The second complete paragraph in the first column is corrected to read "If the two ERBP's agree within 4° C. (8° F.), average them to determine the wet ERBP; otherwise repeat and average the four individual ERBP's as the wet ERBP of the brake fluid." In Table 3, delete the "°" symbols in the columns labeled ASTM and IP. The second line of S5.3.5(b) is corrected to read "of the duplicates are within 8° C. (15° F.), average".

Page 15234: S5.4.4(e), (f), (g), (h), (i), and (j) are corrected to read (d), (e), (f), (g), (h), and (i) respectively; the first line of former S5.4.4(j) is then corrected to read "(i) Repeat paragraph (g) and (h) of". The first line of S5.4.5(b) is corrected to read "(b) Between S5.4.4(h) and (i) rinse". S5.4.6(b) is corrected to read "Average the four timed runs (duplicate samples) and calculate the kinematic viscosities.". In Table 5, delete the "°" symbols in the columns labeled ASTM and IP.

Page 15235: In Column 2, "S5.5.4" is corrected to read "S5.6.4". The last line of S5.7.1 is corrected to read "strips, fluid and cups are examined and tested.". The next to the last line of S5.7.3(c) is corrected to read "0.8±0.1 mm. (0.031 ±0.004 in.) in diameter".

Page 15236: The sixth line of the second paragraph in S5.7.5 is corrected to read "the strips from the jars using forceps agitating the".

Page 15238: The last line of S5.12.3(b) is corrected to read "Standard J1703 (a).".

Page 15239: The second line of the second paragraph in S5.14.4(a) is corrected to read "cylinder at a location approximately 19". The fifth from the last line in the first paragraph of S5.14.4(b) is corrected to read "each end and of the master cylinder piston at".

Page 15240: "S5.1" is corrected to read "S6.1".

Page 15241: Under "Formulation of Rubber Compound" the seventh ingredient is corrected to read "Symmetrical-dibetanaphthyl-p-phenylenediamine".

This notice of corrections 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, 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 December 15, 1970.

GEORGE C. NIELD,
Acting Associate Director,
Motor Vehicle Programs.

[F.R. Doc. 70-16999; Filed, Dec. 17, 1970;
8:46 a.m.]

[49 CFR Part 571]

[Docket No. 70-27; Notice 3]

HYDRAULIC BRAKE SYSTEMS

Proposed Motor Vehicle Safety Standard

The purpose of this notice is to amend the definitions of "antilockup system" and "hydraulic brake system" contained

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18110; FCC 70-1291]

MULTIPLE OWNERSHIP OF STAND- ARD, FM AND TELEVISION BROAD- CAST STATIONS

Order Extending Time for Filing Comments and Reply Comments

1. In an order released July 6, 1970 (FCC 70-720), the Commission, in response to requests by the National Association of Broadcasters (NAB) and the American Newspaper Publishers Association (ANPA), extended the time for filing comments and reply comments responsive to the further notice of proposed rule making issued herein (22 FCC 2d 339 (1970)). The date for filing comments was extended from July 15, 1970, to January 15, 1971, and the date for filing reply comments was extended from August 17, 1970, to February 12, 1971.

2. The extensions were granted on representations by the aforementioned organizations that they intended to conduct extensive research into the matter of newspaper-broadcasting cross-ownership that would be of help to the Commission in reaching final conclusions concerning the subject matter of the further notice.

3. In granting the extensions, the Commission stated that it viewed the time as ample for carrying out the studies and that it was strongly of the view that no further extensions of time should be granted. It also said that because the further notice had been issued in April 1970, a grant of a 6-month extension meant that interested parties were being given a total period of about 9 months (April to January) in which to file comments and that since this is clearly a generous allotment of time no further delay would be tolerated.

4. The Commission now has before it a "Petition to Modify Comment Procedure" filed November 18, 1970, by ANPA. That pleading indicates that both NAB and ANPA plan to file extensive comments of a general nature (based on research studies) addressed to the broad economic and social issues presented by the Commission's proposal to separate commonly-owned newspapers and broadcast stations in the same market. It further avers that as work has progressed it has become apparent that individual members of ANPA who intend to file comments in this proceeding would be greatly aided if they were given the chance to review in advance the broad submissions of ANPA, NAB, and perhaps others. ANPA is of the view that if individual broadcast licensees and newspapers are afforded such an opportunity in advance of their own

filings, substantial duplication would be avoided and the record in this proceeding would be considerably shortened and simplified.

5. For this reason, ANPA requests the Commission to modify its procedures to provide that parties like NAB, ANPA, and others who intend to submit broad overall comments, file their submissions on January 15, 1971 (the present deadline for filing comments), but that individual broadcast stations or groups of stations, or individual newspaper publishers, or other persons be permitted to file their comments 30 days thereafter. ANPA also suggests that such parties also be granted a corresponding extension of time in which to file reply comments.

6. Statements in support of the ANPA petition were filed by the National Association of Broadcasters, various broadcast licensees, and several law firms. NAB states, among other things, that it has commissioned a number of extensive research studies to gather data relevant to this proceeding, that some of these may be available and will be filed before January 15, 1971, but that most of them will probably not be ready until that date.

7. As stated in paragraph 3, we view the amount of time previously allotted for filing comments and reply comments as ample. However, we are not unaware of the far-reaching implications of the rules proposed in this proceeding, involving as they do a basic restructuring of the communications industry, and we believe that every effort should be made to accommodate proposals that would serve to shorten the record by avoiding duplication, and improve the quality of the comments, while at the same time not unduly prolonging the proceeding.

8. It appears that ANPA offers such a proposal. It is clear that it presents a good opportunity to shorten and improve the record. Moreover, it will furnish the Commission with substantial amounts of material—the ANPA and NAB studies—which the Commission can begin to examine and evaluate after January 15, 1971.

9. We are therefore inclined to grant the request of ANPA to give other parties 30 days in which to examine the aforementioned ANPA and NAB studies (which must be filed Jan. 15, 1971) before filing their comments. Additionally, the filing date for reply comments of all parties, including ANPA and NAB, will be extended.

10. Accordingly, it is ordered, That the "Petition to Modify Comment Procedure" filed by the American Newspaper Publishers Association is granted, and that the date for filing comments in this proceeding by all parties except the American Newspaper Publishers Association and the National Association of Broadcasters is extended from January 15, 1971, to and including February 15, 1971, and the time for filing reply comments by all parties is extended from

in the notice of proposed amendment to Federal Motor Vehicle Safety Standard No. 105, *Hydraulic Brake Systems*, published in the FEDERAL REGISTER on November 11, 1970 (35 F.R. 17345). The Bureau has determined that the definition of "antilockup system proposed in S3 might be viewed as design restrictive since it confines automatic control to "wheel slip sensing methods". In addition, the Bureau has noted that the proposed definition of "hydraulic brake system" is not necessarily inclusive of all air augmented systems excluded by the definition of "air brake systems" proposed in Docket No. 70-17—Air Brake Systems (35 F.R. 10368). Therefore, the Bureau is amending its proposal to broaden the definitions of antilock system and hydraulic brake system.

In consideration of the foregoing, S3 of the motor vehicle safety standard on hydraulic brake systems proposed at 35 F.R. 17345 is amended in part to read as follows:

S3 Definitions. "Antilock system" means a portion of a service brake system that automatically controls the degree of wheel slip at one or more road wheels of the vehicle during braking.

"Hydraulic brake system" means a system that uses hydraulic fluid as a medium for transmitting force from a service brake control to the service brake, and includes any system that uses compressed air or vacuum only to assist the driver in applying muscular force to hydraulic or mechanical components.

The word "antilockup" appearing in S4.15, S5.9, and S6.19.2(i) is amended to read "antilock".

It is anticipated that the definition of "antilockup system" appearing in the proposed standard on Air Brake Systems (Docket No. 70-17; 35 F.R. 10368) and in the proposed consumer information regulation on General Provisions and Vehicle Stopping Distance (Docket No. 70-24; 35 F.R. 17353) will be changed in an identical manner upon conclusion of these rulemaking actions.

This notice 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, 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 December 15, 1970.

GEORGE C. NIELD,
Acting Associate Director,
Motor Vehicle Programs.

[F.R. Doc. 70-17059; Filed, Dec. 17, 1970;
8:50 a.m.]

February 12, 1971, to and including March 15, 1971.

Adopted: December 9, 1970.

Released: December 15, 1970.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-17055; Filed, Dec. 17, 1970;
8:50 a.m.]

[47 CFR Part 73]

[Docket No. 18877; RM-1589]

INCLUSION OF CODED INFORMATION IN AURAL TRANSMISSIONS OF RADIO AND TV STATIONS FOR PROGRAM IDENTIFICATION

Order Extending Time for Filing Comments and Reply Comments

1. The deadlines for filing comments and reply comments in this proceeding, as extended by Order of August 19, 1970, are now December 14, 1970, and January 18, 1971, respectively. On December 8, 1970, Audicom Corporation, the moving party in the institution of this proceeding, filed a request that more time be afforded for the submission of documents herein.

2. In support of this request, Audicom cites the filing, on December 2, 1970, of a petition by International Digisonics Corp. (IDC) which outlines the technical features of an aural encoding system which it has developed, for use in program identification. This system differs substantially from that proposed by Audicom. IDC states that it believes its system to be superior. Noting that the Commission has stated that it does not intend to authorize a number of different identification systems, IDC seeks consideration of its system in the instant proceeding as an alternative to the one proposed by Audicom. It requests that the Commission issue a further notice of proposed rule making for this purpose.

3. On December 7, 1970, Audicom Corporation filed a comment on the IDC petition supporting its request for a further notice.

4. Without committing ourselves at this time to what further action will be taken, we note that the IDC petition, with supporting documents, comprises 65 pages, and will require time for careful study and evaluation. If we decide to issue a further notice, still more time will be needed for its preparation and adoption. We further note that Audicom desires additional time for testing its proposed system.

5. In these circumstances, we find good cause for further extending the closing dates in this proceeding.

6. Accordingly, it is ordered, That the time for filing comments in this proceeding is extended to February 15, 1971, and for filing reply comments to March 15, 1971. Authority for this action is found in section 4(i) and 303(r) of the Communications Act of 1934, as amended,

¹ Commissioner Bartley absent.

and § 0.281(d) (8) of the Commission's rules.

Adopted: December 15, 1970.

Released: December 15, 1970.

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

[F.R. Doc. 70-17056; Filed, Dec. 17, 1970;
8:50 a.m.]

[47 CFR Part 73]

[Docket No. 19045; RM-1637]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS (CLARKS- VILLE, TENN.)

Order Extending Time for Filing Comments and Reply Comments

1. This proceeding was begun by notice of proposed rule making (FCC 70-1099) adopted October 7, 1970, released October 12, 1970, and published in the FEDERAL REGISTER October 15, 1970, 35 F.R. 16181. The dates presently designated for filing comments and reply comments are December 14, and December 24, 1970.

2. On December 14, 1970, Tennessee Televentures (Tennessee) filed a request to extend the time for filing comments to and including December 28, 1970. Tennessee states the additional time is needed to allow it to complete engineering studies now in progress.

3. It appears that the additional time is warranted and would serve the public interest. Accordingly, it is ordered, That the request of Tennessee Televentures is granted to and including December 28, 1970 for comments and January 11, 1971 for reply comments.

4. This action is taken pursuant to authority found in sections 4(i) and 313(r) of the Communications Act of 1934, as amended, and § 0.281(d) of the Commission's rules and regulations.

Adopted: December 14, 1970.

Released: December 15, 1970.

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

[F.R. Doc. 70-17057; Filed, Dec. 17, 1970;
8:50 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Parts 201, 260]

[Docket No. R-397]

UNIFORM SYSTEM OF ACCOUNTS AND ANNUAL REPORT FORM FOR NATURAL GAS COMPANIES

Notice of Further Extension of Time

DECEMBER 10, 1970.

Amendments to the Uniform System of Accounts for classes A and B Natural Gas Companies and FPC Form No. 2 to separate gathering and production plant facilities, and to separate costs relating to leases acquired October 6, 1969, and before and leases acquired October 7, 1969, and after.

On December 7, 1970, the Independent Natural Gas Association of America and

the American Gas Association filed requests for an extension of time to and including January 15, 1971, within which to file comments in the above-designated matter.

Upon consideration, notice is hereby given that the time is further extended to and including January 15, 1971, within which any interested person may submit data, views, comments, or suggestions in writing to the notice of proposed rule-making (35 F.R. 14139) issued August 28, 1970, in the above-designated matter.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-16997; Filed, Dec. 17, 1970;
8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 146a]

PROCAINE PENICILLIN FOR AQUEOUS INJECTION

Certification Requirements

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that the antibiotic drug regulation providing for certification of procaine penicillin for aqueous injection be amended (1) to require moisture and pH testing of the procaine penicillin bulk used in production of the drug and (2) to increase the specified sample size as necessary. Accordingly, it is proposed that § 146a.47(d) (2) (ii) and (3) (ii) be revised to read as follows:

§ 146a.47 Procaine penicillin for aqueous injection.

(d) * * *

(2) * * *

(ii) The procaine penicillin used in making the batch for potency, moisture, pH, crystallinity, penicillin K content (unless it is procaine penicillin G), and the penicillin G content if it is procaine penicillin G.

(3) * * *

(ii) The procaine penicillin used in making the batch: 5 packages, each containing approximately equal portions of not less than 500 milligrams, packaged in accordance with the requirements of § 146a.44(b).

Interested persons may, within 30 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by memorandum or brief in support thereof.

Dated: December 4, 1970.

H. E. SIMMONS,
Director, Bureau of Drugs.

[F.R. Doc. 70-17015; Filed, Dec. 17, 1970;
8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

ROBERT J. ABRAAM

Notice of Granting of Relief

Notice is hereby given that Robert J. Abraam, 6303 Deering, Garden City, MI, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on October 21, 1951, in the Recorder's Court of the city of Detroit, Mich., and on February 4, 1952, in the Circuit Court of Macomb County, Mich., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Robert J. Abraam because of such convictions, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Robert J. Abraam to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Robert J. Abraam's application and:

(1) I have found that the convictions were made upon charges which did not involve the use of a firearm or other weapon or violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Robert J. Abraam be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 8th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17079; Filed, Dec. 17, 1970;
8:52 a.m.]

RICHARD WILLIAM AVERY, JR.

Notice of Granting of Relief

Notice is hereby given that Richard William Avery, Jr., 67 Prospect Hill Avenue, West Warwick, RI 02893, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on September 9, 1954 by General Court Martial convened at Fort Devens, Mass., and on January 26, 1956 in the Kent County Superior Court, East Greenwich, R.I., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Richard William Avery, Jr., because of such convictions to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Richard William Avery, Jr. to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Richard William Avery, Jr.'s application and:

(1) I have found that the convictions were made upon charges which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Richard William Avery, Jr. be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 8th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17080; Filed, Dec. 17, 1970;
8:52 a.m.]

HOWARD WALTER CARTER

Notice of Granting of Relief

Notice is hereby given that Howard Walter Carter, 19501 Hubbell Street, Detroit, MI 48235, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on May 14, 1946 in the Recorder's Court, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Howard Walter Carter because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Howard Walter Carter to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Howard Walter Carter's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by 26 CFR 178.144: *It is ordered*, That Howard Walter Carter be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 11th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17081; Filed, Dec. 17, 1970;
8:52 a.m.]

RONALD PHILLIP CHEVALIER**Notice of Granting of Relief**

Notice is hereby given that Ronald Phillip Chevalier, 2304 A East Holt Avenue, Milwaukee, WI, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on May 26, 1969, in the U.S. District Court for the Eastern District of Wisconsin of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Ronald Phillip Chevalier, because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Ronald P. Chevalier to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Ronald P. Chevalier's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Ronald P. Chevalier be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 3d day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17082; Filed, Dec. 17, 1970;
8:53 a.m.]

LUKE CARROLL CLINE**Notice of Granting of Relief**

Notice is hereby given that Luke Carroll Cline, 2814 Elmwood, Kansas City, MO 64128, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms

incurred by reason of his conviction on October 26, 1950 in the Circuit Court, Buchanan County, St. Joseph, Mo., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Luke Carroll Cline because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Luke Carroll Cline to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Luke Carroll Cline's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Luke Carroll Cline be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 9th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17083; Filed, Dec. 17, 1970;
8:53 a.m.]

ROBERT JOHN DANEKAS**Notice of Granting of Relief**

Notice is hereby given that Robert John Danekas, 4537 West Tripoli, Milwaukee, WI, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on November 7, 1966, in the Milwaukee County Circuit Court, Milwaukee, Wis., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Robert J. Danekas because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for

a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Robert J. Danekas to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Robert J. Danekas' application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Robert J. Danekas be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 8th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17084; Filed, Dec. 17, 1970;
8:53 a.m.]

CHARLOTTE INEZ DuBRUL**Notice of Granting of Relief**

Notice is hereby given that Charlotte Inez DuBrul, 194 East Grand Boulevard, Detroit, MI 48207, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of her conviction on July 5, 1960, in the U.S. District Court for the Eastern District of Michigan, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Charlotte Inez DuBrul because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and she would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Charlotte Inez DuBrul to receive, possess, or transport in

commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Charlotte Inez DuBrul's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Charlotte Inez DeBrul be, and she hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 9th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17085; Filed, Dec. 17, 1970;
8:53 a.m.]

DRAKE SATORU FUJIMOTO

Notice of Granting of Relief

Notice is hereby given that Drake Satoru Fujimoto, 2113 B Date Street, Kono, HI 96814, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on June 22, 1962, in the Circuit Court of the First Circuit, State of Hawaii, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Drake Satoru Fujimoto because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Drake Satoru Fujimoto to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Drake Satoru Fujimoto's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44,

title 18, United States Code, or of the National firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Drake Satoru Fujimoto be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 7th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17086; Filed, Dec. 17, 1970;
8:53 a.m.]

ALEXANDER HONCHAR, JR.

Notice of Granting of Relief

Notice is hereby given that Alexander Honchar, Jr., 104 East Glendale Boulevard, Valparaiso, IN 46383, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on May 16, 1950, in the 67th Judicial Circuit Court of Indiana, in Valparaiso, of a crime punishable by imprisonment for a term exceeding one year. Unless relief is granted, it will be unlawful for Alexander Honchar, Jr. because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Alexander Honchar, Jr. to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Alexander Honchar, Jr.'s application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and

that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Alexander Honchar, Jr. be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 10th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17087; Filed, Dec. 17, 1970;
8:53 a.m.]

CLEAO HENRY HOOSE

Notice of Granting of Relief

Notice is hereby given that Cleao Henry Hoose, 44830 Judd Road, Belleville, MI, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on December 20, 1920, by a General Court-Martial convened at Fort Thomas, Ky., by Headquarters Fifth Corps Area, and on December 2, 1955, in the Circuit Court for the County of Wayne, State of Michigan of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Hoose because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Mr. Hoose to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Cleao Henry Hoose's application and:

(1) I have found that the convictions were made upon charges which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety; and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Cleao Henry

Hoose be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 9th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17038; Filed, Dec. 17, 1970;
8:53 a.m.]

KENNETH L. HOUSE

Notice of Granting of Relief

Notice is hereby given that Kenneth L. House, Route 2, Box 77, Boydton, VA, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on August 20, 1952, and August 8, 1963, in the Mecklenburg County Circuit Court, Boydton, Va., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Kenneth L. House because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Kenneth L. House to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Kenneth L. House's application and:

(1) I have found that the convictions were made upon charges which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the convictions and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 23 CFR 178.144: *It is ordered*, That Kenneth L. House be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 8th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17089; Filed, Dec. 17, 1970;
8:53 a.m.]

JOHN J. RAMIREZ

Notice of Granting of Relief

Notice is hereby given that John J. Ramirez, 5157 Providence Road, Virginia Beach, VA 23462, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on April 15, 1954, in the Circuit Court of Norfolk County, Va., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for John J. Ramirez because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for John J. Ramirez to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered John J. Ramirez's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That John J. Ramirez be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 10th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17090; Filed, Dec. 17, 1970;
8:53 a.m.]

JAMES RUTUELO

Notice of Granting of Relief

Notice is hereby given that James Rutuelo, 5524 Eighth Avenue, Brooklyn, NY 11220, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on October 19, 1945 in the Circuit Court, Volusia City, Fla., and on August 12, 1948, in the Kings County Court, Brooklyn, N.Y., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for James Rutuelo because of such convictions to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for James Rutuelo to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered James Rutuelo's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That James Rutuelo be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the convictions hereinabove described.

Signed at Washington, D.C., this 8th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17091; Filed, Dec. 17, 1970;
8:53 a.m.]

ROY DOWNING THOMPSON

Notice of Granting of Relief

Notice is hereby given that Roy Downing Thompson, 1207 Fourth Street SW., Cedar Rapids, IA 52404, has applied for

relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on July 26, 1967, in the Linn County District Court, Cedar Rapids, Iowa, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Roy Downing Thompson because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Roy Downing Thompson to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Roy Downing Thompson's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Roy Downing Thompson be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 8th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17092; Filed, Dec. 17, 1970;
8:53 a.m.]

BILLIE EARL WEAVER

Notice of Granting of Relief

Notice is hereby given that Billie Earl Weaver, 108 East Ninth Street, Dallas, TX 75203, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on February 26, 1958, in the U.S. District Court, Tulsa, Okla. of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Billie Earl Weaver because of such conviction, to ship, transport, or

receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Billie Earl Weaver to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Billie Earl Weaver's application and:

(1) I have found that the conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Billie Earl Weaver be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 10th day of December 1970.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 70-17093; Filed, Dec. 17, 1970;
8:53 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR 6409]

OREGON

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 10, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2400 and 2460, the public lands described below are hereby classified for multiple-use management. Publication of the notice has the effect of segregating the public lands described below from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All the described lands shall remain open to all other forms of appropriation, including the mining and mineral leasing laws. As

used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands classified in this notice are shown on maps on file and available for inspection in the Burns District Office, Bureau of Land Management, 74 South Alford Street, Burns, OR, and the Land Office, Bureau of Land Management, 729 Northeast Oregon Street, Portland, OR.

3. The notice of proposed classification was published in 35 F.R. 15855-15856 of October 8, 1970. No adverse comments were received on the proposed classification. As a result of re-evaluation of the proposal however, lot 6, sec. 18, T. 7 S., R. 29 E.; NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 23, T. 14 S., R. 31 E. and lot 3, sec. 5, T. 14 S., R. 32 E., Willamette Meridian, aggregating approximately 120 acres have been deleted from this notice and are included in a notice of classification of public lands for disposal by exchange.

4. The record showing the comments received and other information is on file and can be examined in the Burns District Office, Burns, Oreg.

