

# FEDERAL REGISTER

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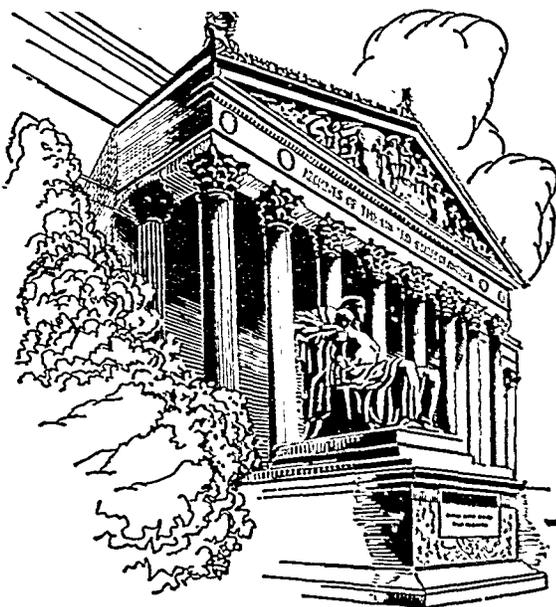
Tuesday, October 31, 1967 • Washington, D.C.

Pages 14997-15057

**Agencies in this issue—**

The President  
Agency for International Development  
Army Department  
Atomic Energy Commission  
Civil Aeronautics Board  
Civil Service Commission  
Consumer and Marketing Service  
Defense Department  
Federal Aviation Administration  
Federal Communications Commission  
Federal Maritime Commission  
Federal Power Commission  
Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
General Services Administration  
Interior Department  
Internal Revenue Service  
Interstate Commerce Commission  
Justice Department  
Post Office Department

Detailed list of Contents appears inside.



# 5-Year Compilations of Presidential Documents

## Supplements to Title 3

### of the

## Code of Federal Regulations

The Supplements to Title 3 of the Code of Federal Regulations contain the full text of proclamations, Executive orders, reorganization plans, trade agreement letters, and certain administrative orders issued by

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**List of CFR Parts Affected**

(Codification Guide)

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, 1967, and specifies how they are affected.

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# Presidential Documents

## Title 3—THE PRESIDENT

Proclamation 3817

NATIONAL UNICEF DAY

By the President of the United States of America

A Proclamation

The United Nations Children's Fund (UNICEF) was established by the United Nations in 1946.

UNICEF is dedicated to the welfare of children throughout the world—to eliminating the disease, hunger, and ignorance that afflicts them and their mothers.

UNICEF is one of the most successful international efforts the world has ever known.

The American people have actively and generously supported the work of UNICEF through their private efforts, and through the financial contributions of their Government. American children make their own very significant contribution through their annual Halloween collections for UNICEF.

Yet, despite past efforts, three out of four of all the world's children continue to suffer in the shadow of poverty, hunger, and disease. There is an enormous job still to be done—for the world's future depends on the wholesome, healthy development of today's children.

I hope that the American people, and the peoples of all countries, will continue to support UNICEF to the limits of their ability, both through their private efforts and through their governments.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in honor of this great humanitarian enterprise, do hereby proclaim October 31, 1967, and October 31 in each subsequent year, as National UNICEF Day. I call upon all Americans, and particularly upon officials of the Federal and State governments and upon local officials and citizen groups, to engage in appropriate observance of this day in support of UNICEF.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of October, in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.



[F.R. Doc. 67-12912; Filed, Oct. 27, 1967; 5:06 p.m.]



# Rules and Regulations

## Title 7—AGRICULTURE

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

#### PART 967—CELERY GROWN IN FLORIDA

##### Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment, to be effective under Marketing Agreement No. 149 and Order No. 967 (7 CFR Part 967), regulating the handling of celery grown in Florida was published in the FEDERAL REGISTER October 10, 1967 (32 F.R. 14063). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit written data, views, or arguments pertaining thereto not later than 15 days following publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were recommended by the Florida Celery Committee, established pursuant to said marketing agreement and this part, it is hereby found and determined that:

##### § 967.203 Expenses and rate of assessment.

(a) The expenses that are reasonable and likely to be incurred during the fiscal year August 1, 1967, through July 31, 1968, by the Florida Celery Committee for its maintenance and functioning and for such purposes as the Secretary may determine to be appropriate, will amount to \$38,500.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be one half of one cent (\$.005) per crate of celery handled by him as the first handler thereof during said fiscal year.

(c) As provided in § 967.42, unexpended income in excess of expenses for the fiscal year ending July 31, 1968, may be carried over as an operating reserve.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal year shall be applicable to all assessable celery from the beginning of such fiscal year, and (2) the current fiscal year

began on August 1, 1967, and the rate of assessment herein fixed will automatically apply to all assessable celery beginning with such date.

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

Dated: October 26, 1967.

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

[F.R. Doc. 67-12805; Filed, Oct. 30, 1967;  
8:47 a.m.]

#### PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

##### Finding and Approval Relative to Retention and Disposition of Reserve Tonnage Raisins Carried Over From 1966-67 Crop Year

The finding and approval hereinafter set forth are pursuant to § 989.67 of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989; 32 F.R. 12157, 12555, 12710), regulating the handling of raisins produced from grapes grown in California. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "act".

Section 989.67(a) provides, in part, that any reserve tonnage raisins of a crop year held unsold by the Raisin Administrative Committee on November 1 of the subsequent crop year shall be physically disposed of promptly in any available outlet not competitive with normal market channels for free tonnage raisins or sales of new crop reserve tonnage raisins in export. Said section also provides, however, that whenever the Secretary approves of a finding by the Committee or finds, on the basis of information otherwise available to him, that because of crop failure retention of reserve tonnage raisins carried over is warranted, the foregoing requirements as to disposal shall not apply and such carried over raisins may be disposed of in any outlet recommended by the Committee and approved by the Secretary.

The official estimate of the 1967 production of natural (sun-dried) Thompson Seedless raisins has recently been revised from 155,000 tons to 164,000 tons. However, industry sources indicate that the quantity of standard raisins of this varietal type will approximate 155,000 tons rather than 164,000 tons due to crop damage and because the actual weight of deliveries to date from individual producers to packer, is considerably less than earlier expectations. A production approximating 155,000 tons is regarded as a crop failure because it

is only 65 percent of the 1963-66 average annual production of this varietal type and is substantially less than the estimated 1967-68 commercial domestic and export requirements for such raisins for human consumption.

On the basis of the desirable free tonnage for such raisins of 142,500 tons established (32 F.R. 14271) for sale in Western Hemisphere markets and the foregoing industry estimate of the 1967 production of standard raisins of approximately 155,000 tons, only about 12,500 tons of standard 1967 crop raisins would be available as reserve tonnage for export sale to countries outside of the Western Hemisphere during the 1967-68 crop year. However, export sales of natural Thompson Seedless raisins to these countries have averaged about 52,000 tons annually for the past 3 crop years and, if the raisins are made available, could approximate or exceed this level during the 1967-68 crop year.

A total of 54,851 tons of 1966-67 unsold reserve tonnage raisins, excluding 21,868 tons reserved by the Committee for handlers to fill their sales contracts with the U.S. Department of Agriculture, was carried over into the 1967-68 crop year on September 1, 1967. Addition of the 54,851 tons of raisins to a 1967-68 reserve tonnage of 12,500 tons gives 67,351 tons which would be sufficient to provide 52,000 tons of raisins for export sale to countries outside of the Western Hemisphere during 1967-68 and provide a carryout approximating 15,000 tons. A carryout of about 15,000 tons of reserve tonnage raisins on August 31, 1968, would permit uninterrupted export movement of raisins to these countries during the first 6 weeks of the 1968-69 crop year until substantial quantities of 1968 crop raisins are produced and become available for shipment. The 54,851 tons of raisins unsold as of September 1, 1967, had been reduced to 36,827 tons as of October 9, 1967, by export sale to countries outside the Western Hemisphere and is likely to be further reduced by November 1, 1967.

Retention of the remaining unsold 1966-67 reserve tonnage raisins for disposition in the outlets specified in § 989.67(b) will permit estimated 1967-68 export requirements for raisins to be met and allow for a carryout for export in early 1968-69. Such action will permit continued orderly marketing of raisins in export, the principal outlet for reserve tonnage raisins. Increased returns to raisin producers will result because the alternative to export would be to dispose of such raisins for distillation or livestock feed at lower net returns.

Accordingly, pursuant to § 989.67(a), and based on the unanimous recommendation of the Raisin Administrative Committee and other information, it is

hereby found that: (a) The 1967 production of natural Thompson Seedless raisins is such as to be a crop failure; (b) retention of the reserve tonnage natural Thompson Seedless raisins of the 1966-67 pool which are held unsold by the Committee on November 1, 1967, for disposition as reserve tonnage in export and other eligible outlets is warranted; and (c) such disposition of the reserve tonnage raisins will tend to effectuate the declared policy of the act. Accordingly, disposition of such reserve tonnage in the outlets specified in § 989.67(b) in accordance with the applicable provisions of this part, is approved.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give public notice and engage in public rule making procedure, and that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) This action unanimously recommended by the Raisin Administrative Committee, must become effective before November 1, 1967, or otherwise the Committee is required by program provisions to dispose of 1966-1967 reserve tonnage raisins held uncommitted on November 1, 1967, for such uses as distillation or livestock feed at low net returns to producers even though the opportunity exists for selling such tonnage for export at higher net returns to producers; (2) having this action become effective promptly will permit a continuing availability and an orderly movement of raisins in export; and (3) this action constitutes a relaxation of restrictions on the disposal of reserve tonnage raisins.

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

Dated October 25, 1967, to become effective upon publication in the FEDERAL REGISTER.

FLOYD F. HEDLUND,  
Director,  
Fruit and Vegetable Division.

[F.R. Doc. 67-12789; Filed, Oct. 30, 1967;  
8:46 a.m.]

## Title 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

#### SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Y]

#### PART 222—BANK HOLDING COMPANIES

##### Mortgage Companies

#### § 222.122 Bank holding company ownership of mortgage companies.

(a) The Board of Governors recently considered whether a bank holding may acquire, either directly or through a subsidiary, the stock of a so-called "mortgage company" that would be operated on the following basis: The company would solicit mortgage loans on behalf of a bank in the holding company system,

assemble credit information, make property inspections and appraisals, and secure title information. The company would also participate in the preparation of applications for mortgage loans, which it would submit, together with recommendations with respect to action thereon, to the bank, which alone would decide whether to make any or all of the loans requested. The company would in addition solicit investors to purchase mortgage loans from the bank and would seek to have such investors contract with the bank for the servicing of such loans.

(b) Under section 4 of the Bank Holding Company Act (12 U.S.C. 1843), a bank holding company is generally prohibited from acquiring "direct or indirect ownership" of stock of nonbanking corporations. The two exceptions principally involved in the question presented are with respect to (1) stock that is eligible for investment by a national bank (section 4(c)(5) of the Act) and (2) shares of a company "furnishing services to or performing services for such bank holding company or its banking subsidiaries" (section 4(c)(1)(C) of the Act).

(c) The Board has previously indicated its view that a national bank is forbidden by the so-called "stock-purchase prohibition" of paragraph "Seventh" of section 5136 of the Revised Statutes (12 U.S.C. 24) to purchase "for its own account \* \* \* any shares of stock of any corporation" except (1) to the extent permitted by specific provisions of Federal law or (2) as comprised within the concept of "such incidental powers as shall be necessary to carry on the business of banking" referred to in the first sentence of said paragraph "Seventh". There is no specific statutory provision authorizing a national bank to purchase stock in a mortgage company, and in the Board's view such purchase may not properly be regarded as authorized under the "incidental powers" clause. (See 1966 Federal Reserve Bulletin 1151; 12 CFR 208.119.) Accordingly, a bank holding company may not acquire stock in a mortgage company on the basis of the section 4(c)(5) exemption.

(d) However, the Board does not believe that such conclusion prejudices consideration of the question whether such a company is within the section 4(c)(1)(C) "servicing" exemption. The basic purpose of section 4 of the Act is to confine a bank holding company's activities to the management and control of banks. In determining whether an activity in which a bank could itself engage is within the servicing exemption, the question is simply whether such activity may appropriately be considered as "furnishing services to or performing services for" a bank.

(e) As indicated in the Board's interpretation published in the 1958 Federal Reserve Bulletin at page 431 (12 CFR 222.104), the legislative history of the servicing exemption indicates that it includes the following activities: "auditing, appraising, investment counseling" and

"advertising, public relations, developing new business, organization, operations, preparing tax returns, and personnel". The legislative history further indicates that some other activities also are within the scope of the exemption. However, the types of servicing permitted under such exemption must be distinguished from activities of a "financial, fiduciary, or insurance nature", such as those that might be considered for possible exemption under section 4(c)(8) of the Act.

(f) In considering the interrelation of these exemptions in the light of the purpose of the prohibition against bank holding company interests in nonbanking organizations, the Board has concluded that the appropriate test for determining whether a mortgage company may be considered as within the servicing exemption is whether the company will perform as principal any banking activities—such as receiving deposits, paying checks, extending credit, conducting a trust department, and the like. In other words, if the mortgage company is to act merely as an adjunct to a bank for the purpose of facilitating the bank's operations, the company may appropriately be considered as within the scope of the servicing exemption.<sup>1</sup>

(g) On this basis, the Board concluded that, insofar as the Bank Holding Company Act is concerned, a bank holding company may acquire, either directly or through a subsidiary, the stock of a mortgage company whose functions are as described in the question presented. On the other hand, in the Board's view, a bank holding company may not acquire, on the basis of the servicing exemption, a mortgage company whose functions include such activities as extending credit for its own account, arranging interim financing, entering into mortgage service contracts on a fee basis, or otherwise performing functions other than solely on behalf of a bank.

(12 U.S.C. 248(1). Interprets 12 U.S.C. 1843)

Dated at Washington, D.C., this 20th day of October 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,  
Secretary.

[F.R. Doc. 67-12781; Filed, Oct. 30, 1967;  
8:45 a.m.]

<sup>1</sup> Insofar as the 1958 interpretation referred to above suggested that the branch banking laws are an appropriate general test for determining the scope of the servicing exemption, such interpretation is hereby modified. Under the branch banking laws, a mortgage company whose functions are restricted as indicated in the question presented would constitute a branch within the meaning of section 5155 of the Revised Statutes (12 U.S.C. 36). (See 1967 Federal Reserve Bulletin at page 1334; 12 CFR 208.122.) In view of the different purposes to be served by such law and by section 4 of the Bank Holding Company Act, the Board has concluded that basing determinations under the latter solely on the basis of determinations under the former is inappropriate.

# Title 14—AERONAUTICS AND SPACE

## Chapter 1—Federal Aviation Administration, Department of Transportation

### SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8460; Amdt. 563]

### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

#### Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

From—	Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
	To—					2-engine or less		More than 2-engine, more than 65 knots
						65 knots or less	More than 65 knots	
Dayton Int.	CQN RBN	Direct	3000	T-dn	300-1	300-1	700-1/2	
Chattanooga VORTAC	CQN RBN	Direct	3000	C-dn	600-1 1/2	700-1 1/2	700-2	
Chickamauga Int.	CQN RBN	Direct	3000	S-dn-20°	500-1	500-1	500-1	
Whitwell Int.	CQN RBN	Direct	3500	A-dn	800-2	800-2	800-2	
Bridgeport Int.	CQN RBN	Direct	3500					
Coalmont Int.	CQN RBN	Direct	3400					
Georgetown Int.	CQN RBN	Direct	3000					
Crandall Int.	CQN RBN	Direct	2000					
Haletown Int.	CQN RBN	Direct	3500					
Dunlap Int.	CQN RBN	Direct	3100					
Riceville Int.	CQN RBN	Direct	3000					

Radar available.  
 Procedure turn E side of crs, 016° Outbd, 196° Inbd, 3000' within 10 miles of CQN RBN.  
 Minimum altitude over CQN RBN, 3000'; over OM, 1600'; over MM, 1200'. If OM not received, descent below 1600' not authorized.  
 Distances to runway: CQN, 7.7 miles, OM, 4.1 miles, MM, 0.7 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.7 miles after passing CQN RBN, climb to 3000' on crs of 196° within 15 miles.  
**CAUTION:** Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N, should request clearance to climb on a track of 016° or 196° from LMM to 3000' before continuing climb on crs.  
 1/2 RVR 2400' authorized Runway 20.  
 \*Reduction below 1/4 mile not authorized.  
 \*Takeoff on Runways 14-32 with less than 300-1 not authorized.  
 MSA within 25 miles of facility: 000°-090°-3400'; 090°-180°-3600'; 180°-360°-3500'.

City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Fee, Class., HW; Ident., CQN; Procedure No. NDB(ADF) Runway 20, Amdt. 17; Eff. date, 18 Nov. 67; Sup. Amdt. No. ADF 1, Amdt. 16; Dated, 19 Nov. 66

Duncan Int.	OLU NDB	Direct	3000	T-dn	300-1	300-1	200-1/2
				C-dn	500-1	500-1	500-1 1/2
				S-dn-142°	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 320° Outbd, 140° Inbd, 3000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2200'.  
 Crs and distance, facility to airport, 140°-3.1 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing OLU NDB, make left turn, climbing to 3000' on 320° bearing, turn left and return to NDB.  
**NOTES:** (1) Final approach from holding pattern at OLU NDB not authorized. Procedure turn required. (2) Use Lincoln, Nebr., altimeter setting when control zone not effective.  
**CAUTION:** 1992' tower, 2.8 miles W and 1578' buildings, 0.7 mile SW of airport.  
 \*When weather is below 600-1, climb to 2500' on runway heading before departing W or SW.  
 \*These minimums apply at all times for air carrier with approved weather reporting service.  
 †Circling and straight-in ceiling minimums are raised 200' and alternate minimums not authorized when control zone not effective.  
 MSA within 25 miles of facility: 000°-180°-3000'; 180°-270°-3800'; 270°-360°-4100'.

City, Columbus; State, Nebr.; Airport name, Columbus Municipal; Elev., 1442'; Fee, Class., HW; Ident., OLU; Procedure No. NDB(ADF) Runway 14, Amdt. 3; Eff. date, 18 Nov. 67; Sup. Amdt. No. ADF 1, Amdt. 2; Dated, 17 Sept. 66

Madison VOR	MMK RBN	Direct	2500	T-dn	900-1	900-1	NA
Hartford VOR	MMK RBN	Direct	2500	C-dn	900-1	900-1	NA
				A-dn	NA	NA	NA
				VOR/ADF minimums:			
				C-dn	700-1	700-1	NA

Procedure turn E side of crs, 190° Outbd, 010° Inbd, 2500' within 10 miles.  
 Minimum altitude over Parkway Int on final approach crs, 1002'.  
 Facility on airport.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MMK RBN, make a right-climbing turn to 2500'. Return to MMK RBN. Hold S of MMK RBN 010° Inbd, 1-minute right turns.  
**NOTES:** (1) Approach from a holding pattern not authorized. Procedure turn required. (2) Use Bridgeport altimeter setting.  
**CAUTION:** 1024' terrain, 3 miles NW of airport.  
 MSA within 25 miles of facility: 000°-090°-2400'; 090°-180°-2000'; 180°-270°-2600'; 270°-360°-2700'.

City, Meriden; State, Conn.; Airport name, Meriden Markham; Elev., 102'; Fee, Class., MHW; Ident., MMK; Procedure No. NDB(ADF)-1, Amdt. Orig.; Eff. date, 18 Nov. 67 or upon commissioning of facility

**RULES AND REGULATIONS**

**ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued**

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn#-----	300-1	300-1	
				C-dn#-----	600-1	600-1	
				S-d-23*-----	600-1	600-1	
				A-dn**-----	NA	NA	

Procedure turn W side of crs. 048° Outbnd, 228° Inbnd, 2200' within 10 miles.

Minimum altitude over facility on final approach crs, 1900'.

Crs and distance, facility to airport, 228°—3.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished with 3.7 miles after passing EFK RBN, make a left-climbing turn to 2200' direct to EFK RBN. Hold NE EFK RBN, 228° Inbnd, 1-minute, right turns.

NOTES: (1) Final approach from a holding pattern not authorized. Procedure turn required. (2) State-owned facility must be monitored aurally during approach. (3) Night operations Runways 18/36 only.

CAUTION: High terrain W of airport.

\*When altimeter setting not available from airport, increase landing minimums 200' and use Montpelier altimeter setting.

\*\*Alternate minimums of 800-2 authorized for those air carriers with approved weather service at the airport.

#IFR climbout procedure: Climb direct to RBN. Cross RBN not less than 1900' and climb in holding pattern to airway MEA or MSA for direction of flight.

MSA within 25 miles of facility: 000°-090°—3900'; 090°-180°—4400'; 180°-270°—4900'; 270°-360°—4900'.

City, Newport; State, Vt.; Airport name, Municipal; Elev., 930'; Fac. Class., MHW; Ident., EFK; Procedure No. NDB(ADF) Runway 23, Amdt. 3; Eff. date, 18 Nov. 67; Sup. Amdt. No. ADF 1, Amdt. 2; Dated, 14 Mar. 64

				T-dn#-----	300-1	300-1	200-1/4
				C-dn#-----	600-1	600-1	600-1/4
				S-dn-30L**-----	600-1	600-1	600-1
				A-dn#-----	800-2	800-2	800-2

Radar required.

Procedure turn not authorized. Final approach crs, 303° Inbnd from 6-mile radar fix.

Minimum altitude over 6-mile radar fix on final approach crs, 2200'. Aircraft will be released for final approach over 6-mile radar fix.

Crs and distance, 6-mile radar fix to airport, 303°—6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing radar fix, climb straight ahead direct to AN LOM, then continue climb to 2000' on 303° bearing from AN LOM within 8 miles.

\*BVR 2400' authorized Runway 3 and Runway 12R.

\*\*Reduction in visibility not authorized.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 868'; Fac. Class., HW/LOM; Ident., AN; Procedure No. NDB(ADF) Runway 30L, Amdt. Orig.; Eff. date, 18 Nov. 67

**2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:**

**VOR STANDARD INSTRUMENT APPROACH PROCEDURE**

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

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
MOP VOR-----	Rosebush Int (final)-----	Direct-----	2400	T-dn-----	300-1	300-1	300-1
				C-dn-----	700-1	700-1	700-1/4
				A-dn-----	NA	NA	NA

Procedure turn not authorized. Final approach crs, 003° Outbnd, from MOP VOR.

Minimum altitude over Rosebush Int on final approach crs, 2400'.

Crs and distance, Rosebush Int to airport, 003°—8 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8 miles after passing Rosebush Int, make right turn, climb to 2400', and proceed direct to MOP VOR.

NOTES: (1) Use Saginaw, Mich. altimeter setting. (2) Dual VOR receivers required.

MSA within 25 miles of facility: 000°-360°—2400'.

City, Clare; State, Mich.; Airport name, Clare Municipal; Elev., 840'; Fac. Class., T-VOR; Ident., MOP; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 18 Nov. 67

				T-dn-----	300-1	300-1	200-1/4
				C-dn-----	600-1	600-1	600-1/4
				A-dn#-----	800-2	800-2	800-2
				If Beldon Int/Radar Fix received, minimums become:			
				C-dn-----	600-1	600-1	600-1/4

Radar available.

Procedure turn S side of crs, 061° Outbnd, 241° Inbnd, 2200' within 10 miles.

Minimum altitude over facility on final approach crs, 1149'; 1049' if Beldon Int/Radar Fix identified.

Facility on airport. Crs and distance, Beldon Int/Radar Fix to airport, 241°—4.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of CKV VOR, make immediate left-climbing turn to 2200', and hold S on R 168° Clarksville VOR, 1-minute right turns, 348° Inbnd.

CAUTION NOTE: Night landings not authorized on Runways 6 or 23 due to obstructions in the approach areas.

#Alternate minimums authorized for air carriers only, provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public.

Use Fort Campbell altimeter setting.

MSA within 25 miles of facility: 000°-360°—2200'.