5. The lands involved are located in Grant County and are described as follows:

WILLAMETTE MERIDIAN

T. 9 S., R. 27 E.,
Sec. 2, SE $\frac{1}{4}$;
Sec. 3, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 13 S., R. 27 E.,
Sec. 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 7 S., R. 28 E.,
Sec. 33, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 8 S., R. 28 E.,
Sec. 1, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 3, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 4, lots 2, 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 9, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 20, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 31, lots 9, 10.
T. 11 S., R. 28 E.,
Sec. 33, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 7 S., R. 29 E.,
Sec. 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 2, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 5, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 6, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, lots 1, 2, 11, 14, 15, 22, 23, 24, N $\frac{1}{2}$
NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 18, lots 2, 3, 10, 11, 14, 15, 22, 23;
Sec. 19, lots 2, 3, 10, 11, 14, 15, 22, 23;
Sec. 30, lots 2, 3, 9, 10, 15, 16, 21, 22;
Sec. 31, lots 6, 7, 15, 21.
T. 8 S., R. 29 E.,
Sec. 6, lots 5, 6, 8, 12;
Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 14 S., R. 29 E.,
Sec. 6, lots 5, 6, E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, all;
Sec. 8, W $\frac{1}{2}$.

- T. 7 S., R. 30 E.,
 Sec. 1, lot 4;
 Sec. 2, lots 1, 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 3, lots 1, 2, 3, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 4, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 5, lot 2, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 8 S., R. 30 E.,
 Sec. 17, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 24, S $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 12 S., R. 30 E.,
 Sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 14 S., R. 30 E.,
 Sec. 17, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 9 S., R. 31 E.,
 Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 10 S., R. 31 E.,
 Sec. 2, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 30, lot 2.
- T. 13 S., R. 31 E.,
 Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35, W $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36, W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 14 S., R. 31 E.,
 Sec. 1, lots 21, 22, 23, 24, 25, 26, 28, 29, 30, 32, 33;
 Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, all;
 Sec. 13, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 24, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 25, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$.
- T. 9 S., R. 32 E.,
 Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 12 S., R. 32 E.,
 Sec. 10, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 14 S., R. 32 E.,
 Sec. 6, lots 1, 2, 3, excluding MS 626, 4, 5, 6, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ excluding MS 786, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 7, lots 3 to 18, inclusive;
 Sec. 8, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 9, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 11, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 17 S., R. 32 E.,
 Sec. 31, lot 4.
- T. 12 S., R. 33 E.,
 Sec. 1, all excluding MS 473, 473B, 715, 728, 901, patented 838 and 900;
 Sec. 2, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 3, lot 4;
 Sec. 5, lot 2;
 Sec. 11, all;
 Sec. 12, all excluding MS 448, 733, patented 838;
 Sec. 13, N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, W $\frac{1}{2}$ E $\frac{1}{2}$.
- T. 14 S., R. 33 E.,
 Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 12 S., R. 34 E.,
 Sec. 7, lot 2 excluding MS 838, SE $\frac{1}{4}$ NW $\frac{1}{4}$ excluding MS 838;
 Sec. 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 13 S., R. 35 E.,
 Sec. 30, lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The lands described aggregate approximately 17,724 acres.

6. For a period of 30 days from date of publication in the FEDERAL REGISTER, this

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

ARTHUR W. ZIMMERMAN,
 Assistant State Director.

[F.R. Doc. 70-16935; Filed, Dec. 17, 1970;
 8:45 a.m.]

[OR 6409-A]

OREGON

Notice of Classification of Public Lands for Disposal by Exchange

DECEMBER 10, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR Parts 2400 and 2460, the public lands described below are hereby classified for disposal by exchange under Section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended. As used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (43 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from all appropriations including location under the mining laws except applications for exchange. Publication will not alter the applicability of the public land 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 mining laws.

3. The public lands classified in this notice are shown on maps on file and available for inspection in the Burns District Office, Bureau of Land Management, 74 South Alford Street, Burns, OR, and the Land Office, Bureau of Land Management, 729 Northeast Oregon Street, Portland, OR.

4. The notice of proposed classification was published in 35 F.R. 15856-15857 of October 8, 1970. Several adverse comments were received following publication and at a public hearing held in Canyon City, Oreg., on October 29, 1970. None offered sufficient reason to warrant changes from the proposed classification at this time. The record showing the comments received and other information is on file and can be examined in the Burns District Office, Burns, Oreg.

5. As a result of reevaluation of a proposal of classification of public lands for multiple-use management, lot 6, sec. 18, T. 7 S., R. 29 E.; NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 23, T. 14 S., R. 31 E and lot 3, sec 5, T 14 S., R. 32 E., W.M., aggregating approximately 120 acres have been eliminated from F.R. Doc. 70-13420 (published Oct. 8, 1970) and are included in this notice.

6. The lands involved are located in Grant County and are described as follows:

WILLAMETTE MERIDIAN

- T. 9 S., R. 26 E.,
 Sec. 1, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 7 S., R. 27 E.,
 Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 13, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, SE $\frac{1}{4}$;
 Sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 25, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 8 S., R. 27 E.,
 Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 25, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 32, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 9 S., R. 27 E.,
 Sec. 3, lots 2, 3;
 Sec. 4, lot 1;
 Sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 6, lots 4, 5, 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 18, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 34, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 10 S., R. 27 E.,
 Sec. 1, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 5, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 15, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 13 S., R. 27 E.,
 Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, E $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 7 S., R. 28 E.,
 Sec. 1, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 15, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 26, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, lot 7, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 8 S., R. 28 E.,
 Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 12, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 19, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 28, N $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 9 S., R. 28 E.,
 Sec. 3, lot 4;
 Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 6, lots 1, 2, 3, 6, 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 7, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 17, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 31, lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 10 S., R. 28 E.,
 Sec. 7, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 33, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 11 S., R. 28 E.,
 Sec. 5, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 6, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 12 S., R. 28 E.,
 Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, NE $\frac{1}{4}$;
 Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 13 S., R. 28 E.,
 Sec. 14, N $\frac{1}{2}$;
 Sec. 17, SE $\frac{1}{4}$;
 Sec. 18, lots 3, 4;
 Sec. 19, lot 1, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 22, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, lots 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, lot 4;
 Sec. 32, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
 Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 7 S., R. 29 E.,
 Sec. 10, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 17, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 18, lot 6.
 T. 8 S., R. 29 E.,
 Sec. 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 6, lots 18, 20;
 Sec. 7, lots 7, 8, 9, 16, 17, 18, 19, 21, 22;
 Sec. 18, lot 15;
 Sec. 22, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 9 S., R. 29 E.,
 Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 30, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 31, lot 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 10 S., R. 29 E.,
 Sec. 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 30, lot 2.
 T. 11 S., R. 29 E.,
 Sec. 29, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, lot 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 12 S., R. 29 E.,
 Sec. 17, S $\frac{1}{2}$ N $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 18, lots 2, 3, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 28, E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 34, W $\frac{1}{2}$ SW $\frac{1}{4}$.
 T. 13 S., R. 29 E.,
 Sec. 6, lots 3, 4, 5, 6, 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 8, all;
 Sec. 24, NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 14 S., R. 29 E.,
 Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$.
 T. 7 S., R. 30 E.,
 Sec. 1, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 12, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 8 S., R. 30 E.,
 Sec. 12, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 10 S., R. 30 E.,
 Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 32, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 12 S., R. 30 E.,
 Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 34, W $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 13 S., R. 30 E.,
 Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, lots 1, 2, 3, 4;
 Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 18, lots 1, 2, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 14 S., R. 30 E.,
 Sec. 3, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 7, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 11, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 8 S., R. 31 E.,
 Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 30, lot 1;
 Sec. 32, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 9 S., R. 31 E.,
 Sec. 8, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 10 S., R. 31 E.,
 Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 12 S., R. 31 E.,
 Sec. 26, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, lots 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 13 S., R. 31 E.,
 Sec. 4, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 6, lot 1;
 Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 23, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 36, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 14 S., R. 31 E.,
 Sec. 3, lots 3, 4;
 Sec. 5, lots 3, 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 15, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 23, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 28, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 29, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 32, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 9 S., R. 32 E.,
 Sec. 4, lot 1;
 Sec. 5, lots 1, 2;
 Sec. 18, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 34, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 12 S., R. 32 E.,
 Sec. 26, NW $\frac{1}{4}$;
 Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 30, lot 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 32, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 13 S., R. 32 E.,
 Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20, NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.
 T. 14 S., R. 32 E.,
 Sec. 1, lots 1, 3, 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, lots 1, 2, SE $\frac{1}{4}$;
 Sec. 4, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 5, lot 3;
 Sec. 10, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 12 S., R. 33 E.,
 Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
 T. 13 S., R. 33 E.,
 Sec. 4, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 6, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$;
 Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 14 S., R. 33 E.,
 Sec. 7, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 12 S., R. 34 E.,
 Sec. 27, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 13 S., R. 34 E.,
 Sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

The lands described aggregate approximately 25,666 acres.

7. The lands have been identified as not being needed for Federal land management programs.

8. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2462.3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, ILM 320, Washington, D.C. 20240.

ARTHUR W. ZIMMERMAN,
 Assistant State Director.

[P.R. Doc. 70-16936; Filed, Dec. 17, 1970; 8:45 a.m.]

[Utah 9776, etc.]

UTAH

Order Providing for Opening of Public Lands

DECEMBER 11, 1970.

1. In exchanges of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, the following described lands have been reconveyed to the United States:

SALT LAKE MERIDIAN

Minerals in the following lands were not reconveyed to the United States:

UTAH 11461

T. 12 N., R. 8 W.,
 Sec. 7.
 T. 12 N., R. 9 W.,
 Sec. 2, S $\frac{1}{2}$;
 Sec. 11, N $\frac{1}{2}$.

UTAH 12041

T. 14 N., R. 10 W.,
 Sec. 20, W $\frac{1}{2}$;
 Sec. 28, E $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 14 N., R. 11 W.,
 Sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$.

UTAH 12042

T. 10 N., R. 13 W.,
 Sec. 1.

UTAH 11902

T. 10 N., R. 13 W.,
 Secs. 3 and 7.
 T. 11 N., R. 13 W.,
 Sec. 35, E $\frac{1}{2}$ SE $\frac{1}{4}$.

UTAH 11744

T. 10 N., R. 13 W.,
Sec. 5.
T. 11 N., R. 13 W.,
Sec. 35, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

UTAH 11743

T. 11 N., R. 13 W.,
Sec. 33;
Sec. 35, SW $\frac{1}{4}$.

UTAH 12561

T. 11 N., R. 13 W.,
Sec. 32.

UTAH 11742

T. 11 N., R. 13 W.,
Sec. 17.

UTAH 11920

T. 11 N., R. 15 W.,
Secs. 3, 5, 9, and 15.

UTAH 9776

T. 12 N., R. 15 W.,
Sec. 31.

UTAH 11024

(Minerals in U-11024 were retained by the United States in the original patents.)

T. 36 S., R. 3 E.,
Sec. 31, lots 3 and 4.
T. 37 S., R. 2 E.,
Sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 37 S., R. 3 E.,
Sec. 6, lots 2, 3, 4, 5, 6, and 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

UTAH 11726

(Part)

T. 15 S., R. 8 E.,
Sec. 15, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ (Minerals were retained by the United States in the original patent).

UTAH 10652

(Minerals in U-10652 retained by the United States in the original patent.)

T. 1 S., R. 25 E.,
Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Minerals in the following lands were reconveyed to the United States:

UTAH 11909

(Oil and gas in U-11909 were not reconveyed to the United States.)

T. 12 N., R. 14 W.,
Sec. 19, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
T. 12 N., R. 15 W.,
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

UTAH 11060

(Oil and gas in U-11060 were not reconveyed to the United States.)

T. 19 S., R. 8 W.,
Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 20 S., R. 8 W.,
Sec. 1, SE $\frac{1}{4}$;
Sec. 4, lots 3 and 4.
T. 23 S., R. 8 W.,
Sec. 10.
T. 25 S., R. 11 W.,
Sec. 22, E $\frac{1}{2}$.
T. 26 S., R. 11 W.,
Sec. 1, S $\frac{1}{2}$.

UTAH 11117

T. 40 S., R. 16 W.,
Sec. 32, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

UTAH 11726

(Part.)

T. 13 S., R. 9 E.,
Sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 34, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 14 S., R. 9 E.,
Sec. 2;
Sec. 3, lots 2, 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 4, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 5, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The public lands described above aggregate 15,582.52 acres in Beaver, Box Elder, Carbon, Daggett, Garfield, Millard, and Washington Counties.

2. The topography of the lands described varies from nearly level and moderately steep to rough hills and mountainous areas with rock outcrops. Vegetation consists of sagebrush, black brush, cheat grass, western wheat grass, Indian rice grass, halogeton, shad scale, pinion juniper, and miscellaneous desert grasses and shrubs. Soils range from deep clay loam to shallow rocky soils, and from sandy to desert clay hardpan. The lands are semiarid in character and not suitable for farming. They have been acquired to further Federal programs. Public lands in these areas have been classified for retention in Federal ownership for multiple-use management.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location and selection, except for appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under

section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m., January 20, 1971, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Inquiries concerning the lands should be addressed to the State Director, Bureau of Land Management, Post Office Box 11505, Salt Lake City, UT 84111.

R. D. NELSON,
State Director.

[F.R. Doc. 70-16937; Filed, Dec. 17, 1970;
8:45 a.m.]

[Wyoming 11275]

WYOMING

Notice of Public Sale

DECEMBER 9, 1970.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421-1427), 43 CFR Subpart 2720, four parcels of land will be offered for sale to the highest bidder at a sale to be held at 2 p.m., local time on Thursday, January 21, 1971, at the Land Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, WY 82001. The lands are described as follows:

SIXTH PRINCIPAL MERIDIAN, WYOMING

Parcel No.	Description	Acres	Appraised Value	Publication deposit
1	T. 28 N., R. 111 W., Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.	105.00	\$4,125	\$15
2	Sec. 19, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.	10.00	275	5
3	T. 28 N., R. 112 W., Sec. 25, lots 7, 8, 12, SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 25, W $\frac{1}{2}$ of lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.	257.11	7,000	25
4	Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.	30.00	825	5

The lands will be sold subject to all valid existing rights and rights-of-way of record. A reservation will be made to the United States for rights-of-way for ditches or canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals will be reserved to the United States.

Bids may be made by a principal or his agent, either at the sale, or by mail. An agent must be prepared to show that the person he represents is a qualified bidder.

Bids must be for all the land in the parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received by the Land Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, WY 82001, prior to 2 p.m. on Thursday, January 21, 1971. Bids made prior to the public auction must be in sealed envelopes, and accompanied by certified checks, postal money orders, bank drafts, or cashiers' checks, payable to the Bureau of Land Management, for the full amount of the bid plus estimated publication cost. If the bidder is the petitioner for sale he will not be required to submit a publication deposit with his

bid. The envelopes must be marked in the lower left-hand corner: "Public Sale Bid W-11275, Parcel No. _____, Sale Held January 21, 1971."

The authorized officer shall publicly declare the highest qualifying sealed bid received for each parcel. Oral bids shall then be invited in specific increments. After oral bids, if any are received, the authorized officer shall declare the high bids. A successful oral bidder must submit a guaranteed remittance, in full payment for the tract(s) and cost of publication, before noon of the day following the sale.

If no bids are received for the sale tracts on Thursday, January 21, 1971, the tracts will be reoffered on the first Wednesday of subsequent months at 2 p.m., beginning February 3, 1971. Any adverse claimants of the above-described lands should file their claims, or objections, with the undersigned before the time designated for sale.

The lands described in this notice have been segregated from all forms of appropriation, including locations under the general mining laws except for sale under this Act. Inquiries concerning this sale should be addressed to the Assistant

Manager, Lands, Bureau of Land Management, Post Office Box 1828, Cheyenne, WY 82001.

ALAN D. EVANS,
Acting Assistant Manager,
Land Office.

[F.R. Doc. 70-16938; Filed, Dec. 17, 1970;
8:45 a.m.]

[Wyoming 19140]

WYOMING

Notice of Classification of Public Lands

DECEMBER 11, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR, Parts 2400 through 2461, the existing classification of public lands described below is hereby amended to segregate the lands from appropriation under the general mining laws (30 U.S.C. 21). The lands shall remain open to the mineral leasing laws. These lands were previously classified for Multiple Use Management by Notice of Classification of Lands, under item (a) in paragraph 1 which segregates the land from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334) and from sales under Section 2455 of the Revised Statutes (43 U.S.C. 1171). The Notice of Classification of Lands was published in Volume 35, No. 104, FEDERAL REGISTER of May 28, 1970, as F.R. Doc. 70-6581, at pages 8398-9400.

2. A public hearing on the proposed classification (35 F.R. 191) was held in Pinedale, Wyo., on October 21, 1970. No opposition was received. Three letters supporting the classification were received. The record showing the comments received and other information is on file and can be examined in the Pinedale District Office, Bureau of Land Management, Pinedale, Wyo. and in the Land Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, WY.

3. Public lands affected by this classification are:

SIXTH PRINCIPAL MERIDIAN

T. 30 N., R. 110 W.,
Sec. 19, lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$.

The lands described contain 150.39 acres in Sublette County.

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

AUBREY F. SMITH,
Acting State Director.

[F.R. Doc. 70-16939; Filed, Dec. 17, 1970;
8:45 a.m.]

[Wyoming 25310]

WYOMING

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 11, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2400 through 2461, the public lands within the areas described below and the Reclamation withdrawn lands specifically described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating (a) all the described lands except those listed in paragraph 4 of this notice from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); (b) the lands described in paragraph 4 of this notice are not segregated from desert land entry laws but are segregated from all other agricultural land laws (43 U.S.C. Part 7; U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); (c) the lands described in paragraph 5 of this notice are further segregated from appropriation under the general mining laws (30 U.S.C. 21). The lands shall remain open to all other applicable forms of appropriation, including the mining laws (except as provided in paragraph 5) and the mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Three letters of support and two protests were received to the proposed classification following its publication in the FEDERAL REGISTER (35 F.R. 191, amended by 35 F.R. 198). Two public hearings were held. Both protests called for certain additional lands being available under the Desert Land Laws. As a result, a total of 12,919 additional acres are not segregated from said Law but will be treated under specific classification authorities. The record showing the comments received and other information is on file and can be examined in the Pinedale District Office, Bureau of Land Management, Pinedale, Wyo., and in the Land Office, Bureau of Land Management, Federal Building, Cheyenne, Wyo.

3. Public lands located within the following described areas are shown on the classification map which is on file in the District Office, Bureau of Land Management, Pinedale, Wyo., and in the Land Office, Bureau of Land Management, Federal Building, Cheyenne, Wyo. The general descriptions of the areas are as follows:

SIXTH PRINCIPAL MERIDIAN

LINCOLN COUNTY, WYO.

All public lands within the following described area: Beginning at the conjunction

of Fontenelle Creek and the Green River in the NW $\frac{1}{4}$, sec. 9, T. 24 N., R. 112 W.; thence westerly along said creek approximately 25 miles to the point where Fontenelle Creek crosses the township line between Tps. 24 and 25 N., R. 115 W.; west 3.5 miles to the Bridger National Forest boundary, north along the Bridger National Forest boundary approximately 18 miles to the northwest corner of sec. 6, T. 25 N., R. 115 W.; thence easterly approximately 20 miles along the boundary between Lincoln and Sublette Counties to the Green River; southerly along the Green River approximately 18 miles to the point of beginning; but excluding lot 4 and SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 14, T. 25 N., R. 113 W.

The following Reclamation withdrawn lands:

T. 23 N., R. 112 W.,
Sec. 6, lots 3, 4, 5, 9, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 26 N., R. 113 W.,
Sec. 2, lots 1, 2, 9, 13, 14, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 14, lot 1 and NW $\frac{1}{4}$ NE $\frac{1}{4}$.

SUBLETTE COUNTY, WYO.

The following Reclamation withdrawn lands:

T. 29 N., R. 110 W.,
Sec. 5, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 30 N., R. 110 W.,
Sec. 31, lots 2, 3, 4, 5, 8, 9, 10, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 32, E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 29 N., R. 111 W.,
Sec. 1, lots 1, 2, and 3;
Sec. 3, lot 5;
Sec. 4, lot 5;
Sec. 20, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 21, lots 2, 4, and 5;
Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 32, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 30 N., R. 111 W.,
Sec. 33, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.

T. 27 N., R. 112 W.,
Sec. 4, lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 7, E $\frac{1}{2}$;
Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 18;
Sec. 19;
Sec. 20, lot 6, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 20, lots 4 and 5;
Sec. 30, lots 1, 2, 3, 4, 5, 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 31, lots 3, 4, 9, 10, 11, E $\frac{1}{2}$ W $\frac{1}{2}$, and W $\frac{1}{2}$ E $\frac{1}{2}$.

T. 28 N., R. 112 W.,
Sec. 1, lots 1 to 13, inclusive, lots 17 and 18, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, S $\frac{1}{2}$;
Sec. 11, N $\frac{1}{2}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 12, lots 4 and 5, and W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 13, lots 4, 10, and 11;
Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 22, E $\frac{1}{2}$;
Sec. 23, lots 1, 2, 3, 8, NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27;
Sec. 28, SE $\frac{1}{4}$;
Sec. 32, SE $\frac{1}{4}$;
Sec. 33.

T. 27 N., R. 113 W.,

Sec. 13, SE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$;
Sec. 25, E $\frac{1}{2}$.

The following public lands:

- T. 32 N., R. 106 W.,
 Sec. 4;
 Sec. 5;
 Sec. 6;
 Sec. 7, lots 3 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 8, lots 1 and 2;
 Sec. 9, NE $\frac{1}{4}$.
- T. 33 N., R. 106 W.,
 Sec. 18, lots 1, 2, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
 Sec. 19, lots 1 to 4, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 21, S $\frac{1}{2}$;
 Sec. 28;
 Sec. 29, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 32, lots 2, 3, 4, NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 33.
- T. 32 N., R. 107 W.,
 Sec. 1, lots 1, 2, 5, 6, and 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, lots 1 and 2, and W $\frac{1}{2}$ NE $\frac{1}{4}$.
- T. 33 N., R. 107 W.,
 Sec. 13, N $\frac{1}{2}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 17;
 Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 23, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24.
- T. 34 N., R. 109 W.,
 Sec. 4;
 Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 9, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 10, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
 Sec. 15, N $\frac{1}{2}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 16, E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 22, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 35 N., R. 109 W.,
 Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$.

The total area of the public lands and Reclamation withdrawn lands described by this notice of proposed classification is approximately 132,000 acres.

4. As provided in paragraph 1 above, the following lands are not segregated from the desert land entry laws:

SIXTH PRINCIPAL MERIDIAN
 LINCOLN COUNTY, WYO.

The following Reclamation withdrawn lands:

- T. 26 N., R. 112 W.,
 Sec. 6, lots 3, 4, 5, 9, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 26 N., R. 113 W.,
 Sec. 2, lots 1, 2, 9, 13, 14, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 11, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 14, lot 1 and NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The following public lands:

- T. 25 N., R. 112 W.,
 Sec. 19, lots 3 and 4, and E $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 24 N., R. 113 W.,
 Sec. 4, lots 1 to 4, inclusive;
 Sec. 5, lots 1, 2, 3, 6 to 10, inclusive, 11, 13, 14, 15, 16, 18, and 19.
- T. 25 N., R. 113 W.,
 Sec. 5, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 6, lots 1 and 6, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 7, lot 6, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8;
 Sec. 9;
 Sec. 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 13, lots 1 to 4, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 15;
 Sec. 24, lots 1 to 4, inclusive, and W $\frac{1}{2}$ E $\frac{1}{2}$;

- Sec. 33, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, lots 1 to 3, inclusive, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 26 N., R. 113 W.,
 Sec. 31, lots 7 to 12, inclusive.
- T. 25 N., R. 114 W.,
 Sec. 1, lots 1 to 12, inclusive, and W $\frac{1}{2}$;
 Sec. 2, NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, lots 1 to 12, inclusive, and SW $\frac{1}{4}$.

SUBLETTE COUNTY, WYO.

The following Reclamation withdrawn lands:

- T. 29 N., R. 110 W.,
 Sec. 5, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 30 N., R. 110 W.,
 Sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 32, E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
- T. 29 N., R. 111 W.,
 Sec. 3, lot 5;
 Sec. 4, lot 5;
 Sec. 20, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 32, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 30 N., R. 111 W.,
 Sec. 33, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 35, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.
- T. 27 N., R. 112 W.,
 Sec. 4, lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 5, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 7, E $\frac{1}{2}$;
 Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
 Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 17, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 18;
 Sec. 19;
 Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, lots 1, 2, 5, 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 31, lots 3, 4, 9, 10, E $\frac{1}{2}$ W $\frac{1}{2}$, and W $\frac{1}{2}$ E $\frac{1}{2}$.
- T. 28 N., R. 112 W.,
 Sec. 1, lots 1 to 12, inclusive, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, S $\frac{1}{2}$;
 Sec. 11, N $\frac{1}{2}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 22, E $\frac{1}{2}$;
 Sec. 23, NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 27;
 Sec. 28, SE $\frac{1}{4}$;
 Sec. 32, SE $\frac{1}{4}$;
 Sec. 33.
- T. 27 N., R. 113 W.,
 Sec. 13, SE $\frac{1}{4}$;
 Sec. 24, E $\frac{1}{2}$;
 Sec. 25, E $\frac{1}{2}$.

The public lands and Reclamation withdrawn lands described aggregate approximately 18,988 acres.

5. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws:

SIXTH PRINCIPAL MERIDIAN
 LINCOLN COUNTY, WYO.

- T. 25 N., R. 112 W.,
 Sec. 5, lot 14.
- T. 26 N., R. 112 W.,
 Sec. 5, lots 10, 11, and 13;
 Sec. 6, lot 7;
 Sec. 8, lots 2, 4, and 5.
- T. 26 N., R. 113 W.,
 Sec. 19, lots 1 to 4, inclusive.
- T. 24 N., R. 114 W.,
 Sec. 2, All lands lying north of Fontenelle Creek within lots 14, 15, and 19;
 Sec. 5, All lands lying north of Fontenelle Creek within lot 12.

- T. 26 N., R. 114 W.,
 Sec. 4, lot 4.
- T. 24 N., R. 115 W.,
 Sec. 2, All lands lying north of Fontenelle Creek within lots 1 to 4, inclusive.
 Sec. 3, All lands lying north of Fontenelle Creek within lots 1, 5, 6, 7, 8, 11, and 12;
 Sec. 4, lots 5, 6, 7, 8 and all lands lying north of Fontenelle Creek within lot 9;
 Sec. 5, lot 4;
 Sec. 6, All lands lying north of Fontenelle Creek within lots 1, 2, 3, 12, 13, and 14.
- T. 25 N., R. 115 W.,
 Sec. 21, E $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 28, E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 25 $\frac{1}{2}$ N., R. 115 W.,
 Sec. 31, lots 1 and 2.
- T. 26 N., R. 115 W.,
 Sec. 15, lots 2, 3, 6, and 7;
 Sec. 28, lots 6 and 7, and S $\frac{1}{2}$ SE $\frac{1}{4}$.

SUBLETTE COUNTY, WYO.

- T. 32 N., R. 106 W.,
 Sec. 4;
 Sec. 5;
 Sec. 6;
 Sec. 7, lots 3 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 8, lots 1 and 2;
 Sec. 9, NE $\frac{1}{4}$.
- T. 33 N., R. 106 W.,
 Sec. 18, lots 1, 2, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$;
 Sec. 19, lots 1 to 4, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 20, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 21, S $\frac{1}{2}$;
 Sec. 28;
 Sec. 29, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 32, lots 2, 3, 4, NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 33.
- T. 32 N., R. 107 W.,
 Sec. 1, lots 1, 2, 5, 6, 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, lots 1 and 2, W $\frac{1}{2}$ NE $\frac{1}{4}$.
- T. 33 N., R. 107 W.,
 Sec. 13, N $\frac{1}{2}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 17;
 Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 23, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24.
- T. 30 N., R. 110 W.,
 Sec. 31, lots 2, 3, 4, 5, 8, 9, and 10.
- T. 29 N., R. 111 W.,
 Sec. 1, lots 1 to 3, inclusive;
 Sec. 21, lots 2, 4, and 5.
- T. 27 N., R. 112 W.,
 Sec. 20, lot 6;
 Sec. 29, lots 4 and 5;
 Sec. 30, lots 3 and 4;
 Sec. 31, lot 11.
- T. 28 N., R. 112 W.,
 Sec. 1, lots 13, 17 and 18;
 Sec. 12, lots 4 and 5;
 Sec. 13, lots 4, 10 and 11;
 Sec. 23, lots 1, 2, 3, and 8.

Aggregating approximately 13,393 acres.

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

AUBREY F. SMITH,
 Acting State Director.

[F.R. Doc. 70-16940; Filed, Dec. 17, 1970; 8:45 a.m.]

[Serial No. N-1885-B]

NEVADA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 16, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and the regulations in 43 CFR Parts 2420 and 2460, the public lands within the area described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described land from appropriation under the agriculture land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171), from exchange (43 U.S.C. 315g), and from sale under the Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421-1427). As used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934 as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn for a Federal use or purpose.

The lands will remain open to disposal under the Recreation and Public Purposes Act of June 14, 1925 (44 Stat. 741, 68 Stat. 173, 43 U.S.C. 869) as amended. The public lands described in paragraph 5 are further segregated from appropriation under the general mining laws but not the mineral leasing and material sale laws.

2. This classification will add some 13,000 acres to the previous county-wide multiple use classification N-1885, finally classified on November 1, 1969. The lands involved have been identified as being valuable for school sites, park and recreation sites, frontage on the Carson River and higher elevation open space areas adjoining urban Carson City. The Bureau of Land Management's Carson City District Office has worked closely with local governmental officials in identifying these areas which have high public use potential. Segregation from appropriation under the public land laws, except the Recreation and Public Purpose Act, and in part from appropriation under the general mining laws, will help insure protection and provide for public use of these sites.

Comments received on this classification have all been favorable to the action planned.

3. The public land affected by this classification is shown on maps on file and available for inspection in the Carson City District Office, Bureau of Land Management, 801 North Plaza Street, Carson City, NV 89701, and the Nevada Land Office, Bureau of Land Management, Room 3104, Federal Building, 300 Booth Street, Reno, NV 89502.

4. The public lands being classified for multiple-use management are described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

- T. 16 N., R. 19 E.,
- Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

- T. 16 N., R. 20 E.,
- Sec. 14, all that portion located in Carson City;
- Sec. 22, all;
- Sec. 25, S $\frac{1}{2}$ all in Carson City;
- Sec. 26, all;
- Sec. 27, S $\frac{1}{2}$;
- Sec. 28, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 29, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 32, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
- Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$;
- Sec. 34, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
- Sec. 35, all;
- Sec. 36, W $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ in Carson City.

- T. 16 N., R. 21 E.,
- Sec. 31, all that portion located in Carson City.
- T. 15 N., R. 10 E.,
- Sec. 13, S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$;
- Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$;
- Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

- T. 15 N., R. 20 E.,
- Sec. 1, N $\frac{1}{2}$, SE $\frac{1}{4}$;
- Sec. 2, NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 4, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
- Sec. 14, E $\frac{1}{2}$;
- Sec. 15, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 18, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 22, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 23, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 26, E $\frac{1}{2}$ E $\frac{1}{2}$;
- Sec. 27, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, lots 26, 27, 32 through 37, and 41 through 43, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 30, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 31, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 33, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 34, all;
- Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$.

- T. 15 N., R. 21 E.,
- Sec. 6, all that portion located in Carson City;
- Sec. 7, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 14 N., R. 20 E.,
- Sec. 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 3, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described above totals approximately 13,000 acres.

5. The following described public lands are further segregated from appropriation under the general mining laws:

MOUNT DIABLO MERIDIAN, NEVADA

- T. 16 N., R. 20 E.,
- Sec. 32, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 35, S $\frac{1}{2}$.
- T. 15 N., R. 20 E.,
- Sec. 1, W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 2, NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;

- Sec. 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 4, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 12, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 14, W $\frac{1}{2}$ E $\frac{1}{2}$;
- Sec. 15, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 18, SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 22, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 23, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 27, W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$;
- Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
- Sec. 30, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 31, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Sec. 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$;
- Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.

- T. 15 N., R. 21 E.,
- Sec. 6, W $\frac{1}{2}$ SW $\frac{1}{4}$;
- Sec. 7, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 15 N., R. 10 E.,
- Sec. 13, S $\frac{1}{2}$ SE $\frac{1}{4}$;
- Sec. 24, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
- Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$;
- Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
- Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
- T. 14 N., R. 20 E.,
- Sec. 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
- Sec. 3, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described above totals approximately 5,900 acres.

6. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR § 2461.3.

NOLAN F. KEIL,
State Director, Nevada.

[F.R. Doc. 70-17009; Filed, Dec. 17, 1970; 8:47 a.m.]

[Serial No. N-1574-A]

NEVADA

Notice of Amendment to Final Classification of Public Lands for Multiple-Use Management

DECEMBER 16, 1970.

1. The notice appearing in F.R. Doc. 70-2705, page 4144, of the issue of March 5, 1970 is hereby changed as follows:

Paragraph 3: Add the following described lands to provide for their segregation from all forms of appropriation under the public land laws, including the general mining laws, but not the Recreation and Public Purposes Act or the mineral leasing and material sale laws:

MOUNT DIABLO MERIDIAN, NEVADA

- T. 12 N., R. 39 E. (Unsurveyed),
- Sec. 20, SE $\frac{1}{4}$;
- Sec. 23, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

The area described above aggregates approximately 400 acres of public land.

2. The aforementioned lands are being segregated at the request of the Nevada State Park System to provide a protective buffer area surrounding the

Berlin Townsite. The State Park System plans to acquire and restore the historic mining town, located some 60 miles northwest of Tonopah, Nev., and to develop recreation facilities. The lands being segregated will provide a ¼ mile buffer zone around the townsite. Background data and a map of the area to be segregated are of record in the Battle Mountain District Office, Battle Mountain, Nev., and the Nevada Land Office, Bureau of Land Management, Room 3104, Federal Building, 300 Booth Street, Reno, NV.

3. For a period of 30 days from the date of publication in the FEDERAL REGISTER, this segregative action shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR § 2461.3.

NOLAN F. KEIL,
State Director, Nevada.

[F.R. Doc. 70-17010; Filed, Dec. 17, 1970;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ENRICHED FLOUR DEVIATING FROM IDENTITY STANDARD

Temporary Permit for Market
Testing; Correction

In F.R. Doc. 70-10039 appearing at page 12423 of the FEDERAL REGISTER of August 4, 1970, in the last sentence, the temporary permit's expiration date "July 24, 1971" is corrected to read "July 24, 1972."

Dated: December 9, 1970.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-17018; Filed, Dec. 17, 1970;
8:47 a.m.]

MINNESOTA MINING & MANUFACTURING CO., INC.

Notice of Filing of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 1B2610) has been filed by Minnesota Mining & Manufacturing Co., Inc., 3M Center, St. Paul, Minn. 55101, proposing that § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 121.2526) be amended by revising the limitations for the item "Ammonium bis(N-ethyl-2-perfluoroalkylsulfonamido ethyl) phosphates * * *" in the table in paragraph (a) (5) to expand the permitted conditions of food-contact use to include contact with foods of types VII, VIII, and IX and conditions of use C and H, as de-

scribed in tables 1 and 2 respectively of paragraph (c) of that section.

Dated: December 3, 1970.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-17017; Filed, Dec. 17, 1970;
8:47 a.m.]

[DESI 6958]

TOPICAL CREAM; AMINACRINE PYR- UVATE, OXYQUINOLINE SULFATE, AND ALLANTOIN

Drugs for Human Use; Drug Efficacy Study Implementation

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

Massé Cream, containing aminacrine pyruvate, oxyquinoline sulfate and allantoin; Ortho Pharmaceutical Corporation, Route 202, Raritan, New Jersey 08869 (NDA 6-958).

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

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy report and concludes that this drug is possibly effective for its recommended use for nipple care during pregnancy and nursing.

B. *Marketing status.* 1. Holders of previously approved new-drug applications and any person marketing any such drug without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and to submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for the indication for which this drug has been classified as possibly effective. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a) (5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

2. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness of such use. After that evaluation, the conclusions concerning the drug will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to with-

draw approval of the new-drug applications for such drugs, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval is not in effect.

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

Communications forwarded in response to this announcement should be identified with the reference number DESI 6958 and be directed to the attention of the following appropriate office and be addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (Identify with NDA Number):
Office of Scientific Evaluation (BD-100),
Bureau of Drugs.

Original new-drug applications: Office of
Scientific Evaluation (BD-100), Bureau of
Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

Requests for NAS-NRC Reports: Press Relations Office (CE-200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

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

Dated: November 24, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-17016; Filed, Dec. 17, 1970;
8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation
Administration

ASSISTANT ADMINISTRATOR, OFFICE OF PROGRAM DEMONSTRATIONS

Redelegation of Authority With Re- spect to Urban Mass Transportation Program

The redelegation of authority to the Assistant Administrator, Office of Program Demonstrations with respect to section 6(a) of the Urban Mass Transportation Act of 1964 as amended, dated June 10, 1970 (35 F.R. 10121) is hereby amended by inserting the parenthetical phrase "(other than service development projects)" after the phrase "research, development and demonstration projects" therein.

This amendment becomes effective December 8, 1970.

Issued in Washington, D.C., December 8, 1970.

CARLOS C. VILLARREAL,
*Urban Mass Transportation
Administrator.*

[F.R. Doc. 70-17024; Filed, Dec. 17, 1970;
8:48 a.m.]

DIRECTOR, OFFICE OF CIVIL RIGHTS AND SERVICE DEVELOPMENT

Redelegation of Authority With Re- spect to Urban Mass Transportation Program

Pursuant to the authority delegated to me by §§ 1.45(b) and 1.50 of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.45(b) and 1.50), the Director, Office of Civil Rights and Service Development (formerly known as the Director, Office of Civil Rights) is hereby authorized to execute grant contracts and contract amendments for approved service development demonstration projects under section 6 (a) of the Urban Mass Transportation Act of 1964 as amended (49 U.S.C. sec. 1605(a)), and is further authorized in connection with the administration of such contracts to approve requisitions for funds, third party contracts and project budget amendments within previously approved limits.

The Director, Office of Civil Rights and Service Development, is further authorized to redelegate to one or more employees under his jurisdiction the authority redelegated herein.

This redelegation becomes effective December 8, 1970.

Issued in Washington, D.C., December 8, 1970.

CARLOS C. VILLARREAL,
*Urban Mass Transportation
Administrator.*

[F.R. Doc. 70-17025; Filed, Dec. 17, 1970;
8:48 a.m.]

Coast Guard
[CGFR-70-149]

SILETZ RIVER, MILE 2.0 AT KERNVILLE, OREG.

Notice of Public Hearing on Proposed Bridge

Notice is hereby given that the Commandant has authorized a public hearing to be held by the Commander, Thirteenth Coast Guard District at the Gleneden Beach Community Club Hall, Gleneden Beach, Oreg. This hearing will start at 2 p.m. on January 21, 1971. Authority for this action is set forth in section 502, 60 Stat. 847, as amended, sections 4(f) and 6(g), 80 Stat. 934 and 941, as amended; 33 U.S.C. 525, 49 U.S.C. 1653(f) and 1655(g) (6) (C) and 49 CFR 1.46(c) (10), (35 F.R. 4959). The purpose of the hearing is to consider the application dated

July 21, 1970 from the Oregon State Highway Division for approval of the location and plans to construct a bridge across the Siletz River, mile 2.0 at Kernville, Oreg. Interested parties were given opportunity until August 27, 1970, to submit written comment on the application to the Commander, Thirteenth Coast Guard District by Public Notice No. 70-18 dated July 27, 1970. In response to this notice a substantial portion of the local navigation interests submitted written objections to the proposed navigation clearances. These clearances were considered to be restrictive to existing towboats should the waterway be improved for navigation at some future time. These written objections included petitions for a public hearing so that these views could be publicly aired. Therefore, this hearing is being held to hear these views and to gather any additional information that may be available from the general public.

The plans submitted by the applicant show the bridge to have clearances within the navigational spans of 31.2 feet vertical above mean high tide and 135 feet horizontal, normal to the direction of flow. These plans are available for inspection in the offices of the Commander, Thirteenth Coast Guard District by any interested person. All interested persons may present data, views and comments orally, or in writing at the public hearing concerning the impact of the proposed bridge on land and water transportation, potential commercial development and on the environment, including but not limited to the impact of the bridge as it relates to recreational areas, wildlife and waterfowl refuges, public parks and historical sites which are of National, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof. The hearing will be an informal one conducted by a representative of the Commander, Thirteenth Coast Guard District who will make an opening statement presenting a brief summary of the proposed structure. Interested persons will then have an opportunity to present their oral statements. Additional procedures for conduct of the hearing will be announced at the hearing. A transcript of the hearing will be made and anyone may buy a copy of the transcript from the reporting service. Interested persons who are unable to attend this hearing may also participate in this consideration by submitting written data, views, arguments or comments as they may desire on or before February 1, 1971. All submissions should be made in writing to the Commander, Thirteenth Coast Guard District, 618 Second Avenue, Seattle, WA 98104. It is requested that each submission state the subject to which it is directed, the reason for any recommendations and the name, address and firm or organization, if any, of the person making the submission. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. Copies of all written communications received will be available for examination by in-

terested persons at the office of the Commander, Thirteenth Coast Guard District. After the time set for the submission of comments by the interested parties, the Commander, Thirteenth Coast Guard District will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the Commandant, U.S. Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

Dated: December 16, 1970.

C. R. BENDER,
*Admiral, U.S. Coast Guard,
Commandant.*

[F.R. Doc. 70-17127; Filed, Dec. 17, 1970;
8:53 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-346]

TOLEDO EDISON CO. AND CLEVELAND ELECTRIC ILLUMINATING CO.

Notice of Application for Construction Permit and Facility License

The Toledo Edison Co., 420 Madison Avenue, Toledo, OH 43601, and The Cleveland Electric Illuminating Co., 55 Public Square, Cleveland, OH 44101, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, have filed an application dated August 1, 1969, for a construction permit and facility license to authorize construction and operation of a pressurized water nuclear reactor on the applicants' approximately 900-acre site on the southwest shore of Lake Erie, about 21 miles east of Toledo and about 9 miles northwest of Port Clinton, in Ottawa County, Ohio.

The proposed reactor, designated by the applicants as the Davis-Besse Nuclear Power Station (the station), is designed for initial operation at approximately 2,633 megawatts thermal, with a net electrical output of approximately 872 megawatts.

The Toledo Edison Co. and The Cleveland Electric Illuminating Co. as tenants in common will share undivided ownership of the station and the site, with each sharing the costs of construction and operation of the station. Toledo Edison will have complete responsibility for the design, installation and operation of the facility.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the Ida Rupp Public Library, Port Clinton, Ohio.

Dated at Bethesda, Md., this 4th day of December 1970.

For the Atomic Energy Commission.

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

[F.R. Doc. 70-16672; Filed, Dec. 10, 1970;
8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22818; Order 70-12-76]

ATLANTA AIR, INC.

Order To Show Cause

Issued under delegated authority December 14, 1970.

The Postmaster General filed a notice of intent November 27, 1970, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above captioned air taxi operator, a final service mail rate of 48.5 cents per great circle aircraft mile for the transportation of mail by aircraft between Pensacola and Orlando, via Panama City and Tallahassee, Fla., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Cessna 402-A aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order¹ to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Atlanta Air, Inc., in its entirety by the Postmaster General 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 48.5 cents per great circle aircraft mile between Pensacola and Orlando, via Panama City and Tallahassee, Fla., based on five round trips per week.

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 Part 385.16(f).

It is ordered, That:

1. Atlanta Air, Inc., the Postmaster General, Eastern Air Lines, Inc., National Airlines, Inc., Southern Airways, Inc., 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

¹ 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).

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 Atlanta Air, 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 Atlanta Air, Inc., the Postmaster General, Eastern Air Lines, Inc., National Airlines, Inc., and Southern Airways, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-17065; Filed, Dec. 17, 1970;
8:51 a.m.]

[Docket No. 22809; Order 70-12-74]

BUCKEYE AIR SERVICE, INC.

Order To Show Cause

Issued under delegated authority December 14, 1970.

The Postmaster General filed a notice of intent November 25, 1970, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above captioned air taxi operator, a final service mail rate of 62.9 cents per great circle aircraft mile for the transportation of mail by aircraft between Watertown and New York (La Guardia), via Syracuse, N.Y., based on five round trips weekly.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with Beech C-45 aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed

transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order¹ to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Buckeye Air Service, Inc., in its entirety by the Postmaster General 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 62.9 cents per great circle aircraft mile between Watertown and New York (La Guardia), via Syracuse, N.Y., based on five round trips per week.

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).

It is ordered, That:

1. Buckeye Air Service, Inc., the Postmaster General, American Airlines, Inc., Eastern Air Lines, Inc., Mohawk Airlines, Inc., 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 Buckeye Air Service, 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 Buckeye Air Service, Inc., the Postmaster

¹ 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).

General, American Airlines, Inc., Eastern Air Lines, Inc., and Mohawk Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-17066; Filed, Dec. 17, 1970;
8:51 a.m.]

[Docket No. 20993; Order 70-12-87]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Construction Rules, General Rates, and Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of December 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 Traffic Conference I of the International Air Transport Association (IATA) and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

The agreement would increase both specific commodity rates and general cargo rates from the United States to Panama and countries on the mainland of South America, excluding Venezuela, by 5 percent rounded up to the next highest cent.

Braniff International Airways advises that the rate adjustment was initiated at its request. In its justification, Braniff cites the continuing losses or inadequate earnings of carriers providing service between the United States and South America. The carrier states that it has no reason to believe that the rate increase will have any adverse effect on the volume of cargo.