City, Clarksville; State, Tenn.; Airport name, Outlaw Field; Elev., 549'; Fac. Class., T-BVOR; Ident., CKV; Procedure No. VOR-1, Amdt. 2; Eff. date, 18 Nov. 67; Sup. Amdt. No. TerVOR (R 061) Amdt. No. 1; Dated, 20 Aug. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 25 knots
					25 knots or less	More than 25 knots	
				T-dn.....	300-1	300-1	200-½
				C-dn.....	400-1	500-1	500-1½
				S-dn-34.....	400-1	450-1	400-1
				A-dn#.....	800-2	800-2	800-2

Radar available.  
 Procedure turn E side of crs, 168° Outbnd, 348° Inbnd, 2200' within 10 miles.  
 Minimum altitude over facility on final approach crs, 949'.  
 Facility on airport.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of CKV VOR, make left-climbing turn to 2200', hold S on R 168° CKV VOR 1-minute right turns, 348° Inbnd.  
 NOTE: Use foot Campbell altimeter setting.  
 CAUTION: Night landings not authorized on Runways 5 and 23, due to obstructions in approach areas.  
 #Alternate minimums authorized for air carriers only, provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public.  
 MSA within 25 miles of facility: 000°-360°-2200'.

City, Clarksville; State, Tenn.; Airport name, Outlaw Field; Elev., 549'; Fac. Class., T-BVOR; Ident., CKV; Procedure No. VOR Runway 34, Amdt. Orig.; Eff. date, 18 Nov. 67

Bellwood Int.....	OLU VOR.....	Direct.....	3000	T-dn*.....	300-1	300-1	200-¾
				C-dn&#x26;	700-1	700-1	500-1½
				S-dn-145&#x26;	700-1	700-1	500-1
				A-dn&#x26;	800-2	800-2	800-2
				Minimums with VOR/ADF receivers:			
				S-dn-145&#x26;	400-1	400-1	400-1

Procedure turn W side of crs, 330° Outbnd, 150° Inbnd, 3000' within 10 miles.  
 Minimum altitude over Creston Int on final approach crs, 51942' (52142' when control zone not effective).  
 Crs and distance, Creston Int to airport, 150°-3 miles; Creston Int to VOR, 3.6 miles; breakoff point to Runway 14, 145°-0.4 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing OLU VOR or 3 miles after passing Creston Int, climb to 3000' on R 131° within 10 miles, make left turn and return to VOR.  
 NOTE: Use Lincoln, Nebr., altimeter setting when control zone not effective.  
 CAUTION: 1992' tower, 2.8 miles W and 1578' buildings, 0.7 mile SW of airport.  
 \*When weather is below 600-1, climb to 2500' on runway heading before departing W or SW.  
 &These minimums apply at all times for air carriers with approved weather reporting service.  
 §Circling and straight-in ceiling minimums are raised 200' and alternate minimums not authorized when control zone not effective.  
 MSA within 25 miles of facility: 000°-180°-3000'; 180°-270°-3800'; 270°-360°-4100'.

City, Columbus; State, Nebr.; Airport name, Columbus Municipal; Elev., 1442'; Fac. Class., T-BVOR; Ident., OLU; Procedure No. VOR Runway 14, Amdt. 3; Eff. date, 18 Nov. 67; Sup. Amdt. No. Tr VOR-14, Amdt. 2; Dated, 17 Sept. 66

Bellwood Int.....	OLU VOR.....	Direct.....	3000	T-dn*.....	300-1	300-1	200-¾
				C-dn&#x26;	700-1	700-1	500-1½
				S-dn-325&#x26;	700-1	700-1	500-1
				A-dn&#x26;	800-2	800-2	800-2

Procedure turn E side of crs, 131° Outbnd, 311° Inbnd, 3000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 51942' (52142' when control zone not effective).  
 Facility on airport. Breakoff point to Runway 32, 328°-0.5 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing OLU VOR, climb to 3000' on R 330° within 10 miles, make left turn and return to VOR.  
 NOTE: Use Lincoln, Nebr., altimeter setting when control zone not effective.  
 CAUTION: 1992' tower, 2.8 miles W and 1578' buildings, 0.7 mile SW of airport.  
 \*When weather is below 600-1, climb to 2500' on runway heading before departing W or SW.  
 &These minimums apply at all times for air carriers with approved weather reporting service.  
 §Circling and straight-in ceiling minimums are raised 200' and alternate minimums not authorized when control zone not effective.  
 MSA within 25 miles of facility: 000°-180°-3000'; 180°-270°-3800'; 270°-360°-4100'.

City, Columbus; State, Nebr.; Airport name, Columbus Municipal; Elev., 1442'; Fac. Class., T-BVOR; Ident., OLU; Procedure No. VOR Runway 32, Amdt. 4; Eff. date, 18 Nov. 67; Sup. Amdt. No. Tr VOR-32, Amdt. 3; Dated, 3 Sept. 66

Salem VOR.....	YIP VOR.....	Direct.....	2000	T-dn.....	300-1	300-1	200-¾
Carleton VOR.....	YIP VOR.....	Direct.....	2000	C-d.....	500-1	500-1	500-1½
				C-n.....	500-2	500-2	500-2
				S-d-9.....	500-1	500-1	500-1
				S-n-9.....	500-2	500-2	500-2
				A-dn.....	800-2	800-2	800-2
				Minimums with dual VOR receivers:			
				C-d.....	400-1	400-1	500-1½
				S-d-9.....	400-1	400-1	400-1
				S-n-9.....	400-1	400-1	400-1

Radar available.  
 Procedure turn S side of crs, 283° Outbnd, 103° Inbnd, 2500' within 10 miles.  
 Minimum altitude over facility on final approach crs, 1800'; 1159' over French Int.  
 Crs and distance, facility to airport, 103°-7.3 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing YIP VOR, make left-climbing turn to 2700' and proceed to DW LOM.  
 CAUTION: Brightly lighted street in town of Romulus on final approach crs, 1½ miles short of runway may easily be confused for Runway 9.  
 \*Reduction not authorized.  
 MSA within 25 miles of facility: 000°-090°-2800'; 090°-180°-2400'; 180°-270°-2100'; 270°-360°-2000'.

City, Detroit; State, Mich.; Airport name, Detroit Metropolitan-Wayne County; Elev., 639'; Fac. Class., T-VOR; Ident., YIP; Procedure No. VOR Runway 9, Amdt. 3; Eff. date, 18 Nov. 67; Sup. Amdt. No. VOR 1, Amdt. 2; Dated, 6 Aug. 66

RULES AND REGULATIONS

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
La Salle Int.....	Taylor Int (final).....	Direct.....	2000	T-dn.....	300-1	300-1	200-1/2
Carleton VOR.....	Taylor Int.....	Direct.....	2300	C-dn.....	400-1	400-1	600-1 1/2
YIP VOR.....	Taylor Int.....	Direct.....	2300	S-dn-27.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar available.  
 Procedure turn N side of crs, 100° Outbnd, 280° Inbnd, 2300' within 10 miles of Taylor Int.

Minimum altitude over Taylor Int on final approach crs, 2000'.

Crs and distance, Taylor Int to airport, 280°—5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing Taylor Int, climb to 2300' and proceed to YIP VOR.

Note: Dual VOR equipment or radar identification of Taylor Int required.

MSA within 25 miles of facility: 000°-090°-2800'; 090°-180°-2400'; 180°-270°-2400'; 270°-360°-2600'.

City, Detroit; State, Mich.; Airport name, Detroit Metropolitan-Wayne County; Elev., 639'; Fac. Class., T-VOR; Ident., YIP; Procedure No. VOR Runway 27, Amdt. 3; Eff. date, 18 Nov. 67; Sup. Amdt. No. VOR 2, Amdt. 2; Dated, 6 Aug. 66

New River Int.....	FLL VOR.....	Direct.....	1500	T-dn.....	300-1	300-1	200-1/2
Bradley VHF Int.....	FLL VOR.....	Direct.....	1500	C-dn.....	700-1	700-1	700-1 1/2
Martin VHF Int.....	FLL VOR.....	Direct.....	1500	S-dn-0L#.....	600-1	600-1	600-1
Dania VHF Int.....	FLL VOR.....	Direct.....	2000	A-dn.....	800-2	800-2	800-2
Miami VORTAC.....	FLL VOR.....	Direct.....	1500	ADF VOR minimums:			
Guppy LF Int.....	FLL VOR.....	Direct.....	1500	S-dn-0L%.....	600-1	600-1	600-1
Big Horse VHF Int.....	Wagon Wheel Int (final).....	Direct.....	610				

Miami Radar available.

Procedure turn N side of crs, 278° Outbnd, 098° Inbnd, 1500' within 10 miles.

Minimum altitude over Wagon Wheel Int on final approach crs, 610'.

Crs and distance, Wagon Wheel Int to VOR, 098°—3.7 miles; Breakoff point to Runway 9, 091°—0.3 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing FLL VOR, climb to 2000' on R 084°, and proceed to Martin VHF Int.

#Reduction not authorized.

%Reduction below 3/4 mile not authorized.

MSA within 25 miles of facility: 000°-090°-1400'; 090°-180°-2100'; 180°-270°-2100'; 270°-360°-1400'.

City, Fort Lauderdale; State, Fla.; Airport name, Fort Lauderdale-Hollywood International; Elev., 10'; Fac. Class., L-VOR; Ident., FLL; Procedure No. VOR Runway 0L, Amdt. 9; Eff. date, 18 Nov. 67; Sup. Amdt. No. VOR Runway 9, Amdt. 8; Dated, 24 Mar. 67

New River VHF Int.....	FLL VOR.....	Direct.....	1500	T-dn.....	300-1	300-1	200-1/2
Bradley VHF Int.....	FLL VOR.....	Direct.....	1500	C-dn.....	700-1	700-1	700-1 1/2
Martin VHF Int.....	FLL VOR.....	Direct.....	1500	S-dn-13#.....	600-1	600-1	600-1
Dania VHF Int.....	FLL VOR.....	Direct.....	2000	A-dn.....	800-2	800-2	800-2
Miami VORTAC.....	FLL VOR.....	Direct.....	1500				
Guppy LF Int.....	FLL VOR.....	Direct.....	1500				

Miami Radar available.

Procedure turn N side of crs, 306° Outbnd, 126° Inbnd, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 610'.

Crs and distance, breakoff point to Runway 13, 135°—0.3 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing FLL VOR, climb to 2000' on R 084°, and proceed to Martin VHF Int.

#Reduction not authorized.

MSA within 25 miles of facility: 000°-090°-1400'; 090°-180°-2100'; 180°-270°-2100'; 270°-360°-1400'.

City, Fort Lauderdale; State, Fla.; Airport name, Fort Lauderdale-Hollywood International; Elev., 10'; Fac. Class., L-VOR; Ident., FLL; Procedure No. VOR Runway 13, Amdt. 8; Eff. date, 18 Nov. 67; Sup. Amdt. No. VOR Runway 13, Amdt. 7; Dated, 25 Mar. 67

Guppy LF Int.....	FLL VOR.....	Direct.....	1500	T-dn.....	300-1	300-1	200-1/2
Bradley VHF Int.....	FLL VOR.....	Direct.....	1500	C-dn.....	700-1	700-1	700-1 1/2
Dania VHF Int.....	FLL VOR.....	Direct.....	2000	S-dn-27R%.....	700-1	700-1	700-1
New River Int.....	FLL VOR.....	Direct.....	1500	A-dn.....	800-2	800-2	800-2
Miami VORTAC.....	FLL VOR.....	Direct.....	1500				
Martin VHF Int.....	FLL VOR (final).....	Direct.....	710				
Martin Radar Fix.....	FLL VOR (final)*.....	Direct.....	710				

Miami Radar available.

Procedure turn N side of crs, 079° Outbnd, 259° Inbnd, 1500' within 10 miles.

Minimum altitude over facility on final approach crs, 710'.

Facility on airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing FLL VOR, turn right and climb to 2000' on R 084° and proceed to Martin VHF Int.

%Reduction not authorized.

\*Martin Radar Fix is over Martin VHF Int and may be used in lieu of procedure turn when authorized by Miami approach control

MSA within 25 miles of facility: 000°-090°-1400'; 090°-180°-2100'; 180°-270°-2100'; 270°-360°-1400'.

City, Fort Lauderdale; State, Fla.; Airport name, Fort Lauderdale-Hollywood International; Elev., 10'; Fac. Class., L-VOR; Ident., FLL; Procedure No. VOR Runway 27R, Amdt. 3; Eff. date, 18 Nov. 67; Sup. Amdt. No. VOR Runway 27R, Amdt. 2; Dated, 25 Mar. 67

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
A point abeam PNE RBn	PNE VOR (final)	Direct	320	T-dn	300-1	300-1	500-1/2
ARD VOR	Old Star Int.	Via radar vectors*	2300	C-dn	700-1	700-1	700-1 1/2
Old Star Int.	PNE VOR (final)	Direct	800	S-dn-21	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
If a point abeam PNE RBn identified, the following minimums apply:							
				C-dn	500-1	500-1	500-1 1/2
				S-dn-21#	400-1	400-1	400-1

Procedure turn E or N side of crs, 055° Outbd, 235° Inbd, 2000' within 10 miles of PNE RBn.  
 Direction of procedure turn to be issued with approach clearance.  
 Minimum altitude over facility on final approach crs, 800' (320' if a point abeam PNE RBn identified).  
 Facility on airport.

Crs and distance, breakoff point to approach end of Runway 24, 241°—1 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles of PNE VOR, make a right-climbing turn to 2000' on R 055° within 10 miles, then return to VOR. Hold NE, 1-minute right turns, Inbd crs, 235°.  
 #Reduction not authorized.

\*Radar vectors authorized in accordance with Philadelphia approach control radar patterns.  
 MSA within 25 miles of facility: 000°-090°—1800'; 090°-180°—1600'; 180°-270°—2400'; 270°-360°—2400'.

City, Philadelphia; State, Pa.; Airport name, North Philadelphia; Elev., 120'; Fac. Class., T-BVOR; Ident., PNE; Procedure No. VOR Runway 24, Amdt. 10; Eff. date 18 Nov. 67; Sup. Amdt. No. VOR Runway 24, Amdt. 0; Dated, 29 Sept. 67

R 080°, SVM VOR clockwise	SVM R 199°	Via 7-mile DME Arc	2300	T-dn	300-1	300-1	
R 300°, SVM VOR counterclockwise	SVM R 199°	Via 7-mile DME Arc	2300	C-dn	700-1 1/2	700-1 1/2	
7-mile DME Fix, R 199°	SVM VOR (final)	Direct	2300	A-dn	700-2	700-2	
					NA	NA	

Radar available.  
 Procedure turn W side of crs, 199° Outbd, 019° Inbd, 2500' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2500'.

Crs and distance, facility to airport, 019°—3.8 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles of SVM VOR, make right-climbing turn to 2500' and return to SVM VOR.

NOTES: (1) Use Willow Run altimeter setting. (2) Runway lights on request.

CAUTION: Trees 990' MSL, 300' from approach end of Runway 24.  
 MSA within 25 miles of facility: 000°-180°—2800'; 180°-270°—2500'; 270°-360°—2600'.

City, Wixom; State, Mich.; Airport name, Spencer Field; Elev., 940'; Fac. Class., L-BVORTAC; Ident., SVM; Procedure No. VOR Runway 26, Amdt. Orig.; Eff. date, 18 Nov. 67

3. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

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

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ICT VOR	Beech DME Fix	Via ICT VOR R 094°	2300	T-dn	300-1	300-1	200-1/2
				C-dn	500-1	500-1	500-1 1/2
				A-dn	NA	NA	NA

Radar available.  
 Procedure turn N. side of crs, 094° Outbd, 274° Inbd, 2900' within 10 miles of Beech DME Fix.

Minimum altitude over Beech DME Fix on final approach crs, 2900'.

Crs and distance, Beech DME Fix to airport, 274°—3.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing Beech DME Fix or at 11.4-mile DME Fix, make right-climbing turn to 3000', heading 090° to intercept ICT VOR R 094°, proceed to DeGraff Int.

NOTES: (1) Airport attended Monday through Friday, daylight hours only. (2) Lights Runways 15/33 only. Available on request. (3) Use Wichita, Kans., altimeter setting. (4) DME receiver or radar required.

MSA within 25 miles of ICT VORTAC: 000°-090°—3400'; 090°-180°—2800'; 180°-270°—3400'; 270°-360°—4100'.

City, Wichita; State, Kans.; Airport name, Beech Factory; Elev., 1387'; Fac. Class., H-BVORTAC; Ident., ICT; Procedure No. VOR/DME-1, Amdt. 3; Eff. date, 18 Nov. 67; Sup. Amdt. No. VOR 1, Amdt. 2; Dated, 27 Mar. 65

RULES AND REGULATIONS

4. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

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

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Dayton Int.	CQN RBN	Direct	3000				
Halestown Int.	CQN RBN	Direct	3500				
Chattanooga VORTAC	CQN RBN	Direct	3000	T-dn#	300-1	300-1	200-1/2
Dunlap Int.	CQN RBN	Direct	3400	C-dn	600-1 1/2	700-1 1/2	700-2
Chickamauga Int.	CQN RBN	Direct	3000	S-dn-20**	200-1/2	200-1/2	200-1/2
Whitwell Int.	CQN RBN	Direct	3500	A-dn	600-2	700-2	700-2
Bridgeport Int.	CQN RBN	Direct	3500				
Coalmont Int.	CQN RBN	Direct	3400				
Georgetown Int.	CQN RBN	Direct	3000				
Crandall Int.	CQN RBN	Direct	3000				
Riceville Int.	CQN RBN	Direct	3000				

Radar available.

Procedure turn E side N crs, 016° Outbnd, 196° Inbnd, 3000' within 10 miles of CQN RBN.

Minimum altitude at glide slope interception Inbnd, 3000'.

Altitude of glide slope and distance to approach end of runway at CQN RBN, 2940'—7.7 miles; at OM, 1900'—4.1 miles; at MM, 890'—0.7 mile.

If visual contact not established upon descent of authorized landing minimums or if landing not accomplished within 7.7 miles after passing CQN RBN, or 4.1 miles after passing OM, climb to 3000' on S crs, ILS within 15 miles or, when directed by ATC, turn left and proceed direct to OHA VORTAC at 3000'.

Note: Glide slope unusable below 882'.

CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N, should request clearance to climb on a track of 016° or 196° from LMM to 3000' before continuing climb on crs.

\*\*RVR 2400'. Descent below 882' not authorized unless approach lights are visible. 500-3/4 (RVR 4000') required when glide slope not utilized. Reduction below 3/4 mile (RVR 4000') not authorized.

\*500-3/4 required when glide slope not utilized. Reduction below 3/4 mile not authorized.

#Takeoff on Runways 14-32 with less than 300-1 not authorized.

\*\*RVR 2400' authorized Runway 20.

MSA within 25 miles of CQN RBN: 000°-090°—3400'; 090°-180°—3600'; 180°-360°—3500'.

City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Fac. Class., ILS; Ident., I-OHA; Procedure No. ILS Runway 20, Amdt. 18; E/I. date, 18 Nov. 67; Sup. Amdt. No. ILS-20, Amdt. 17; Dated 19 Nov. 66.

				T-dn*	300-1	300-1	200-1/2
				C-dn	600-1	600-1	600-1 1/2
				S-dn-30L**	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Radar required.

Procedure turn not authorized. Final approach crs, 303° inbnd from 6-mile radar fix.

Minimum altitude over 6-mile radar fix on final approach crs, 2200'. Aircraft will be released for final approach over 6-mile radar fix.

Crs and distance, 6-mile radar fix to airport, 303°—6 miles.

No glide slope. No markers.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing radar fix, climb to 3000' on NW crs of ANT ILS within 15 miles.

\*RVR 2400' authorized Runway 3 and Runway 12R.

\*\*Reduction in visibility not authorized.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 808'; Fac. Class., ILS; Ident., I-ANT; Procedure No. LOC(BC) Runway 39L, Amdt. Orig.; E/I. date, 18 Nov. 67.

5. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition		Ceiling and visibility minimums					
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
0°	360°	Miles:	3100	T-dn	300-1	300-1	700-1/2
0°	360°	0-5	3500	C-dn	800-1	800-1 1/2	800-2
3 miles NW and 5 miles SE of Runway 4-22 centerline extended.	17 miles SW and 20 miles NE	5-7	3500	S-dn-22#	700-1	700-1	700-1
140°	220°	7-15	4000	S-dn-4#	600-1	600-1	600-1
220°	044°	7-17	4200	A-dn	800-2	800-2	800-2
070°	140°	7-17	4200				
050°	070°	7-35	4900				
070°	095°	17-35	6000				
095°	140°	17-35	8000				
140°	165°	15-35	8000				
165°	220°	15-35	7000				
220°	270°	17-35	6000				
270°	315°	17-25	6000				
270°	315°	25-35	8000				
315°	050°	17-35	6000				
All airway segments		0-35	Published MEA or sector altitudes, whichever is lower.				

All sector azimuths and altitudes are clockwise from antenna located on airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 22—Climb to 4900' on 224° crs from LOM within 20 miles. Runway 4—Climb to 3600' on 044° crs from BON RBN within 15 miles.

CAUTION: Abrupt changes in terrain elevation adjacent to procedure areas NW. Due high terrain, aircraft with limited climb capability departing on routes via HMV VORTAC should request clearance to climb on a track of 044° from Boone RBN or 224° from LOM to 4900' before continuing climb on crs.

1/2 Runways 4 and 22 only.  
#Reduction not authorized.  
\*Maintain 2300' until passing 2 1/2 mile radar fix on final.

City, Bristol; State, Tenn.; Airport name, Tri-City; Elev., 1519'; Fac. Class., and Ident., Tri-City Radar; Procedure No. 1, Amdt. 4; Eff. date., 18 Nov. 67; Sup. Amdt. No. 1, Amdt. 3; Dated, 2 Sept. 67

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

W. E. ROGERS,  
Acting Director, Flight Standards Service.

Issued in Washington, D.C., on October 11, 1967.

[F.R. Doc. 67-12362; Filed, Oct. 30, 1967; 8:45 a.m.]

**Title 5—ADMINISTRATIVE PERSONNEL**

**Chapter I—Civil Service Commission**  
**PART 213—EXCEPTED SERVICE**  
**President's Council on Youth Opportunity**

A new § 213.3375 is added to show that the position of Executive Director, President's Council on Youth Opportunity, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3375 is added as set out below.

**§ 213.3375 President's Council on Youth Opportunity.**

(a) Executive Director.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
Executive Assistant to the Commissioners.

[F.R. Doc. 67-12807; Filed, Oct. 30, 1967; 8:47 a.m.]

**Title 16—COMMERCIAL PRACTICES**

**Chapter I—Federal Trade Commission**  
[Docket No. 8572 o]  
**PART 13—PROHIBITED TRADE PRACTICES**

**Diamond Alkali Co.**

Subpart—Acquiring corporate stock or assets:

**§ 13.5 Acquiring corporate stock or assets.**

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Cease and desist order, Diamond Alkali Co., Cleveland, Ohio, Docket 8572 o, Oct. 2, 1967]

*In the Matter of Diamond Alkali Co., a Corporation*

Order requiring a Cleveland, Ohio, manufacturer of industrial chemical products to divest itself within one year of a Youngstown, Ohio, manufacturer of portland cement to a purchaser approved by the Commission.

The order of divestiture, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent, Diamond Alkali Co., within one (1) year from the date this order becomes final, shall divest, to a purchaser or purchasers approved by the Federal Trade Commission, as a going concern, all stock, assets, properties, rights and privileges, tangible and intangible, acquired as a result of the acquisition of The Bessemer Limestone and Cement Co., together with all additions thereto and replacements thereof.

It is further ordered, That pending divestiture, Diamond Alkali Co. not make any changes in any of the aforesaid stock and/or assets which would impair their present capacity for the manufacture and sale of cement, or their market value.

It is further ordered, That, in the aforesaid divestiture, none of the stock and/or assets be sold or transferred, directly or indirectly, to any person who is at the time of divestiture an officer, director, employee, or agent of, or under the control or direction of Diamond Alkali Co. or any of its subsidiaries or affiliates, or to any person who owns or controls, directly or indirectly, more

than one (1) percent of the outstanding shares of voting stock of Diamond Alkall Co. or any of its subsidiaries or affiliates.