We find that the rate increases are justified. Available data for Braniff's international operations for the 12-month period ending June 30, 1970, show a declining economic position and, therefore, some revenue increase is warranted. While we are herein approving the agreement, we believe it should be implemented on statutory notice. Shippers and air-freight forwarders need a reasonable period of time to accommodate themselves to the higher rates. The 30-day statutory notice requirement, among other things, is intended to provide such a period. Accordingly, we are approving the agreement effective this date: *Provided*, That tariffs implementing the changes shall not be filed on less than 30 days' statutory notice.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find that Agreement CAB 22010, R-1 through R-3, is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Agreement CAB 22010, R-1 through R-3, be and hereby is approved, provided that the agreement shall not be implemented by tariff filings, insofar as air transportation as defined by the Act is concerned, on less than 30 days' notice.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action as stated herein. One original and 19 copies of the statement should be filed with the Board's Docket Section.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.¹⁴

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-17067; Filed, Dec. 17, 1970;
8:51 a.m.]

[Dockets Nos. 22069; 21770; Order 70-12-84]

INTERNATIONAL AIR TRANSPORT ASSOCIATION ET AL.

Order Regarding Modification of Agreements

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of December 1970.

By a petition filed April 1, 1970, six transatlantic supplemental carriers,¹ acting in response to a ban on all charters operated by supplemental carriers between United States northeast points and Belgium, ask that the Board (1) withdraw its approval of the Caracas IATA-agreed contract bulk inclusive tour (CBIT) and affinity group fares insofar as United States-Belgium traffic is concerned, (2) amend SABENA's foreign carrier permit in a manner that would enable the Board to deny or grant its on-route charters, and (3) deny all SABENA applications for off-route charters.²

By a motion filed April 7, 1970, in Docket 21770, the National Air Carrier Association (NACA) requests that the Board modify its approval of CBIT and affinity group fares so as to render such approval inapplicable between the United States and any country which refuses, restricts, or conditions landing and uplift rights for inclusive tour or affinity charters. Additionally, it requests that the Board announce that it will withdraw

¹ American Flyers Airline Corp.; Capitol International Airways, Inc.; Overseas National Airways, Inc.; Saturn Airways, Inc.; Trans International Airlines, Inc.; and World Airways, Inc.

² SABENA, in an answer, opposes the relief requested. The Department of Transportation supports the supplementals to the extent that SABENA off-route charters should be denied and that SABENA's permit should be amended in a fashion to allow the Board to grant or deny SABENA's on-route charters.

¹⁴ Member Minetti dissenting.

its approval of the CBIT and affinity group fares unless by October 1, 1970, a revised and "more equitable" transatlantic fare structure has been agreed upon in intergovernmental discussions. In support of this motion, NACA advertises to, among other things, discussions between officials of World Airways, Inc., and European aeronautical authorities, which purport to show actual or intended restrictions, in terms of both price and volume, upon supplemental carrier services.

By a petition filed May 1, the transatlantic supplemental carriers asked that the Board review the action taken by the Director, Bureau of Operating Rights, on April 21, 1970, authorizing a SABENA off-route charter and to direct that, until Belgium lifts its charter ban, all future SABENA off-route charter applications which involve United States northeast points be denied.

Pan American World Airways, Inc., and Trans World Airlines, Inc., have filed replies in opposition to the motion of NACA in Docket 21770 (and by reference Pan American has incorporated the same reply with respect to the supplemental carriers' petition relating to Belgian traffic in Docket 22069). In general terms, the carriers suggest that the motion to impose conditions on CBIT's and affinity fares is tantamount to the request for reconsideration of the issues previously considered and decided by the Board, that a revision of the fare structure through intergovernmental negotiations is beyond the Board's jurisdiction and/or impractical, and that the relief requested is unwarranted in any event.

While the Board is seriously concerned over the unwarranted restrictions on supplemental carrier operations which have been imposed by certain foreign governments, including the government of Belgium, we have concluded that it would not be desirable at the present time to attempt to deal with this problem by unilateral tampering with the currently effective transatlantic fare structure. We note that most of the supplementals' arguments against the IATA CBIT and affinity group fares were before the Board at the time it approved those fares earlier this year,³ and the petitioners here have presented little additional information of a factual nature which would warrant a change in position. The conditioning or withdrawal of approval of the IATA CBIT and affinity group fares would not necessarily insure advancement of supplemental carrier interests.⁴ On the contrary, it might generate a fare dispute which could heighten international differences in this area and

³ See Orders 70-2-123, -124, -125, Feb. 27, 1970.

⁴ We note, moreover, that the IATA carriers have themselves subsequently moved to eliminate the CBIT fares from next year's North Atlantic fare package. There obviously would be little point in disapproving or conditioning the use of fares which have only a few months of applicability left, and that in the off season.

impair efforts to resolve the present difficulties through international diplomacy and cooperation. Equally important, it could well impinge upon the interests of the traveling public using scheduled service through a disruption of travel plans because of the uncertainty of applicable fares, or indeed by the application of higher fares.

With respect to the other forms of relief sought by the petitioners, we note that the Board has recently proposed⁵ to amend Part 212 of the economic regulations so as to subject on-route charters of foreign air carriers to a requirement of advance approval when the public interest so requires, just as off-route charters are already so subject. This amendment, if adopted, will enhance the power of the Board to deal with persistently restrictive practices by foreign governments in the area of charter operations. However, we have concluded that the matters put forward by the petitioners do not warrant embarking on a policy of retaliatory disapproval of charter flights at this time. We noted in Order 70-2-125 our belief that it would be desirable to deal with the problem at the governmental level, and we continue to hope that this will prove possible. Indeed, it is noteworthy that subsequent to the filing of the April 1 petition, representations were made on a governmental level to the Belgian authorities which contributed to some relaxation in the restrictions earlier announced. Nevertheless, the Board is prepared to take appropriate action should this means of alleviating unwarranted restrictions fail.

In light of the above, we will deny the relief sought by the petitioners.⁶

Accordingly, it is ordered, That:

1. Except to the extent previously granted, the April 1, 1970, petition of the six supplemental carriers be and it hereby is denied;

2. The April 7, 1970, motion of the National Air Carrier Association be and it hereby is denied; and

3. The May 1, 1970, petition by the six transatlantic supplemental carriers for discretionary review of staff action be and it hereby is dismissed as moot.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-17068; Filed, Dec. 17, 1970; 8:51 a.m.]

[Docket No. 22888; Order 70-12-82]

PAN AMERICAN WORLD AIRWAYS, INC.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of December 1970.

By tariff revisions¹ filed November 16 and marked to become effective December 17, 1970, Pan American World Airways, Inc. (Pan American), proposes to increase the minimum charge on shipments of valuables² in numerous markets including those involving interstate or overseas air transportation.³ The carrier's current minimum charges for valuables in those markets, 150 percent of the minimum charges for other commodities, range between \$15 and \$36 per shipment. Pan American proposes a minimum charge of \$50 for valuables in all of the markets, resulting in increases ranging between 39 and 233 percent.

In support of its proposal, the carrier asserts, inter alia, that the current minimum charges for valuables result in substantial losses because of very high ground handling costs, and that such handling involves the work of many persons and definite security risks. Pan American presents data purporting to show ground and other costs warranting the proposed minimum charge.

The foregoing figures, however, do not appear adequate to support the sharp

¹ Revisions to International Air Traffic Tariffs Corp., Agent, Tariff CAB Nos. 259, 298, and 364.

² Valuables are defined to consist of the following:

Any shipment consisting in whole or in part of gold bullion (including refined and unrefined gold in ingot form), dore bullion, gold speckle, and gold only in the form of grain, sheet, foil, powder, sponge, wire, rod, tubes, circles, moldings, and castings; platinum; platinum metals (iridium, osmium, palladium, rhodium, and ruthenium) and platinum alloys in the form of grain, sponge, wire, ingot, sheet, rod, wire, gauze, tube, and strip (but excluding those radioactive isotopes of the above metals and alloys which are subject to restricted articles labelling requirements), legal banknotes; travelers' checks; securities; shares and share coupons; diamonds, rubies, emeralds, sapphires, and real pearls (excluding cultured pearls).

³ The markets involved are the following:

<i>Between</i>	<i>And</i>
Baltimore, Md.;	St. Croix, V.I.;
Boston, Mass.;	St. Thomas,
Miami, Fla.;	V.I.;
New York, N.Y.;	San Juan, P.R.
Philadelphia,	
Pa.;	
Washington, D.C.	
Los Angeles,	Guam.
Calif.	
Portland, Oreg.--	Hilo, Hawaii.
San Francisco,	Honolulu,
Calif.	Hawaii.
Seattle, Wash.--	Pago Pago,
	Samoa,
	Wake Island.
Guam-----	Wake Island.
Fairbanks -----	New York/Port-
	land/Seattle.

increases in the minimum charge proposed. The data purport to show in some detail that the ground handling costs of valuables amount to \$30 per shipment. But, it should be noted, a significant amount of those costs could reasonably cover the handling of several shipments handled at the same time, thus resulting in much lower costs per shipment. Pan American's data indicate that costs other than ground handling plus a "moderate profit" amount to approximately \$20 per shipment. No supporting detail of this figure is presented, however.

The minimum charges for shipments between the 48 contiguous States and for certain other domestic movements in effect for practically all carriers are the same for valuable articles as for other commodities. In contrast, as indicated above, the current minimum charges for valuables in the markets involved in Pan American's proposal are 50 percent above the charges for other commodities. The carrier has not adequately justified the significant increases proposed above the already high levels in effect. In these circumstances, a significant question is presented as to the reasonableness of the proposed charges and the Board has concluded that it should investigate the proposed revisions, to the extent they apply in interstate or overseas air transportation, and suspend the same pending investigation.

Therefore, upon consideration of all relevant matters, the Board finds that the proposals to the extent that they apply in interstate or overseas air transportation 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 is instituted to determine whether the charges and provisions in the "Exception 1" to Item No. 4 on 17th Revised Page 25 of International Air Traffic Tariffs Corp., Agent's CAB No. 364 (except to the extent they apply between points in the United States, on the one hand, and points outside the United States, on the other) and rules, regulations, and practices affecting such charges and provisions, 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 charges and provisions, and rules, regulations, or practices affecting such charges and provisions;

2. Pending hearing and decision by the Board, the charges and provisions in the "Exception 1" to Item No. 4 on 17th Revised Page 25 of International Air Traffic Tariffs Corp., Agent's CAB No. 364 (except to the extent they apply between points in the United States, on the one hand, and points outside the United States, on the other) are suspended and their use deferred to and including March 16, 1971, 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 for hearing 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 tariff and shall be served upon Pan American World Airways, Inc., which 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. ZINE,
Secretary.

[F.R. Doc. 70-17070; Filed, Dec. 17, 1970;
8:52 a.m.]

[Docket No. 22805; Order 70-12-75]

PILGRIM AVIATION AND AIRLINES, INC.

Order To Show Cause

Issued under delegated authority December 14, 1970.

The Postmaster General filed a notice of intent November 24, 1970, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above-captioned air taxi operator, a final service mail rate of 94.95 cents per great circle aircraft mile for the transportation of mail by aircraft between Albany and New York (JFK), N.Y., based on five round trips per week.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with DeHavilland DHC-6-100 aircraft.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order¹ to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Pilgrim Aviation and Airlines, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services con-

¹ 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).

nected therewith, shall be 94.95 cents per great circle aircraft mile between Albany and New York (JFK), N.Y., based on five round trips per week.

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),

It is ordered, That:

1. Pilgrim Aviation and Airlines, Inc., the Postmaster General, Allegheny Airlines, Inc., American Airlines, Inc., Mohawk Airlines, Inc., 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 Pilgrim Aviation and Airlines, 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 Pilgrim Aviation and Airlines, Inc., the Postmaster General, Allegheny Airlines, Inc., American Airlines, Inc., and Mohawk Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINE,
Secretary.

[F.R. Doc. 70-17071; Filed, Dec. 17, 1970;
8:52 a.m.]

FEDERAL MARITIME COMMISSION

HAPAG-LLOYD AG

Notice of Issuance of Casualty Certificate

Security for the protection of the public; financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR 540):

Hapag-Lloyd AG, Gustav-Deetjen-Allee 2-6, Bremen, Germany.

Dated: December 15, 1970.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-17072; Filed, Dec. 17, 1970;
8:52 a.m.]

HAPAG-LLOYD AG

Notice of Issuance of Performance Certificate

Security for the protection of the public; indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers of Nonperformance of Transportation pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 C.F.R. Part 540):

Hapag-Lloyd AG, Gustav-Deetjen-Allee 2-6 Bremen, Germany.

Dated: December 15, 1970.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-17073; Filed, Dec. 17, 1970;
8:52 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 1-A, Rev. 2]

GENERAL COUNSEL ET AL.

Delegation of Authority

Delegation of Authority No. 1-B (Revision 1) (32 F.R. 178) is hereby revoked and Delegation of Authority No. 1-A (Revision 1) (32 F.R. 177) is hereby revised to read as follows:

Pursuant to authority vested in me by the Small Business Act, 72 Stat. 384, as amended; the Small Business Investment Act of 1958, 72 Stat. 689, as amended; and Title IV of the Economic Opportunity Act of 1964, 78 Stat. 526, as amended; authority is hereby delegated to the following officials in the following order:

1. General Counsel;
2. Associate Administrator for Investment;
3. Associate Administrator for Financial Assistance;
4. Associate Administrator for Procurement and Management Assistance; and
5. Assistant Administrator for Management.

to perform, in the event of the absence or incapacity of the Administrator and the Deputy Administrator, any and all acts which the Administrator is authorized to perform, including but not limited to authority to issue, modify, or revoke delegations of authority and regulations, except exercising authority under sections 7(a) (6), 9(d), and 11 of the Small Business Act, as amended.

This delegation is not in derogation of any authority residing in the above listed officials relating to the operations of their respective programs nor does it affect the validity of any delegations currently in force and effect and not specifically cited as revoked or revised herein.

Effective date: November 24, 1970.

EIVAR JOHNSON,
Acting Administrator.

[F.R. Doc. 70-17054; Filed, Dec. 17, 1970;
8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 522]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

DECEMBER 14, 1970.

Pursuant to §§ 1.227(b) (3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with

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

² The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to Section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to

§ 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign, and nature of application

- 3018-C2-MP-71—Southern Bell Telephone & Telegraph Co. (KIN651), Modification of C.P. to change the antenna system operating on 152.69 and 152.57 MHz located at 30 West Belmont, Pensacola, FL.
- 3019-C2-P-71—Professional Answering Service (New), C.P. for a new 1-way station to be located at Orchard Road, Jamestown, NY, to operate on frequency 158.70 MHz.
- 3020-C2-P-71—Anserfone, Inc. (New), C.P. for a new 1-way station to be located at 347 College Street, Macon, GA, to operate on frequency 152.24 MHz.
- 3021-C2-P-71—X. Nady, Jr. (New), C.P. for a new 1-way station to be located at Broadway and Cherry Streets, 2 miles north of Amarillo, Tex., to operate on frequency 158.70 MHz.
- 3023-C2-P-71—Mobile Radiotelephone Corp. (KIY725), C.P. to add frequency 152.03 MHz at station located on Highway No. 118, 2.1 miles east of Grifton, N.C.
- 3024-C2-P-71—Charles L. Slocum (KGI770), C.P. for additional facilities to operate on 152.06 MHz at a new site described as Coal Bed Road, Elk Township, 6 miles northeast of Warren, Pa., location No. 2.
- 3025-C2-P-71—General Telephone Co. of Kentucky (KIY450), C.P. to add frequency 152.75 MHz at station located at 151 Walnut Street, Lexington, KY.
- 3068-C2-P-71—Pioneer Telephone Association, Inc. (New), C.P. for a new 2-way station to be located near Highway No. 50 and County Line Road, north of Kendall, Kans., to operate on frequency 152.57 MHz.
- 3069-C2-P-(2)71—Pioneer Telephone Association, Inc. (KAL877), C.P. to add frequency 152.51 MHz at station located at 2 miles south of Ulysses, Kans., and replace transmitter operating on 152.63 MHz same location.
- 3070-C2-MP-71—The Pacific Telephone & Telegraph Co. (KMA829), Modification of C.P. to relocate facilities operating on 35.58 MHz at location No. 7 to: 3999 Mission Boulevard, San Diego, CA.
- 3080-C2-P-(3)71—Tel-Car, Inc. (New), C.P. for a new 2-way station to be located at Flattop Butte, 5.5 miles east of Jerome, Idaho, location No. 1, to operate on frequency 152.15 MHz base and 459.350 MHz repeater and at location No. 2: 408 Sixth Avenue West, Twin Falls, ID, to operate on 454.350 MHz control.
- 3081-C2-P-(4)71—RAM Broadcasting of Texas, Inc. (KKG412), C.P. for additional facilities to operate on frequencies 454.100 and 454.200 MHz at a new site described as location No. 5: On U.S. Route No. 75, 0.5 mile south of Carsicana, Tex., and add frequencies 454.050 and 454.325 MHz at a new site described as location No. 6: 3820 Moulton Street, Greenville, TX.
- 3082-C2-MP-(2)71—Radiocall, Inc. (KUA482), Modification of C.P. to relocate facilities operating on 152.24 MHz at location No. 2 to: Kailua Shopping Center, Kailua, Hawaii, and add control facilities to operate on 76.02 MHz at location No. 3: 1270 Queen Emma Street, Honolulu, HI.

Informative

- 3067-C2-P/L-71—American Red Ball Transit Co., Inc. Applicant has filed an application for 500 individual mobile units using facilities of Wireline Common Carriers throughout the continental United States.

RURAL RADIO SERVICE

- 3022-C1-P/L-71—AAA Telephone Answering Service and Medical Exchange, Inc. (New), C.P. and license for a new temporary fixed station to operate on 158.52 and 158.55 MHz with (5 units) in any temporary location within the territory of Station KLB781, Baton Rouge, La.
- 3071-C1-P/L-71—RCA Alaska Communications, Inc. (New), C.P. and license for a new interoffice fixed station to be located at Prospect Creek Camp, 22.9 miles east-southeast of Bettles Field, Alaska, to operate on frequency 72.82 MHz.