It is further ordered, That Diamond Alkall Co., within sixty (60) days from the date this order becomes final, and every sixty (60) days thereafter until it has fully complied with the provisions of this order, submit in writing to the Federal Trade Commission a report setting forth in detail the manner and form in which it intends to comply, is complying, and/or has complied with this order. All compliance reports shall include, among other things that will be from time to time required, a summary of all contacts and negotiations with potential purchasers, the identity of all such potential purchasers, and copies of all written communications to and from such potential purchasers.

By the Commission, without the concurrence of Commissioner MacIntyre because of his view that to require divestiture here would impose an undue hardship upon respondent without offsetting benefits to the public by way of any prospective enhancement in the competitive situation.

Issued: October 2, 1967.

[SEAL] JOSEPH W. SHEA, Secretary.

[F.R. Doc. 67-12809; Filed, Oct. 30, 1967; 8:48 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

### PART 32—HUNTING

De Soto National Wildlife Refuge, Nebr.

The following special regulation is issued and is effective on the date of publication in the FEDERAL REGISTER.

§ 32.32 Special Regulations; big game; for individual wildlife refuge areas.

#### NEBRASKA

##### DE SOTO NATIONAL WILDLIFE REFUGE

Public hunting of deer on the De Soto National Wildlife Refuge, Nebr., is permitted on December 23 and 24, 1967, but only on the area designated as open to hunting. This open area, comprising 3,350 acres is delineated on a map available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal Regulations governing the hunting of deer. The taking of coyotes as legal game shall also be permitted.

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

and are effective through December 24, 1967.

KERMIT D. DYBSETER, Refuge Manager, De Soto National Wildlife Refuge, Missouri Valley, Iowa.

OCTOBER 23, 1967.

[F.R. Doc. 67-12782; Filed, Oct. 30, 1967; 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 C—Food Additives Permitted in the Feed and Drinking Water for Animals or for the Treatment of Food-Producing Animals

BUQUINOLATE, ARSANILIC ACID, 3-NITRO-4-HYDROXYPHENYLARSONIC ACID, SODIUM ARSANILATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by the Norwich Pharmacal Co., Post Office Box 191, Norwich, N.Y. 13815, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use in chicken feed of buquinolate in combination with arsanilic acid or 3-nitro-4-hydroxyphenylarsonic acid. Since the nonproprietary name buquinolate has had considerable usage, § 121.291 is amended by deleting

#### ARSANILIC ACID IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.7 1.8 Arsanilic acid.	90 (0.01%)	Buquinolate..	75 (0.00825%)	For broiler chickens; withdraw 5 days before slaughter; do not feed to laying hens; as sole source of organic arsenic.	As an aid in the prevention of coccidiosis caused by <i>E. tenella</i> , <i>E. maxima</i> , <i>E. necatrix</i> , and <i>E. acervulina</i> ; growth promotion and feed efficiency; improving pigmentation.
...	...	...	...	...	...

§ 121.254 [Amended]

4. Section 121.254 *Sodium arsanilate* is amended in the table in paragraph (c) by adding to the text under "Limitations" for item 1 the words "; as sole source or organic arsenic."

the parenthetical chemical name from the section heading. The Commissioner has also concluded that the food additive regulations should be amended with respect to arsanilic acid, sodium arsanilate, and 3-nitro-4-hydroxyphenylarsonic acid by adding to specified regulations in the "Limitations" columns the additional words "as sole source of organic arsenic."

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended in Subpart C as follows:

§ 121.207 [Amended]

1. Section 121.207 *Zoalene* is amended in the table in paragraph (c) by adding to the text under "Limitations" for items 1d, 2.2, 2.3, 2.4, 3.2, 3.3, and 3.4 the words "; as sole source of organic arsenic."

§ 121.210 [Amended]

2. Section 121.210 *Amprolium* is amended in table 1 in paragraph (c) by adding to the text under "Limitations" for items 1.1i, 2.3, 2.9n, 3.2, 3.3, 4.2, 4.3, and 4.3n the words "; as sole source of organic arsenic."

§ 121.253 [Amended]

3. Section 121.253 *Arsanilic acid* is amended in the table in paragraph (c) in the following respects:

a. By adding to the text under "Limitations" for items 1.1, 1.2, 1.4, 1.5, 1.6, 1.7, 2.1, 2.2, and 2.3 the words "; as sole source of organic arsenic."

b. By adding a new item 1.8 as follows:

5. Section 121.262(c) is amended by adding to table 1 a new item 1.10, as follows:

§ 121.262 3-nitro-4-hydroxyphenylarsonic acid.

(c) \* \* \*

TABLE 1—3-NITRO-4-HYDROXYPHENYLARSONIC ACID IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.9 1.10 3-Nitro-4-hydroxyphenylarsonic acid.	22.7-45.4 (0.0025%-0.005%)	Buquinolate..	75 (0.00825%)	For broiler chickens; withdraw 5 days before slaughter; do not feed to laying chickens; as sole source of organic arsenic.	As an aid in the prevention of coccidiosis caused by <i>E. tenella</i> , <i>E. maxima</i> , <i>E. necatrix</i> , and <i>E. acervulina</i> ; growth promotion and feed efficiency; improving pigmentation.
...	...	...	...	...	...

6. Section 121.291 is amended by revising the section heading and the table in paragraph (a) to read as follows:

§ 121.291 Buquinolate.

(a) \* \* \*

BUQUINOLATE IN ANIMAL FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.1 Buquinolate.	75 (0.00825%)			For broiler chickens; withdraw 24 hours before slaughter; do not feed to laying hens.	As an aid in the prevention of coccidiosis caused by <i>E. tenella</i> , <i>E. maxima</i> , <i>E. necatrix</i> , and <i>E. acerrulina</i> .
1.2 Buquinolate.	75 (0.00825%)	Arsanilic acid.	90 (0.01%)	For broiler chickens; withdraw 5 days before slaughter; do not feed to laying hens; as sole source of organic arsenic.	As an aid in the prevention of coccidiosis caused by <i>E. tenella</i> , <i>E. maxima</i> , <i>E. necatrix</i> , and <i>E. acerrulina</i> ; growth promotion and feed efficiency; improving pigmentation.
1.3 Buquinolate.	75 (0.00825%)	3-Nitro-4-hydroxyphenyl-arsonic acid.	22.7-45.4 (0.0025%—0.005%)	do.	Do.

§ 121.292 [Amended]

7. Section 121.292 *Erythromycin thiocyanate* is amended in the table in paragraph (d) by adding to the text under "Limitations" for items 1.2, 2.2, and 4.2 the words "; as sole source of organic arsenic."

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

**Effective date.** This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: October 23, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-12748; Filed, Oct. 30, 1967; 8:45 a.m.]

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State  
[A.I.D. Reg. 1]

PART 201—RULES AND PROCEDURES APPLICABLE TO COMMODITY TRANSACTIONS FINANCED BY A.I.D.

Miscellaneous Amendments

Title 22, Chapter II, Part 201 (AID Reg. 1), is amended as follows:

§ 201.01 [Amended]

a. In § 201.01 paragraph (x) is deleted.

§ 201.11 [Amended]

b. In § 201.11 paragraph (j) (3) is deleted.

§ 201.34 [Deleted]

c. Section 201.34 is deleted.

§ 201.52 [Amended]

d. Section 201.52 is amended as follows:

1. Paragraph (a) (2) (i) (f) is revised to read as follows:

(f) The delivery terms (e.g., f.o.b., f.a.s., c.i.f., and c. & f.);

2. Paragraph (a) (10) is deleted.

e. Section 201.71(c) is revised to read as follows:

§ 201.71 Terms of letters of credit.

(c) *Letters of credit and payment instructions for U.S.-source commodities.* Unless instructed by A.I.D. to the contrary, with respect to any proposed sale of U.S.-source commodities the bank shall not open, confirm, or advise any letter of credit and shall not issue or make payment under any payment instruction to a beneficiary or payee with a

payment address (as provided by the importer or by the Approved Applicant to the opening or paying bank or by the opening bank to the confirming or advising bank) outside the United States.

§ 201.72 [Amended]

f. Section 201.72 is amended as follows:

1. Paragraph (b) is amended by deleting in the first sentence after the words "Certificate Concerning Commissions," the words "Certificate Concerning U.S.-source Commodities,"

2. Paragraph (c) is amended by deleting after the words "Certificate Concerning Commissions," the words "Certificate Concerning U.S.-source Commodities,"

§ 201.73 [Amended]

g. Section 201.73 is amended as follows:

1. Paragraph (a) is amended by deleting after the words "the Certificate Concerning Commissions," in the first sentence the words "Certificate Concerning U.S.-Source Commodities,"

2. Subparagraph (1) of paragraph (b) is amended by deleting after the words "Certificate Concerning Commissions," the words "Certificate Concerning U.S.-Source Commodities,"

h. Appendix E at the end of Part 201 is deleted.

**Effective date.** The foregoing amendments shall enter into effect on November 1, 1967.

Dated: October 28, 1967.

RUTHERFORD M. POATS,  
Deputy Administrator.

[F.R. Doc. 67-12912; Filed, Oct. 30, 1967; 8:54 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice  
[Parole Board Directive No. 5]

PART 2—PAROLE, RELEASE, SUPERVISION, AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

Same: Issuance of Warrants and Dispositional Interviews

Under and by virtue of the authority vested in the U.S. Board of Parole and Youth Correction Division thereof by Title 18 of the United States Code, particularly Chapter 311, and Part 4 and Subpart T of Part 0 of Chapter I of Title 28 of the Code of Federal Regulations, § 2.37 of Part 2 of Title 28 of the Code of Federal Regulations (Parole Board Directive No. 4, 31 F.R. 4204) is hereby amended to read as follows:

§ 2.37 Same: Issuance of warrant and dispositional interview.

(a) A warrant for the apprehension of any such parolee shall be issued only by the Board or a Member thereof, and only within the maximum term or terms for which the prisoner was sentenced.

(b) A warrant for the apprehension of any mandatory releasee shall be issued only by the Board or a Member thereof, and only within the maximum term or terms for which the prisoner was sentenced, less 180 days.

(c) In those instances where the prisoner is serving in an institution on a new sentence, the warrant may be placed there as a detainer. The prisoner shall be advised that he may communicate with the Board relative to disposition of the warrant. Where the facts merit, the Board shall direct a Member or a designated examiner to conduct a dispositional interview at the institution where the prisoner is confined. At such dispositional interview, the prisoner may be represented by counsel of his own choice and may call witnesses in his own behalf, provided that he bears their expenses. He shall be given timely notice of the dispositional interview and its procedure.

Following the interview, the Board may take any action relative to the warrant appropriate under the statutes and the regulations of the Board. The dispositional interview may be construed as a revocation hearing in those cases where the Board does not withdraw its warrant but determines that the violator term shall begin to run concurrently with the new sentences then being served.

In all cases, including those where a dispositional interview is not conducted, the Board shall conduct reviews relative to disposition of the warrant. For its consideration, it shall request periodic reports from institution officials as required.

The amendment made by this directive shall be effective as of the date of its publication in the FEDERAL REGISTER.

Dated: October 26, 1967.

WALTER DUNBAR,  
Chairman,  
U.S. Board of Parole.  
ZIEGEL W. NEFF,  
Chairman, Youth Correction,  
Division, U.S. Board of Parole.

[F.R. Doc. 67-12811; Filed, Oct. 30, 1967;  
8:48 a.m.]

and the Defense Commissioner, Federal Communications Commission:

Sec.	Foreword.
245.1	Explanation of terms.
245.2	The plan.
245.3	SCATANA testing procedures.
245.4	SCATANA test—action log.
245.5	Movement of tactical air traffic.
245.6	Tactical air movements plan.
245.7	Procedures for movement of air traffic.
245.8	War-time air traffic priority list for movement of aircraft.
245.9	Authentication.

AUTHORITY: The provisions of this Part 245 issued under Title 5, U.S.C., sec. 301, and Title 5, U.S.C., sec. 552.

§ 245.1 Foreword.

(a) This part is promulgated in furtherance of the Federal Aviation Act of 1958, the Communications Act of 1934, and Executive Order 10312 and supercedes; (1) The Department of Defense/Department of Commerce and Continental Air Defense Command/Civil Aeronautics Administration "Plans for the Security Control of Air Traffic and Electromagnetic Radiations During an Air Defense Emergency," dated May 7, 1957, September 11, 1957, and February 11, 1958, respectively; and (2) Federal Aviation Agency/Joint Chiefs of Staff (FAA/JCS) Priority List dated January 12, 1962.

(b) This part defines the responsibilities of the Administrator, Federal Aviation Agency, and the appropriate military authorities for the security control of civil and military air traffic and Federal air navigation aids and defines the responsibility of the Federal Communications Commission for the security control of non-Federal civil air navigation aids.

(c) For the purposes of clarity, the language of this part refers to the Commander-in-Chief, North American Air Defense Command (CINC NORAD) and his Region Commanders as appropriate military authority within the NORAD area of responsibility. Air Defense Emergency can only be declared by CINC NORAD/CINCONAD or higher authority.

(d) Appropriate military authority outside the NORAD area of responsibility refers to Commanders of Unified and Specified Commands established by the Secretary of Defense for their respective areas of responsibility. These Commanders and higher authority can declare Defense Emergency in their respective areas or responsibility.

(e) The restrictions of this part may be imposed in two situations that concern national security. In the first, Defense Emergency/Air Defense Emergency has been declared or is imminent. Execution of the plan will normally be subsequent to declaration of Defense Emergency/Air Defense Emergency. However, a NORAD Region Commander may impose any or all of the restrictions contained in the plan prior to a declaration of Defense Emergency/Air Defense Emergency when his region, or an adjacent region, is under attack.

(f) In the second situation, emergency conditions that threaten national

security but do not warrant the declaration of Defense Emergency/Air Defense Emergency may require CINC NORAD to request restriction to the movement of air traffic in certain areas. Under this situation Emergency SCAT Rules may be imposed in affected areas. Normally, this action will be coordinated with the Administrator, FAA prior to implementation.

(g) Prior to or subsequent to the declaration of a Defense Emergency or an Air Defense Emergency, there may be a requirement to disperse civil and military aircraft for their protection. The FAA responsibility for this is contained in current Executive orders. Appropriate military documents contain responsibility for the military services. If such dispersal plans are implemented when any part of this plan has been placed in effect, operations will be in accordance with the requirements of that portion of the SCATANA plan which is in effect. If any part of the SCATANA plan is ordered while dispersal is in progress, dispersal operations will be revised as required to comply with SCATANA.

(h) This part applies to all U.S. areas over which the FAA has air traffic control jurisdiction. For those areas outside CINC NORAD's area of responsibility within which the FAA exercises air traffic control jurisdiction, those responsibilities, authorities and actions assigned in this plan to CINC NORAD and his Region Commanders apply to the Commander, or his designated representative, of the Unified-Specified Command exercising operational control over the area.

(i) The basic plan upon which this part is based is unclassified. NORAD and appropriate Unified-Specified Commands will prepare annexes, as required, to support this plan for their areas of responsibility. Distribution of classified annexes will be in accordance with current security directives on a "need-to-know" basis.

§ 245.2 Explanation of terms.

(a) For the purpose of this plan and supporting documents, the following definitions apply:

(1) *Air Defense Emergency*. An emergency condition, declared or confirmed by either CINC NORAD OR CINCONAD, or higher authority, which exists when attack upon the continental United States, Alaska, Canada, or U.S. installations in Greenland by hostile aircraft or missiles is considered probable, is imminent, or is taking place.

(2) *Air Defense Identification Zone*. Airspace of defined dimensions within which the ready identification, location, and control of aircraft is required.

(3) *Appropriate Military Authorities*. Within the NORAD area of responsibility—CINC NORAD and NORAD Region Commanders. Outside the NORAD area of responsibility—the Commander-in-Chief, or his designated representative, of Unified or Specified Commands for U.S. areas located within their area of responsibility.

(4) *Defense Area*. Any airspace of the United States (other than that designated as an ADIZ in which the control

## Title 32—NATIONAL DEFENSE

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

#### SUBCHAPTER M—MISCELLANEOUS

#### PART 245—PLAN FOR THE SECURITY CONTROL OF AIR TRAFFIC AND AIR NAVIGATION AIDS (SHORT TITLE: SCATANA)

The following policy has been approved by the Secretary of Defense, the Administrator, Federal Aviation Agency,

of aircraft is required for national security.

(5) *Defense Emergency.* An emergency condition which exists when a major attack is made upon U.S. forces overseas, or on allied forces in any theater and is confirmed either by the Commander of a Command established by the Secretary of Defense or higher authority.

(6) *Dispersal.* The deployment of aircraft to predesignated dispersal airfields for the purpose of enhancing their survivability.

(7) *Diversion.* The intentional change of a flight from its intended destination for operational or tactical reasons.

(8) *Emergency SCAT Rules.* Emergency rules for the security control of air traffic. Such rules require all aircraft to file IFR or DVFR flight plans and comply with special security instructions which may be necessary to identify, locate and insure immediate control of all air traffic. Emergency SCAT may include directing the rerouting and restricting of air traffic and, subsequent to declaration of Defense Emergency/Air Defense Emergency, may include the diverting, prohibiting or grounding of civil or military air traffic.

(9) *Federal Air Navigation Aids.* VOR, VORTAC, TACAN, DECCA, SHORAN, and LORAN stations owned and operated by an agency of the Federal Government such as the FAA, Military Services and U.S. Coast Guard.

(10) *Five-Minute Control Time.* The maximum time allowed to start and/or discontinue transmission from an air navigation aid.

(11) *FAA Region.* A geographical subdivision of the area for which FAA is responsible.

(12) *Full SCATANA.* The term used to notify FAA and appropriate aeronautical facilities that the NORAD Region Commander is grounding and/or diverting air traffic consistent with his authority under this plan and is directing the control of air navigation aids.

(13) *Non-Federal Air Navigation Aids.* VOR, VORTAC, TACAN, DECCA, SHORAN, and LORAN Stations licensed by the FCC.

(14) *Nontactical Air Traffic.* Civil or military flights other than tactical air traffic.

(15) *North American Air Defense Command (NORAD).* An integrated United States-Canadian command, NORAD includes, as component commands, the U.S. Air Force Air Defense Command, U.S. Army Air Defense Command, U.S. Naval Forces (Continental Air Defense Command), and the Royal Canadian Air Force Air Defense Command.

(16) *NORAD Region.* A geographical subdivision of the area for which NORAD is responsible.

(17) *Rerouting.* The intended deviation of a flight from its original course without changing its destination.

(18) *Security Control of Air Traffic (SCAT).* Rules and procedures to effect, when necessary, the ready identification, location and control of civil and military

air traffic in the interest of national security.

(19) *SCATANA.* The short title for the Joint DoD/FAA/FCC plan for the Security Control of Air Traffic and Air Navigation Aids.

(20) *Security Control Authorization.* Military authorization for an aircraft to proceed in accordance with specified conditions when Emergency SCAT is in effect.

(21) *Tactical Air Traffic.* Military flights actually engaged in operational missions against the enemy, flights engaged in immediate deployment for a combat mission, and preplanned combat and logistical support flights contained in Emergency War Plans.

(22) *United States.* The several States, the District of Columbia, and the several territories and possessions of the United States (including areas of air, land, or water administered by the United States under international agreement), including the territorial waters and the overlying airspace thereof.

§ 245.3 The plan.

(a) *Purpose.* (1) To establish responsibilities, procedures, and general instructions for the security control of civil and military air traffic and air navigation aids during a Defense Emergency/Air Defense Emergency which will provide most effective utilization of airspace by aircraft of military and civil agencies, and

(2) To establish responsibilities, procedures and general instructions for the security control of civil and military air traffic which will provide most effective utilization of airspace in the affected area(s) when there is a serious threat to hemispheric and national security.

(b) *Authority.* (1) Joint Chiefs of Staff directives which outline NORAD responsibilities for the development of plans and policies in concert with the FAA for the establishment of a system for identification and security control of air traffic.

(2) Federal Aviation Act of 1958.

(3) Communications Act of 1934, as amended, and Executive Order 10312.

(4) The National Security Act of 1947, as amended.

(c) *Scope:* This plan prescribes the joint action to be taken by appropriate military authorities, FAA and the FCC in the interest of national security.

(1) To effect security control of civil and military aircraft entering, departing or moving within the U.S. areas and coastal approaches thereto, and

(2) To effect control of accurate air navigation systems defined as follows: VOR, VORTAC, TACAN, DECCA, SHORAN, and LORAN.

(d) *General provisions.* (1) In carrying out the air defense mission, NORAD Region Commanders will, based on the requirements of the existing military situation, and in consonance with this plan, direct the extent of security control of air traffic and air navigation aids in their areas of responsibility.

(2) Under Emergency SCAT Rules, the NORAD Region Commander may require

a security control authorization for civil and military aircraft prior to takeoff. Such security control authorization is different from and not to be confused with an operational or air traffic control clearance; however, receipt of an air traffic control clearance constitutes issuance of a Security Control authorization.

(3) Minimum interference to normal air traffic will be effected consistent with the requirements for operation of the air defense system.

(4) The NORAD Region Commanders, in collaboration with the FAA Regional Directors, will supplement this plan, as required, with agreements to permit maximum allowable operations of essential military and civil air traffic within NORAD Region areas. In developing these agreements, they will take into consideration the special requirements of organized civil defense and disaster relief flights, agricultural and forest fire flights, border patrol flight operations, and other essential civil air operations to the end that maximum utilization of these flights consistent with air defense requirements, will be made.

(e) *Responsibilities.* (1) The Commander-in-Chief, NORAD, will:

(i) Establish the military requirements for the Security Control of Air Traffic and Air Navigation Aids.

(ii) Coordinate with the Administrator, FAA, and the Defense Commissioner, FCC, as appropriate regarding the establishment of procedures for implementation.

(2) The Administrator, FAA, will:

(i) Promulgate the necessary Federal Aviation Regulations, including special regulations, to implement this plan.

(ii) Coordinate with appropriate military authorities prior to the establishment of procedures for this plan.

(iii) Maintain liaison with appropriate NORAD Region Commanders through appropriate FAA offices.

(iv) Administer this plan in accordance with requirements established by the Commander-in-Chief, North American Air Defense Command.

(v) Collaborate with the FCC in establishing procedures for control of non-Federal Air Navigation Aids as defined in this plan.

(3) Federal Communications Commission will:

(i) Engage in rule making or other actions as appropriate in support of this plan.

(ii) Collaborate with the FAA in establishing procedures for control of non-Federal Air Navigation Aids as defined in this plan.

(4) The NORAD Region Commanders will:

(i) Direct the control of VOR, VORTAC, TACAN, DECCA, LORAN, and SHORAN Air Navigation Aids in their areas, as required.

(ii) Issue security control instructions to appropriate FAA Region/ARTCC as necessary to insure performance of the air defense mission.

(iii) Maintain liaison with appropriate FAA Regional Directors, and FCC Field Liaison Officers.

(iv) Conduct tests of this plan in coordination with the FAA and FCC.

(v) Collaborate with the FAA Regional Director and FCC Field Liaison Officer in making supplemental agreements to this plan.

(5) The FAA Regional Directors will:

(i) Assure FAA participation with the NORAD Region Commanders in the testing of this plan in the NORAD region areas.

(ii) Insure dissemination of information and instructions concerning this plan within their areas of responsibility to civil and military aeronautical facilities and civil pilots.

(iii) Place in effect procedures outlined in this plan in accordance with requirements established by the NORAD Region Commanders.

(iv) Assist the NORAD Region Commanders in making supplemental agreements to this plan as may be required.

(6) The FCC Field Liaison Officers will:

(i) Maintain liaison with the NORAD Region Commanders and FAA Regional Directors with regard to participation of FCC licensed aeronautical navigational aids in this plan.

(ii) Disseminate information and instructions concerning this plan to FCC licensed navigational aids affected by this plan.

(iii) Assist the NORAD Region Commanders in making such supplemental agreements to this plan as may be required.

(f) *Threat actions.* Under certain conditions, an emergency situation may develop which does not meet the criteria for the declaration of a Defense Emergency/Air Defense Emergency; but in the interest of hemispheric and national security requires identification and control of all aircraft operating in specified area(s) within the Defense Area. In order to adequately and properly provide for the security of the United States and for the necessary protection, identification, and control of aircraft during such situations, Emergency SCAT Rules may be imposed by CINCNORAD in affected areas. Except when time is vital to the national interest, actions will be coordinated with the Administrator, FAA and Defense Commissioner, FCC prior to implementation and as far in advance as possible.