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

- 3015-C1-P-71—American Telephone & Telegraph Co. (KEE60), C.P. to add frequency 6004.5 MHz toward Jackie Jones Mountain, N.Y. Station location: 2.5 miles northwest of Colesville, N.J.
- 3016-C1-P-71—American Telephone & Telegraph Co. (KEA63), C.P. to add frequency 6250.5 MHz toward Colesville, N.J. Station location: 5 miles west of Stony Point, N.Y. (Jackie Jones Mountain).
- 3017-C1-P-71—The Western Union Telegraph Co. (New), C.P. for a new station to be located 1.7 miles northeast of Lake Geneva, Wis. Frequencies: 11,305 and 11,405 MHz toward Hartland, Ill.
- American Telephone & Telegraph Co.—Thirty C.P. applications to install Type TD-3 transmitters at the radio relay stations between Lee, Ill. and Villa Rica, Ga.
- 3027-C1-P-71—American Telephone & Telegraph Co. (KSA49), Add frequencies 3870 and 3950 MHz toward Newark, Ill. Station location: 3.5 miles north-northeast of Leo, Ill.
- 3028-C1-P-71—American Telephone & Telegraph Co. (KIL68), Add frequencies 3910 and 3990 MHz toward Lee and Verona, Ill. Station location: 2.5 miles northeast of Newark, Ill.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 3049-01-P-71—American Telephone & Telegraph Co. (KIM91), Add frequencies 3870 and 3990 MHz toward Smithville and Coalmont, Tenn. Station location: 7.2 miles south of Spencer, Tenn.
- 3050-01-P-71—American Telephone & Telegraph Co. (KIN20), Add frequencies 3910 and 3990 MHz toward Spencer and Orme, Tenn. Station location: 1 mile west-northwest of Coalmont, Tenn.
- 3051-01-P-71—American Telephone & Telegraph Co. (KIN23), Add frequencies 3870 and 3990 MHz toward Coalmont, Tenn., and Rosalie, Ala. Station location: 3 miles north of Orme, Tenn.
- 3052-01-P-71—American Telephone & Telegraph Co. (KIN28), Add frequencies 3910 and 3990 MHz toward Orme, Tenn., and Collbran, Ala. Station location: 1.8 miles west-southwest of Rosalie, Ala.
- 3053-01-P-71—American Telephone & Telegraph Co. (KIN94), Add frequencies 3870 and 3990 MHz toward Rosalie, Ala., and Haney, Ga. Station location: 1.6 miles south of Collbran, Ala.
- 3054-01-P-71—American Telephone & Telegraph Co. (KIN35), Add frequencies 3910 and 3990 MHz toward Collbran, Ala., and Buchanan, Ga. Station location: 1 mile south-southeast of Haney, Ga.
- 3055-01-P-71—American Telephone & Telegraph Co. (KIN39), Add frequencies 3870 and 3990 MHz toward Haney and Villa Rica, Ga. Station location: 6 miles east-northeast of Buchanan, Ga.
- 3056-01-P-71—American Telephone & Telegraph Co. (KIT28), Add frequencies 3910 and 3990 MHz toward Buchanan, Ga. Station location: 1.8 miles east of Villa Rica, Ga.
- American Telephone & Telegraph Co.—Eight C.P. applications to construct a pair of Raytheon Manufacturing Co. Type KTR-4 plant maintenance channels in the Liberty-Chapley, Fla., and Thomasville, Ga.-Lake City, Fla. sections of the Jacksonville, Fla.-Houston, Tex., TD-2 radio relay route.
- 3072-01-P-71—American Telephone & Telegraph Co. (KJM81), C.P. to add frequency 4198 MHz toward Prosperity, Fla. Station location: Liberty, 6.5 miles south of Lakewood, Fla.
- 3073-01-P-71—American Telephone & Telegraph Co. (KJM80), Add frequency 4190 MHz toward Liberty and Chapley, Fla. Station location: Prosperity, 5.5 miles northwest of Westville, Fla.
- 3074-01-P-71—American Telephone & Telegraph Co. (KJM79), Add frequency 4198 MHz toward Prosperity, Fla. Station location: 205 West Railroad Avenue, Chapley, Fla.
- 3075-01-P-71—American Telephone & Telegraph Co. (KJM74), Add frequency 4190 MHz toward Monticello, Fla. Station location: 122 Remington Avenue, Thomasville, Ga.
- 3076-01-P-71—American Telephone & Telegraph Co. (KJM73), Add frequency 4198 MHz toward Thomasville, Ga., and Madison, Fla. Station location: Pearl and Waukegan Street, Monticello, Fla.
- 3077-01-P-71—American Telephone & Telegraph Co. (KJM72), Add frequency 4190 MHz toward Monticello and Jasper, Fla. Station location: Brookwood Avenue and State Road No. 10, Madison, Fla.
- 3078-01-P-71—American Telephone & Telegraph Co. (KJM71), Add frequency 4198 MHz toward Madison and Lake City, Fla. Station location: 5.5 miles south of Jasper, Fla.
- 3079-01-P-71—American Telephone & Telegraph Co. (KJM70), Add frequency 4190 MHz toward Jasper, Fla. Station location: Nassau and Columbia Streets, Lake City, Fla.
- American Telephone & Telegraph Co.—Thirty C.P. applications to construct additional pairs of Western Electric Type TH-3 channels on existing routes, initial TH-3 on new routes and Farinon SS 4000, a plant maintenance channels in various sections.
- 3083-01-P-71—American Telephone & Telegraph Co. (KPV23), Add frequency 6269 MHz toward South Phoenix, Ariz. Station location: 328 West Adams Street, Phoenix, Ariz.
- 3084-01-P-71—American Telephone & Telegraph Co. (WAD46), Add frequencies 5974.8 MHz toward Phoenix and 5974.8 and 4198 MHz toward Casa Grande, Ariz. Station location: South Phoenix, 0.9 miles southwest of Guadalupe, Ariz.
- 3085-01-P-71—American Telephone & Telegraph Co. (WAD34), Add frequencies 6269.9 and 4190 MHz toward South Phoenix and 6269.9 and 6345.5 MHz toward Florence and 6286.2, 6404.8, and 4190 MHz toward Sacaton, Ariz. Station location: 4 miles west of Casa Grande, Ariz.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 3089-01-P-71—American Telephone & Telegraph Co. (KIL93), Add frequencies 3870 and 3990 MHz toward Newark and Herscher, Ill. Station location: 1.8 miles south of Verona, Ill.
- 3090-01-P-71—American Telephone & Telegraph Co. (KIM22), Add frequencies 3910 and 3990 MHz toward Verona and Onarga, Ill. Station location: 4.5 miles south of Herscher, Ill.
- 3091-01-P-71—American Telephone & Telegraph Co. (KIM23), Add frequencies 3870 and 3990 MHz toward Herscher and East Lynn, Ill. Station location: 2.2 miles northeast of Onarga, Ill.
- 3092-01-P-71—American Telephone & Telegraph Co. (KIM29), Add frequencies 3910 and 3990 MHz toward Onarga, Ill., and Williamsport, Ind. Station location: 0.8 mile northwest of East Lynn, Ill.
- 3093-01-P-71—American Telephone & Telegraph Co. (KIM34), Add frequencies 3870 and 3990 MHz toward East Lynn, Ill., and Crawfordsville, Ind. Station location: 2.9 miles west of Williamsport, Ind.
- 3094-01-P-71—American Telephone & Telegraph Co. (KIM35), Add frequencies 3910 and 3990 MHz toward Williamsport and Montclair, Ind. Station location: 2.1 miles southwest of Crawfordsville, Ind.
- 3095-01-P-71—American Telephone & Telegraph Co. (KSB97), Add frequencies 3870 and 3990 MHz toward Crawfordsville, and Cloverdale, Ind. Montclair, 3.5 miles north-northwest of Danville, Ind.
- 3096-01-P-71—American Telephone & Telegraph Co. (KIM41), Add frequencies 3910 and 3990 MHz toward Montclair and Freedom, Ind. Station location: 6.4 miles south of Cloverdale, Ind.
- 3097-01-P-71—American Telephone & Telegraph Co. (KIM42), Add frequencies 3870 and 3990 MHz toward Cloverdale, and Marco, Ind. Station location: 3 miles west of Freedom, Ind.
- 3098-01-P-71—American Telephone & Telegraph Co. (KIM45), Add frequencies 3910 and 3990 MHz toward Freedom and Montgomery, Ind. Station location: 2.3 miles west of Marco, Ind.
- 3099-01-P-71—American Telephone & Telegraph Co. (KIM47), Add frequencies 3870 and 3990 MHz toward Marco and Schnellville, Ind., Station location: 3.8 miles south-southeast of Montgomery, Ind.
- 3040-01-P-71—American Telephone & Telegraph Co. (KIM51), Add frequencies 3910 and 3990 MHz toward Montgomery and Leopold, Ind. Station location: 3.1 miles southwest of Schnellville, Ind.
- 3041-01-P-71—American Telephone & Telegraph Co. (KIM52), Add frequencies 3870 and 3990 MHz toward Schnellville, Ind., and Payneville, Ky. Station location: 4 miles northeast of Leopold, Ind.
- 3042-01-P-71—American Telephone & Telegraph Co. (KIM60), Add frequencies 3910 and 3990 MHz toward Leopold, Ind., and Madrid, Ky. Station location: 0.7 mile northwest of Payneville, Ky.
- 3043-01-P-71—American Telephone & Telegraph Co. (KIM69), Add frequencies 3870 and 3990 MHz toward Payneville and Brownsville, Ky. Station location: 1.8 miles northeast of Madrid, Ky.
- 3044-01-P-71—American Telephone & Telegraph Co. (KIM71), Add frequencies 3910 and 3990 MHz toward Madrid and Game, Ky. Station location: 3.5 miles north-northwest of Brownsville, Ky.
- 3045-01-P-71—American Telephone & Telegraph Co. (KIM72), Add frequencies 3870 and 3990 MHz toward Brownsville and Flippen, Ky. Station location: 0.6 mile north of Game, Ky.
- 3046-01-P-71—American Telephone & Telegraph Co. (KIM78), Add frequencies 3910 and 3990 MHz toward Game, Ky., and Gainesboro, Tenn. Station location: 4 miles east of Flippen, Ky.
- 3047-01-P-71—American Telephone & Telegraph Co. (KIM86), Add frequencies 3870 and 3990 MHz toward Flippen, Ky., and Smithville, Tenn. Station location: 3.6 miles south-southeast of Gainesboro, Tenn.
- 3048-01-P-71—American Telephone & Telegraph Co. (KIM90), Add frequencies 3910 and 3990 MHz toward Gainesboro and Spencer, Tenn. 3.4 miles northeast of Smithville, Tenn.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

3105-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 3.3 miles south-southeast of Carnero, N. Mex. Frequencies: 6226.9, 6286.2, 6404.8, and 4198 MHz toward Pederal and Cardenas, N. Mex.

3106-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 5.5 miles north-northwest of Buchanan, N. Mex. (Cardenas). Frequencies: 5974.8, 6034.2, 6152.8, and 4190 MHz toward Carnero and Tablan, N. Mex.

3107-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 3.5 miles north of Tablan, N. Mex. Frequencies: 6226.9, 6286.2, 6404.8, and 4198 MHz toward Cardenas and Field, N. Mex.

3108-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 0.7 mile northeast of Field, N. Mex. Frequencies: 5974.8, 6034.2, 6152.8, and 4190 MHz toward Tablan and Broadview, N. Mex.

3109-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 4.1 miles northwest of Hollene, N. Mex. Frequencies: 6226.9, 6286.2, 6404.8, and 4198 MHz toward Field, N. Mex., and Black, Tex.

3110-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 5.7 miles south-southeast of Black, Tex. Frequencies: 5974.8, 6034.2, 6152.8, and 4190 MHz toward Broadview, N. Mex. and Nazareth, Tex.

3111-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 10.3 miles north-northeast of Nazareth, Tex. Frequencies: 6226.9, 6286.2, 6404.8, and 4198 MHz toward Black, Tex., and 6226.9, 6286.2, 6404.8, and 4198 MHz toward Black, Tex., and 6226.9, 6286.2, 6404.8, and 4198 MHz toward Black, Tex., and 6226.9, 6286.2, 6404.8, and 4198 MHz toward Black, Tex.

3112-C1-P-71—American Telephone & Telegraph Co. (KLN81), Add frequencies 5974.8, 6034.2, 6093.5, and 4190 MHz toward Nazareth, Tex. Station location: 2 miles north-northwest of Wayside, Tex.

5694-C1-R-71—Northwestern Bell Telephone Co. (KYN43), Renewal of license expiring Dec. 31, 1970.

5698-C1-R-71—Northwestern Bell Telephone Co. (KYN44), Renewal of license expiring Dec. 31, 1970.

The following Renewal Applications received for licenses expiring Feb. 1, 1971. Term: Feb. 1, 1971, to Feb. 1, 1976,

Citizens Utilities Rural Co., Inc.
KPS66—Kingman, Ariz.
KPS68—Mount Hayden, Hayden Peak, Ariz.
KPS67—Wikeup, Ariz.
KXQ66—Outman, Ariz.
KXQ67—Near Needles, Calif.
KXQ70—Kingman, Ariz.
KXQ71—Bullhead City, Ariz.
Commonwealth Telephone Co.
KGH22—Near Red Rock, Pa.
Estacada Telephone & Telegraph Co.
KGH23—Estacada, Oreg.
Kentucky Telephone Co.
KJC23—London, Ky.
KJC24—Mount Vernon, Ky.
The Lorain Telephone Co.
KQH40—Lorain, Ohio.
KQH41—Avon Lake, Ohio.
Mid-Rivers Telephone Cooperative, Inc.
KPZ83—Angels, Mont.
KPZ89—Roy, Mont.
Peninsula Telephone & Telegraph Co.
KPG63—Fores, Wash.
KPG69—Near Sappho, Wash.
KPG70—Near Neah Bay, Wash.

KPY36—Hoko, Wash.
KYC41—Near Forks, Wash.
KYC42—Mount Octopus, Wash.
KYO65—Clearwater, Wash.
Peoples-United Telephone Co.
KGJ36—Near Emlenton, Pa.
KGH28—Butler, Pa.
Public Service Telephone Co.
KVU88—Reynolds, Ga.
KVU89—Macon, Ga.
KVU90—Near Knoxville, Ga.
St. Joseph Telephone & Telegraph Co.
KJB36—Apalachicola, Fla.
KJB38—Carrabelle, Fla.
KJB39—Mitchell, Fla.
KJB40—Port St. Joe, Fla.
KJB41—Tyndall A.F.B., Fla.
KJE59—Chattahoochee, Fla.
KJF96—Blountstown, Fla.
KJF97—Vevahatchka, Fla.
KJZ23—Tyndall Air Force Base, Fla.
Somerset Telephone Co.
KCB91—Sugarloaf Mountain, Maine.
KCL37—Near Norridgewock, Maine.
KCL38—North Anson, Maine.
KCL39—Strong, Maine.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

3086-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located at 7 miles southeast of Casa Grande, Ariz. (Sacaton). Frequencies: 6034.2, 6152.8, and 4198 MHz toward Casa Grande and Chandler Heights, Ariz.

3087-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located at 5 miles northwest of Chandler, Ariz. (Chandler Heights). Frequencies: 6286.2, 6404.8, and 4190 MHz toward Sacaton, Ariz., and 6286.2 and 6404.8 MHz toward Apache Junction, Ariz.

3088-C1-P-71—American Telephone & Telegraph Co. (KPV21), Add frequencies 6034.2 and 6152.8 MHz toward Chandler Heights, Ariz. Station location: Apache Junction, 7.5 miles northwest of Apache, Ariz.

3089-C1-P-71—American Telephone & Telegraph Co. (WAD43), Add frequencies 5974.8 and 6093.5 MHz toward Casa Grande and Miami, Ariz. Station location: 6 miles southwest of Florence, Ariz.

3090-C1-P-71—American Telephone & Telegraph Co. (WAD42), Add frequencies 6226.9 and 6345.5 MHz toward Florence and Seneca, Ariz. Station location: 7 miles south-southeast of Miami, Ariz.

3091-C1-P-71—American Telephone & Telegraph Co. (WAD41), Add frequencies 5974.8 and 6093.5 MHz toward Miami and McNary, Ariz. Station location: 7 miles southwest of Seneca, Ariz.

3092-C1-P-71—American Telephone & Telegraph Co. (WAD40), Add frequencies 6226.9 and 6345.5 MHz toward Seneca and Greer, Ariz. Station location: 3 miles west-southwest of McNary, Ariz.

3093-C1-P-71—American Telephone & Telegraph Co. (WAD39), Add frequencies 5974.8 and 6093.5 MHz toward McNary, Ariz., and Red Hill, N. Mex. Station location: 6.2 miles north-west of Greer, Ariz.

3094-C1-P-71—American Telephone & Telegraph Co. (WAD45), Add frequencies 6226.9 and 6345.5 MHz toward Greer, Ariz., and Quemado, N. Mex. Station location: 6.4 miles south-west of Red Hill, N. Mex.

3095-C1-P-71—American Telephone & Telegraph Co. (WAD38), Add frequencies 5974.8 and 6093.5 MHz toward Red Hill and Datti, N. Mex. Station location: 6.7 miles southwest of Quemado, N. Mex.

3096-C1-P-71—American Telephone & Telegraph Co. (WAD37), Add frequencies 6226.9 and 6345.5 MHz toward Quemado and Magdalena, N. Mex. Station location: 9.7 miles north-west of Datti, N. Mex.

3097-C1-P-71—American Telephone & Telegraph Co. (WAD36), Add frequencies 5974.8 and 6093.5 MHz toward Datti and La Joya, N. Mex. Station location: 12.5 miles southwest of Magdalena, N. Mex.

3098-C1-P-71—American Telephone & Telegraph Co. (WAD35), Add frequencies 6226.9 and 6345.5 MHz toward Magdalena and Las Nutrias, N. Mex. Station location: 10.5 miles west-northwest of La Joya, N. Mex.

3099-C1-P-71—American Telephone & Telegraph Co. (WAD34), Add frequencies 5974.8 and 6093.5 MHz toward La Joya and Los Lunas, N. Mex. Station location: 4.2 miles southeast of Las Nutrias, N. Mex.

3100-C1-P-71—American Telephone & Telegraph Co. (KKV32), Add frequencies 6226.9 and 6345.5 MHz toward Las Nutrias and Albuquerque Junction, N. Mex. and 6226.9, 6286.2, 6404.8, and 4198 MHz toward Scholle, N. Mex.

3101-C1-P-71—American Telephone & Telegraph Co. (KKP86), Add frequencies 5974.8 and 6093.6 MHz toward Los Lunas, N. Mex. Station location: Albuquerque Junction, 10.4 miles west-southwest of Albuquerque, N. Mex.

3102-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located at 2.2 miles southwest of Scholle, N. Mex. Frequencies: 5974.8, 6034.2, 6152.8 and 6404.8, and 4198 MHz toward Scholle and Federal, N. Mex.

3103-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located at 2.5 miles east-southeast of Mountain, N. Mex. Frequencies: 6226.9, 6286.2, 6404.8, and 4198 MHz toward Scholle and Federal, N. Mex.

3104-C1-P-71—American Telephone & Telegraph Co. (New), C.P. for a new station to be located 4 miles north-northwest of Federal, N. Mex. Frequencies: 5974.8, 6034.2, 6152.8, and 4190 MHz toward Mountain and Carnero, N. Mex.

Somerset Telephone Co.—Continued
 KOL40—Kingfield, Maine.
 KCL41—Crockerton, Maine.
 KOL42—Stratton, Maine.
 KTO53—Near North Anson, Maine.
 WEO40—Near Stratton, Maine.
 Three Rivers Telephone Cooperative, Inc.
 KPZ75—Near Fairfield, Mont.
 KPZ76—Near Geyser, Mont.
 KPZ80—Near Simms, Mont.
 United Telephone Co. of the Northwest
 KPX70—Burns, Oreg.
 KPJ91—Burns Butte, Oreg.
 KPJ92—Devine Ridge, Oreg.
 KPJ93—Fall Mountain, Oreg.

United Telephone Co.—Continued
 KPJ30—John Day, Oreg.
 WAN91—Glass Butte, Oreg.
 KPBB9—White City, Oreg.
 KPX46—Nugget Butte, Oreg.
 KPX88—Crater Lake, Oreg.
 KPP40—Summerville, Wash.
 KPP41—Rattlesnake Hill, Wash.
 KPF42—Toppensish, Wash.
 KPP43—Wapato, Wash.
 KPP45—Hanford, Wash.
 KYZ93—Sheridan, Oreg.
 KYZ94—Clowdale, Oreg.
 KYZ95—Lincoln City, Oreg.
 KYZ96—Mount Hobo, Oreg.

Major Amendment

8057-O1-P-70—The Mountain States Telephone & Telegraph Co. (KPS38), Change frequency 6264.0 MHz directed toward White Mountain, Wyo. to 6234.4 MHz.
 8058-O1-P-70—The Mountain States Telephone & Telegraph Co. (KPS38), Change frequency 6011.9 MHz directed toward Kemerer Hill, Wyo. to 5982.3 MHz. All other particulars same as in Public Notice Report No. 485 dated June 8, 1970.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTTELEPHONE)

3057-O1-P-71—Sierra Microwave, Inc. (New), C.P. for a new station at Warm Springs Mountain, 17 miles north of Reno, Nev. (latitude 39°47'44" N., longitude 119°45'54" W.), transmitting on frequencies 6256.5 MHz and 6375.2 MHz toward Toulon Peak, Nev., on azimuth of 67°40'.
 3058-O1-P-71—Sierra Microwave, Inc. (New), C.P. for a new station at Toulon Peak, 14 miles southwest of Lovelock, Nev. (latitude 40°07'05" N., longitude 118°43'34" W.), transmitting on frequencies 6004.5 MHz and 6123.1 MHz toward Fencemaker Pass, Nev., on azimuth of 85°38'.
 3059-O1-P-71—Sierra Microwave, Inc. (New), C.P. for a new station at Stony Point, 7.5 miles northeast of Battle Mountain, Nev. (latitude 40°42'47" N., longitude 116°49'40" W.), transmitting on frequencies 6004.5 MHz and 6123.1 MHz toward Elko Mountain, Nev., on azimuth of 78°20'.

(Informative: These applications have the effect of changing the routing of applicants, Sierra Microwave and Western Tele-Communications, promicrowave system between Mount Vaca, Calif., and Salt Lake City, Utah. Two of the applications File Nos. 3057 and 3059-O1-P-71, will supplant two pending Applications, File Nos. 7177 and 7178-O1-P-66, which were filed on May 25, 1966, for new stations at Decert Peak and Mount Lewis, Nev. The third Application, File No. 3058-O1-P-71, is a proposal to add a new station to the Mount Vaca-Salt Lake City system. Applicants have requested a waiver of section 21.701(f) of Commission rules. For further information, see section titled Major Amendment, this Public Notice.)

Major Amendment

1401-O1-P-71—Tele-Communications, Inc. (KPR28), Application amended to change frequency 10,865 MHz to 11,135 MHz toward Centralia, Wash. Station location: Capitol Peak, Wash.
 1406-O1-P-71—Tele-Communications, Inc. (New), Application amended to change frequency 6301.0 MHz to 6300.3 MHz toward Dayton, Wash. Station location: Jump Off Joe Butte, Wash. Other particulars same as reported on Public Notice dated Sept. 21, 1970.
 7173-O1-P-66—Sierra Microwave, Inc. (New), Application amended to (a) change station location to 8 miles northwest of Vacaville, Calif. (latitude 38°24'55" N., longitude 123°06'30" W.); and (b) change azimuth toward Hotchkies Hill, Calif., to 63°30'.
 2404-O1-P-67—Sierra Microwave, Inc. (New), Application amended to change point of communication to Ward Peak, Calif., on azimuth of 61°50'. Station location: Hotchkies Hill, 1.5 miles east-northeast of Georgetown, Calif.
 7175-O1-P-66—Sierra Microwave, Inc. (New), Application amended to (a) change station location to Ward Peak, Calif. (latitude 39°08'53" N., longitude 120°14'43" W.); and (b) change azimuth toward Slide Mountain, Nev., to 59°24'. Station location: Ward Peak, 5.9 miles west of Tahoe City, Calif.

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTTELEPHONE)—Continued

7176-O1-P-66—Sierra Microwave, Inc. (New), Application amended to (a) change frequencies to 6063.8 MHz and 6152.8 MHz toward new point of communication at Warm Springs Mountain, Nev.; and (b) change azimuth toward Warm Springs Mountain to 10°43'. Station location: Slide Mountain, 12 miles northwest of Carson City, Nev.
 7178-O1-P-66—Sierra Microwave, Inc. (New), Application amended to (a) change station location to Fencemaker Pass, 35 miles southeast of Lovelock, Nev. (latitude 40°02'57" N., longitude 117°50'17" W.); and (b) change frequencies to 6256.5 MHz and 6375.2 MHz and transmit same toward new point of communication at Stony Point, Nev., on azimuth of 48°55'.
 7180-O1-P-66—Sierra Microwave, Inc. (New), Application amended to (a) change frequencies to 6256.5 MHz and 6375.2 MHz toward Wells, Nev., on azimuth of 59°30'. Station location: Elko Mountain, 8 miles northeast of Elko, Nev.
 7181-O1-P-66—Sierra Microwave, Inc. (New), Application amended to change frequencies to 4030 MHz and 4110 MHz toward Pilot Range, Utah, on azimuth of 81°59'. Station location: 6 miles north of Wells, Nev.
 7182-O1-P-66—Sierra Microwave, Inc. (New), Application amended to (a) change station description to Pilot Range, 9.5 miles southwest of Montello, Utah; and (b) change frequencies to 3770 MHz and 3850 MHz toward Promontory, Utah, on azimuth of 66°47'.
 7183-O1-P-66—Sierra Microwave, Inc. (New), Application amended to (a) change station location to Promontory, Utah (latitude 41°45'10" N., longitude 112°33'00" W.); (b) change frequencies to 5900.0 MHz and 5989.7 MHz toward Nelson Peak, Utah, on azimuth of 105°26'; and (c) change name of applicant to Western Tele-Communications, Inc.

(Note: See Public Notices dated July 25, 1966; Feb. 2, 1967; and Oct. 5, 1970, for additional information. See also in this Public Notice the entry, Dismissed Without Prejudice, File Nos. 7177 and 7178-O1-P-66.)

[F.R. Doc. 70-16957; Filed, Dec. 17, 1970; 9:45 a.m.]

[Docket Nos. 10122-10125; FCC 70-1265]

STAR STATIONS OF INDIANA, INC. Order Designating Applications for Consolidated Hearing on Stated Issues

In regard application of Star Stations of Indiana, Inc., for renewal of license of WIFE and WIFE-FM, Indianapolis, Ind., Docket No. 19122, File No. BR-1144, BRE-1276; Indianapolis Broadcasting, Inc., for a construction permit for a standard broadcast station Indianapolis, Ind., Docket No. 19123, File No. BP-18706; Central States Broadcasting, Inc., for renewal of license of KOIL and KOIL-FM, Omaha, Neb., Docket No. 19124, File Nos. BR-516, BRH-992; Star Broadcasting, Inc., for renewal of license of KISN Vancouver, Wash., Docket No. 19125, File No. BR-1027.

1. The Commission has before it for consideration: (a) The above-captioned applications for renewal of licenses of Stations WIFE and WIFE-FM, Indianapolis, Ind.; KOIL and KOIL-FM, Omaha, Neb.; and KISN, Portland, Oreg.; (b) Commission field inquiries

into the operations of these stations; (c) the Commission's formal inquiry instituted pursuant to the provisions of section 403 of the Communications Act of 1934, as amended; and (d) the application of Indianapolis Broadcasting, Inc. (Broadcasting) for the frequency occupied by Station WIFE.

2. Star Stations of Indiana, Inc. is the licensee of WIFE and WIFE-FM; Central States Broadcasting, Inc., is the licensee of KOIL and KOIL-FM; and Star Broadcasting, Inc., is the licensee of KISN. Star Stations, Inc., is the 100 percent stockholder of the licensee corporations. Don W. Burden, by virtue of his ownership of approximately 76 percent of the stock of the parent corporation, owns the controlling interest in all of the licensees.