(1) Implementing procedures:

(i) The NORAD Region Commander involved will:

(a) Notify the appropriate FAA Air Route Traffic Control Center (ARTCC).

(b) Specifically define the affected area(s).

(c) Direct the application of Emergency SCAT Rules and specify requirements and restrictions as necessary, for flights entering, departing, or operating within the affected area(s).

(d) Advise the appropriate ARTCC to relax or terminate the restrictions when the circumstances which generated the need for these restrictions permit.

(ii) FAA ARTCCs will:

(a) Impose the restrictions on air traffic as required by the NORAD Re-

gion Commander and/or the Administrator.

(b) Disseminate the appropriate instructions and restrictions received from the NORAD Region to air traffic, civil and military air traffic control facilities, Flight Service Stations, and other appropriate aeronautical facilities.

(iii) Civil and Military air traffic control facilities, Flight Service Stations, and other appropriate aeronautical facilities, will take action to disseminate instructions and restrictions to air traffic as directed by the appropriate ARTCC.

(g) *Air Defense Emergency Actions.* In an Air Defense Emergency, the following actions will be taken:

(1) The NORAD Region Commander will notify the appropriate FAA ARTCCs:

(i) That an Air Defense Emergency exists:

(ii) The extent of implementation of this plan, and, if applicable, the air traffic priorities and/or volume acceptable.

(2) FAA ARTCCs will impose restrictions on the movement of air traffic and the operation of accurate air navigation aids to comply with the extent of implementation of this plan.

(3) Implementing procedures: Upon declaration of an Air Defense Emergency:

(i) NORAD Region Commanders will notify the appropriate FAA ARTCC Center that an Air Defense Emergency exists and to accomplish the following actions as appropriate.

(a) Apply Emergency SCAT Rules:

(1) When ARTCC Centers are told to "Apply Emergency SCAT Rules," the NORAD Region will specify the requirements and restrictions, including as necessary:

(i) Routing restrictions on flights entering or operating within any portion of the NORAD Region area.

(ii) Limitations on the volume of air traffic within the NORAD Region area, utilizing the Wartime Air Traffic Priorities List.

(iii) Altitude limitation on operations within the NORAD Region area.

(iv) Any other special instructions required by the military situation.

(b) Order Full SCATANA: In addition to the application of Emergency SCAT Rules as required, this order implements the control of accurate Air Navigation Aids in order to deny their use to the enemy.

(1) When the ARTCC Centers are ordered to apply Full SCATANA, the NORAD Regions will include as necessary:

(i) Restrictions and instructions as outlined in (a) (1) (i), (ii), (iii), and (iv). In the event this information has already been passed to the ARTCCs under Emergency SCAT actions, the NORAD Region will reconfirm the application of these and/or apply any additional restrictions.

(ii) Special instructions concerning the control of those air navigation aids required for aircraft dispersal, diversions, or recovery.

(2) When the tactical situation permits, the dispersal of aircraft within the NORAD Region area will be authorized. If time permits and coordination can be effected by the Region Commanders, dispersal of aircraft across Region boundaries is authorized.

(c) Terminate Full SCATANA: This will relax the restrictions to air traffic and control of air navigation aids imposed under Full SCATANA. This action will normally be taken when an attack phase is considered over and resumption of operations is authorized under the Emergency SCAT restrictions imposed by the Region Commander. For those air navigation aids requiring more than 5 minutes control time, approval for resumption of operation must be provided before they can be returned to operation.

(i) FAA Air Route Traffic Control Centers will:

(a) When directed to apply Emergency SCAT Rules:

(1) Notify all VFR traffic that Emergency SCAT is in effect and to land at the nearest suitable airport and file a flight plan.

(2) Disseminate the appropriate portions of the instructions and restrictions received from the NORAD Region to air traffic, civil and military air traffic control facilities, Flight Service Stations, and other appropriate aeronautical facilities.

(3) Impose those restrictions specified by the NORAD Region Commander.

(b) When "Full SCATANA" is ordered:

(1) Direct the landing, grounding, diversion, or dispersal of military and civil air traffic and the control of air navigation aids as specified by the NORAD Region Commander. Landing, diversion or dispersal will be to airports outside of metropolitan areas or suspected target complexes whenever possible and will be accomplished as follows:

(i) IFR flights—by specific security control instructions to each aircraft, or leader of a formation flight, over air/ground radio.

(ii) VFR flights by radio broadcast of security control instructions over air/ground radio.

(2) As directed by the NORAD Region Commander, direct the control of VOR, VORTAC, TACAN, DECCA, SHORAN, and LORAN as follows:

(i) Shut down the above navigation aids in accordance with the time(s) specified in NORAD Region/FAA Region supplemental agreements which shall permit time to land/disperse airborne aircraft. Supplemental agreements shall provide for the extension of such time(s) when air traffic situation dictates.

(ii) Aids which require more than 5 minutes control time or are not designated as military necessity aids shall be shut down as soon as possible except as provided in classified annexes referred to in § 245.1(i). Such aids will remain off the air until the resumption of operation is approved by the appropriate NORAD Region Commander.

(iii) Direct the control of military necessity navigation aids as outlined in annexes hereto. (See § 245.1(i).) When directed to "Terminate Full SCATANA": Authorize resumption of air traffic in accordance with Emergency SCAT Rules as directed by the NORAD Region Commander. Direct the resumption of operation of air navigation aids; however, approval from the NORAD Region Commander is required prior to resuming operation of those aids requiring more than 5 minutes to control.

(iii) Civil and military air traffic control facilities, Flight Service Stations and other appropriate aeronautical facilities shall:

(a) Maintain the current SCATANA Action Form for that facility at appropriate operating positions.

(b) When Full SCATANA is ordered or terminated, or Emergency SCAT Rules are applied, take the actions indicated on the facility's SCATANA Action Form.

(c) Maintain current information on the status of restriction imposed on air traffic.

(d) Approve or disapprove filed flight plans in accordance with current instructions received from the ARTCC.

(e) Forward flight plans and approval requests to the ARTCC as required.

(f) Disseminate instructions and restrictions to air traffic as directed by the ARTCC.

(4) Aircraft operators are expected to comply with security control instructions as follows:

(i) IFR flights—comply with instructions received from the appropriate aeronautical facility.

(ii) VFR flights—land at nearest suitable airport when so directed.

(iii) Aircraft on the ground—file a flight plan with an appropriate FAA facility and receive approval prior to departure.

(h) *Testing procedures.* (1) To insure that implementing actions can be taken expeditiously, SCATANA tests shall be conducted periodically in accordance with the procedures outlined in § 245.4.

(2) Federal civil and military aeronautical facilities will participate in such tests.

(3) Non-Federal civil aeronautical facilities will be requested to participate in SCATANA tests.

(i) *Supplements.* This plan will be supplemented by NORAD Regions to cover at least the following subjects:

(1) Procedures for movement of civil and military flights as provided for in § 245.3(d) (4) when Emergency SCAT or Full SCATANA have been implemented.

(2) Tactical air movement plans of military units planning to operate within the NORAD Region area of responsibility.

(j) *Communications.* Direct communications are authorized between appropriate agencies and units for the purpose of coordination and implementation of the procedures outlined herein.

(k) *Review.* This plan shall be jointly reviewed annually by FAA, FCC, and NORAD as DoD executive agent. It is NORAD's responsibility to initiate ar-

rangements with the FAA and the FCC for the establishment of a mutually acceptable annual review date.

§ 245.4 SCATANA testing procedures.

(a) To insure that SCATANA actions can be taken expeditiously, SCATANA tests will be conducted as follows:

(1) SCATANA tests will be conducted in connection with NORAD Headquarters or NORAD Region exercises whenever practicable or may be initiated at other times by a NORAD Region. SCATANA tests shall not be conducted more than 12 times a year in any one NORAD Region, and the interval between tests shall not exceed 60 days. Where NORAD Region boundaries result in excessive test participation by aeronautical facilities, the ARTCC is authorized to simulate dissemination of test messages. When such simulation is effected, it should be alternated in different areas.

(2) All Federal facilities responsible for SCATANA actions will participate in SCATANA tests, except where such par-

ticipation will involve the safety of aircraft. Non-Federal civil aeronautical facilities will be requested to participate.

(3) Participation and reporting will be as prescribed in the SCATANA Actions Form.

(4) NORAD Region Combat Centers will record SCATANA test actions using the format in § 245.5.

(5) An analytical report of each test will be prepared by the FAA NORAD Region Air Defense Liaison Officer and a copy of this report will be submitted to the appropriate NORAD Region Commander.

(b) During SCATANA tests, all actions shall be simulated.

(1) Aircraft shall not be grounded or diverted.

(2) Air navigation aids shall not be shut down.

(3) Test messages shall not be transmitted over air/ground/air radio frequencies.

(4) Radio communications shall not be interrupted.

§ 245.5 SCATANA Test—Action Log.

Test actions to ARTCC	ARTCC								
Initiate SCATANA test: "This is _____ NR, SCATANA Test Instructions." Initiate SCATANA Test _____ NR, _____ (Special instructions) Authentication:	-----Z								
Terminate SCATANA test: "This is _____ NR, SCATANA Test Instructions." Terminate SCATANA Test _____ NR." Authentication:	-----Z								
Restore Air Navigation Aids: "This is _____ NR, Simulate restoring _____, _____ (Specific navigation aids) Authentication:	-----Z								
Test actions to DC	DO								
_____ NR Initiated SCATANA test at _____ -----Z	-----Z								
_____ NR terminated SCATANA test at _____ -----Z	-----Z								

ARTCCs Reporting areas simulated clear of all known non-tactical air traffic

ARTCC	Time	Remarks
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
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§ 245.6 - Movement of tactical air traffic.

(a) *Purpose.* To establish the coordination procedures necessary to fulfill air defense and air traffic control requirements for the movement of tactical air traffic.

(b) *General instructions.*—(1) *Coordination.* CINC NORAD has been delegated the authority to resolve priority conflicts in the movement of tactical air traffic during an Air Defense Emergency to prevent saturation of the air

defense system. To minimize restrictions to movement of tactical air traffic, it is imperative that each responsible military commander coordinate, during development, the air traffic movement section of his Emergency War Plans (including dispersal and evacuation) with the appropriate NORAD Region Commander(s). For those tactical operations which involve more than one NORAD Region, coordination will be effected with each region in which operations will be

conducted. The NORAD Region Commander will effect necessary coordination on these tactical operations with the FAA through the NORAD Region Air Defense Liaison Officer (ADLO).

(2) *Preparation.* Subsequent to the coordination noted in (b) (1), the responsible military command will provide the appropriate NORAD Region(s) with an extract of the air traffic movements section of their plans. This extract will be in accordance with the format contained in § 245.7. Extracts of tactical air movements plans will become NORAD Region supplements to the SCATANA Plan and will be distributed to appropriate military agencies, FAA Regions and ARTCCs.

(3) *Exception.* The provisions of subparagraph (1) and (2) of this paragraph do not apply to Strategic Air Command Emergency War Order (EWO) plans from which route information has been extracted and repositioned with NORAD units.

(4) *Application.* (i) The instructions and information contained herein pertain to the movement of all tactical air traffic except fighter-interceptor aircraft in the performance of active air defense missions.

(ii) Distribution is made to units operating tactical aircraft with the understanding that applicable portions of this document and appendices will be incorporated in the appropriate Emergency War Plans as SCATANA requirements.

#### § 245.7 Tactical air movements plan.

Unit designation:

- (a) Home base.
- (b) Type aircraft.
- (c) Routes and altitudes.
- (d) Separation minimum.
- (e) Flight plan and ARTC clearance requirements.
- (f) Navigation aid requirements.
- (g) Priority number.
- (h) Control time if known (related to the day and hour that the plan will be executed—E Day+Hour).

#### § 245.8 Procedures for Movement of Air Traffic.

(a) *General.* (1) The Wartime Air Traffic Priority List for Movement of Aircraft will be the primary instrument used by NORAD Region Commanders to control the volume of air traffic operating within their areas of responsibility. To preclude the immediate grounding of high priority tactical air traffic airborne at the time Defense Emergency/Air Defense Emergency is declared, pilots of tactical aircraft shall provide the appropriate Wartime Air Traffic Priority List number for their flights as part of their revised air filed flight plan.

(2) The Wartime Air Traffic Priority List number will be posted on ARTC Center flight progress strips and shall be passed from one ARTC Center to the next, and to the appropriate air defense direction centers.

(b) *Diversion/Delay.* (1) Tactical air traffic assigned a Wartime Air Traffic Priority List number of 1 or 2 will not be delayed, diverted, rerouted, or landed by NORAD Region Commanders. However, NORAD Region Commanders may rec-

ommend that this traffic be rerouted to avoid battle or battle threatened areas.

(2) Air traffic assigned a Wartime Air Traffic Priority List number other than 1 or 2 may be delayed, diverted, rerouted, or landed by the NORAD Region Commander to prevent degradation of the air defense system.

(3) Aircraft being "recovered" shall be expedited to home or alternate base, and "search and rescue" aircraft expedited on their missions; but such aircraft may be diverted to avoid battle areas or take off may be delayed to prevent saturation of airspace.

(c) *Movement procedures.* (1) Tactical air traffic will file IFR flight plans and comply with IFR procedures regardless of weather. The appropriate Air Traffic Priority List number will be entered in the Remarks section in the Aircraft Clearance Form DD 175.<sup>1</sup> Route of flight will be defined in the "Route" section of the Clearance Form by listing the military necessity air navigation aids required. Departure and destination aids required will be listed as the first and last aids respectively.

(2) Unless specifically covered in separate procedures, mass military operations should be planned and conducted as follows: A single Clearance Form will be filed for formation type operations involving more than one aircraft when planned intervals are not more than 5 minutes between aircraft. In this case, the aircraft call sign entered on the Clearance Form will be the formulation leader (first aircraft). The call signs of the other aircraft involved will be listed in the Remarks section. The departure report will specify the call sign of the first and last aircraft, and only these aircraft or their replacements will make required position reports.

(3) Compliance with approved flight plan and position report requirements is of utmost importance for identification. Aircraft aborting or deviating from an approved flight plan will air-file a revised flight plan as soon as the necessity for such deviation is evident. Unauthorized deviations may preclude identification and result in engagement of aircraft by defensive weapons.

(4) The volume of air traffic that may be operating during an Air Defense Emergency or when Full SCATANA has been ordered, could create excessive airspace congestion if standard separation is applied. Therefore, responsible military commanders should plan minimum time and altitude separation for tactical air traffic movements. Reduced separation standards to be used between aircraft within the unit will be specified in the "Remarks" section of the Clearance Form.

(5) NORAD/SAC Safe Passage Charts prepositioned with NORAD units which contain route information extracted from Emergency War Order plans fulfill the flight plan requirements established in subparagraph (1) and (2) of this paragraph.

<sup>1</sup> Filed as part of original document.

#### § 245.9 Wartime air traffic priority list for movement of aircraft.

(a) *Purpose.* To establish a priority system for the movement of aircraft during general war conditions, and to provide policy and guidance for the practical application thereof in assuring optimum use of airspace to accomplish national objectives.

(b) *Policy.* (1) The priority listings established herein are designed to facilitate the handling of airspace user requirements for movement of aircraft during general war. The applicable priority shall be solely dependent on the nature of the airspace user requirements.

(2) During periods other than general war, aircraft movements are handled as follows:

(i) Involvement in limited war or execution of contingency plans to include JCS directed actions, immediately makes successful completion of such action a primary national objective. Therefore, aircraft movements in support of these actions shall be afforded expeditious handling by the Air Traffic Control (ATC) system commensurate with the degree or urgency stated by the JCS to the FAA. When directing the execution of a contingency/limited war plan, or other JCS directed operation which is in pursuit of primary national objectives, the JCS shall so advise the Federal Aviation Agency (or appropriate Canadian authority if Canadian airspace is involved), requesting that aircraft operating in accordance with such plans be given preferential handling over all air traffic except active air defense missions and launch of the strategic alert force and supporting aircraft. Should JCS directed plans be executed concurrently by more than one operational commander, the JCS shall state to the Federal Aviation Agency (or appropriate Canadian authority when Canadian airspace is involved), and the military commanders concerned, the relative urgency of each operation and will resolve conflicts that may arise therefrom.

(ii) Assignment of reserved airspace to accommodate military air operations which, because of their objectives, cannot be conducted in accordance with routine ATC procedures will be based upon an order of precedence for the purpose of resolving mission conflicts in planning altitude reservations. This order of precedence is published in appropriate Joint Service regulations and FAA documents.

(iii) There are certain other military operations vital to national defense. These operations are limited to active air defense interceptor missions, active anti-submarine warfare missions and launch of the SAC alert force. These operations are to be given priority over all other military and civil aircraft by procedural handling by ATC for the particular operation as specified in coordinated agreements or authorizations.

(c) *General.* (1) Priorities for air traffic clearances required under the SCATANA plan are not to be confused

with civil priorities assigned to civil air carrier aircraft under the War Air Service Program (WASP) priorities system, or to general aviation civil aircraft under the State and Regional Defense Airlift (SARDA) plan. WASP and SARDA priorities are designed to provide for controlled utilization of civil airlift capability and capacity, and they have secondary significance when the Wartime Air Traffic Priority List for the Movement of Aircraft is in effect.

(2) When the wartime air traffic priority system is in effect, the priorities shall apply to all aircraft. The originator of a request for aircraft movement shall be responsible for determining and verifying the appropriate priority in accordance with the listing contained herein. The individual filing the flight plan will be responsible for including the priority number as determined by the originator of the request.

(d) *Wartime air traffic priority list for movement of aircraft.* (1) This priority list will be effective only when directed by the Joint Chiefs of Staff in a situation of imminent or actual general war conditions, or in the event of a declaration of Defense Emergency/Air Defense Emergency, or in the event of implementation of SCATANA in an area under attack. Priorities shall take precedence in the order listed and subdivisions within priorities are equal.

(i) *Priority one.* (a) Aircraft engaged in active continental defense missions. This includes interceptors, antisubmarine aircraft, and airborne early warning and control aircraft.

(b) Retaliatory aircraft, including their direct support aircraft, executing Emergency War Plans.

(c) Airborne Command elements which provide backup to Command and Control Systems for the Combat Forces.

(d) The President of the United States and Prime Minister of Canada and respective cabinet members essential to national security.

(ii) *Priority two.* Forces being deployed for or in direct and immediate support of combat operations against the enemy.

(iii) *Priority three.* Forces being deployed in support of combat operations against the enemy.

(iv) *Priority four.* Dispersal of tactical military aircraft and civil aircraft assigned to the War Air Service Program (WASP), including the Civil Reserve Air Fleet (CRAF), for their protection.

(v) *Priority five.* (a) The airtransport of military commanders, their representatives, and key civilian personnel which is of the utmost importance to national security, or which will have an immediate effect upon combat operations of the Armed Forces.

(b) Flight operations in connection with the activities of Federal, State, or local government agencies whose immediate flight is essential to the defense effort or alleviation of the effects of disaster.

(c) Flight operations whose immediate flight involves the saving of human life in other than disaster areas, includ-

ing air/sea rescue, hurricane reconnaissance, air evacuation, and the transporting of medical personnel, equipment, and supplies.

(d) International flights originating overseas that have reached the point of no return.

(e) Flight operations essential to the maintenance of facilities for the transmission of light, heat, power, and communications.

(vi) *Priority six.* Dispersal of non-tactical military aircraft for their protection.

(vii) *Priority seven.* (a) The movement of aircraft, personnel, equipment, and supplies for military forces not actually engaged in combat operations against the enemy. This includes air carrier transportation of persons, mail, and cargo essential to the defense effort.

(b) Civil and military administrative flights of vital necessity to the prosecution of the war effort, but not bearing on combat operations against the enemy, including transportation of personnel, equipment, material, and supplies.

(viii) *Priority eight.* (a) Flight operations essential to the development, production and delivery of equipment, materials, and supplies essential to the defense effort. Prospecting activities in connection with mineral or other natural resources, whose development or exploitation is essential to the above.

(b) Aircraft carrier and other combat aircrew replacement training.

(ix) *Priority nine.* (a) Operational testing of air carrier aircraft and equipment, or flight testing wherein the objective is the testing or development of new or modified equipment. This is applicable only to those organizations responsible for testing, development, or modification of aircraft systems and equipment.

(b) Flight operations in connection with the maintenance or production of foodstuffs, critical fibers, and essential wood products.

(c) Flight operations in connection with the activities of Federal, State, or local government agencies not essential to the defense effort.

(d) Operational training flights, the primary objective of which is the instructions and training of pilots and crews engaged in a formal course of instruction including flight operations in connection with civil flight training.

(x) *Priority 10.* (a) Administrative logistical flights in support of assigned missions.

(b) Reserve flying training operations wherein the objective is the training of reservists not on extended active duty.

(c) Flight operations in support of the maintenance of the national economy.

(xi) *Priority 11.* All other flight operations not specifically listed above.

**§ 245.10 Authentication.**

(a) *General.* Authentication between NORAD Region Combat Centers (or Alternate Command Post) and ARTC Centers is required upon issuance of "Full SCATANA is Ordered," "Terminate Full SCATANA," and "Apply Emergency SCAT Rules" and may be requested if

other information or instructions received or transmitted so warrant.

(b) *Authentication system.* NORAD Region Combat Centers (or ALCOP) and ARTC Centers will use the authentication procedures contained in TRITON Authentication System—Worldwide—KAA 29-TSEC. (See § 245.1(d).)

(c) *SCATANA test.* SCATANA test messages will be authenticated in the same manner prescribed for SCATANA actions.

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

[F.R. Doc. 67-12723; Filed, Oct. 30, 1967;  
8:45 a.m.]

**PART 247—STANDARD RATES FOR UNOFFICIAL TELEPHONE SERVICE AT DOD ACTIVITIES**

The Assistant Secretary of Defense (Comptroller) approved the following Part 247 on September 21, 1967:

- Sec.  
247.1 Purpose.  
247.2 Applicability and scope.  
247.3 Class of defense telephone service.  
247.4 Schedule of rates.  
247.5 Procedures.

**AUTHORITY:** The provisions of this Part 247 issued under 5 U.S.C. 301 (80 Stat. 379) and Title 5, P.L. 137, 82d Congress (65 Stat. 290).

**§ 247.1 Purpose.**

This part implements DoD Directive 4640.3, March 4, 1967,<sup>1</sup> and Part 288 of this title and establishes standard rates and procedures relating to the furnishing of official DoD telephone service by DoD components to unofficial purchasers within, or in the immediate vicinity of DoD activities.

**§ 247.2 Applicability and scope.**

The provisions of this part apply to the military departments and Defense agencies (hereinafter referred to collectively as "DoD components") and to all DoD installations or activities (worldwide).

**§ 247.3 Class of defense telephone service.**

(a) Telephones installed on DoD installations and connected to a DoD switchboard are designated as follows:

(1) *Class A (Official).* Telephones which are authorized for the transaction of official business of the Government on DoD installations and require access to commercial telephone company central office and toll trunks for the proper conduct of official business.

(2) *Class B (Unofficial).* Telephones which are installed within, or in the immediate vicinity of DoD activities and are connected to DoD switchboards for unofficial use are further designated as follows:

<sup>1</sup> Filed as part of original. Single copies may be obtained from Publication Section, OASD(A), Room 3B200, Pentagon, 22301 Ext. 52167.

(i) B-1 telephones installed in Government owned or leased quarters assigned for family or personal use in lieu of basic allowance for quarters and located within, or in the immediate vicinity of a DoD activity.

(ii) B-2 telephones installed for the use of public schools, the American Red Cross and other quasi-Government agencies such as the Service Motion Picture Services, Service Exchanges, Federal Credit Unions, and NCO and Officers' Messes located on a DoD installation.

(iii) B-3 telephones installed for commercial contractors, concessionaires and other business firms operating within, or in the immediate vicinity of a DoD activity.

(iv) B-4 telephones installed in private or rental housing located within, or in the immediate vicinity of a DoD activity.

(v) When either party line service or restricted service that does not have access to central office and toll trunks is provided, such service may appear as a subdesignation of the above listed classes of unofficial telephone service.

(3) *Class C (Official-Restricted)*. Telephones which are authorized for the transaction of official business of the Government on a DoD installation without access to telephone company central office or toll trunks.

(4) *Class D (Official-Special)*. Telephones installed on a DoD installation for official business of the Government and restricted to special classes of service such as fire alarm, guard alarm, and crash alarm.

**§ 247.4 Schedule of rates.**

(a) The following schedule of joint flat monthly rates for the provision of unofficial telephone service by DoD activities is hereby established:

(1) Class B-1—\$5.75; Class B-2—\$10.00; Class B-3—\$13.00; and Class B-4—\$5.75.

(2) Two-party line service—75 percent of the monthly charge for the basic service.

(3) Four-party line service—50 percent of the monthly charge for the basic service.

(4) Restricted service (not having access to central office or toll trunks)—75 percent of the monthly charge for the basic service.

(5) Party line restricted service, where provided—75 percent of the charge computed under subparagraphs (2) and (3) of this paragraph.

(b) The additional charge for a PBX bridged extension shall be the same as the commercial charge to the Government, or \$1.25, whichever is the greater. This rate applies for all classes of unofficial service.

(c) Recurring and nonrecurring charges for special and miscellaneous equipment provided a purchaser, for which flat rates have not been established, will be charged to the purchaser at the prevailing local commercial rate for similar service.

(d) The flat monthly rates for unofficial telephone service are applicable whether the communication company furnished flat or measured service. The flat rates herein established will entitle the purchaser to make local call for which the purchaser to make local calls for which the basic rate is one message unit.

(e) Where Government-owned quarters are occupied by employees of contractors operating Government-owned plants, and unofficial telephone service is provided from a DoD switchboard, Class B-1 service will be provided in accordance with rates prescribed hereon.

**§ 247.5 Procedures.**

(a) *Charges for unofficial telephone service.* (1) The Department of Defense considers as official only such telephone service as properly pertains to Government business. Telephone service provided by a DoD activity, and used for personal or unofficial purposes whether the facilities are Government owned or leased, under a written contract or implied agreement with a commercial communication company, shall be charged for in accordance with the rate schedules established in this Instruction.

(2) Responsibility for payment of all charges incident to unofficial use of telephone service provided from a DoD switchboard shall be assumed by the purchaser. Charges for extensions, special or miscellaneous equipment and installation costs thereof, and toll call and telephone charges when incurred, are to be added to the basic monthly rate. Taxes will be assessed as applicable.

(3) Advance payment or a deposit may be required at the option of each DoD component.

(4) All flat rate charges will be billed to purchasers on the first regular monthly bill following incurrence of the charge. The responsibility for billing, the provision of internal controls and the accounting for unofficial telephone service furnished to purchasers is placed on the Secretary or Director of the respective DoD component.

(5) When a purchaser has received service for only a fractional part of the billing period, the monthly charge will be prorated. Tables of fractional charges and credits may be used to determine the amount of the prorated charge.

(b) *Wherry housing.* Provision of telephone service to Wherry housing located within, or in the immediate vicinity of a DoD activity will be in accordance with the procedures of subsection III.A of DoD Directive 4640.3 and at the rates established herein.

(c) *Public schools.* Where unofficial telephone service is provided to public schools on DoD installations, the permittee or lessee will reimburse the Government in accordance with the rates herein established.

(d) *Rental or private housing.* In the case of rental or private housing the charges will be in accordance with the rates herein established.

(e) *Public quarters.* Unofficial telephone service furnished to the occupants of public housing will be charged for in accordance with the rates herein established.

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

[F.R. Doc. 67-12729; Filed, Oct. 30, 1967;  
8:48 a.m.]

**Title 39—POSTAL SERVICE**

**Chapter I—Post Office Department**

**PART 131—FIRST CLASS**

**Postal and Post Cards**

The material in §§ 131.1 through 131.2(c) (3) (ii) (a) is revised and republished to give additional information on the rates of postal cards and to clarify the limitations on the use of these cards. Accordingly, the material now reads:

**§ 131.1 Rates.**

<i>Kind of mail</i>	<i>Rate</i>
All first-class mail except postal and post cards and drop letters.	5¢ per ounce or fraction of an ounce.
Drop letters.....	4¢ per ounce or fraction of an ounce.
Single postal cards sold by the post office (see 141.2(b) (1) of this chapter).	4¢ each.
Double postal cards sold by the post office (see 141.2(b) (2) of this chapter).	8¢ (4¢ each portion).
Single post cards (see 131.2(b) (2)).....	4¢ each.
Double post cards (see 131.2(b) (2) reply portion of double post card does not have to bear postage when originally mailed).	8¢ (4¢ each portion).
Business reply mail (see 131.2(c) ):	
Cards.....	6¢ each.
Other than cards:	
Weight not over 2 ounces.....	5¢ per ounce or fraction of an ounce plus 2¢ per piece.
Weight over 2 ounces.....	5¢ per ounce or fraction of an ounce plus 5¢ per piece.
Airmail.....	See 136.1.

§ 131.2 Classification.

(a) *Description.* (1) First-class mail includes:

- (i) Letters.
- (ii) Postal and post cards.
- (iii) Airmail weighing not to exceed 8 ounces whether sealed or unsealed.
- (iv) All matter wholly or partly in writing, except authorized additions to second-, third-, and fourth-class mail. See subparagraph (2) of this paragraph.
- (v) Matter sealed or closed against inspection. See §§ 126.2(e), 134.8(a), and 135.7 of this chapter for mailing of sealed publications at second-class rates of postage and sealed parcels at the third- or fourth-class rates of postage.

(2) Written matter includes:

- (i) Handwritten or typewritten matter (including identical copies prepared by automatic typewriter) and manifold or carbon copies of such matter.
- (ii) Imitations or reproductions of handwritten or typewritten matter, unless mailed at a point designated by the postmaster in a minimum quantity of 20 identical copies.
- (iii) Manuscript or typewritten copy. See §§ 135.2(a) (4) (vi) and 135.2(a) (5) (i) (g) for certain manuscripts.
- (iv) Autograph albums containing writing.
- (v) Notebooks or blank books containing written or typewritten entries or stenographic or shorthand notes.
- (vi) Blank printed forms filled out in writing or with amounts due, signatures, or other writing such as notices, certificates, receipts, and checks either canceled or uncanceled.
- (vii) Printed price lists containing written figures changing individual items.
- (viii) Bills or statements of account produced by any photographic or mechanical process, unless presented in a minimum quantity of 20 identical copies. See § 134.2(a) (2) of this chapter.

(ix) Printed cards or letters bearing a written date, where the date is not the date of the card but gives information as to when something will occur or has occurred.

(x) Printed cards or coupons that, by having a signature attached, are converted into personal communications, such as receipts and orders. (This does not apply to Christmas or similar printed greeting cards.)

(xi) Identical communications entirely in print, except the name of the sender, sent by several persons to the same address.

(3) Drop letters are letters mailed for local delivery at post offices where city or village delivery by carrier is not established and that are not collected or delivered by rural or star-route carriers.

(4) The term letters includes all letters whether they are old or have previously passed through the mail, sent singly or in packages. Exception: Packages of letters, bills, and statements prepared at a central office of a concern that provides service at some other place, each bearing proper postage at the first-class rate and mailed to the post office at that place for local delivery, and packages of

letters remailed unopened to the same addressee, may be sent at other than the first-class rate of postage.

(5) Two or more persons or firms, or a person acting as the agent of two or more persons or firms, may not mail in one envelope to a mutual customer the bills, statements of account, or other letters of the persons or firms. No two firms that are distinct entities may send their letters in one envelope even though they are affiliated or jointly owned.

(6) Applications for automobile, drivers', and other licenses are letters when sent for the purpose of obtaining a license. The application of each individual or company constitutes a separate letter. Applications of various persons may not be mailed in one package by a compensated representative of the applicants unless the package is endorsed on the outside to show the number of applications enclosed and enough postage is paid to cover the first-class rate on each application. Agents of the licensing authority may receive applications and forward them to any other office in a package with postage paid at the first-class rate computed on the bulk weight of the package.

(7) Sealed matter includes mail of any class so wrapped as not to be easily examined, except second-, third-, or fourth-class matter sealed subject to postal inspection. (See § 126.2, § 134.8, and § 135.7 of this chapter.)

(b) *Postal and post cards.*—(1) *Postal cards.* A postal card is a card supplied by the Department with a postage stamp printed or impressed on it, for the transmission of messages. A double postal card consists of two attached cards, each of which has printed or impressed thereon a postage stamp of the first-class rate for postal cards denomination, and one of which may be detached by the receiver and returned by mail as a reply.

(2) *Post cards.* Post cards are privately printed mailing cards for the transmission of messages. They may not be larger than the size fixed by the Convention of the Universal Postal Union in effect and of approximately the same form, quality and weight as postal cards. A double post card consists of two attached cards, each of which is subject when mailed to the first-class postage rate for post cards, and one of which may be detached by the receiver and returned by mail as a reply. The cardboard used for single and double post cards may be of any light color that does not prevent legible addresses and postmarks from being placed thereon. Brilliant colors must not be used. Single post cards and each part of double post cards must conform to the following specifications in order to qualify for mailing at the first-class postage rate for post cards (see § 131.1):

(i) *Size, shape, and ratio.* Not larger than 4¼ by 6 inches, not smaller than 3 by 4¼ inches. Must be rectangular in shape. A ratio of width (height) to length of less than 1 to 1.414 (1 to the square root of 2) is not recommended. (See § 131.3(b) and § 134.3(b) of this chapter.)

(ii) *Quality, weight, and thickness.* An unfolded and uncreased piece of cardboard of approximately the quality and weight of a postal card; thickness not less than 0.006 or more than 0.0095 of an inch; and the cardboard to be uniform in thickness and as near 0.0090 as possible.

(3) *Restrictions upon the use of double postal and post cards.* The users of both double postal and post cards which conform to the specifications stated in subparagraphs (2) (i) and (2) (ii) of this paragraph must comply with the following rules:

(i) Double cards must be folded before mailing. The first half must be detached when the reply half is mailed for return.

(ii) The reply portion of a double card must be used for reply purposes only. It must not be used to convey a message to the original addressee of the double card, to cover up the message on the original portion, or to send statements of account.

(iii) Double cards must be prepared so that the address on the reply portion is on the inside when the double card is mailed.

(iv) Plain stickers or seals or a single wire stitch may be used to fasten the edges, provided they are so fixed that the inner folds of the cards can be readily examined.

(v) Enclosures are prohibited.

(4) *Additions, attachments and other alterations to single and double postal and post cards.* The users of both single and double postal and post cards which conform to the specifications stated in subparagraphs (2) (i) and (2) (ii) of this paragraph must comply with the following limitations:

(i) The face of the card may be divided by a vertical line, the left half to be used for the address only.

(ii) The message on a single card, or on the first portion of a double card, may occupy the space to the left of the vertical line and the entire back of the card.

(iii) Labels may be affixed by adhesive for the purpose of showing the address and the return address. Cards bearing other attachments are nonmailable as postal cards or post cards.

(iv) Numbers used for accounting purposes may be shown on a shaded background below the address. Holes which do not eliminate any letters or numbers may be punched in either the address or message portion of the card. A vertical tearing guide may divide the face of the card. However, mailing of cards having one or more of these four characteristics must meet all of the following conditions:

(a) The mailing must consist of not less than 200 cards which are identical as to size and weight.

(b) The addresses on the cards must include ZIP Code numbers.

(c) Postage must be paid in cash by permit imprints (see Part 144 of this chapter); by meter stamps (see Part 143 of this chapter); or by precanceled stamps (see Part 142 of this chapter).

(d) The maller must separate the cards to the finest extent possible and sack them in the manner prescribed by § 134.4(c).

(v) It recommended that all cards having a thickness less than 0.0085 of an inch meet all of the conditions in subparagraphs (4)(iv) (a), (b), (c), and (d) of this paragraph.

(5) *Cards other than postal and post cards.* Matter which is in the form of a single or double card but which does not conform to the specifications for a single or double post card stated in subparagraphs (2)(i) and (2)(ii) of this paragraph is not a single or double post card within the meaning of title 39, United States Code, sections 4251(c) and 4253 (a)(3), and may not be mailed at the first-class postage rate for post cards. Nonconforming mailable matter in the form of single or double cards is not subject to the rules and restrictions provided in subparagraph (3) and subparagraph (4) of this paragraph; it is subject when mailed to postage at the first-class letter rate or at the applicable third-class rate according to its classification as first- or third-class matter; and it must not bear the words "Post Card" or "Double Post Card". Single or double cards conforming to the specifications stated in subparagraphs (2)(i) and (2)(ii) of this paragraph which are entirely in print, and which do not bear the words "Post Card" or "Double Post Card", if otherwise mailable, may at the option of the mailer be mailed at the applicable third-class postage rate instead of the first-class postage rate for post cards. See § 131.3 and § 134.3 of this chapter for a listing of physical characteristics which cause cards of any kind to be nonmailable.

(6) *Postal and post cards as enclosures.* Stamps on postal and post cards enclosed in outer wrappers may not apply as postage on the mailing piece.

(c) *Business reply mail—(1) Purpose.* Specially printed business reply cards, envelopes, cartons, and labels may be distributed for use by mailer in sending mail to the distributor without prepayment of postage.

(2) *Permit.* (i) A permit to distribute business reply cards, envelopes, cartons, and labels is required. An application on Form 3614, "Application to Distribute Business Reply Cards, Envelopes, and Labels", must be submitted at the post office where the mail will be returned. There is no charge for the permit. If matter bearing the business reply imprint is distributed from a central office to be returned to branches or dealers in other cities, one permit obtained from the post office where the central office is located may be used to cover all the business reply mail.

(ii) On receipt of the application, the postmaster will complete the permit portion of the form and deliver it to the applicant. The application portion of the form will be filed in the post office by the permit number. Permits issued at each post office will be numbered consecutively starting with No. 1 for the first permit. Each post office will keep an alphabetical card record of each permit.

(3) *Postage.* (i) Postage is collected on each piece of business reply mail at

the time it is delivered. Postage due stamps for the amount due will be affixed to the mail or to Form 3582-A, "Postage Due Bill." The stamps will be canceled and delivered to the addressee with the mail when he pays the amount due. Business reply mail will not be mixed with other mail in direct packages or sacks for individuals or concerns.

(ii) The amount to be collected, which may not include fees for any special services, is computed as follows:

(a) *Post cards.* The rate for post cards on air post cards, whichever is applicable, plus 2 cents each. (See § 131.1 and § 136.1 of this chapter.) Cards that do not conform to the specifications for post cards (see § 131.2(b)(1)) are subject to the postage chargeable under subparagraph (3)(i)(b) of this paragraph.

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

TIMOTHY J. MAY,  
General Counsel.

OCTOBER 25, 1967.

[F.R. Doc. 67-12788; Filed, Oct. 30, 1967;  
8:46 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 105—General Services Administration

#### PART 105-735—STANDARDS OF CONDUCT

##### Miscellaneous Amendments

These revisions update the GSA standards of conduct, principally to accord with amendments of the Civil Service Commission regulations on this subject and to identify current positions subject to the requirement for filing statements of employment and financial interests.

The table of contents for Part 105-735 is amended by the addition of the following new and revised entries:

105-735.413	Employees complaint against filing requirement.
105-735.511	Disloyalty and striking (5 U.S.C. 7311; 18 U.S.C. 1918).
105-735.514	Deceit in personnel actions (18 U.S.C. 1917).
105-735.523	Acting as agent of a foreign principal under the Foreign Agents Registration Act (18 U.S.C. 219).
105-735.602	[Deleted]
105-735.604	Office of Administration.
105-735.606	Property Management and Disposal Service.
105-735.611	[Deleted]

#### Subpart 105-735.1—General

Section 105-735.105 is revised to update and organizational reference as follows:

§ 105-735.105 Periodic reminders to employees.

The Office of Administration is responsible for the issuance of a notice to all employees and special Government em-

ployees, at least annually following publication of this part and at such other times as circumstances may warrant, bringing to their attention the regulations in this part governing standards of conduct and reminding them of the availability of counseling services by designated deputy counselors.

#### Subpart 105-735.2—Standards of Conduct for Employees

Sections 105-735.202-2, 105-735.202-3, 105-735.203-5(a), 105-735.213, 105-735.217, and 105-735.218 are revised to adjust statutory references made obsolete by the codification of Title 5, United States Code, and to make miscellaneous editorial changes; and § 105-735.214 is revised to update organizational references, as follows:

##### § 105-735.202-2 Gifts to superiors.

An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 7351). These prohibitions do not apply to a voluntary gift of nominal value or a donation in a nominal amount made on a special occasion such as marriage, illness, resignation, or retirement.

##### § 105-735.202-3 Gifts from foreign governments.

An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in Public Law 89-673, 80 Stat. 952.

##### § 105-735.203-5 Some acceptable activities.

The provisions of §§ 105-735.202 and 105-735.203 do not preclude an employee from:

(a) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor may he be reimbursed by a person for travel on official business under agency orders when reimbursement is proscribed by Comptroller General Decision B-128527 dated March 7, 1967.

##### § 105-735.213 Political activity.

An employee shall not take an active part in political management or in political campaigns; however, political activity in some local elections is permissible. Prohibited activities and exceptions thereto are set forth in subchapter III of chapter 73 of Title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608.

**§ 105-735.214 Reporting irregularities.**

It is the obligation of each employee to report immediately any apparent or suspected irregularity coming to his attention in connection with any operation of GSA. Such report shall be made to the Deputy Director for Investigations, Central Office, or to the Area Investigations Office in the regional office. Each employee must cooperate with Investigation representatives conducting official investigations and furnish signed statements under oath if appropriate.

**§ 105-735.217 Use of intoxicants.**

An employee shall not use intoxicants habitually, to excess (5 U.S.C. 7352). Intoxicants shall not be consumed on Government owned or leased premises. An employee found using, or under the influence of, intoxicants while at work will be subject to disciplinary action.

**§ 105-735.218 Use of Government vehicles.**

An employee shall not use, or authorize the use of, Government owned or leased motor vehicles or aircraft for other than official purposes (31 U.S.C. 638a(c)).

**Subpart 105-735.3—Standards of Conduct for Special Government Employees**

Section 105-735.306 is revised to adjust statutory references as follows:

**§ 105-735.306 Political activity.**

Special Government employees are subject to the political activity instructions of subchapter III of chapter 73 of Title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608, while in an active duty status only and for the entire 24 hours of any day of actual employment.

**Subpart 105-735.4—Statements of Employment and Financial Interests**

Sections 105-735.401 and 105-735.411a (1) are revised editorially; § 105-735.402 is revised to restate the criteria governing positions subject to filing statements of employment and financial interests; § 105-735.403(a) is revised editorially and to update an organizational reference; § 105-735.404 is revised to eliminate quarterly supplementary statements; §§ 105-735.408 and 105-735.410 are revised to assure the confidentiality of statements submitted; and § 105-735.413 is added to evidence the availability of the GSA grievance procedure for settling questions concerning the applicability of the reporting requirements, as follows:

**§ 105-735.401 General.**

Employees and special Government employees in specified positions are required to file statements of employment and financial interests. GSA Form 2157, Confidential Statement of Employment and Financial Interests (For Use by Employees of GSA), and GSA Form 2158, Confidential Statement of Employment and Financial Interests (For Use by Special Government Employees of GSA),

shall be used for this purpose. The questions on these forms are prescribed or approved by the Civil Service Commission.

**§ 105-735.402 Criteria for selection of positions subject to filing requirements.**

The following criteria govern the selection of positions which are subject to the requirement of filing employment and financial interests statements:

(a) Positions paid at a level of the Federal Executive Salary Schedule in subchapter II of chapter 53 of Title 5, United States Code, except the position of the Administrator (which is subject to the separate reporting requirements of section 401 of Executive Order 11222 of May 8, 1965).

(b) Positions in grade GS-13 or above under 5 U.S.C. 5332, or at a comparable pay level under another authority, the incumbents of which are responsible for making a Government decision or taking a Government action in regard to:

- (1) Contracting or procurement;
- (2) Administering or monitoring grants or subsidies;
- (3) Regulating or auditing private or other non-Federal enterprise; or
- (4) Other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise.

(c) Positions in grade GS-13 or above under 5 U.S.C. 5332, or at a comparable pay level under another authority, the duties and responsibilities of which require the incumbent to report employment and financial interests in order to avoid involvement in a possible conflicts-of-interest situation and carry out the purpose of law, Executive order, and Civil Service Commission and GSA regulations.

(d) Positions below grade GS-13 under 5 U.S.C. 5332, or at a comparable pay level under another authority, which meet the criteria in paragraphs (b) or (c) of this section, and have been specifically designated in §§ 105-735.604(b) (8), 105-735.606(a) (3), 105-735.609(b) (3), and 105-735.610(b) (2) and (3), as exceptions essential to protect the integrity of the Government and avoid employee involvement in a possible conflicts-of-interest situation.

(e) However, positions that meet the criteria of paragraph (b) of this section may be excluded from the reporting requirement when: (1) the duties of the position are such that the likelihood of the incumbent's involvement in a conflicts-of-interest situation is remote; or (2) the duties of the position are at such a level of responsibility that the submission of a statement of employment and financial interests is not necessary because of the degree of supervision and review over the incumbent or the inconsequential effect on the integrity of the Government.

(f) With respect to special Government employees, a statement of employment and financial interests is required only when the special Government employee is a consultant or expert.

**§ 105-735.403 Identification of positions and incumbents.**

(a) Subpart 105-735.6 lists employee positions selected under the criteria in § 105-735.402, approved as necessary by the Administrator, requiring the incumbents thereof to file statements of employment and financial interests. Hereafter, the Heads of Central Office and Regional Office Services and Staff Offices shall promptly submit a report to the agency counselor (through the regional agency counselor in the regions) identifying the specific positions, which, from time to time, under the criteria in § 105-735.402 (b), (d), and (e), should be added to or deleted from the list of positions in Subpart 105-735.6. Positions so reported shall, after approval by the Administrator, be added to or be deleted from the list in Subpart 105-735.6. The Assistant Administrator for Administration, or the Regional Director of Administration, will include in his report any positions not in a service or staff office; for example, those in the Administrator's or Regional Administrator's immediate office.

**§ 105-735.404 Supplementary statements.**

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of 18 U.S.C. 208, Subpart B of 5 CFR Part 735, or these GSA regulations. Each special Government employee shall keep his statement current throughout his employment with GSA by the submission of supplementary statements.

**§ 105-735.408 Confidentiality of statements.**

Each statement of employment and financial interests and each supplementary statement shall be held in confidence by the agency counselor and regional agency counselors. Employees so designated are responsible for maintaining the statements in confidence and shall not allow access to or allow information to be disclosed from a statement except to carry out the purpose of this part. An agency may not disclose information from a statement except as the Administrator or the Civil Service Commission may determine for good cause shown.

**§ 105-735.410 Responsibility for review of employment and financial interests statements.**

(a) The agency counselor is responsible for receiving, reviewing, and retaining all statements of employment and financial interests submitted by Central Office personnel and by each regional agency counselor under §§ 105-735.104(b) and 105-735.412(b).

(b) Each regional agency counselor is responsible for receiving, reviewing, and retaining statements of employment and financial interests submitted by regional office personnel.

**§ 105-735.411 Procedure in obtaining statements.**

(a) \* \* \*

(1) The original of the completed form must be returned in a sealed envelope, marked "Personal-In Confidence" to the agency counselor in the Central Office or the regional agency counselor in a region, as appropriate, no later than 30 days thereafter.

**§ 105-735.413 Employee complaint against filing requirement.**

An employee required to file a statement of employment and financial interests under Subpart 105-735.4 who believes that his position has been improperly included under these regulations may request a review of such inclusion, in accordance with the GSA Grievance Procedure.

**Subpart 105-735.5—Other Statutes on Conduct**

Sections 105-735.511 and 105-735.514 are revised to adjust statutory references; and § 105-735.523 is added, as follows:

**§ 105-735.511 Disloyalty and striking (5 U.S.C. 7311; 18 U.S.C. 1918).**

**§ 105-735.514 Deceit in personnel actions (18 U.S.C. 1917).**

**§ 105-735.523 Acting as agent of a foreign principal under the Foreign Agents Registration Act (18 U.S.C. 219).**

**Subpart 105-735.6—Selected Positions Requiring Filing of Statements of Employment and Financial Interests**

Section 105-735.601 is revised to adjust statutory references made obsolete by the codification of Title 5, United States Code. Sections 105-735.602 and 105-735.611 are deleted. Sections 105-735.603 through 105-735.610 are revised to identify current positions subject to the requirement for filing statements of employment and financial interests.