3. Information before the Commission raises a number of serious questions relating to the captioned applications for renewal of licenses of Stations WIFE and WIFE-FM, KOIL, and KOIL-FM, and KISN. Adverse resolution of any one of

¹ See order released Mar. 3, 1970 (FCC 70-333).

these issues would raise a question whether the licensees possess the qualifications to remain or to be licensees of the Commission. In view of these questions, the Commission is unable to find that a grant of the renewal applications would serve the public interest, convenience and necessity, and must, therefore, designate the applications for hearing.

4. Except as indicated by the issues set forth below, Star Stations of Indiana, Inc., is qualified to own and operate Station WIFE and Indianapolis Broadcasting, Inc., is qualified to own and operate the proposed new standard broadcast station in Indianapolis, Ind. The application of Star Stations of Indiana, Inc., for renewal of license of Station WIFE and that of Indianapolis Broadcasting, Inc., are, however, mutually exclusive in that each requests the same frequency in the same community. The Commission is, therefore, unable to make the statutory finding that a grant of either of these applications would serve the public interest, convenience and necessity. Additionally, in light of the fact that Don W. Burden owns the controlling interest in all of the licensees herein, we believe that the orderly dispatch of the Commission's business would be served by having all of the captioned applications heard at one time in a consolidated proceeding with all parties participating. Image Radio, Inc., FCC 68-19, Edina Corp., FCC 63R-101, 24 RR 1167.

5. In light of the fact that the renewal application of WIFE is being opposed by the mutually exclusive construction permit proposal of Broadcasting, that aspect of the proceeding will be governed by our Policy Statement on Comparative Hearings Involving Regular Renewal Applicants, 22 FCC 2d 424 (1970). Thus, as in similar instances,² prehearing discovery, pursuant to §§ 1.311-1.325 of the Commission's rules, for the purposes of making a comparative evaluation of the competing applications should await a determination with regard to Star Stations of Indiana, Inc., as to (i) whether it is basically qualified, (ii) whether WIFE's program service has been substantially attuned to meeting the needs and interests of its area, and (iii) whether WIFE's operation has been characterized by serious deficiencies.

6. Examination of the Indianapolis Broadcasting, Inc., proposal indicates that \$567,525 will be required to construct and operate the new facility for a period of 3 months without reliance on revenue.³ This total consists of: down payment on equipment, \$18,275; first-year payment on equipment with interest, \$20,000; professional fees and miscellaneous items, \$131,500; first year bank loan repayment with interest, \$204,000; 3 months working capital, \$193,750.

² See Southern Broadcasting Company (WGHP-TV), FCC 70-706, released July 8, 1970.

³ Where an applicant seeks to replace a station with an established record of advertising revenue, we will apply a 3 months rather than the usual 1 year standard. Orange Nine, Inc., 7 FCC 2d 788, 9 RR 2d 1157 (1967).

The applicant plans to finance the proposed operation with existing capital of \$27,000, \$193,000 in new capital to be raised from stock subscriptions by its present stockholders, and a bank loan of \$750,000. However, the bank loan is contingent upon the applicant having \$250,000 in unencumbered capital at the time of the loan. Thus, assuming each of the 12 stockholders meets his stock commitments, the applicant would still appear to be shy of meeting the \$250,000 condition imposed by the bank. In addition, examination of the balance sheet of Jerry L. Kunkel, one of the 12 stockholders, indicates that he has insufficient cash or liquid assets to meet his commitment to purchase \$28,000 in stock. Accordingly, an appropriate financial issue will be included.

7. Accordingly, it is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for hearing in a consolidated proceeding to be held at a place and time to be specified in a subsequent order, upon the following issues:

(1) To determine whether the licensee, in the rates charged on Station WIFE in 1964 for advertising by or in support of candidates for public office, violated section 315 of the Communications Act of 1934 and/or the provisions of § 73.120(c) of the Commission's rules and regulations.

(2) To determine whether Stations WIFE and WIFE-FM were operated in 1964 in accordance with the licensee's obligations under the fairness doctrine.

(3) To determine whether, in 1964, the licensee of Stations WIFE and WIFE-FM violated 18 U.S.C. 610 by providing free broadcast time to a candidate for the U.S. Senate.

(4) To determine whether, in 1964, the licensee deliberately slanted or distorted its news broadcasts on WIFE or WIFE-FM, or deliberately presented the news in such a manner as to favor one qualified candidate for public office over his opponent.

(5) To determine whether the licensee of Stations WIFE and WIFE-FM filed with the Commission true, complete and accurate Political Broadcast Reports (FCC Form 322) for the primary and general election campaign of 1964.

(6) To determine whether the licensee of Stations WIFE and WIFE-FM was evasive, lacking in candor or misrepresented facts in connection with Commission inquiries concerning matters set forth in (1) through (5), supra.

(7) To determine whether Station KISN was operated in 1966 in accordance with the licensee's obligations under the fairness doctrine.

(8) To determine whether, in 1966, the licensee deliberately slanted or distorted KISN news broadcasts, including news promotional announcements, or deliberately presented the news in such a manner as to favor one qualified candidate for public office over his opponent.

(9) To determine whether Star Broadcasting, Inc. and/or its principals violated 18 U.S.C. 610 by making a

corporate contribution in 1966 to a candidate for the U.S. Senate.

(10) To determine whether the licensee of Station KISN was evasive, lacking in candor or misrepresented facts in connection with Commission inquiries concerning matters set forth in (7) through (9), supra.

(11) To determine the facts and circumstances surrounding the 1966 request by Star Broadcasting, Inc., for local zoning approval of its proposed construction of antenna towers at the KISN antenna site, including any plans of the licensee to make payments to public officials in connection with such request.

(12) To determine whether the licensee of station KISN was evasive, lacking in candor or misrepresented facts in connection with Commission inquiries concerning the 1966 zoning request.

(13) To determine the facts and circumstances surrounding the grant of gifts and/or favors by Star Stations, Inc., and/or its principals to officials of C. E. Hooper, Inc.⁴

(14) To determine the facts and circumstances surrounding the interception or monitoring of any telephone calls of government witnesses by the applicant for WIFE or by persons acting on applicant's behalf during or preceding the Commission hearing on renewal of license of Stations WIFE and WIFE-FM.

(15) To determine the facts and circumstances surrounding the filing by Star Stations, Inc. and/or its principals of a claim for property alleged to have been lost or destroyed as the result of a fire in Omaha, Nebr., in 1965 or 1966, and whether such claim was false or fraudulent.

(16) To determine whether in connection with the "Grocery Boy Contest," Central States Broadcasting, Inc., failed to file with the Commission within 30 days of the execution thereof, copies of contracts relating to the sale of broadcast time to "time brokers" for resale, in violation of § 1.613(c) of the Commission's rules.

(17) To determine whether any or all of the licensees have failed to supervise the conduct and presentation of contests in a manner adequate to protect the public from deception as to the ways in which winners of contests were determined, and whether in their broadcasts regarding contests, any or all of the licensees have misled the public as to the number, nature or value of prizes to be awarded.

(18) To determine the method of accounting of Stations WIFE, WIFE-FM, KOIL, KOIL-FM, and KISN relative to national trade-outs during the period 1964 to date; the purpose for such procedures and whether this in any way resulted in the concealment of revenue derived from national trade-outs.

(19) To determine whether Star Broadcasting, Inc. and/or its principals

⁴ It is pertinent to note that the Commission action on Oct. 28, 1964, granting WIFE AM-FM short term renewals (see 3 RR 2d 745, FCC 64R-998), was predicated on the improper use of an audience survey prepared by C. E. Hooper, Inc.

and agents have engaged in efforts to coerce, harass, and intimidate employees and former employees of Stations WIFE, WIFE-FM, KOIL, KOIL-FM, and KISN, for the purpose of frustrating or interfering with the Commission's processes.

(20) To determine in light of the evidence adduced pursuant to the foregoing issues and the fact that short-term renewals for WIFE AM-FM were granted (see 3 RR 2d 745, FCC 64-949) by Commission action on October 28, 1964, and September 17, 1969 (see 19 FCC 2d 991), whether the applicants for renewal of Stations WIFE, WIFE-FM, KOIL, KOIL-FM and KISN possess the requisite qualifications to be and remain licensees of the Commission.

(21) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether a grant of any of the captioned renewal applications would serve the public interest, convenience and necessity.

(22) To determine, in the event the applicant of Station WIFE is not disqualified, whether a comparative demerit or demerits should be assessed against it in this proceeding.

(23) To determine with respect to the application of Indianapolis Broadcasting, Inc.:

(a) Whether Jerry L. Kunkel has sufficient funds to meet his stock purchase commitment;

(b) Whether the applicant can raise the \$250,000 in unencumbered capital upon which its bank loan is contingent; and

(c) Whether, in light of the evidence adduced pursuant to (a) and (b), above, the applicant is financially qualified.

(24) To determine which of the mutually exclusive applications for a license to operate a standard broadcast station in Indianapolis, Inc., would better serve the public interest, convenience and necessity.

(25) To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the captioned applications should be granted.

8. *It is further ordered*, That the Chief, Broadcast Bureau, is directed to serve upon the above-captioned parties within thirty (30) days of the release of this order, a Bill of Particulars with respect to Issues (1) through (19).

9. *It is further ordered*, That the Broadcast Bureau shall proceed with the initial presentation of evidence, with respect to Issues (1) through (19) and that each of the renewal applicants shall then proceed with its evidence and have the burden of establishing that each possesses the requisite qualifications to be a licensee of the Commission and that a grant of its application would serve the public interest, convenience and necessity.

10. *It is further ordered*, That the Chief Hearing Examiner assign the same Hearing Examiner to conduct this hearing who is assigned to conduct the hearing ordered this day to determine whether the licensee of Station WDPQ possesses the requisite qualifications to

be and remain a licensee of the Commission, and that the said Hearing Examiner shall take cognizance, with respect to each proceeding, of any findings of fact in the other proceeding which bear upon the qualifications of the licensee or licensees in that proceeding.

11. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicants, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

12. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: December 2, 1970.

Released: December 15, 1970.

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

[F.R. Doc. 70-17058; Filed, Dec. 17, 1970;
8:50 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRO- DUCED OR MANUFACTURED IN THE REPUBLIC OF THE PHILIPPINES

Entry or Withdrawal From
Warehouse for Consumption

DECEMBER 15, 1970.

On September 21, 1967, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a comprehensive bilateral agreement with the Government of the Republic of the Philippines concerning exports of cotton textiles from the Republic of the Philippines to the United States. On December 26, 1967, the two Governments exchanged notes amending the bilateral agreement of September 21, 1967. On November 17, 1970, the two Governments exchanged notes further amending and extending the agreement.

Under the agreement, as amended, the Republic of the Philippines has undertaken to limit its exports to the United States of certain cotton textiles and cotton textile products to specified annual amounts. Among the provisions of the

agreement, as amended, are those applying specific export limitations to Categories 9, 22, 26 (including a sub-limit on duck fabrics), 32, 39, 42, 43, 45, 46, 50, 51, 60, 61 and part of 63 for the fourth agreement year beginning January 1, 1971.

There is published below a letter of December 10, 1970, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts of cotton textiles and cotton textile products in Categories 9, 22, 26, 32, 39, 42, 43, 45, 46, 50, 51, 60, 61, and part of 63 produced or manufactured in the Republic of the Philippines which may be entered, or withdrawn from warehouse, for consumption in the United States for the 12-month period beginning on January 1, 1971, and extending through December 31, 1971, be limited to certain designated levels. This letter and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement but are designed to assist only in the implementation of certain of its provisions.

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

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

DECEMBER 10, 1970.

COMMISSIONER OF CUSTOMS,
Department of the Treasury
Washington, D.C. 20226.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of September 21, 1967, as amended, between the Governments of the United States and the Republic of the Philippines, and in accordance with the procedures outlined in Executive Order 11052 of September 23, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective January 1, 1971, and for the 12-month period extending through December 31, 1971, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products in Categories 9, 22, 26, 32, 39, 42, 43, 45, 46, 50, 51, 60, 61, and part of 63 produced or manufactured in the Republic of the Philippines, in excess of the following levels of restraint:

Category	12-month level of restraint
9-----	1,447,031 square yards.
22-----	1,736,438 square yards.
26-----	1,447,031 square yards (of which not more than 347,233 square yards may be in duck.)
32-----	3,472,875 dozen.
39-----	318,347 dozen pair.
42-----	34,723 dozen.
43-----	63,453 dozen.
45-----	34,723 dozen.
46-----	11,576 dozen.
50-----	11,576 dozen.

See footnotes at end of document.

Category	12-month level of restraint
51-----	11,576 dozen.
60-----	9,840 dozen.
61-----	1,794,319 dozen.
Part of 63 (T.S.U.S.A. Nos. 380-3980 and 382.3380 only).	138,100 pounds.

¹ Only T.S.U.S.A. Nos.:

320...01 through 04, 06, 08
321...01 through 04, 06, 08
322...01 through 04, 06, 08
323...01 through 04, 06, 08
327...01 through 04, 06, 08
328...01 through 04, 06, 08

Entries of cotton textiles and cotton textile products in Categories 9, 22, 26, 32, 39, 42, 43, 45, 46, 50, 51, 60 and 61 produced or manufactured in the Republic of the Philippines and which have been exported to the United States from the Republic of the Philippines prior to January 1, 1971, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period January 1, 1970 through December 31, 1970. In the event that the level of restraint established for the period January 1, 1970 through December 31, 1970, has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter. Cotton textile products in Category 63 exported from the Philippines prior to January 1, 1971, shall not be charged against the level of restraint established for part of Category 63 by this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of September 21, 1967, as amended, between the Governments of the United States and the Republic of the Philippines which provide, in part, that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of short falls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the Categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of the Philippines and with respect to imports of cotton textiles and cotton textile products from the Republic of the Philippines have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. V, 1965-69). This letter will be published in the FEDERAL REGISTER.

Sincerely,

Rocco C. SICILIANO,
Acting Secretary of Commerce,
Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70-17019; Filed, Dec. 17, 1970; 8:48 a.m.]

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN PORTUGAL

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 15, 1970.

On November 17, 1970, the Governments of the United States and Portugal, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a new bilateral agreement concerning exports of cotton textiles and cotton textile products from Portugal to the United States.

Under the agreement, the Government of Portugal has undertaken to limit its exports to the United States of cotton textiles and cotton textile products to specified annual amounts. Among the provisions of the agreement are those applying specific export limitations to Categories 1-2-3-4, 5-6, 9, 22, 24-25, 26, 41-42-43, 46, 50, 51, 52, 53, 55, 60, and parts of 62 for the twelve-month period beginning January 1, 1971.

There is published below a letter of December 10, 1970, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts of cotton textiles and cotton textile products in the above Categories, produced or manufactured in Portugal, which may be entered or withdrawn from warehouse for consumption for the 12-month period beginning January 1, 1971, and extending through December 31, 1971, be limited to the designated levels. This letter and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, as amended, but are designed to assist only in the implementation of certain of its provisions.

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

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 10, 1970.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of November 17, 1970, between the United States and Portugal, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed, effective January 1, 1971, and for the 12-month period extending through December 31, 1971, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1-2-3-4, 5-6, 9, 22,

24-25, 26, 41-42-43, 46, 50, 51, 52, 53, 55, 60, and parts of 62, produced or manufactured in Portugal, in excess of the following designated levels of restraint:

Category	12-month level of restraint
1-2-3-4 -----pounds	10,070,303
5-6 -----square yards ¹	10,045,443
9 -----do	12,733,875
22 -----do	1,010,082
24-25 -----do ²	7,003,632
26 -----do	3,050,130
41-42-43 -----dozen	114,605
46 -----do	50,030
50 -----do	29,209
51 -----do	29,269
52 -----do	43,295
53 and parts of 62 (T.S.U.S.A. Nos. 382.0012, 382.0014, 382.0635, and 382.0640) -----do	43,295
55 -----do	35,000
60 -----do	25,000
Parts of 62 (T.S.U.S.A. Nos. 380.0024, 380.0645, 382.0024, and 382.0665) -----pounds	70,800

¹ Of this combined level, not more than 6,074,058 square yards may be in Category 6.

² Of this combined level, not more than 2,546,775 square yards may be in Category 25.

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 1-2-3-4, 5-6, 9, 22, 24-25, 26, 41-42-43, 46, 50, 51, 52, 53, 55, 60, and parts of 62 (T.S.U.S.A. Nos. 382.0012, 382.0014, 382.0635, 382.0640, 380.0024, 380.0645, 382.0024, and 382.0665), produced or manufactured in Portugal, which have been exported to the United States from Portugal prior to January 1, 1971, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period January 1, 1970, through December 31, 1970. In the event that the levels of restraint for such goods have been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

In carrying out this directive, entries of two or three piece ladies suits produced or manufactured in Portugal from woven or knit cotton fabrics should not be charged against any of the levels of restraint designated herein, including the level of restraint for blouses in Category 52.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of November 17, 1970, between the Governments of the United States and Portugal which provide, in part, that within the aggregate limit and group limits, the limitations on specific categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Portugal and with respect to imports of cotton textiles and cotton textile products from Portugal have been determined by the President's Cabinet Textile

Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. V, 1965-69). This letter will be published in the FEDERAL REGISTER.

Sincerely,
ROCCO C. SICILIANO,
Acting Secretary of Commerce,
Chairman, President's Cabinet
Textile Advisory Committee.

[F.R. Doc. 70-17020; Filed, Dec. 17, 1970;
 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

DECEMBER 11, 1970.

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

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period December 12, 1970, through December 21, 1970 both dated inclusive.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 70-17022; Filed, Dec. 17, 1970;
 8:48 a.m.]

AMERICAN RESEARCH AND DEVELOPMENT CORP., ET AL.

Notice of Filing of Application for Order

DECEMBER 11, 1970.

In the matter of American Research and Development Corp., 200 Berkeley Street, Boston, MA; Camco, Inc., Harold E. McGowen, Jr., Sam W. Pearce, 7010 Ardmore Street, Houston, TX 77002; Paul R. Mills, Houston Club Building, Houston, TX 77002 (812-2859).

Notice is hereby given that American Research and Development Corp. (ARD), Camco, Inc. (Camco), and Harold E. McGowen, Jr., Sam W. Pearce, and Paul R. Mills, each of whom is an officer and/or director of Camco, hereinafter referred to collectively as "Applicants", have filed an application pursuant to section 17(d) of the Investment Company Act of 1940 (Act) and Rule 17d-1 there-

under, for an order permitting ARD, Harold E. McGowen, Jr., Sam W. Pearce, and Paul R. Mills to sell, respectively, 42,000, 10,000, 3,000, and 20,000 presently outstanding shares of common stock of Camco at the same time that Camco itself sells 260,000 of its authorized but unissued shares. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

ARD is registered as a closed-end, non-diversified management investment company under the Act. Camco, a Texas corporation which is engaged in the business of manufacturing and selling technical equipment used in the production of petroleum, has outstanding 1,119,340 shares of common stock. Camco's stock has been listed on the American Stock Exchange since October 5, 1970, and prior thereto was traded in the over-the-counter market. ARD owns 42,000 shares of common stock of Camco, or approximately 18.5 percent of Camco's outstanding voting securities. Harold E. McGowen, Jr., Sam W. Pearce, and Paul R. Mills own, respectively, 50,046, 14,766 and 59,200 shares of common stock of Camco, or approximately 4.5 percent, 1.3 percent, and 5.3 percent, respectively, of Camco's outstanding voting securities.

On October 30, 1970, Camco filed a registration statement with the Commission under the Securities Act of 1933, with respect to the proposed public offering of 335,000 shares of Camco common stock through a group of underwriters. The various underwriters, acting through Lehman Brothers as their representative, propose to purchase the 335,000 shares from the Applicants, and to offer them to the public at an initial public offering price to be determined by agreement between the underwriters and the Applicants. Each of the Applicants will sell the shares to the underwriters on the same basis and for the same price per share. With the exception of accounting fees which will be borne entirely by Camco, the expenses of the offering will be paid by the Applicants in proportion to the number of shares to be sold by each. The underwriting agreement contains provisions relative to cross-indemnification that are customary in transactions of this type. ARD, Harold E. McGowen, Jr., Sam W. Pearce, and Paul R. Mills have agreed with Lehman Brothers that they will not dispose of any shares of common stock of Camco for a period of 90 days after the date of the prospectus without the consent of Lehman Brothers, as representative of the underwriters; Applicants represent that this restriction is required by the underwriter to permit the underwriters to effectively market the issue.

The Applicants claim that ARD presently has no contractual rights to require registration of its Camco common stock. The proposed offering will be made by agreement between Applicants and the underwriters represented by Lehman Brothers. Camco imposed no restriction upon ARD as to the number of shares to be sold by ARD in the proposed offering. Participation of the selling stock-

holders other than ARD is not conditioned upon ARD's status as a selling shareholder.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide, among other things, that it shall be unlawful for an affiliated person of a registered investment company or any affiliated person of such a person, acting as principal, to participate in, or effect any transaction in connection with any joint enterprise or arrangement in which any such registered company, or a company controlled by such registered company, is a participant unless an application regarding such arrangement has been granted by the Commission, and that, in passing upon such an application, the Commission will consider whether the participation of such registered company or controlled company in such arrangement is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

The Applicants state that the proposed transaction is consistent with the provisions, policies, and purposes of the Act since the price to be received by the Applicants is the same, the manner of sharing expenses is fair and equitable, the terms of the underwriting agreement, including the indemnification provisions contained therein, are reasonable and customary, and the short-term restriction on disposition of other shares is usual.

Notice is further given that any interested person may, not later than December 21, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communications should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order for hearing thereon shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

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

[F.R. Doc. 70-17023; Filed, Dec. 17, 1970;
 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI71-476 etc.]

ATLANTIC RICHFIELD CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates ¹

DECEMBER 9, 1970.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and unduly discriminatory, or preferential,

¹ Does not consolidate for hearing or dispose of the several matters herein.

charges may be unjust, unreasonable, or otherwise unlawful.

The Commission finds:

It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until

date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 25, 1971.

By the Commission.