**§ 105-735.601 Federal Executive Salary Schedule positions.**

All positions paid at a level of the Federal Executive Salary Schedule in subchapter II of chapter 53 of Title 5, United States Code, except the position of Administrator (which is subject to the separate reporting requirements of section 401 of Executive Order 11222 of May 8, 1965).

**§ 105-735.602 [Deleted]**

**§ 105-735.603 Office of Administrator and Assistant Administrator.**

(a) *Central Office.* All personnel, grade GS-13 or above, who make decisions af-

fecting procurement and contracting with small business.

(b) *Regional offices.*

- (1) Regional Administrator.
- (2) Deputy Regional Administrator.
- (3) Regional Director of Business Affairs.

**§ 105-735.604 Office of Administration.**

- (a) *Central office.*
- (1) Assistant Administrator for Administration.
  - (2) Deputy Assistant Administrator for Administration.
  - (3) Executive Officer.
  - (4) Director of Federal Procurement Regulations.
  - (5) Director of Management Investigations and Review.
  - (6) Director of Data Processing.
  - (7) Director of Finance.
  - (8) Director of Personnel.
  - (9) Director of Administrative Services.
  - (10) All auditing personnel, grade GS-13 or above.

(b) *Regional offices.*

- (1) Regional Director of Administration.
- (2) Deputy Regional Director of Administration.
- (3) Special Assistant (Financial).
- (4) Chief, Data Processing Division.
- (5) Chief, Finance Division.
- (6) Financial Liaison Officer.
- (7) Regional Personnel Officer.
- (8) Chief, Administrative Services Division, grade GS-12 or above.

**§ 105-735.605 Office of General Counsel.**

- (a) *Central Office.*
- (1) All attorneys, grade GS-13 or above.
  - (2) Contract Employment Policy Officer.
  - (3) Contract Compliance Officer.
- (b) *Regional offices.*
- All attorneys, grade GS-13 or above.

**§ 105-735.606 Property Management and Disposal Service.**

- (a) *Central Office.*
- (1) All strategic material management officers and specialists, grade GS-13 or above.
  - (2) Supervisory contract negotiators, grade GS-13 or above.
  - (3) Material quality control specialist (crude rubber), grade GS-12.
  - (4) Deputy Assistant Commissioner for Personal Property.
  - (5) Division directors.
  - (6) Personal property sales personnel, grade GS-13 or above.
  - (7) Real property personnel, grade GS-13 or above.
  - (8) Appraisal personnel, grade GS-13 or above.
- (b) *Regional offices.*
- (1) Regional directors.
  - (2) Division directors.
  - (3) All materials inspectors (rubber and fibers), grade GS-13 or above.
  - (4) Chief, PMDS Hawaii Office.
  - (5) Personal property sales personnel, grade GS-13 or above.
  - (6) Real property personnel, grade GS-13 or above.

(7) Appraisal personnel, grade GS-13 or above.

**§ 105-735.607 Federal Supply Service.**

(a) *Central Office.*

- (1) Deputy Commissioner, Federal Supply Service.

(2) Assistant Commissioner for Procurement.

(3) Assistant Commissioner for Standards and Quality Control.

(4) Deputy Assistant Commissioner for Procurement.

(5) Assistant Commissioner for Automated Data Management Services.

(6) Deputy Assistant Commissioner for Standards and Quality Control.

(7) All employees, grade GS-13 or above, in the following positions:

- (i) Contract negotiator or specialist.
- (ii) Contracting officer.
- (iii) Procurement officer or agent.
- (iv) Quality control specialist.
- (v) Commodity standardization specialist or officer.

(b) *Regional offices.*

(1) Regional Directors.

(2) All employees, grade GS-13 or above, in the following positions:

- (i) Contract negotiator or specialist.
- (ii) Contracting officer.
- (iii) Procurement officer or agent.
- (iv) Quality control specialist.
- (v) Commodity standardization specialist or officer.

**§ 105-735.608 National Archives and Records Service.**

(a) *Central Office.*

(1) All positions in grades GS-16 or above.

(2) Assistant Archivist for Administration and Technical Services.

(3) Directors of Presidential Libraries.

(4) Director, National Historical Publications Commission.

(b) *Regional offices.*

Regional Directors.

**§ 105-735.609 Public Buildings Service.**

(a) *Central office.*

(1) All positions in grades GS-16 or above.

(2) Special Assistant to the Commissioner.

(3) Division directors.

(4) Deputy division directors.

(5) Branch chiefs.

(6) Director, Professional Services Contracts Division.

(b) *Regional offices.*

(1) Regional Directors.

(2) Division chiefs.

(3) Branch chiefs, grade GS-12 or above (except Chiefs, Schedules and Services Branch).

**§ 105-735.610 Transportation and Communications Service.**

(a) *Central Office.*

(1) Commissioner, Assistant Commissioners, division directors, grade GS-13 or above.

(2) Branch chiefs, grade GS-13 or above.

(3) All employees, grade GS-14 or above, in Public Utilities Division.

(b) *Regional offices.*

(1) Regional Director, division directors, grade GS-13 or above.

- (2) Branch chiefs, grade GS-13 or above.
- (3) Motor pool chiefs, grade GS-9 or above.
- (4) Traffic management specialists (with delegated contract authority), grade GS-7 or above.

§ 105-735.611 [Deleted]

(E.O. 11222, 30 F.R. 6469, 3 CFR 1965 Supp.; 5 CFR 735.104)

*Effective date.* This amended Part 105-735 was approved by the Civil Service Commission on September 21, 1967, and is effective upon publication in the FEDERAL REGISTER.

Dated: October 25, 1967.

J. E. MOODY,  
Acting Administrator  
of General Services.

[F.R. Doc. 67-12812; Filed, Oct. 30, 1967; 8:48 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission and Department of Transportation

#### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[No. 32464]

### PART 424—UNIFORM SYSTEM OF ACCOUNTS FOR CARRIERS BY INLAND AND COASTAL WATERWAYS

#### Miscellaneous Amendments

*Order.* At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 3d day of October 1967.

On August 18, 1967, notice of proposed rule making regarding proposed amendments of the Uniform System of Accounts for Carriers by Inland and Coastal Waterways, pertaining to the accounting treatment of extraordinary and prior period items in the determination of net income, was published in the FEDERAL REGISTER (32 F.R. 11959). After consideration of all such relevant matter as was submitted by interested persons, the amendments as so proposed are hereby adopted.

*It is ordered,* That the amendments to Part 424 as proposed are adopted without change.

*It is further ordered,* That these amendments are effective January 1, 1967.

*And it is further ordered,* That service of this order shall be made on all Carriers by Inland and Coastal Waterways which are affected hereby and notice thereto shall be given the general public by depositing a copy of this order in the Office of the Secretary of the Commission at Washington, D.C., and by filing the order with the Director, Office of the Federal Register.

(Sec. 201, 54 Stat. 933, 944, as amended; 49 U.S.C. 904, 913)

By the Commission, Division 2.

[SEAL] H. NEIL GARSON,  
Secretary.

#### I. INSTRUCTIONS DELETED AND AMENDED

*Item No. 1.* Instruction "2 Definitions", is amended by adding the following after the last sentence of paragraph (k): "See instructions 3 and 4."

*Item No. 2.* Instruction "4 Delayed items and adjustments", is revised as follows:

#### 4 Extraordinary and prior period items.

(a) All items of profit and loss recognized during the year are includible in ordinary income except nonrecurring items which in the aggregate for the same class are both material in relation to operating revenues and ordinary income for the year and are clearly not identified with or do not result from the usual business operations of the year. Important items of the kind which occur from time to time and which, when material in amount, are to be excluded from ordinary income are those resulting from unusual sales of property and investment securities other than temporary cash investments; from wars and similar calamities and catastrophes, which are not a recurrent hazard of the business and which are not usually covered by insurance; from change of accounting principles; and from prior period items (other than ordinary adjustments of a recurring nature). Material items are those which, unless excluded from ordinary income, would distort the accounts and impair the significance of ordinary income for the year. Items so excludible from ordinary income are to be entered directly in the income accounts provided for extraordinary and prior period items upon approval of the Commission.

Adjustments constituting items of customary business activities or corrections or refinements resulting from the natural use of estimates inherent in the accounting process, including those arising from disposal of a unit of property sold or retired in the regular course of business operations, shall not be considered extraordinary or prior period items regardless of size.

(b) In determining materiality, items of a similar nature should be considered in the aggregate; dissimilar items should be considered individually. As a general standard, an item to qualify for inclusion as an extraordinary or prior period item, shall exceed 1 percent of total water-line operating revenues and ten percent of ordinary income for the year.

(c) Ordinary delayed items and adjustments arising during the current year which are applicable to or related to transactions of prior years shall be included in the same accounts which would have been charged or credited had the item been taken up or adjusted in the period to which it pertained. Ordinary delayed items exclude items of the character described in paragraph (a).

*Item No. 3.* Instruction "11 Depreciation accounting" is amended by revising the last sentence of paragraph (e) and the text of paragraphs (f) and (g) as follows:

(e) \* \* \* Any differences between the service value of the particular unit or item retired and the amount charged to account 150 shall be included in the appropriate income account.

(f) *Insurance recoverable.* When amounts are recoverable from insurance companies or chargeable to the insurance reserve in connection with retirement of depreciable property, the difference between the insurance recoverable and the net book value of the property (book cost less recorded depreciation) shall be included in the appropriate income account.

(g) *Inadequate or excessive balance.* A carrier may request, or the Commission may direct, that special accounting be applied in situations causing undue inflation or deflation of depreciation reserves. A carrier's request for special accounting shall contain full particulars concerning the situation, including the basis for its proposal. Alternative accounting techniques shall be applied to the extent approved or directed by the Commission.

*Item No. 4.* Instruction "23 Book cost of securities owned" is amended by revising the last sentence of paragraph (b) as follows:

(b) \* \* \* The amount of such adjustment shall be charged to account 527, "Miscellaneous income charges", or account 570, "Extraordinary items", as appropriate.

*Item No. 5.* Instruction "27 Discount, premium, and expense on long-term debt" is amended by revising paragraph (d) as follows:

(d) Except as otherwise provided in this instruction, the balance in each account shall be carried until the reacquirement of the securities to which it relates at which time the proportion (based on the relation of the amount reacquired to the total outstanding before reacquirement) of the balance in the account for the particular class of long-term debt reacquired shall be closed to account 507, "Miscellaneous income", account 527, "Miscellaneous income charges", or account 570, "Extraordinary items", as appropriate.

*Item No. 6.* Instruction "44 Cost of construction" is amended by revising the second sentence of paragraph (g) as follows:

(g) \* \* \* Such costs shall be included in the cost of the work in connection with which the injury or damage occurs, except that unusual losses that result in the destruction of units that have to be entirely replaced prior to completion of the projects shall be charged to account 525, "Losses from sale or disposition of property", or account 570, "Extraordinary items", as appropriate; \* \* \*

*Item No. 7.* Instruction "47 Retirement and replacements" is amended by revising the last sentence of paragraph

(b) (2), the last two sentences of paragraph (c) and all of paragraph (d) as follows:

(b) \* \* \*

(2) \* \* \* If retired property is held by the carrier for other than water-line service, its appraised value shall be included in account 160, "Noncarrier physical property", provided the appraised value shall not exceed the net book value (book cost less recorded depreciation) of such retired property.

(c) *Land retired.* \* \* \* If the land is sold, the necessary adjustment between the book cost and the sale price shall be included in account 508, "Profits from sale or disposition of property", account 525, "Losses from sale or disposition of property", or account 570, "Extraordinary items", as appropriate. If the land is retained, the lesser of its appraised value or book cost shall be charged to account 160, "Noncarrier physical property", and the necessary adjustment included in account 525, or account 570, as appropriate.

(d) *Sale of property.* In case carrier or noncarrier depreciable property is sold or otherwise disposed of and the net proceeds realized, including insurance and salvage, are in excess of the net book value (book cost less recorded depreciation), such excess shall be credited to account 508, "Profits from sale or disposition of property", or account 570, "Extraordinary items", as appropriate.

*Item No. 8.* The text of instruction "52 Purpose of retained income account" is revised as follows:

#### 52 Purpose of retained income account.

The retained income accounts are designed to show the changes in retained income during each calendar year as affected by the balance of the income account as reported for the period; by any disposition of retained income made solely at the option of the carrier; and, when authorized by the Commission, other items.

*Item No. 9.* Instruction "61 Purpose of income accounts" as amended by revising paragraphs (a) and (b) as follows:

The income accounts are designed to show as nearly as practicable for each calendar year the amount of money that a carrier becomes entitled to receive for transportation services rendered, the income accrued upon investments in securities and noncarrier property, the accrued costs payable for the transportation services rendered, the amounts accrued for taxes, for use of moneys, for use of properties of others, and for extraordinary and prior period items. See instruction 4.

#### II. TEXTS OF BALANCE SHEET ACCOUNTS DELETED AND AMENDED

*Item No. 1; Account 115 Material and supplies.* The text of this account is amended by revising paragraph (d) as follows:

(d) Reusable material recovered in connection with maintenance work or the demolishing of fixed improvements or equipment shall be charged to this account at amounts not to exceed cost,

estimated if not known. Scrap and non-usable materials shall be carried at estimated salvage value; when sold or disposed of, the difference between proceeds and recorded values shall be adjusted (as far as practicable) through the accounts which were credited when the material was recovered and taken into this account.

*Item No. 2; Account 147 Land.* The text of this account is amended by revising paragraph (b) as follows:

(b) Proceeds from the sale of timber, mineral deposits or improvements purchased with land, less the cost of removal, shall be credited to this account up to the amount of the purchase price allocated as their cost. Any excess shall be credited to account 507, "Miscellaneous income", or, when qualifying as extraordinary pursuant to instruction 4, shall be included in account 570, "Extraordinary items".

*Item No. 3; Account 150 Depreciation reserve; transportation property.* The text of this account is amended by revising the second sentence of paragraph (a) as follows:

(a) \* \* \* It shall also include other entries which may be authorized by the Commission; see instruction 11. \* \* \*

*Item No. 4; Account 161 Depreciation reserve; noncarrier physical property.* The text of this account is amended by revising the last sentence of paragraph (b) as follows:

(b) \* \* \* In case the net proceeds realized, including insurance and salvage, are in excess of the net book value (book cost less recorded depreciation), such excess shall be credited to account 508, "Profits from sale or disposition of property", or account 570, "Extraordinary items", as appropriate.

*Item No. 5; Account 174 Debt discount and expense.* The text of this account is amended by revising paragraph (b) as follows:

(b) When an issue of debt securities, or any part thereof, is refunded and at the date of refunding there is a balance of unamortized discount and expense relating thereto, such amount, together with any premium paid in retiring the debt, shall be charged to account 527, "Miscellaneous income charges", or account 570, "Extraordinary items", as appropriate.

*Item No. 6; Account 175 Other deferred debits.* The text of paragraph (a) of this account is amended by revising the third tabulated item as follows:

Balance in account 601, "Material and stores expenses";

*Item No. 7; Account 190 Reacquired and nominally issued long-term debt.* The text of this account is amended by revising paragraph (b) as follows:

(b) The difference between the par value of long-term debt and the amount paid therefor, including commissions and expenses in connection with its reacquisition and the portion of unamortized premium, discount, and expense relating to the long-term debt reacquired shall be included in account 507, "Miscellaneous income", account 527, "Mis-

cellaneous income charges", or account 570, "Extraordinary items", as appropriate.

*Item No. 8; Account 231 Premium on long-term debt.* The text of this account is amended by revising paragraph (b) as follows:

(b) When an issue of debt securities, or any part thereof, is refunded and at the date of refunding there is a balance of unamortized premium relating thereto, such amount shall be credited to account 507, "Miscellaneous income", or account 570, "Extraordinary items", as appropriate.

*Item No. 9; Account 232 Other deferred credits.* The text of paragraph (a) of this account is revised by deleting the second tabulated item.

*Item No. 10; Account 280 Retained income—unappropriated.* The text of this account is amended by revising paragraph (b) as follows:

(b) The balance of all retained income accounts (281 to 287, inclusive) shall be closed into this account at the end of each calendar year.

*Item No. 11.* The system of accounts, following the caption "Retained Income Accounts", is revised by deleting the following account numbers, titles and texts:

282 Profits from unusual sales of property.  
284 Losses from unusual sales of property.  
288 Federal income taxes assigned to retained income.

*Item No. 12; Account 283 Miscellaneous credits.* The text of this account is revised as follows:

#### 283 Miscellaneous credits.

This account shall include other credit adjustments, net of assigned income taxes, not provided for elsewhere in this system, but only after such inclusion has been authorized by the Commission.

*Item No. 13; Account 285 Miscellaneous debits.* The text of this account is revised as follows:

#### 285 Miscellaneous debits.

(a) This account shall include losses from resale of reacquired capital stock, and charges which reduce or write off discount on capital stock issued by the company, but only to the extent that such charges exceed credit balances in paid-in surplus for shares reacquired.

(b) This account shall also include other debit adjustments, net of assigned income taxes, not provided for elsewhere in this system, but only after such inclusion has been authorized by the Commission.

#### III. TEXTS OF INCOME ACCOUNTS REVISED AND AMENDED

*Item No. 1; Account 504 Interest income.* The text of this account is amended by revising the last sentence of paragraph (b) as follows:

(b) \* \* \* Any discount or premium remaining unextinguished upon the maturity and satisfaction of such securities shall be cleared to account 507, "Miscellaneous income", or to account 527, "Miscellaneous income charges", as appropriate.

**Item No. 2; Account 507 Miscellaneous income.** The list of items following the text of this account is revised as follows:

ITEMS

1. Profits from sale of securities, including temporary cash investments.
2. Proceeds from the sale of timber or improvements purchased with the land, or mineral deposits, in excess of the cost thereof including cost of recovery.
3. Credits resulting from adjustments required to bring to par long-term obligations issued or assumed by the carrier and reacquired at a cost less than par value.
4. Unamortized premium on long-term debt reacquired before maturity.
5. Profits derived from conversion of money of a foreign country into U.S. money.
6. Fees collected in connection with the exchange of coupon bonds for registered bonds.
7. Cancellation of liability accounts (including unclaimed wages) or erroneous collections (except unrefundable revenue overcharges) written off because of carrier's inability to locate the creditor or payee.
8. Recovery of fines previously charged to account 527, "Miscellaneous income charges".
9. Remittances received from anonymous sources.

When the profits, proceeds or adjustments resulting from any of the first four items are of amounts sufficiently large to constitute extraordinary items, pursuant to instruction 4, such profits, proceeds or adjustments shall be credited to account 570, "Extraordinary items".

**Item No. 3; Account 508 Profits from sale or disposition of property.** The text of this account is amended by deleting the last sentence and adding the following new paragraph:

When the profit from the sale of carrier and noncarrier property is of an amount sufficiently large to constitute an extraordinary item, pursuant to instruction 4, such profit shall be credited to account 570, "Extraordinary items".

**Item No. 4; Account 525 Losses from sale or disposition of property.** The text of this account is amended by deleting the last sentence and adding the following new paragraph:

When the loss from the sale of carrier and noncarrier property is of an amount sufficiently large to constitute an extraordinary item, pursuant to instruction 4, such loss shall be charged to account 570, "Extraordinary items".

**Item No. 5; Account 527 Miscellaneous income charges.** The list of items following the text of this account is revised as follows:

ITEMS OF EXPENSE

1. Losses resulting from revaluation or sale of securities of others held as investments.
2. Debits resulting from adjustments required to bring to par long-term debt obligations issued or assumed by the carrier and reacquired at a cost exceeding par value.
3. Unextinguished discounts and expenses on funded debt reacquired before maturity.
4. Loss on funds due to bank failures.
5. Book cost (in excess of reserve provisions) of improvements on leased property at time of reversion to lessor.
6. Payments of liabilities previously written off.
7. Penalties and fines for violations of the Interstate Commerce Act, and other Federal or state laws, when not specifically provided for elsewhere.

8. Calls for bids in accordance with provisions of mortgages.

9. Cost of advertising bonds drawn for redemption.

10. Losses due to conversion of money of a foreign country into U.S. money.

11. Premiums on bonds to assure performance of agreements when chargeable to income accounts.

12. Taxes on interest on carrier's funded debt paid at the source under tax-free covenants.

13. Trusts, current expenses of maintaining and administering.

14. Trustee's commissions and fees for paying out bond interest and expense including registrars' fees connected with such payments.

When the losses or adjustments resulting from any of the first four items are of amounts sufficiently large to constitute extraordinary items, pursuant to instruction 4, such losses or adjustments shall be charged to account 570, "Extraordinary items".

**Item No. 6; Account 532 Income taxes.** The title, text and note following the text of this account are revised as follows:

532 Income taxes on ordinary income.

(a) This account shall include accruals for Federal and state income taxes, when not in lieu of a property tax, applicable to ordinary income. See the texts of account 590, "Income taxes on extraordinary and prior period items", account 283, "Miscellaneous credits", and account 285, "Miscellaneous debits", for recording other income tax consequences.

Details pertaining to the tax consequences of other unusual and significant items, and also cases where tax consequences are disproportionate to related amounts included in income accounts, shall be submitted to the Commission for consideration and decision as to proper accounting.

(b) Federal income taxes which are refundable or reduced as the result of a carry-back or carry-forward of operating loss shall be credited to this account, if a carry-back, in the year in which the loss occurs, or if a carry-forward, in the year in which such loss is applied to reduce taxes. However, when the amount constitutes an extraordinary item pursuant to instruction 4, it shall be included in account 580, "Prior period items".

**Item No. 7.** The system of accounts, following the text of account 532, "Income taxes on ordinary income", is amended by adding the following caption, account numbers, titles and texts:

EXTRAORDINARY AND PRIOR PERIOD ITEMS

570 Extraordinary items-(net).

(a) This account shall include extraordinary items accounted for during the current accounting year in accordance with the text of instruction 4, upon approval of the Commission. Among the items which shall be included in this account are:

Net gain or loss on sale of (a) property and equipment, or (b) timber, mineral deposits or improvements purchased with land.

Net gain or loss on sale of securities acquired for investment purposes, and charges to write down the ledger value of such securities because of impairment of value.

Changes in application of accounting principles.

(b) Income tax consequences of charges and credits to this account shall be recorded in account 590, "Income taxes on extraordinary and prior period items".

(c) This account shall be maintained in a manner sufficient to identify the nature and gross amount of each debit and credit.

580 Prior period items (net).

(a) This account shall include unusual delayed items accounted for during the current accounting year in accordance with the text of instruction 4, upon approval of the Commission. Among the items which shall be included in this account are:

Unusual adjustments, refunds, or assessments of Federal income taxes of prior years.

Similar items representing transactions of prior years which are not identifiable with or do not result from business operations of the current year.

(b) Income tax consequences of charges and credits to this account shall be recorded in account 590, "Income taxes on extraordinary and prior period items".

(c) This account shall be maintained in a manner sufficient to identify the nature and gross amount of each debit and credit.

590 Income taxes on extraordinary and prior period items.

This account shall include the estimated income tax consequences (debit or credit) assignable to the aggregate of items of both taxable income and deductions from taxable income which, for accounting purposes, are classified as "unusual and extraordinary", and are recorded in accounts 570, "Extraordinary items", and 580, "Prior period items".

IV. INCOME STATEMENT AMENDED

**Item No. 1; Form of income statement.** This caption is designated 599 Form of Income Statement.

**Item No. 2.** The following centered caption is added after the opening paragraph, above "I. Water-line operating income":

ORDINARY ITEMS

**Item No. 3.** Under "III. Miscellaneous deductions from income:", after "Total income deductions", the line item "Net income before fixed charges" is revised as follows:

Ordinary income before fixed charges<sup>1</sup>-----

**Item No. 4.** Under "IV. Fixed charges:", after "Total fixed charges", the line item "Net income before provision for income taxes" is revised as follows:

Ordinary income before provision for income taxes<sup>1</sup>-----

**Item No. 5.** After "V. Provision for income taxes:" all line items are deleted and the following are added:

532. Income taxes on ordinary income.-----  
Ordinary income<sup>1</sup>-----

<sup>1</sup> If a loss or a debit show the amount in parentheses.