[SEAL] GORDON M. GRANT, Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI71-476..	Atlantic Richfield Co.	569	11	Trunkline Gas Co. (Quick-sand Creek Field, Newton County, Tex., R.R. District No. 3).	\$1,084	11-13-70	1- 1-71	6- 1-71	18.0000	19.0763	RI69-203.
RI71-477..	Petroleum Corp. of Texas.	17	1	South Texas Natural Gas Gathering Co. (Penitas Field, Hidalgo County, Tex., R.R. District No. 4).	31,724	11-12-70	12-13-70	5-13-71	\$ 14.0	\$ 18.00	
RI71-478..	Skelly Oil Co.....	12	14	Natural Gas Pipeline Co. of America (East Bay City Field, Matagorda County, Tex., R.R. District No. 3).	48,213	11-16-70	12-17-70	5-17-71	18.2	20.40	RI70-284.
RI71-479..	J. S. Abercrombie Mineral Co., Inc.	2	11	United Gas Pipe Line Co. (Triple A Field, San Patricio County, Tex., R.R. District No. 4).		11-13-70	12-14-70	" Accepted			
RI71-480..	Atlantic Richfield Co.	48	12	do.-----	13,320	11-13-70	12-14-70	" 5-14-71	15.0	24.25	
RI71-481..	Terra Resources, Inc.	6	14	do.-----	3,589	11-10-70	12-20-70	5-20-71	15.0375	18.3	RI69-464, RI71-417.
RI71-482..	Union Texas Petroleum, a division of Allied Chemical Corp.	243	4	Mountain Fuel Supply Co. (Nitchie Gulch Field (Rogers Govt.) Sweetwater County, Wyo.)	2,781	11- 6-70	1- 1-71	6- 1-71	\$ 15.1125	\$ 16.120	
RI71-483..	Phillips Petroleum Co.	243	26	El Paso Natural Gas Co. (Hobbs Plant, Lea County, N.Mex., Permian Basin).	274	11-13-70	12-14-70	5-14-71	\$ 15.14	\$ 16.2340	
RI71-484..	Humble Oil & Refining Co.	475	1	do.-----	80,807	11-13-70	12-14-70	5-14-71	\$ 12.97	\$ 16.2340	
				El Paso Natural Gas Co. (Sand Hills Gasoline Plant, Crane County, Tex., R.R. District No. 8, Permian Basin).	347,692	11-13-70	12-14-70	5-14-71	14.50	16.3278	
				do.-----	856	11-12-70	12-13-70	5-13-71	\$ 14.5	16.3278	
				El Paso Natural Gas Co. (Spraberry Field, Upton County, Tex., R.R. District No. 7c, Permian Basin).							
RI69-92...	Texaco, Inc.....	45	1 to 6	Mountain Fuel Supply Co. (Hiawatha Field, Moffat Co., Colo.).	72	11-12-70	12-13-70	" Accepted	\$ 14.0	\$ 14.005	RI69-92.
RI69-591.....	do.....	174	1 to 5	do.-----	54	11-12-7	12-13-70	" Accepted	\$ 14.0	\$ 14.005	RI69-591
RI69-597.....	do.....	197	2 to 8	do.-----	4	11-12-70	12-13-70	" Accepted	\$ 15.09395	\$ 16.0076	RI69-597.
				El Paso Natural Gas Co. (Ignacio Blanco Field, La Plata County, Colo.).							
RI70-788.....	do.....	183	1 to 13	do.-----	5	11-12-70	12-13-70	" Accepted	\$ 22.0	\$ 22.018	RI70-788.
				El Paso Natural Gas Co. (Flodine Park Field, Mantezuma County, Colo.).							
RI71-485..	Sun Oil Co.....	470	4	Natural Gas P/L Co. of America (Ernest F. McGahey Unit, Wise County, Tex., R.R. No. 9).	331	11-17-70	12-28-70	5-28-71	\$ 16.00	\$ 17.06375	RI70-1112.

See footnotes at end of document.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI71-488	Atlantic Richfield Co.	561	2	Lone Star Gas Co. (Nelle District, North Stephens County, Okla., Other Area).	\$33	11-13-70	1-1-71	6-1-71	15.0	16.01	
RI71-487	Monsanto Co.	85	13	Arkansas Louisiana Gas Co. (Arkoma Area, Le Flore, Pittsburg, Latimer, and Sequoyah Counties, Okla., Other).	50,000	11-16-70	12-17-70	5-17-71	15.0	16.0	
RI71-488	Marathon Oil Co.	66	14	Arkansas Louisiana Gas Co. (Greenwood Area, Caddo Parish, North Louisiana).	-----	11-9-70	12-10-70	Accepted			
		66	15	-----do-----	40,000	11-9-70	12-10-70	5-10-71	13.75	16.05	
				-----do-----	8,000	11-9-70	12-10-70	5-10-71	13.75	16.05	

* Unless otherwise stated, pressure base is 14.65 p.s.i.a.
 1 Not used.
 2 Two step periodic increase.
 3 Agreement dated Oct. 23, 1970, among other things, provides the basis for the proposed rate increase and replaces the original contract which expires by its own terms on Sept. 21, 1970.
 4 Agreement dated Nov. 5, 1970.
 5 Subject to a 0.25-cent dehydration charge.
 6 Includes Letter Agreement dated July 23, 1968, providing for the proposed rate, which was filed on Nov. 23, 1970.
 7 Contract provides for a renegotiated rate of 24.25 cents.
 8 Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.
 9 Applicable to additional volumes dedicated by Supplement No. 25.
 10 Residue gas derived from new gas-well gas.
 11 Residue gas not derived from new gas-well gas.
 12 Not used.
 13 Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.
 14 Corrected by filing of Nov. 23, 1970.
 15 Applicable to acreage covered by Supplement No. 8 only.

16 Initial rate.
 17 Includes 1 cent per Mcf minimum guarantee for liquids.
 18 Applicable to acreage added by Supplement No. 7 only.
 19 Subject to Upward and Downward B.T.U. adjustment.
 20 Amendment dated Sept. 24, 1970, which provides for proposed rates and adds take-or-pay provisions to contract.
 21 Includes 1-cent tax reimbursement and 0.5-cent gathering charge paid by buyer.
 22 High pressure gas.
 23 Low pressure gas.
 24 Buyer deducts 0.75-cent compression charge from rate shown.
 25 Buyer deducts 1.5-cent compression charge from rate shown. (Applicable to Woolf A-1, Oakville A-1 and S. Harold 1-0 wells.)
 26 Pressure base is 16.025 p.s.i.a.
 27 Accepted as a contract amendment effective as of the date set forth in the "Effective Date Unless Suspended" column. The proposed increased rate contained therein, however, is suspended as provided herein.
 28 Accepted as a contract amendment subject to conditions set forth elsewhere in this order, effective as of the date set forth in the "Effective Date Unless Suspended" column.
 29 Accepted as the date of filing subject to the existing rate proceedings in Dockets Nos. RI69-22, RI69-291, RI69-297, and RI70-783.

The proposed increases filed by Texaco reflect reimbursement of the Colorado Conservation Tax. We shall accept these filings subject to refund in Dockets Nos. RI69-92, RI69-561, RI69-507, and RI70-788, respectively.

The contract amendment of Marathon Oil Co. provides, inter alia, for the buyer to take or pay for an annual volume equal to the cumulative total of the average daily volumes. Such amendment is accepted subject to the express condition that the buyer's take-or-pay obligation is limited to the lesser of the daily contract quantity or a quantity determined on the basis of a 1 to 5,000 Mcf ratio of takes to reserves during the first 5 years of production and a 1 to 7,300 Mcf ratio thereafter, with the take-or-pay provisions in this amendment to be subject to the outcome of the rulemaking proceeding in Docket No. R-400.

Phillips Petroleum Co. (Phillips) proposes an increase to 16.2349 cents per Mcf for sales of additional volumes of gas from the Hobbs Plant in Lea County, N. Mex. Delivery of the additional volumes of gas has not yet commenced. The 16.2349 cents rate is in effect for all other gas delivered from the Hobbs Plant under contract subject to refund in Docket No. RI70-93. Phillips proposes either a one day suspension period from the date of filing or the date of initial delivery, whichever is later, subject to the existing rate proceeding in Docket No. RI70-93. According to Phillips this procedure will permit it to "collect one price for all gas sold from the Hobbs Plant and will avoid the problems of dual billings lease and royalty settlements and tax computations." Good cause has not been shown for granting this request and it is denied.

Humble Oil & Refining Co. requests a 1 day suspension if its proposed increase is suspended. J. S. Abercromble Mineral Co., Inc., requests waiver of notice, and Texaco, Inc., and Monsanto Co. request effective dates for which adequate notice was not given. Good cause has not been shown for granting any of these requests and they are denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR Ch. I, Pt. 2, § 2.56).

[F.R. Doc. 70-16898; Filed, Dec. 17, 1970; 8:45 a.m.]

[Dockets Nos. RI71-474, RI71-475]
CONTINENTAL OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

DECEMBER 9, 1970.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:
 It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regula-

¹ Does not consolidate for hearing or dispose of the several matters herein.

tions pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.²

² If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8

and 1.37(f)) on or before January 25, 1971.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI71-474..	Continental Oil Co.....	183	221	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Grand Isle Block 41) (Field Offshore Louisiana) (Disputed).	\$460	11-16-70	11-16-70	11-17-70	10.0	19.5	
RI71-475..	Pennzoil Producing Co. ⁶	254	6	United Gas Pipe Line Co. (Block 53 Field, Eugene Island Area Offshore Louisiana).	91,305	11-19-70	11-19-70	11-20-70	11.2162	17.5	
		254	5	do.....		11-19-70	11-19-70	Accepted			

* Unless otherwise stated, pressure base is 15.025 p.s.i.a.

¹ Pursuant to Opinion No. 567.

² Includes supporting documents required by Opinion No. 567. Applies only to gas well gas from the FJ Sand Reservoir.

³ Documents establish a second vintage price for the gas involved per Opinion No. 567.

⁴ Involves gas produced from the Disputed Zone.

⁵ Both buyer and seller are wholly owned subsidiaries of Pennzoil United, Inc.

⁶ Accepted as a contract amendment effective as of the date set forth in the "Effective Date Unless Suspended" column. The proposed increased rate contained therein, however, is suspended as provided herein. The agreement is dated Nov. 5, 1970, and provides for the proposed increased rate of 17.5 cents.

The proposed increase of Continental Oil Co. involves gas-well gas produced from a newly discovered reservoir located in the offshore Louisiana "Disputed Zone." Pursuant to Opinion No. 567 the gas qualifies as second vintage gas. The 19.5-cent proposed rate is equal to the 19.5-cent area base rate for second vintage gas well gas produced from within the State's taxing jurisdiction but the rate exceeds the 18-cent rate for gas well gas produced from the Federal domain. Therefore, Continental's proposed increase is suspended for 1 day from the date of filing. Continental thereafter may collect the increased rate subject to refund of those amounts attributable to the difference in the onshore and offshore rate paid for gas well gas finally held to have been produced from the Federal domain.

Pennzoil Producing Co's (Pennzoil) proposed increase to 17.5 cents per Mcf involves gas produced from the offshore Louisiana "Disputed Zone" and sold to its affiliate—United Gas Pipe Line Co. The gas is produced from acreage dedicated to a contract dated May 4, 1964, and thus qualifies for the second vintage price of either 19.5 cents or 18 cents, pending the resolution of the jurisdictional question, pursuant to Opinion No. 546. The proposed rate is thus below both of the potentially applicable ceilings. However, consistent with prior Commission action where affiliation exists between buyer and seller, Pennzoil's proposed increase is suspended for 1 day from the date of filing.

[F.R. Doc. 70-16899; Filed, Dec. 17, 1970; 8:45 a.m.]

[Projects Nos. 2625, 2626]

DAN RIVER, INC.

Order Granting Rehearing

DECEMBER 11, 1970.

On November 19, 1970, Dan River, Inc., filed applications for rehearing and reconsideration of the Commission's orders of October 21 and 22, 1970, issuing licenses for the respective projects. The application included a motion to change the caption for all subsequent proceedings from Dan River Mills, Inc., to Dan River, Inc., to reflect applicant's name change, and petitioned to withdraw application for both licenses. Applicant states that the projects are no longer

economically justifiable and that it proposes to discontinue hydroelectric generation.

The Commission finds:

It is appropriate and in the public interest to grant rehearing on the aforesaid orders, as hereinafter provided.

The Commission orders:

Rehearing on the aforesaid orders issued October 21 and October 22, 1970, in Projects Nos. 2625 and 2626, respectively, is hereby granted for the purpose of further consideration.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-17000; Filed, Dec. 17, 1970; 8:46 a.m.]

[Dockets Nos. G-8934, G-10008]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

DECEMBER 10, 1970.

Take notice that on November 30, 1970, El Paso Natural Gas Co. (El Paso), Post Office Box 1492, El Paso, TX 79999, filed in Dockets Nos. G-8934 and G-10008 a petition to amend the orders of the Commission issued pursuant to section 7(c) of the Natural Gas Act in the subject dockets to authorize El Paso to provide firm natural gas service to an existing customer, Union Carbide Nuclear Co. (Union Carbide) of Uravan, Colo., in lieu of the currently authorized interruptible service, all as more fully set forth in the petition to amend on file with the Commission and open to public inspection.

El Paso states that it was authorized to render interruptible service to Union Carbide and to construct and operate the pipeline facilities therefor in Dockets Nos. G-8934 and G-10008, respectively. Under an agreement between the parties, El Paso provides maximum deliveries of up to 35,000 therms daily on an interruptible basis.

El Paso states that Union Carbide has requested and El Paso has agreed to pro-

vide firm service of up to a maximum of 23,700 therms daily. El Paso states that such gas service will be used in Union Carbide's mining operations—specifically the drying of uranium and vanadium ore—where continuous operation is critical.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). 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. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-17001; Filed, Dec. 17, 1970; 8:46 a.m.]

[Docket No. RP71-16]

MIDWESTERN GAS TRANSMISSION

Notice of Postponement

DECEMBER 10, 1970.

On November 23, 1970, Counsel for Midwestern Gas Transmission Co. filed a request to reschedule the prehearing conference scheduled for January 19, 1971, in the above-designated matter.

Upon consideration, notice is hereby given that the prehearing conference scheduled for January 19, 1971, is postponed to January 27, 1971, in the above-designated matter.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-17002; Filed, Dec. 17, 1970; 8:46 a.m.]

[Docket No. E-7580]

NORTHERN STATES POWER CO.**Notice of Application**

DECEMBER 10, 1970.

Take notice that on December 3, 1970, Northern States Power Co. (applicant) of Minneapolis, Minn., filed an application pursuant to section 204 of the Federal Power Act seeking an order authorizing the issuance of unsecured promissory notes to commercial banks and to commercial paper dealers in amounts not exceeding in the aggregate \$80 million outstanding at any one time.

The promissory notes to be issued by the applicant to commercial banks will be issued on various days in 1971, but no note will mature more than 12 months after date of issue or renewal. The interest rate of such notes will be at the prime loan interest rate of the banks in effect from time to time.

The promissory notes issued to commercial paper dealers will be issued on various days in 1971, but no note will mature more than 9 months after date of issue nor will any note be extended or renewed. The interest rate on such notes will be dependent upon the term of the notes and the money market conditions at the time of issuance. According to the application, the aggregate amount of commercial paper to be outstanding at any one time will not exceed the sum of (1) the dollar amount of applicant's receivables arising out of the sale of electric, gas, heating and telephone service and merchandise, (2) the dollar amount of applicant's fuel inventory exclusive of nuclear fuels, and (3) the dollar amount of depreciation and amortization charges on plant and equipment for the preceding year.

The proceeds from the issuance of the notes will be added to the general funds of the applicant which general funds will be used, among other things, to finance in part the applicant's 1971 construction program. Applicant estimates that construction expenditures for 1971 will total about \$180 million.

Any person desiring to be heard or to make any protest with reference to said application should, on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedures (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. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-17003; Filed, Dec. 17, 1970;
8:46 a.m.]

[Project No. 120]

SOUTHERN CALIFORNIA EDISON CO.**Notice of Application for New License for Constructed Project**

DECEMBER 10, 1970.

Public notice is hereby given that application for new license has been filed under section 15 of the Federal Power Act (16 U.S.C. 791a-825r) by Southern California Edison Co. (correspondence to: Robert P. O'Brien, Vice President, Southern California Edison Co., Post Office Box 351, Los Angeles, CA 90053) for its constructed Big Creek No. 3 Project No. 120, located on San Joaquin River in Fresno, Madera, Tulare, Kern, and Los Angeles Counties, Calif., in the vicinity of Madera, Fresno, Visalia, Bakersfield, and Los Angeles, and affecting lands of the United States within the Sierra, Sequoia, and Angeles National Forests and other lands of the United States, and Indian tribal lands. The present license for the project will expire on March 5, 1971.

The existing Big Creek No. 3 Project consists of: (1) Dam No. 6: a 495-foot long, 155-foot maximum height dam with a 308-foot long concrete spillway structure with crest elevation at 2,230 feet (U.S.G.S.); (2) Dam No. 6 Reservoir with gross storage capacity of 1,065-acre-feet and with a surface area of 23.2 acres at 2,230 feet (U.S.G.S.) elevation; (3) a 21-foot wide and 21-foot high 28,191-foot long unlined diversion tunnel to (4) four 1,386-foot long steel penstocks to (5) Big Creek Powerhouse No. 3 containing 6 generating units, three of 25,000 kw., one of 31,500 kw. capacity, and two of 600 kw. capacity operating under a gross head of 827 feet; (6) two transformer banks, one containing three 23,000 kv.-a 12,100/230,000 V. single-phase units; the other, four 25,000 kv.-a 13,100/230,000 V. single-phase units, one of which is a spare; (7) Vincent Transmission line, which is a three phase, 220 kv., 225-mile long line from Big Creek Powerhouse No. 3 to Gould Substation; and (8) all other facilities and interests appurtenant to operation of the project.

Rugged terrain limits development of recreational facilities on most of the area of Project No. 120. However, recreational facilities consisting of parking, sanitary, and safety facilities; drinking water; and directional and information signs are proposed in an area immediately below the tailrace of the Mammoth Pool Powerhouse (Project No. 2085) which discharges into the forebay pool of Project No. 120.

According to the application: (1) Power generated by the project is transmitted to and serves applicant's load in the San Joaquin Valley and any excess not used in the San Joaquin Valley load serves applicant's system load in the Los Angeles area; (2) the estimated net investment in the project is about \$16½ million as of 1971 which is less than its estimate of fair value; (3) the estimated severance damages in the event of "take-over" by the United States is about \$150

million; and (4) the annual taxes paid to State and local government agencies amounts to \$1,794,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 27, 1971, 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. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-17004; Filed, Dec. 17, 1970;
8:46 a.m.]

[Docket No. CP71-155]

SOUTHERN NATURAL GAS CO.**Notice of Application**

DECEMBER 10, 1970.

Take notice that on December 3, 1970, Southern Natural Gas Co. (applicant), Post Office Box 2563, Birmingham, AL 35202, filed in Docket No. CP71-155 an application pursuant to section 7(b) of the Natural Gas Act for authority to abandon certain measuring facilities and approximately 1,050 feet of 4-inch pipeline, all located on applicant's South La Grange tap line in Troup County, Ga., used for the sale of gas to Deering Milliken, Inc., all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to abandon its said facilities as a result of the cancellation of the August 21, 1961 contract between applicant and the Callaway Mills Co., which subsequently assigned the contract to Deering Milliken, Inc., on April 1, 1968. Deering Milliken, Inc., has used the gas so purchased for firing boilers used in connection with the manufacture of textiles in its plants at La Grange, Ga.

Service through the facilities which Applicant herein proposes to abandon was discontinued on August 30, 1970.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 4, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). 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.

Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition 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 this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-17005; Filed, Dec. 17, 1970;
8:46 a.m.]

[Docket No. CP70-21]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Petition To Amend

DECEMBER 17, 1970.

Take notice that on December 10, 1970, Michigan Wisconsin Pipe Line Co. (Michigan Wisconsin), One Woodward Avenue, Detroit, MI 48226, and Michigan Consolidated Gas Co. (Consolidated), One Woodward Avenue, Detroit, MI 48226 (petitioners) filed in Docket No. CP70-21 a joint petition to amend the authorization granted in the above captioned proceeding by order of the Commission issued April 30, 1970, in Docket No. CP70-19 et al., as amended on October 30, 1970, as hereinafter described, as more fully described in the petition to amend which is on file with the Commission and open to public inspection.

In the above-mentioned orders, the Commission authorized, *inter alia*, the long term exchange of natural gas between Michigan Wisconsin and Great Lakes Gas Transmission Co. (Great Lakes) and the construction and operation of facilities therefor, pursuant to section 7(c) of the Natural Gas Act. To effect the redelivery of natural gas to Great Lakes, Michigan Wisconsin was authorized, *inter alia*, to install and operate 6,000 horsepower of compression at its proposed Lincoln Compressor Station in Clare County, Mich. Petitioners state that because of various delays, Michigan Wisconsin was not able to install said 6,000 horsepower compression in time for the 1970-71 heating season. Thus, Michigan Wisconsin's intention to redeliver gas to Great Lakes pursuant to the au-

thorized long term exchange agreement was thwarted for the 1970-71 heating season.

Michigan Wisconsin and Consolidated propose an exchange of natural gas on a temporary basis, until March 31, 1971, to circumvent Michigan Wisconsin's present inability to redeliver to Great Lakes. Pursuant to an exchange agreement between Michigan Wisconsin and Consolidated, Michigan Wisconsin would deliver natural gas to Consolidated at existing delivery points in Michigan, and Consolidated would redeliver equivalent volumes to Great Lakes for the account of Michigan Wisconsin at the Belle River Mills Field. The exchange would be made on an Mcf-for-Mcf basis, and Michigan Wisconsin would make Consolidated whole for the volumes of gas consumed by Consolidated in making such redeliveries.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Accordingly, any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). 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. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-17155; Filed, Dec. 17, 1970;
10:08 a.m.]

FEDERAL RADIATION COUNCIL

RADIATION PROTECTION GUIDANCE FOR FEDERAL AGENCIES

Memorandum for the President

DECEMBER 1, 1970.

In accordance with Executive Order 10831 and Public Law 86-373, the Federal Radiation Council transmits to you a recommendation for the modification of guidance applicable to Federal agencies in their conduct of radiation protection activities as it applies to underground mining of uranium ore.

The latest recommendations of the Federal Radiation Council on this subject were submitted to the President in a memorandum, December 27, 1968. The recommendations were approved by the President on January 11, 1969, and the memorandum was published in the FEDERAL REGISTER, January 15, 1969 (34 F.R.

576). The memorandum contained four recommendations hearing directly on the modification recommended now. These were:

1. Occupational exposure to radon daughters in underground uranium mines be controlled so that no individual miner will receive an exposure of more than 6 WLM in any consecutive 3-month period and no more than 12 WLM in any consecutive 12-month period. Actual exposures should be kept as far below these values as practicable.

4. As a policy measure of prudence the agencies having responsibility for regulating the uranium mining industry be advised that the Federal Radiation Council recommends an annual exposure level of 4 WLM as of January 1, 1971.

5. Prior to this date, the Council will consider all pertinent information including epidemiological data, miner exposure records, health considerations, mining practices and costs thereof, and applicable research and development results, to determine whether or not to modify this recommendation.

7. To assist the Council in its periodic review of radiation protection in uranium mines an interagency group will be established with representation from agencies of the Council. This group will keep all relevant information and developments under continuing surveillance and make reports to the Council in advance of its periodic review.

Pursuant to recommendation 7, the Interagency Uranium Mining Radiation Review Group was established under the chairmanship of the Surgeon General, U.S. Public Health Service. At its last meeting the Interagency Group concluded that the information that would permit the Council to fulfill adequately the requirement of recommendation 5 would not be available in time to permit the Council to reconsider the guidance before the date in recommendation 4. Accordingly, the Group recommended to the Council that the date in recommendation 4 be changed to July 1, 1971.

The Federal Radiation Council concurs in the judgment of the Interagency Group that more time is needed to take the action provided for in recommendation 5, and agrees that a postponement for the period of time required to complete the review is desirable.

The Council, therefore, recommends that the date in recommendation 4 of the Council's memorandum of December 27, 1968, to the President, be changed to July 1, 1971.

If the foregoing recommendation is approved by you for the guidance of Federal agencies in the conduct of their radiation protection activities, it is further recommended that this memorandum be published in the FEDERAL REGISTER.

ELLIOT L. RICHARDSON,
Chairman.

The recommendation in the preceding memorandum is approved for the guidance of Federal agencies and the memorandum shall be published in the FEDERAL REGISTER.

RICHARD NIXON.

DECEMBER 15, 1970.

[F.R. Doc. 70-17050; Filed, Dec. 17, 1970;
8:50 a.m.]

FEDERAL RESERVE SYSTEM

DEPOSITORS CORP.

Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Depositors Corp., Augusta, Maine, for approval of acquisition of at least 80 percent of the voting shares of Springvale National Bank, Springvale, Maine.

There has come before the Board of Governors, pursuant to section 3(a) (3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Depositors Corp., Augusta, Maine (Applicant), a registered bank holding company, for the Board's prior approval of the acquisition of at least 80 percent of the voting shares of Springvale National Bank, Springvale, Maine (Bank).

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Comptroller of the Currency and requested his views and recommendation. The Comptroller recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on October 24, 1970 (35 F.R. 16611), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

The Board has considered the application in the light of the factors set forth in section 3(c) of the Act, including the effect of the proposed acquisition on competition, the financial and managerial resources and prospects of Applicant and the banks concerned, and the convenience and needs of the communities to be served. Upon such consideration, the Board finds that:

Applicant is the largest banking organization and bank holding company in the State of Maine, controlling four subsidiary banks with \$185 million in combined total deposits. (Unless otherwise noted, all banking data are as of June 30, 1970, adjusted to reflect holding company acquisitions and formations approved by the Board to date.) Consummation of the proposal would raise Applicant's control of total State deposits less than 1 percentage point to 16.6 percent. Because of an apparent trend toward concentration of commercial banking in Maine, caution must be exercised with respect to proposals that might increase such concentration. However, the facts presented in this case are not such as to require a denial of the application.

Bank, with deposits of \$9 million, is the next to the smallest of nine banks operating offices in York County, which approximates the relevant market. The nearest office of a subsidiary of Applicant is located 52 miles from Bank and numerous banking offices are located in the

intervening area. It appears that consummation of the proposal would eliminate no significant competition between Bank and any of Applicant's present subsidiary banks. De novo branching by any of Applicant's subsidiaries into the area served by Bank may be accomplished only through entry into a town having no banking offices. It appears that such "open" towns in York County are small residential communities that seem not capable of supporting a banking office and that such entry is thus unlikely. Applicant has applied for a de novo charter in a county adjacent to York County. Acquisition of such a charter would enable Applicant's new bank to branch into any part of York County. However, that application was denied by the Maine Bank Commissioner and is the subject of litigation. It appears that consummation of the instant proposal would not foreclose significant potential competition.

Based upon the foregoing, the Board concludes that consummation of the proposed acquisition would not have significant adverse effects on competition in any relevant area. Considerations relating to the convenience and needs of the communities to be served are regarded as consistent with approval. The banking factors, as they relate to Applicant and its subsidiaries are consistent with approval. The prospects and financial condition of Bank are regarded as satisfactory. Bank's management is nearing retirement age and affiliation with Applicant would facilitate management succession for Bank; this factor lends some weight toward approval. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest, and that the application should be approved.

It is hereby ordered, On the basis of the findings summarized above, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order, or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Boston pursuant to delegated authority.

By order of the Board of Governors,
December 14, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-17006; Filed, Dec. 17, 1970;
8:46 a.m.]

FIRST COMMUNITY BANCORPORATION

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)

¹ Voting for this action: Chairman Burns and Governors Robertson, Brimmer, and Sherrill. Absent and not voting: Governors Mitchell, Daane, and Maisel.

(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a) (1)), by First Community Bancorporation, Joplin, Mo., for prior approval by the Board of Governors of action whereby applicant would become a bank holding company through the merger of First National Bank of Joplin, Mo., into a nonoperating bank of which applicant will own 100 percent of the voting shares (less directors' qualifying shares), and, as an incident to the merger, indirect ownership of 100 percent of the voting shares (less directors' qualifying shares) of Community National Bank of Joplin, Mo.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Kansas City.

By order of the Board of Governors,
December 11, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-17007; Filed, Dec. 17, 1970;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. 33434]

DETENTION OF MOTOR VEHICLES; MIDDLE ATLANTIC AND NEW ENGLAND TERRITORY

DECEMBER 8, 1970.

On September 4, 1970, the Middle Atlantic Conference and its member carrier respondents, filed a petition with the

Commission to reopen this proceeding and modify the uniform detention rules prescribed by the Commission in its report and order decided April 23, 1965, 325 I.C.C. 336, as amended by orders dated October 6, 1965, and February 28, 1968; and on September 8, 1970, the Steel Carriers' Tariff Association, Inc., and its member carrier respondents, on September 17, 1970, George Transfer & Rigging Co., Inc., on October 8, 1970, Motor Carriers Tariff Bureau, Inc., and its member carrier respondents, and on October 22, 1970, The Maryland Transportation Co., filed petitions joining in and supporting the petition to reopen for modification.

The proposed modification is to reduce the maximum free time allowable under the detention rules by 60 minutes, and to reduce the maximum amount of meal-time excluded from the computation of free time from not to exceed 1 hour to not to exceed one-half hour when used, insofar as such rules govern detention time and charges on iron and steel articles, as described in Lists 26 and 27 of MF-ICC No. A-1773, published by Middle Atlantic Conference, Agent. As so modified, the provisions would read as follows:

SECTION III—FREE TIME

Free time shall be as follows:

COLUMN A

Actual weight in pounds per vehicle:	Free time in minutes
All weights.....	180

COLUMN B

Actual weight in pounds per vehicle stop:	Free time in minutes per vehicle stop
Less than 10,000.....	90
10,000 or more.....	180

Column A—Applies to vehicles containing truckload shipments requiring only one vehicle, or to fully loaded vehicles containing truckload shipments requiring more than one vehicle, except as provided in Column B.

Column B—Applies to last vehicle used in transporting overflow truckload shipments requiring two or more vehicles, or to vehicles containing truckload shipments stopped for completion of loading or partial unloading.

SECTION II—COMPUTATION OF TIME

The last sentence of paragraph (b) would be changed as follows:

When loading or unloading is interrupted for a normal meal period, actual meal time not to exceed one-half hour, when used, will be excluded from computation of time.

The requests for modification filed by the petitioners are available for inspection in the public docket located in the Office of the Secretary at the Commission's office in Washington, D.C.

Notice of the filing of the petitions to modify the prescribed uniform detention rules will be given to the parties of record by serving them with a copy of this notice, and to the general public by depositing a copy of this notice in the Office of the Secretary of the Commission at Washington, D.C., and by filing with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Any interested person desiring to participate in the proceeding may file a writ-

ten statement within 20 days from the date of publication of this notice in the FEDERAL REGISTER indicating whether they support or oppose the determination sought. An original and 15 copies of such statement must be filed with the Commission in Washington, D.C., and must show service of two copies upon: Mr. J. Alan Royal, Post Office Box 10213, Washington, DC 20018, attorney for Middle Atlantic Conference; Mr. Warren A. Rawson, 6410 Kenilworth Avenue, East Riverdale, MD 20840, registered practitioner for Steel Carriers' Tariff Association, Inc.; Mr. James B. Nestor, Post Office Box 3969, Baltimore, MD 21222, general traffic manager of George Transfer & Rigging Co., Inc.; Mr. Ambrose A. Such, general manager of Motor Carriers Tariff Bureau, Inc.; and Mr. Charles J. Braun, Jr., director of marketing for The Maryland Transportation Co. Thereafter, the nature of subsequent proceedings, if any, will be determined. It is not contemplated that there will be any further general public notification published in the FEDERAL REGISTER of the succeeding procedural handling of these petitions.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[F.R. Doc. 70-17061; Filed, Dec. 17, 1970; 8:51 a.m.]

[Notice 210]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 14, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Sub-No. 765 TA) (amendment), filed November 5, 1970, published FEDERAL REGISTER issue of November 17, 1970, amended and republished as amended this issue. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Applicant's representative: Gene T. West

(same address as above). 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 commodities requiring special equipment), between Memphis, Tenn., and its commercial zone, and New Orleans, La., and its commercial zone, serving the intermediate points of Jackson, Miss., and its commercial zone, restricted against the transportation of shipments received at Jackson, Miss., and its commercial zone, and destined to or interchanged at New Orleans, La., and its commercial zone; and further restricted against the transportation of shipments received at New Orleans, La., and its commercial zone, and destined to or interchanged at Jackson, Miss., and its commercial zone, from Memphis over U.S. Highway 51 to junction U.S. Highway 51 and U.S. Highway 61 near Laplace, La., thence over U.S. Highway 61 to New Orleans and return over the same route, between Memphis, Tenn., and its commercial zone and New Orleans, La., and its commercial zone, serving the intermediate point of Baton Rouge, La., and its commercial zone, and serving Geismar, La., and its commercial zone, and Plaquemine, La., and its commercial zone, as off-route points, from Memphis over U.S. Highway 61 to New Orleans and return over the same route, between the junction of U.S. Highway 190 and U.S. Highway 61 (at or near Baton Rouge, La.), and the junction of U.S. Highway 190 and U.S. Highway 51 (near Hammon, La.), as an alternate route for operating convenience only, from the junction of U.S. Highway 190 and U.S. Highway 61 over U.S. Highway 190 to the junction of U.S. Highway 190 and U.S. Highway 51, and return over the same route, for 180 days. **NOTE:** Applicant will tack with its other outstanding authorities in Docket MC 42487 at Memphis and will interline at Memphis, Jackson, New Orleans, and Baton Rouge. The purpose of this republication is (1) to add the tacking information; (2) add the commercial zones; and (3) add the restriction; and (4) note that 13 shippers support letters were rejected. Supported by: There are approximately 106 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission, Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, CA 94102.

No. MC 113678 (Sub-No. 413 TA), filed December 8, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, CO 80216 (Commerce City). Applicant's representative: David Metzler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perforated steel*

sheets, from Carbondale, Pa., to Harlan, Iowa, for 180 days. Supporting shipper: Harlan Manufacturing Co., Post Office Box 712, Harlan, IA. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, CO 80202.

No. MC 117940 (Sub-No. 32 TA), filed December 8, 1970. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, MN 55359. Applicant's representative: M. James Levitus (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Adhesive cement*, from Freeport and Brooklyn, N.Y., to points in Illinois, Michigan, Minnesota, Iowa, Missouri, Oklahoma, Texas, and Wisconsin, for 180 days. Supporting shipper: Columbia Cement Co., Inc., 159 Hanse Avenue, Freeport, NY 11520. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 127215 (Sub-No. 51 TA), filed December 8, 1970. Applicant: KENDRICK CARTAGE CO., Post Office Box 63, Salem, IL 62881. Applicant's representative: W. C. Kendrick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Robinson, Ill., to points in Indiana, for 180 days. Supporting shipper: American Oil Co., General Office, Post Office Box 5690, Chicago, IL 60680. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, IL 62704.

No. MC 127571 (Sub-No. 4 TA), filed December 8, 1970. Applicant: GARY C. BULMAN, doing business as BULMAN TRUCKING SERVICE, 710 Fifth Street NW, Waukon, IA 52172. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, IA 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Butter*, from Waukon, Iowa, to Plymouth, Wis., under contract with Meadowland Dairy Association, for 180 days. Supporting shipper: Meadowland Dairy Association, Waukon, Iowa. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, IA 52801.

No. MC 128634 (Sub-No. 4 TA) (Correction), filed November 24, 1970, and published FEDERAL REGISTER issue December 5, 1970, and republished as corrected this issue. Applicant: FIRST SCOTT STREET CORPORATION, 3900 Orleans Street, Detroit, MI 48207. NOTE: The purpose of this partial republication is to include the State of New Jersey as a destination point, which was inadvertently omitted from previous publication, the rest of notice remains as previously published.

No. MC 129171 (Sub-No. 5 TA), filed December 8, 1970. Applicant: ARTHUR SHELLEY, Rural Delivery No. 1, Dallas, PA 18612. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, PA 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Chewing gum*, from Duryea, Pa., to Portland, Oreg.; (b) *candy and confectionery*, from Bethlehem, Pa., to Portland, Oreg., and Minneapolis, Minn., for 180 days. Supporting shippers: Topps Chewing Gum, Inc., 401 York Avenue, Duryea, PA 18642; Just Born, Inc., Bethlehem, PA 18018. Send Protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, PA 18503.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR. Doc. 70-17063; Filed, Dec. 17, 1970;
8:51 a.m.]

[Notice 211]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 15, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 8468 (Sub-No. 3 TA), filed December 9, 1970. Applicant: SCOBAY MOVING AND STORAGE CO., 315 North Medina, Box 7307 Station A, San Antonio, TX 78207. Applicant's representative: W. Scott Clark, 3212 Collinsworth, Fort Worth, TX 76107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods, and baggage* as defined by the Interstate Commerce Commission, restricted to the transportation of traffic having a prior of subsequent movement in containers beyond the points authorized and further re-

stricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic for the U.S. Government, between points in Bexar County, Tex., on the one hand, and, on the other, points in Bandera, Medina, Frio, Atascosa, Wilson, Guadalupe, Comal, Kendall, Kerr, Gillespie, Blanco, Hays, Gonzales, Lavaca, De Witt, Karnes, McMullen and La Salle Counties, Tex., for 150 days. Supporting shipper: MTMTS, Department of Defense, Washington, D.C. Send protests to: Richard H. Dawkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 301 Broadway, Room 206, San Antonio, TX 78205.

No. MC 108053 (Sub-No. 101 TA), filed December 9, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., 1520 West 23d Street, Mail Post Office Box 129, Fremont, NE 68025. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles* distributed by meat packinghouses, as described in appendix 1, from Kansas City, Kans., and Glenwood, Iowa, to points in Montana, Washington, and Oregon, for 150 days. Supporting shipper: Swift Processed Meat Co., 115 West Jackson Boulevard, Chicago, IL 60604. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, NE 68102.

No. MC 117799 (Sub-No. 7 TA), filed December 9, 1970. Applicant: BEST WAY FROZEN EXPRESS, INC., 3033 Excelsior Boulevard, Minneapolis, MN 55416. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* and other *commodities* distributed by dairies (except commodities in bulk) from plant-sites, warehouse, storage, and production facilities utilized by Land O' Lakes, Inc., in Minnesota, Wisconsin, and Chicago, Ill., and its commercial zone, as defined by the Commission, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Land O' Lakes, Inc., Post Office Box 116, Minneapolis, MN 55440. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 119789 (Sub-No. 49 TA), filed December 9, 1970. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, TX 75222. Applicant's representative: James T. Moore (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Synthetic fibers and plastic sheeting*, (2) *Baby swings*, (a)

from points in New York and New Jersey (b) from Elverson, Pa., to Los Angeles, Calif., for 180 days. Note: Carrier does not intend to tack authority. Supporting shipper: Peterson Baby Products Co., 6904 Tujunga Avenue, North Hollywood, CA 91605. Send protests to: District Supervisor E. K. Willis, Jr., Interstate Commerce Commission, Bureau of Operations, 1314 Wood Street, 513 Thomas Building, Dallas, TX 75202.

No. MC 127539 (Sub-No. 18 TA), filed December 9, 1970. Applicant: PARKER REFRIGERATED SERVICE, INC., 3533 East 11th Street, Tacoma, WA 98421. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, WA 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen meat products*, from Seattle and Toppenish, Wash., to Sacramento, Richmond, Marysville, Alameda, Oakland, San Francisco, San Jose, Los Angeles, Calif., and Portland, Oreg., for 150 days. Supporting shipper: Western Packing Co., 620 South Andover Street, Seattle, WA 98124. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, WA 98101.

No. MC 128007 (Sub-No. 27 TA), filed December 9, 1970. Applicant: HOFER, INC., 4032 Parkview Drive, Post Office Box 583, Pittsburg, Kans. 66762. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat scraps and tankage*, in bulk, from Liberal, Kans., to points in Missouri, Arkansas, Oklahoma, Tennessee, Colorado, Nebraska, South Dakota, Texas, Iowa, and New Mexico, for 180 days. Supporting shipper: National Beef Packing Co., Liberal, Kans. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, KS 67202.

MOTOR CARRIER OF PASSENGERS

No. MC 668 (Sub-No. 93 TA), filed December 9, 1970. Applicant: INTERCITY TRANSPORTATION CO. INC., Donald A. Robinson, Trustee, 419 Anderson Avenue, Fairview, NJ 07022. Applicant's representative: Bowes and Millner, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Fair Lawn, N.J., and New York, N.Y., from junction Fair Lawn Avenue and River Road in Fair Lawn, N.J., over Fair Lawn Avenue to junction Plaza Road in Fair Lawn, N.J. (also from junction Fair Lawn Avenue and Saddle River Road in Fair Lawn, N.J., over Fair Lawn Avenue to junction Plaza Road in Fair Lawn, N.J.), then over Plaza Road to junction Broadway also known as New Jersey Highway 4, then over New Jersey 4 to junction Paramus Road in Paramus, N.J., then over Paramus Road to junction Passaic Street, Rochelle Park, N.J., then over Passaic Street to junction New Jersey Highway 17 in Rochelle Park, N.J. (also over New

Jersey Highway 4 from junction of Plaza Road in Fair Lawn, N.J., to junction New Jersey Highway 17 in Paramus, N.J., then over New Jersey Highway 17 to junction Passaic Street in Rochelle Park, N.J.), then over New Jersey Highway 17 to junction Paterson, Plank Road in East Rutherford, N.J., then over Paterson Plank Road to junction New Jersey Highway 20 in East Rutherford, N.J., then over New Jersey Highway 20 to junction New Jersey Highway 3 in East Rutherford, N.J. (also over New Jersey Highway 17 from junction Paterson Plank Road in East Rutherford, N.J., over Highway 3 in Rutherford, N.J., then over New Jersey Highway 3 to junction New Jersey Highway 20 in East Rutherford, N.J.), then over New Jersey Highway 3 including the Secaucus, N.J., bypass to junction Interstate Highway 495 in North Bergen, N.J., then over Interstate Highway 495 and through the Lincoln Tunnel to New York, N.Y., serving no intermediate points, return over the same routes, for 180 days. Supported by: There are approximately 19 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor, Joel Morrows, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[F.R. Doc. 70-17064; Filed, Dec. 17, 1970;
8:51 a.m.]

[Notice 628]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 15, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-72377. By order of December 9, 1970, the Motor Carrier Board approved the transfer to Johnstone Machinery Movers, Inc., Toledo, Ohio, of the operating rights in certificate No. MC-33511 issued July 30, 1957, to Paul L. Grace, doing business as Paul L. Grace Co. Riggers and Movers, Toledo, Ohio, authorizing the transportation of heavy machinery between points in Lucas County, Ohio, on the one hand, and, on

the other, points in Lenawee and Monroe Counties, Mich.

No. MC-FC-72407. By order of December 9, 1970, the Motor Carrier Board approved the transfer to Starling Transport Lines, Inc., Fort Pierce, Fla., of the operating rights in certificate No. MC-119349, issued March 16, 1962, to C. R. Stevenson, Winter Garden, Fla., authorizing the transportation of petroleum products in containers from St. Marys, W. Va., and Farmers Valley, Pa., on the one hand, and, on the other, points in a specified area in Florida. John A. Sutton, 145 North Magnolia Street, Post Office Box 367, Orlando, FL 32802, attorney at Law.

No. MC-FC-72486. By order of December 9, 1970, the Motor Carrier Board approved the transfer to Ra-Nic Movers, Inc., a corporation, Brooklyn, N.Y., of the operating rights in certificate No. MC-93952, issued February 10, 1965, to Norsemen Moving & Storage Corp., Brooklyn, N.Y., authorizing the transportation of household goods as defined by the Commission, between New York, N.Y., on the one hand, and, on the other, points in New York, via New Jersey points; and between New York, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, and Pennsylvania. Arthur J. Piken, 160-16 Jamaica Avenue, NY 11432, attorney at Law.

[SEAL] ROBERT L. OSWALD,
Secretary.

[F.R. Doc. 70-17062; Filed, Dec. 17, 1970;
8:51 a.m.]

[S.O. No. 994; ICC Order No. 12; Amdt. 11]

NEW YORK, SUSQUEHANNA AND WESTERN RAILROAD CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 12 (New York, Susquehanna and Western Railroad Co.) and good cause appearing therefor:

It is ordered, That:

ICC Order No. 12 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., March 31, 1971, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., December 31, 1970, and that this order shall be served upon the Association of American Railroads, Car Service Division, and upon the American Short Line Railroad Association, as agents of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., December 11, 1970.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 70-17060; Filed, Dec 17, 1970;
8:51 a.m.]

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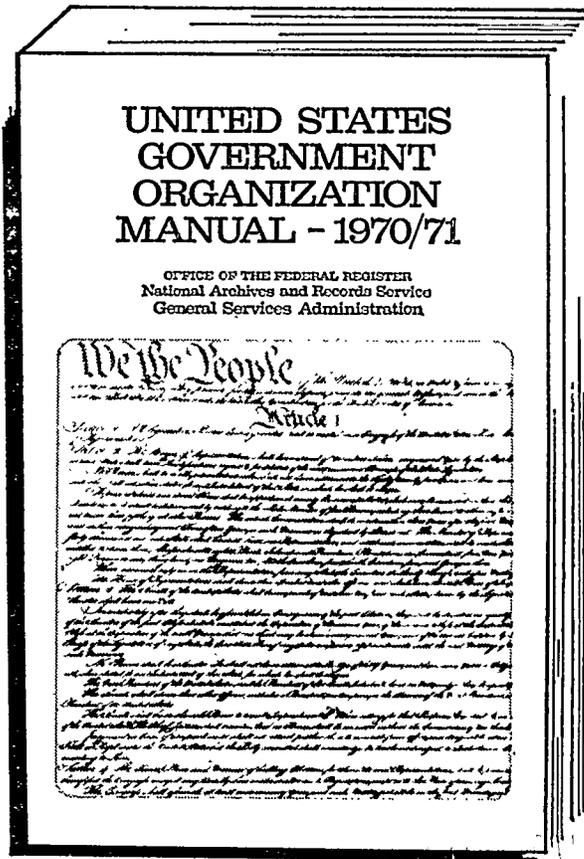
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