EXTRAORDINARY AND PRIOR PERIOD ITEMS<sup>1</sup>

570. Extraordinary item (net).....	-----
580. Prior period items (net).....	-----
590. Income taxes on extraordinary and prior period items.....	-----
Total extraordinary and prior period items.....	-----
Net income <sup>1</sup> .....	-----

## V. MISCELLANEOUS AMENDMENTS

*Item No. 1.* The list of instructions, accounts and financial statements is amended to the following extent:

(a) The title of instruction "4 Delayed items and adjustments" is changed to:

4 Extraordinary and prior period items.

(b) The number "299" is prefixed to "Form of balance sheet statement."

(c) The following account numbers and titles are deleted:

282 Profits from unusual sales of property.
284 Losses from unusual sales of property.
288 Federal income taxes assigned to retained income.

<sup>1</sup> If a loss or a debit show the amount in parenthesis.

(d) The caption "Ordinary Items" is added directly below "Income Accounts."

(e) The number "399" is prefixed to Condensed Revenue Accounts for Small Carriers.

(f) The number "499" is prefixed to Condensed Expense Accounts for Small Carriers.

(g) The title of "532 Income taxes" is changed to:

532 Income taxes on ordinary income.

(h) The following caption and line items are added after "532 Income taxes on ordinary income":

## EXTRAORDINARY AND PRIOR PERIOD ITEMS

570 Extraordinary items (net).
580 Prior period items (net).
590 Income taxes on extraordinary and prior period items.

(i) The number "599" is prefixed to "Form of Income Statement."

*Item No. 2.* In the system of accounts, following the text of account 280, "Retained income—unappropriated", and below "Balance Sheet Statement", the

following account number and title are added:

299 Form of balance sheet statement.

*Item No. 3.* After the note following the text of account 287, "Dividend appropriations of retained income", below caption "Income Accounts", the following caption is added:

## ORDINARY ITEMS

*Item No. 4.* In the system of accounts, following the text of account 355, "Interdepartmental credits", and below the caption "Small carriers", the following account number and title are added:

399 Condensed revenue accounts for small carriers.

*Item No. 5.* In the system of accounts, following the text of account 495, "Interdepartmental debits", and below the caption "Small Carriers", the following account number and title are added:

499 Condensed expense accounts for small carriers.

[F.R. Doc. 67-12790; Filed, Oct. 30, 1967; 8:46 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

[ 26 CFR Part 1 ]

INCOME TAX

### Definition of Group-Term Life Insurance

Notice is hereby given that the regulations set forth in tentative form as set forth below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,  
Commissioner of Internal Revenue.

In order to modify the definition of group-term life insurance applicable to the Income Tax Regulations (26 CFR Part 1) under section 79 of the Internal Revenue Code of 1954, such regulations are amended as follows:

Paragraph (b) (1) (iii) of § 1.79-1 is amended to read as follows:

§ 1.79-1 General rules relating to group-term life insurance purchased for employees.

(b) *Meaning of terms.* \* \* \*

(1) *Group-term life insurance.* \* \* \*

(iii) *Plan of group insurance defined.*

(a) To constitute a plan of group insurance, the plan must be arranged for by an employer for his employees. The provisions of the plan of the employer may be incorporated in a separate written document or may be incorporated in the master policy providing life insurance protection for the employees. For pur-

poses of determining whether the requirements of this subdivision are satisfied, the plan of each employer is considered separately even though the policy which provides insurance protection for the employees covered under the plan also provides insurance protection for the employees of another employer. Furthermore, if the plan of one employer does not satisfy the requirements of this subdivision, such failure to qualify does not affect the qualification of the plan of any other employer who provides his employees with group-term life insurance protection under the same policy.

(b) To constitute a plan of group insurance, the plan must make term life insurance available to a group of lives. Such group must include all of the employees of the employer, or, subject to the provisions of (d) of this subdivision, a class or classes of such employees the members of which are determined on the basis of factors which preclude individual selection. Examples of such factors are membership in a union whose members are employed by the employer, marital status, and age. A plan under which insurance is available only to employees who own stock in the employer corporation does not qualify as a plan of group insurance for purposes of section 79 since eligibility is not based primarily on the employment relationship. Furthermore, the coverage under the plan of the employer must in operation conform to the provisions relating to the eligibility of employees which are incorporated therein.

(c) To constitute a plan of group insurance, the amounts of insurance protection provided under the plan must be based upon some formula which precludes individual selection of such amounts. Thus, for example, the amounts of insurance on the lives of those individuals eligible for insurance under the plan must be based on a factor such as salary, years of service, or position, or a combination of such factors. (See (d) of this subdivision for requirement when a plan covers less than 10 employees.) The requirements of this subdivision do not prevent the use of a limited number of alternative schedules based upon the amount the employee elects to contribute, provided each such schedule satisfies the requirements of this subdivision independently.

(d) As a general rule, to constitute a plan of group insurance for a calendar year, an employer's plan must provide term insurance protection for at least 10 full-time employees at some time during a calendar year. However, a plan which, for an entire calendar year, provides protection for less than 10 full-time employees may also qualify as group insurance if the following requirements to preclude individual selection are met:

(1) The plan provides protection for all full-time employees (except as otherwise permitted in (3));

(2) Except as otherwise permitted in (3), the amount of protection for employees is computed either as a uniform percentage of salary or on the basis of coverage brackets (established independently of this employer's particular situation) under which no bracket exceeds  $2\frac{1}{2}$  times the next lower bracket and the lowest bracket is at least 10 percent of the highest bracket;

(3) Evidence of insurability may be a factor affecting either the employee's eligibility for insurance or the amount of insurance on his life only to the extent that such eligibility or amount of insurance is determined solely on the basis of a medical questionnaire completed by the employee and not requiring a medical examination.

For purposes of this (d), a plan shall be considered to be providing insurance protection for any employee who was eligible for such protection but elected not to participate in the plan.

[F.R. Doc. 67-12794; Filed, Oct. 30, 1967; 8:47 a.m.]

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[ 7 CFR Part 909 ]

### GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF.; AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Notice of Proposed Rule Making With Respect to Approval of Expenses and Fixing of Rate of Assessment for 1967-68 Fiscal Period and Carryover of Unexpended Funds

Consideration is being given to the following proposals submitted by the Administrative Committee, established under the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif., and in that part of Riverside County, Calif., situated south and east of White Water, Calif., effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) Expenses that are reasonable and necessary to be incurred by the Administrative Committee during the period August 1, 1967, through July 31, 1968, will amount to \$136,500.

## PROPOSED RULE MAKING

(2) That the rate of assessment for such period, payable by each handler in accordance with § 909.41, to be fixed at three cents (\$0.03) per carton, or equivalent quantity of grapefruit; and

(3) That unexpended assessment funds, in excess of expenses incurred during such period, shall be carried over as a reserve in accordance with the applicable provisions of § 909.42.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington,

D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: October 26, 1967.

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

[F.R. Doc. 67-12806; Filed, Oct. 30, 1967;  
8:47 a.m.]

# Notices

## FEDERAL POWER COMMISSION

[Docket Nos. RI68-178 etc.]

### WILLIAM HERBERT HUNT TRUST ESTATE ET AL.

#### Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>

OCTOBER 20, 1967.

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.

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

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 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 December 6, 1967.

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 docket Nos.
									Rate in effect	Proposed increased rate	
RI68-178	William Herbert Hunt, Trust Estate, 1401 Elm St., Dallas, Tex. 75202, Attn: Donald K. Young, Esq.	1	16	Texas Eastern Transmission Corp. (North Cottonwood Field, Liberty County, Tex.) (RR. District No. 3).	\$500	9-22-67	11-1-67	4-1-68	16.2	** 16.4	RI67-87.
RI68-179	Hidalgo Gas Production Corp., 1401 Elm St., Dallas, Tex. 75202, Attn: Donald K. Young, Esq.	1	11	Texas Eastern Transmission Corp. (Mercedes Field, Hidalgo County, Tex.) (RR. District No. 4).	200	9-22-67	11-1-67	4-1-68	16.2	** 16.4	RI67-86.
	do.		2	Texas Eastern Transmission Corp. (Aqua Dulce Field, Nueces County, Tex.) (RR. District No. 4).	400	9-22-67	11-1-67	4-1-68	16.2	** 16.4	RI67-86.
RI68-180	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020, Attn: Mr. F. C. Sweat.	11	9	United Gas Pipe Line Co. (Red Fish Bay Field, San Patricio County, Tex.) (RR. District No. 4).	13,000	9-29-67	11-1-67	4-1-68	** 14.6	*** 15.6	
RI68-181	Atlantic Richfield Co., Post Office Box 2319, Dallas, Tex. 75221.	311	18	United Gas Pipe Line Co. (Mustang Island, Nueces County, Tex.) (RR. District No. 4).	2	9-29-67	11-1-67	4-1-68	** 14.6	*** 15.6	
RI68-182	H. L. Hunt et al., 1401 Elm St., Dallas, Tex. 75202.	4	23	Texas Eastern Transmission Corp. (Whelan Field, Harrison County, Tex.) (RR. District No. 4).	2,000	9-22-67	11-1-67	4-1-68	16.2	** 16.4	RI67-92.
RI68-183	Hunt Oil Co., 1401 Elm St., Dallas, Tex. 75202.	33	11	Texas Eastern Transmission Corp. (Woodlawn Field, Harrison County, Tex.) (RR. District No. 4).	20	9-22-67	11-1-67	4-1-68	15.6410	** 15.7441	RI67-98.
RI68-184	Hunt Oil Co. (Operator) et al., 1401 Elm St., Dallas, Tex. 75202.	39	10	Texas Eastern Transmission Corp. (Northeast Hallsville Field, Harrison County, Tex.) (RR. District No. 4).	41	9-22-67	11-1-67	4-1-68	** 15.6410	** ** 15.7441	RI67-98.
	do.		28	Texas Eastern Transmission Corp. (Greenwood-Wasikom Field, Caddo Parish, La.) (North Louisiana).	1,641	9-22-67	11-1-67	4-1-68	** 17.4417	** ** 17.6498	RI67-96.
RI68-185	Hassie Hunt Trust (Operator) et al., 1401 Elm St., Dallas, Tex. 75202.	4	22	Texas Eastern Transmission Corp. (Northeast Lisbon Field, Claiborne Parish, La.) (North Louisiana).	3,077	9-22-67	11-1-67	4-1-68	17.4417	** 17.6498	RI67-100.
RI68-186	Pan American Petroleum Corp., Post Office Box 391, Tulsa, Okla. 74102, Attn: J. P. Hammond, General Attorney.	39	22	Hassie Hunt Trust (Northeast Lisbon Field, Claiborne Parish, La.) (North Louisiana).	102	9-29-67	11-1-67	4-1-68	** 17.2326	** ** * 17.6498	RI66-128.
	do.		149	do "	31	9-29-67	11-1-67	4-1-68	** 16.3616	** ** * 16.7613	RI66-128.
	do.		275	H. L. Hunt et al. (North Lansing Field, Harrison County, Tex.) (RR. District No. 6).	457	9-29-67	11-1-67	4-1-68	13.5	** 13.9	RI66-128.
	do.		308	do "	35	9-29-67	11-1-67	4-1-68	** 15.5	** * 15.9	RI66-128.

See footnotes at end of table.

## NOTICES

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 docket Nos.
									Rate in effect	Proposed increased rate	
RI68-187...	Placid Oil Co. (Operator) et al., 2600 First National Bank Bldg., Dallas, Tex. 75202.	29	7	H. L. Hunt <sup>21</sup> (Whelan Field, Harrison County, Tex.) (R.R. District No. 6)	450	9-28-67	<sup>21</sup> 11- 1-67	4- 1-68	13.7	<sup>24</sup> 13.0	RI67-91.
	do.....	30	7	H. L. Hunt <sup>21</sup> (North Lansing Field, Harrison County, Tex.) (R.R. District No. 6)	100	9-28-67	<sup>21</sup> 11- 1-67	4- 1-68	15.7	<sup>24</sup> 16.0	RI67-91.
	do.....	26	15	Texas Eastern Transmission Corp. (Lucky and Liberty Hill Fields, Bienville Parish, La.) (North Louisiana).	11,280	9-28-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>22</sup> 17.4417	<sup>24</sup> <sup>22</sup> 17.6468	RI67-91.
RI68-188...	Lamar Hunt, 1401 Elm St., Dallas, Tex. 75202.	9	15	Texas Eastern Transmission Corp. (Lucky Field, Bienville Parish, La.) (North Louisiana).	14	9-22-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>22</sup> 17.4417	<sup>24</sup> <sup>22</sup> 17.6468	RI67-101.
RI68-189...	Nelson Bunker Hunt, Trust Estate, 1401 Elm St., Dallas, Tex. 75202.	7	15	do.....	410	9-22-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>22</sup> 17.4417	<sup>24</sup> <sup>22</sup> 17.6468	RI67-103.
RI68-190...	Lamar Hunt Trust Estate et al., 1401 Elm St., Dallas, Tex. 75202.	8	15	do.....	615	9-22-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>22</sup> 17.4417	<sup>24</sup> <sup>22</sup> 17.6468	RI67-102.
RI68-191...	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	270	3	Mississippi River Transmission Corp. (Woodlawn Field, Harrison County, Tex.) (R.R. District No. 6).	91	9-25-67	<sup>21</sup> 10-26-67	3-26-68	<sup>24</sup> 15.1440	<sup>24</sup> <sup>24</sup> 16.6488	RI64-70.
	do.....	107	13	do.....	26,250	9-27-67	<sup>21</sup> 10-28-67	3-28-68	<sup>24</sup> 15.1440	<sup>24</sup> <sup>24</sup> 16.6488	RI63-368.
RI68-192...	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	92	<sup>24</sup> 8	Arkansas Louisiana Gas Co. (Southwest Lacy Field, Kingfisher County, Okla.) (Oklahoma "Other" Area).	350	9-25-67	<sup>21</sup> 12-14-67	5-14-68	<sup>22</sup> 15.0	<sup>24</sup> <sup>22</sup> 16.0	
	do.....	145	8	Michigan Wisconsin Pipe Line Co. (Northeast Cedardale Field, Major County, Okla.) (Oklahoma "Other" Area).	10,440	9-25-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>24</sup> 15.43	<sup>24</sup> <sup>24</sup> 18.33	
RI68-193...	J. F. Hamilton, Trust Estate, c/o Mahaska State Bank, Oskaloosa, Iowa.	2	<sup>24</sup> 1	Panhandle Eastern Pipe Line Co. (Panoma Council Grove Field, Stevens, Seward, and Morton Counties, Kans.).	20	9-25-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>24</sup> 14.0	<sup>24</sup> <sup>24</sup> 15.0	
RI68-194...	Gregg Oil Co., Inc., et al., Post Office Box 4043, Monroe, La. 71201.	1	2	Southern Natural Gas Co. (Monroe Field, Ouachita and Union Parishes, La.) (North Louisiana).	12,250	9-28-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>24</sup> 16.75	<sup>24</sup> <sup>24</sup> 17.75	
RI68-195...	Calvert Exploration Co. (Operator) et al., National Bank of Tulsa Bldg., Tulsa, Okla. 74113.	5	3	Panhandle Eastern Pipe Line Co. (Beaver County, Okla.) (Panhandle Area).	14,406	9-25-67	<sup>21</sup> 10-26-67	3-26-68	17.0	<sup>24</sup> 18.0	
	do.....	6	5	Northern Natural Gas Co. (Beaver County, Okla.) (Panhandle Area).	8,460	9-25-67	<sup>21</sup> 10-26-67	3-26-68	<sup>24</sup> 17.0	<sup>24</sup> <sup>24</sup> 18.0	
	do.....	10	3	Natural Gas Pipeline Co. of America (Beaver County, Okla.) (Panhandle Area).	1,280	9-25-67	<sup>21</sup> 10-26-67	3-26-68	<sup>24</sup> 17.0	<sup>24</sup> <sup>24</sup> 17.8	RI63-400.
	do.....	8	3	Colorado Interstate Gas Co. (Beaver County, Okla.) (Panhandle Area).	1,890	9-25-67	<sup>21</sup> 10-26-67	3-26-68	<sup>24</sup> 17.0	<sup>24</sup> <sup>24</sup> 18.0	
RI68-196...	Arkla Exploration Co., Slattery Bldg., Shreveport, La. 71102.	18	1	Arkansas Louisiana Gas Co. (Cheniere Field, Ouachita Parish, La.) (North Louisiana).	1,200	9-27-67	<sup>21</sup> 11-30-67	4-30-68	<sup>24</sup> 18.3333	<sup>24</sup> <sup>24</sup> 19.3333	
RI68-178...	William Herbert Hunt, Trust Estate, 1401 Elm St., Dallas, Tex. 75202.	10	15	Texas Eastern Transmission Corp. (Lucky Field, Bienville Parish, La.).	614	9-22-67	<sup>21</sup> 11- 1-67	4- 1-68	<sup>22</sup> 17.4417	<sup>24</sup> <sup>22</sup> 17.6468	RI67-104.

<sup>1</sup> Docket No. RI68-178 appears again as last entry in table.

<sup>2</sup> The stated effective date is the effective date requested by Respondent.

<sup>3</sup> Periodic rate increase.

<sup>4</sup> Pressure base is 14.65 p.s.i.a.

<sup>5</sup> Subject to a downward B.t.u. adjustment.

<sup>6</sup> Settlement rate as approved by Commission order issued Aug. 1, 1962, in Docket Nos. G-9446 et al.

<sup>7</sup> Revised filing submitted in substitution for filing submitted Sept. 21, 1967.

<sup>8</sup> "Fractured" rate increase. Second Amendment Settlement limits increase in rate not in excess of 1 cent per Mcf under this rate schedule.

<sup>9</sup> "Fractured" rate. Contractually due a rate of 15.6984 cents (15.5 cents base plus 0.1984-cent tax reimbursement).

<sup>10</sup> Settlement rate as approved by Commission order issued Dec. 26, 1962, in Docket Nos. G-8921 et al.

<sup>11</sup> Pressure base is 15.025 p.s.i.a.

<sup>12</sup> Includes 1.75-cent tax reimbursement.

<sup>13</sup> H. L. Hunt Trust processes and resells the gas under its Rate Schedule No. 4 to Texas Eastern Transmission Corp. at a rate of 17.4417 cents which is in effect subject to refund in Docket No. RI67-100. Buyer has filed its related increase to 17.6468 cents which is suspended herein and also becomes contractually due on Nov. 1, 1967.

<sup>14</sup> Includes 0.43275-cent handling charge, 0.25-cent dehydration charge, 1.5 cents charge for gas requiring 2 stage compression and 2.25 cents charge for gas requiring 3 stage compression all deducted by buyer.

<sup>15</sup> Includes 0.43275-cent handling charge and 1.5 cents compression charge (2 stages) both deducted by buyer.

<sup>16</sup> Includes 0.875-cent tax reimbursement.

<sup>17</sup> Includes 0.25-cent dehydration charge deducted by buyer.

<sup>18</sup> H. L. Hunt et al., processes the gas and resells it under its Rate Schedule No. 4 to Texas Eastern Transmission Corp. at a rate of 16.2 cents which is in effect subject to refund in Docket No. RI67-92. Buyer has filed its related increase to 16.4 cents which is suspended herein and also becomes contractually due on Nov. 1, 1967.

<sup>19</sup> Two-step periodic increase.

<sup>20</sup> Includes 0.75-cent compression charge deducted by buyer.

<sup>21</sup> H. L. Hunt processes the gas and resells it under its Rate Schedule No. 4 to Texas Eastern Transmission Corp. at a rate of 16.2 cents which is effective subject to refund in Docket No. RI67-92. Buyer has filed its related increase to 16.4 cents which is suspended herein and also becomes contractually due on Nov. 1, 1967.

<sup>22</sup> Applicable to casinghead gas dedicated by agreement dated May 23, 1965, (Supplement No. 4 to Rate Schedule No. 62.)

<sup>23</sup> "Fractured" rate increase. Contractual rate is 22 cents.

<sup>24</sup> Includes base rate of 15 cents before increase and base rate of 17.0 cents after increase plus 0.43-cent upward B.t.u. adjustment (1,043 B.t.u. gas). Base rate subject to upward and downward B.t.u. adjustment.

<sup>25</sup> For gas produced from below base of Chaso Group but above Top of Morrowan Series.

<sup>26</sup> Four-step periodic rate increase.

<sup>27</sup> Subject to upward and downward B.t.u. adjustment.

<sup>28</sup> Includes 1.3333 cents tax reimbursement.

The proposed rate increases contained in Supplement Nos. 8 and 4 to Pan American Petroleum Corp. (Pan Am) FPC Gas Rate Schedule Nos. 275 and 308, respectively, and Supplement No. 7, to Placid Oil Co. (Operator) et al. (Placid), FPC Gas Rate Schedule Nos. 29 and 30, respectively, are related to the buyer's, H. L. Hunt et al. (Hunt), proposed rate increase contained in Supplement No. 23 to Hunt's FPC Gas Rate Schedule No. 4, and Supplement Nos. 22 and 21 to Pan Am's FPC Gas Rate Schedule Nos. 39 and 149, respectively, are related to the increase of Hassie Hunt Trust (Operator) et al. (Hassie Hunt Trust), Hunt and Hassie Hunt Trust process the gas involved and resell the residue gas to Texas Eastern Transmission Corp. Since Hunt and Hassie Hunt Trust's proposed rate increases exceed the are increased rate ceilings as set forth in the Commission's statement of general policy No. 61-1, as amended, they should be suspended for 5 months from November 1, 1967, the proposed effective date. Consistent with prior Commission action involving sales for resale where the producer's proposed rate is related to an increase in the buyer's resale rate and the buyer's increased rate is in excess of the area increased rate ceiling and both increases are contractually due at the same time, Pan Am and Placid's aforementioned rate increases are also suspended for 5 months from November 1, 1967, the proposed effective date.

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 2.56), with the exception of the rate increases contained in Supplement No. 8 to Pan Am's FPC Gas Rate Schedule No. 275, and Supplement No. 7 to Placid's FPC Gas Rate Schedule No. 29, which are suspended herein for the reason set forth above.

[F.R. Doc. 67-12701; Filed, Oct. 30, 1967; 8:45 a.m.]

[Docket No. G-4258 etc.]

**R. E. HUBBARD, JR., ET AL.**

### Findings and Order

OCTOBER 23, 1967.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, cancelling Docket Number, amending certificates, permitting and approving abandonment of service, terminating certificates, making successor co-respondent, redesignating proceedings, accepting agreement and undertaking for filing and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate

commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sales from the Permian Basin area of New Mexico and Texas are authorized to be made at or below the applicable area base rates and under the conditions prescribed in Opinion Nos. 468 and 468-A.

R. E. Hubbard, Jr. (Operator), et al., Applicant in Docket Nos. G-5036, G-8666, G-4258 and G-15001, G-18334, CI60-69, and CI62-623,<sup>1</sup> proposes to continue the sales of natural gas heretofore authorized in said dockets to be made pursuant to Shell Oil Co. FPC Gas Rate Schedule Nos. 49, 128, 198, 208, 232, and 262, respectively. The presently effective rates under said rate schedules are in effect subject to refund in Docket Nos. RI65-475, RI65-475, RI65-476, RI65-475, RI65-475, and RI65-317,<sup>2</sup> respectively. Applicant has requested to be made co-respondent in said proceedings and has submitted an agreement and undertaking to assure the refund of any amounts collected by him in excess of the amount determined to be just and reasonable in said proceedings. Therefore, Applicant will be made co-respondent, the proceedings will be redesignated accordingly, and the agreement and undertaking will be accepted for filing.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on October 18, 1967, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service

<sup>1</sup> A temporary certificate in Docket No. CI62-623 has heretofore been issued by letter order of Aug. 8, 1967, authorizing R. E. Hubbard, Jr. (Operator), et al., to continue the sale of natural gas in lieu of Shell Oil Co. The instant order does not issue a permanent certificate in said docket but only makes Hubbard a co-respondent in the related rate proceeding in Docket No. RI65-317.

under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket No. CI68-198 should be cancelled and that the application filed herein should be processed as a petition to amend the certificate heretofore issued in Docket No. CI66-391.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-4258, G-4541, G-5033, G-5036, G-5040, G-8666, G-8816, G-9166, G-15001, G-18334, CI60-69, CI61-295, CI61-843, CI61-1348, CI62-1184, CI63-234, CI66-112, CI66-391, CI67-5, and CI67-401 should be amended as hereinafter ordered and conditioned.

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments herein after permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that R. E. Hubbard, Jr. (Operator), et al., should be co-respondent in the proceedings pending in Docket Nos. RI65-317, RI65-475, and RI65-476, that said proceedings should be redesignated accordingly, and that the agreement and undertaking submitted by R. E. Hubbard, Jr. (Operator), et al., should be accepted for filing.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) (3) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable dates as indicated by footnote 9, in the attached tabulation.

(E) The initial rates for sales authorized in Docket Nos. G-4541, CI67-1804, and CI68-166 shall be the applicable base area rates prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality, or the contract rates, whichever are lower; and no increases

in rate in excess of said initial rates shall be filed before January 1, 1968.

(F) If the quality of the gas delivered by Applicants in Docket Nos. G-4541, CI67-1804, and CI68-166 deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to the provisions of section 4 of the Natural Gas Act; *Provided, however,* That adjustments reflecting changes in Btu content of the gas shall be computed by the applicable formula and charged without the filing of notices of changes in rate.

(G) Within 90 days from the date of initial delivery Applicants in Docket Nos. G-4541, CI67-1804, and CI68-166 shall file rate schedule quality statements in the form prescribed in Opinion No. 468-A.

(H) Docket No. CI68-198 is canceled.

(I) The certificates heretofore issued in Docket Nos. G-4541, G-9166, and CI67-401 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations pursuant to the rate schedule supplements as indicated in the tabulation herein.

(J) The certificates heretofore issued in Docket Nos. G-8816, CI62-1184, CI63-234, and CI66-112 are amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicants in Docket Nos. CI68-186, CI68-209, CI68-207, and CI68-186, respectively.

(K) The certificates heretofore issued in Docket Nos. G-4258, G-5033, G-5036, G-5040, G-8666, G-15001, G-18334, CI60-69, CI61-295, CI61-843, CI61-1348, CI66-391, and CI67-5 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(L) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all

as more fully described in the respective applications and in the tabulation herein, are granted.

(M) The certificate heretofore issued in Docket No. G-7663 is terminated only insofar as it pertains to Ashland Oil & Refining Co. et al., FPC Gas Rate Schedule No. 36.

(N) The certificates heretofore issued in Docket Nos. G-4566, CI65-166, CI65-287, CI65-307, and CI67-74 are terminated.

(O) R. E. Hubbard, Jr. (Operator), et al., shall be a co-respondent in the proceedings pending in Docket Nos. RI65-317, RI65-475, and RI65-476; said proceedings are redesignated accordingly; and the agreement and undertaking submitted by R. E. Hubbard, Jr. (Operator), et al., in said proceedings is accepted for filing.

(P) R. E. Hubbard, Jr. (Operator), et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreement and undertaking submitted by him in Docket Nos. RI65-317, RI65-475, and RI65-476 shall remain in full force and effect until discharged by the Commission.

(Q) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

<sup>2</sup> Docket No. RI65-317, Shell Oil Co. and R. E. Hubbard, Jr. (Operator), et al.; Docket No. RI65-475, Shell Oil Co., Cabot Corp. (SW) (Operator), et al., Herman Geo. Kaiser (Operator), et al., Phillips Petroleum Co., V. F. Neuhaus, and R. E. Hubbard, Jr. (Operator), et al.; Docket No. RI65-476, Shell Oil Co. (Operator), et al., and R. E. Hubbard, Jr. (Operator), et al.

Docket No. and date filed	Applicant	Purchaser, field, and location	FTC rate schedule to be accepted	
			Description and date of document	No. Supp.
G-4258 G-15001 E 8-22-67	R. E. Hubbard, Jr. (Operator) et al. (successor to Shell Oil Co. (Operator) et al.)	Transcontinental Gas Pipe Line Corp., Bear Field, Beauregard Parish, La.	Shell Oil Co. (Operator) et al., FPC GRS No. 193. Supplement Nos. 1-8 Notice of succession 7-23-67.	4 4 1-8
G-4541 C 8-14-67 <sup>2</sup>	Sinclair Oil & Gas Co.	El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	Assignment 5-23-67 <sup>1</sup> Assignment 5-23-67 <sup>2</sup> Supplemental agreement 7-11-67. <sup>3</sup>	4 4 10 275 25
G-5033 E 8-22-67	R. E. Hubbard, Jr. (Operator) et al. (successor to Shell Oil Co.)	Arkansas Louisiana Gas Co., Athens Field, Claiborne Parish, La.	Shell Oil Co., FPC GRS No. 30. Supplement Nos. 1-14 Notice of succession 7-23-67. Assignment 5-23-67 <sup>1</sup> Assignment 5-23-67 <sup>2</sup>	1 1 1-14 1 16 1 16

Filing code: A—Initial service.  
B—Abandonment.  
C—Amendment to add acreage.  
D—Amendment to delete acreage.  
E—Succession.  
F—Partial succession.

See footnotes at end of table.



NOTICES

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No: Supp:
C168-156 A 8-14-67	Mobil Oil Corp.	El Paso Natural Gas Co., Worsham (Ellenburger) Field, Reeves County, Tex.	Contract 8-2-67	406
C168-186 (C168-112) F 8-9-67 as amended 9-7-67 and 9-12-67 (G-1506) B 8-22-67	Joseph B. Gould (successor to Sentinel Petroleum Corp.)	El Paso Natural Gas Co., San Juan Field, Rio Arriba County, N. Mex.	Contract 2-15-68 Assignment 7-26-67	1 1
C168-190 (G-1506) B 8-22-67	Consumers Gas Utility Co.	Consolidated Gas Supply Corp., Union District, Ritchie County, W. Va.	Notice of cancellation 8-21-67	1
C168-191 A 8-23-67 as amended 8-30-67	Prarie Producing Co. (Operator) et al.	Trunkline Gas Co., Ramsay Field, Colorado County, Tex.	Contract 7-24-67	1
C168-192 A 8-17-67	Bill Ferguson, d.b.a. Ferguson Oil Co.	Panhandle Eastern Pipeline Co., acreage in Meade County, Kans.	Contract 7-26-67	8
C168-198 (C168-101) B 7-25-67	J. L. Romines (successor to Ed F. Brock).	Phillips Petroleum Co., East Panhandle Field, Wheeler County, Tex.	Contract 10-15-65 Assignment 6-7-67 Effective date: 6-7-67	1 1
C168-199 (G-8316) B 8-23-67	Larco Drilling Co. (successor to Humble Oil & Refining Co.)	United Gas Pipe Line Co., Maxie Field, Forrest County, Miss.	Contract 4-16-65 Assignment 9-1-66 Assignment 2-2-67 Effective date: 8-8-67	7 7 7
(G-8316)	Humble Oil & Refining Co.	do.	Assignment 9-1-66 Assignment 2-2-67 Effective date: 8-12-67 Contract 6-10-67	110 110 222
C168-200 A 8-23-67	Sun Oil Co. (Mid-Continent Division).	Arkansas Louisiana Gas Co., Poco Field, LeFlore County, Okla.	Contract 6-6-67	17
C168-203 A 8-24-67	Woods Petroleum Corp.	Northern Natural Gas Co., West Sharon Field, Woodward County, Okla.	Contract 7-21-67	3
C168-204 A 8-25-67	Dixie Natural Gas Corp.	United Fuel Gas Co., Poca District, Putnam County, W. Va.	Contract 5-12-67 Amendment 7-12-67	45 45
C168-206 A 8-24-67	Midwest Oil Corp.	Arkansas Louisiana Gas Co., Mansfield Field, Scott County, Ark.	Contract 6-13-62 Assignment 3-11-63	487 487
C168-207 (C168-234) F 8-25-67	Pan American Petroleum Corp. (successor to Mobil Oil Corp. (Operator) et al.)	Arkansas Louisiana Gas Co., Red Oak Field, Latimer County, Okla.	Contract 3-15-62 Supplemental agreement 3-6-63	486 486
C168-209 (C168-1184) F 8-25-67	Pan American Petroleum Corp. (successor to Sinclair Oil & Gas Co.)	Arkansas Louisiana Gas Co., Wilburton Field, Latimer County, Okla.	Assignment 7-7-67	486
C168-210 A 8-23-67	Maurice K. Jewell et al., d.b.a. H & S Oil & Gas Co. et al.	Consolidated Gas Supply Corp., Williams District, Wood County, W. Va.	Contract 6-23-67	1
C168-212 A 8-23-67	Columbian Fuel Corp.	United Fuel Gas Co., Loudon and Washington Districts, Kanawha County, W. Va.	Contract 8-8-67	85
C168-213 A 8-23-67	Petroleum, Inc. (Operator) et al.	Panhandle Eastern Pipeline Co., Northeast Fergan Pool, Beaver County, Okla.	Contract 8-2-67	46
C168-215 (G-7653) B 8-23-67	Ashland Oil & Refining Co. et al.	Arkansas Louisiana Gas Co., Washon Field, Harrison County, Tex.	Notice of cancellation (undated)	36

See footnotes at end of table.

1 Conveys acreage from Shell Oil Co. to R. E. Hubbard, Jr.  
 2 Conveys acreage from R. E. Hubbard, Jr., to George R. Grim, Jr., L. J. Wickenhauer, Robert G. Haak, Robert D. Armstrong, and D. Bill Robinson.  
 3 Applicant agreed to accept permanent authorization containing conditions similar to those imposed by Opluton No. 483, as modified by Opinion No. 488-A.  
 4 Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).  
 5 Production of gas no longer economically feasible.  
 6 Effective date: Date of this order.  
 7 Instruments whereby Montair Oil & Gas Co. acquired leases from Robert Lindholm et al.  
 8 Jan. 1, 1970, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.  
 9 Adds acreage which is limited to the zone from the base of the Hugoton to the base of the Chester Formation.  
 10 By letter filed Aug. 14, 1967, Applicant agreed to accept a permanent certificate subject to the conditions set forth in paragraphs (1) and (2) of the Commission's letter dated Aug. 8, 1967.  
 11 Omitted.  
 12 On file as Sentinal Petroleum Corp. FPC GRS No. 1.  
 13 From Sentinal Petroleum Corp. to Joseph B. Gould.  
 14 Application erroneously assigned Docket No. C168-198 will be construed as a petition to amend the certificate issued in Docket No. C168-391 and Docket No. C168-198 will be canceled.  
 15 Between Ed. F. Brock and Phillips Petroleum Co.  
 16 Assign acreage from Ed. F. Brock to J. L. Romines (supersedes Ed. F. Brock FPC GRS No. 1).  
 17 Has acreage from Ed. F. Brock to J. L. Romines (supersedes Ed. F. Brock FPC GRS No. 1).  
 18 On file as Humble Oil & Refining Co. FPC GRS No. 110.  
 19 Transfers acreage from Humble Oil & Refining Co. to Larco Drilling Co. with depth limitations.  
 20 No certificate filing made or necessary; Applicant submitted rate filing to reflect deletion of the subject acreage which is being accepted for filing by this order.  
 21 Production from the Newburg Sand only.  
 22 Omitted.  
 23 Adds acreage to the basic contract.  
 24 On file as Mobil Oil Corp. (Operator) et al. FPC GRS No. 333.  
 25 Assigns acreage from Mobil Oil Corp. to Pan American Petroleum Corp.  
 26 Omitted.  
 27 On file as Sinclair Oil & Gas Co. (Operator) et al. FPC GRS No. 251.  
 28 Assignment of acreage from Sinclair Oil & Gas Co. to Pan American Petroleum Corp.  
 29 Production from and below the Newburg Sand.  
 30 Other sales covered under Docket No. G-7653; therefore, said certificate will be terminated only insofar as it pertains to Ashland's FPC GRS No. 36.  
 31 Sources of gas depleted.  
 32 Adopts terms set forth in contract between Shell Oil Co. and Arkansas Louisiana Gas Co. dated Oct. 21, 1963.  
 33 Currently on file as Shell Oil Co. FPC GRS No. 306.  
 34 Formerly designated as Delta Petroleum Co. et al., FPC GRS No. 5.

[F.R. Doc. 67-12717, Filed, Oct. 30, 1967; 8:45 a.m.]

[Docket No. CP67-353]

**TRANSWESTERN PIPELINE CO.****Notice of Postponement**

OCTOBER 27, 1967.

In view of the Notice of Withdrawal of Application filed on October 10, 1967, by Transwestern Pipeline Co. in the above-designated matter, notice is hereby given that the prehearing conference fixed by order issued on September 5, 1967, to commence at 10 a.m. (e.s.t.) on October 31, 1967, is postponed indefinitely.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-12913; Filed, Oct. 30, 1967;  
10:48 a.m.]

**DEPARTMENT OF THE INTERIOR****Office of the Secretary****JAMES S. BROADDUS****Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 5, 1967.

Dated: October 5, 1967.

JAMES S. BROADDUS.

[F.R. Doc. 67-12783; Filed, Oct. 30, 1967;  
8:45 a.m.]

**GEORGE F. HRUBESKY****Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) Vice-President—Power Generation and Engineering.
- (2) No change.
- (3) None.
- (4) None.

This statement is made as of October 17, 1967.

Dated: October 17, 1967.

GEORGE F. HRUBESKY.

[F.R. Doc. 67-12784; Filed, Oct. 30, 1967;  
8:45 a.m.]

**KENNETH I. SEWELL****Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 1, 1967.

Dated: October 6, 1967.

K. I. SEWELL.

[F.R. Doc. 67-12785; Filed, Oct. 30, 1967;  
8:46 a.m.]

**ELWYN F. TIMME****Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 9, 1967.

Dated: October 9, 1967.

E. F. TIMME.

[F.R. Doc. 67-12786; Filed, Oct. 30, 1967;  
8:46 a.m.]

**EDWARD W. WELCH****Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of October 9, 1967.

Dated: October 9, 1967.

E. W. WELCH.

[F.R. Doc. 67-12787; Filed, Oct. 30, 1967;  
8:46 a.m.]

**FEDERAL MARITIME COMMISSION**

[Agreement T-5-1(2)]

**CITY OF OAKLAND AND SEA-LAND OF CALIFORNIA, INC.****Time for Filing Comments; Correction**

On October 26, 1967, notice appeared in the FEDERAL REGISTER (32 F.R. 14866) that Agreement No. T-5-1(2), between the City of Oakland and Sea-Land of California, Inc., had been filed for approval.

Twenty days was announced as the time for filing comments in connection with the agreement, although the parties had, for good reason, requested publication on 10 days' notice. Therefore, persons wishing to file comments in connection with Agreement No. T-5-1(2) are requested to do so by November 6, 1967.

Dated: October 27, 1967.

By order of the Commission.

THOMAS LIST,  
Secretary.

[F.R. Doc. 67-12872; Filed, Oct. 30, 1967;  
8:48 a.m.]

**GENERAL SERVICES ADMINISTRATION****Property Management and Disposal Service**

[Wildlife Order 80]

**ARCADIA NATIONAL FISH HATCHERY****Transfer of Property**

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By deed from the United States of America dated July 27, 1967, the property known as the Arcadia National Fish Hatchery, Exeter-Richmond, R.I., consisting of 26.92 acres, and more particularly described in the deed, has been transferred from the United States to the State of Rhode Island.

2. The above-described property was transferred for wildlife purposes in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 667b).

WILLIAM P. WOLF,  
Manager, Real Property Disposal, Property Management and Disposal Service.

OCTOBER 24, 1967.

[F.R. Doc. 67-12810; Filed, Oct. 30, 1967;  
8:48 a.m.]

# DEPARTMENT OF DEFENSE

## Department of the Army

### U.S. ARMY RESERVE AND ARMY NATIONAL GUARD

#### Notice of Policies and Procedures Governing Satisfactory Participation of Enlisted Members

The text of Department of the Army Circular 135-10, effective as of July 1, 1967, to and through June 30, 1968, is set forth below.

1. *Purpose.* This circular prescribes policies, procedures, and responsibilities pertaining to satisfactory completion of the Ready Reserve service obligation and enforcement procedures pertaining thereto for certain enlisted male personnel of the Reserve components as set forth in DOD Directive 1215.13, dated February 23, 1967.

2. *Effective date.* This circular is effective July 1, 1967, except as provided in paragraph 20.

3. *Applicability.* a. The instructions contained in this circular are applicable to enlisted members of the ARNG and USAR who have an unfulfilled Ready Reserve obligation and who have not served on active duty/ACDUTRA (to include annual active duty for training, full-time training duty, and annual field training) for a combined period of 24 months.

b. Whenever the instructions set forth herein conflict with regulations, the provisions of this circular apply.

4. *Policy.* a. Nonprior service personnel previously enlisted in units of the Reserve components or who are enlisted under other Reserve component programs requiring unit participation and those who enlist in the future are required to participate satisfactorily in paid drill units of the Reserve components for the full period of their Ready Reserve obligation.

b. Those individuals who fail to attend prescribed unit training without proper authority or who, because of change in residence, job interference or other reasons, are unable to continue serving in a unit, will be ordered to active duty for 24 months less any period of active duty, active duty for training, or annual field training which they may have served previously. Inactive duty training assemblies may not be counted against the period of active duty. As exceptions to the policy—

(1) An individual eligible for discharge from the Reserve components for dependency, hardship, employment necessary to maintain national health, safety, or interest, or other reasons authorized herein will, upon approval of application, be discharged and appropriately reported to the Selective Service System.

(2) A member of a unit which is inactivated, reorganized, or relocated at the direction of the Department of the Army, who cannot be reassigned to another unit as described in paragraph 7, will be transferred to the Ready Reserve Mobilization Reinforcement Pool (Annual Training Control Group), subject to later assignment.

(3) An individual who changes his residence to a location where he cannot continue participation with his assigned unit will be allowed a period of 60 days after leaving his unit to locate and join another Reserve component unit under terms prescribed in paragraphs 5 and 6. Responsibility for locating a suitable unit vacancy will rest with the individual concerned.

c. The term of enlistment or period of military service of those individuals ordered to active duty will be extended as necessary to permit completion of the period of active duty involved.

d. Satisfactory participation is defined as—  
(1) Regular attendance at unit training assemblies and annual active duty for training or annual field training as a member of a paid drill unit of the Army National Guard or Army Reserve, unless excused by proper authority as provided herein. A member present at a scheduled unit training assembly will not receive credit for attendance thereat unless in the prescribed uniform, presents a neat and soldierly appearance, and performs his assigned duties in a satisfactory manner as determined by the unit commander.

(2) Attendance at ACDUTRA for not more than 30 days each year, when directed; this applies only to those individuals who are assigned to the Ready Reserve Mobilization Reinforcement Pool under the provisions of this circular or of subsequent authority.

5. *Change of residence.* a. A member who changes his residence to a location too distant to continue participation with his assigned unit will, prior to departure, be counseled and provided a Letter of Instructions concerning change of residence (app. A). He will be allowed a period of 60 days of excused absence from training in which to locate and join another Reserve component unit. The responsibility for locating a suitable unit vacancy will rest with the individual concerned. Should the member fail to join a unit within the 60-day period, he will be ordered to active duty for a period of 24 months less any previous period of active duty or active duty for training he may have already served.

b. Requests for the 60-day leave of absence will be submitted to the unit commander in writing, and will indicate the member's new address, if known, and evidence that a relocation of residence is, in fact, to be made.

c. A member granted a 60-day leave of absence will remain assigned to the unit until his leave of absence expires or is terminated by reassignment, discharge, or return to the unit, and will be given credit for constructive attendance at training assemblies, without pay. During this period his position will be considered a vacancy for the purposes of enlistment or assignment.

d. Upon notification of a member's intended relocation, the unit commander is responsible for—

(1) Counseling the member regarding his obligation to locate and join a Reserve component unit within 60 days of relocation. Member will be warned at this time that failure to fulfill this obligation will result in his being ordered to active duty on or about 30 days after the expiration of this 60-day period. Member will be advised to first report to an activity of his component, if possible. If the member is relocating outside the United States he will be advised that paid drill units normally are not located outside the United States and that he will be subject to order to active duty at the end of the 60-day period if he has not joined a paid drill unit or substantiated a basis for discharge.

(2) Confirming information furnished verbally by delivering to the member at time of counseling a Letter of Instructions concerning change of residence (app. A). The member will sign a copy of this letter acknowledging receipt.

(3) Filing a copy of the receipted letter as a permanent document in the member's military personnel records jacket.

e. When the member arrives in his new location he will present his Letter of Instructions to the commander of the unit(s) in which he seeks assignment.

(1) The commander will consider such a member for acceptance based on the vacancy and qualification criteria contained in paragraph 8 and, if acceptable, will accord him the priority as established in paragraph 8d.

(2) If the member is accepted for a vacancy, the commander concerned will enter the pertinent information on Inclosure 1 to the Letter of Instructions and forward it to the member's former unit commander.

f. Upon receipt of Inclosure 1 to the Letter of Instructions or other verification that the member has been accepted by another unit, the following procedures will apply:

(1) For ARNGUS members:

(a) If accepted for assignment in an ARNGUS unit in the same State, the State Adjutant General will issue reassignment orders.

(b) If enlisted in an ARNGUS unit in another State, the losing State Adjutant General will discharge the member from the ARNG, but not as a Reserve of the Army. The State discharge order will identify the gaining State and ARNG unit in which the member enlisted.

(c) If accepted for assignment in a USAR unit, the losing State Adjutant General will discharge the member from the ARNG, but not as a Reserve of the Army. The State discharge orders will assign the member to the gaining USAR unit.

(d) If enlisted in a unit of another service component of the Armed Forces or the active forces, the State Adjutant General will concurrently discharge the member in accordance with NGR 25-3.

(2) For USAR members:

(a) If accepted for assignment to a USAR unit within the same corps or oversea area command, the appropriate commander will issue reassignment orders.

(b) If accepted for assignment to a unit not within the jurisdiction of the losing headquarters, the corps or oversea area commander or Commanding Officer, USAAC, as appropriate, will issue reassignment orders assigning the member to the gaining USAR unit.

(c) If enlisted in an ARNG unit, the corps or area commander or CO, USAAC, as appropriate, will terminate the member's USAR assignment. The State and ARNG unit in which enlisted will be identified in the remarks of the order.

(d) If enlisted in a unit of another service component or the active forces, the corps or oversea area commander or CO, USAAC, as appropriate, will discharge the member in accordance with AR 135-178.

(3) If the member remains a member of the Army Reserve components his military personnel records jacket will be forwarded to the gaining State Adjutant General, area commander, or U.S. Army Corps commander, as appropriate.

g. If no vacancy is available for which the member may be accepted, the member will notify his unit commander, if he has not already done so, of his current address. This notification will permit his being ordered to active duty in his present grade.

h. If, after 65 days from the effective date of excused absence, the unit commander has not received information indicating that the member has been accepted for assignment or enlistment in another Reserve component unit, the following procedures will be followed:

(1) In the case of a USAR member, the unit commander will forward the member's military personnel records jacket, including his new address if available, to the area or corps headquarters, as applicable, requesting his transfer to the USAR Control Group (Delayed) (Army) and order to active duty. The unit commander will at this time submit DD Form 44 (Record of Military Status of Reg-

istrant) to the member's Selective Service board designating the member as an unsatisfactory participant who is being reported for order to active duty under provisions of Public Law 89-687.

(2) In the case of an ARNGUS member, the unit commander will report him to the State Adjutant General for issuance of active duty orders by the appropriate area commander. The unit commander will at this time submit DD Form 44 to the member's Selective Service board designating the member as an unsatisfactory participant who is being reported for order to active duty under provisions of Public Law 89-687. The member will be retained in a National Guard status; upon publication of orders to active duty, the member will be discharged from the Army National Guard (but not as a Reserve of the Army) effective the date prior to the reporting date specified in the active duty orders, or the date prior to the effective date of transfer to a USAR Control Group (Delayed).

(3) Upon receipt of military personnel records jacket of a USAR member or request from the State Adjutant General for active duty orders for a member of the ARNG, the area commander will process the member for involuntary active duty as prescribed in paragraph 13 or where the member's new residence is not within the same area of jurisdiction, will transfer the member and forward his records to the appropriate area commander for such processing. If the member cannot be located, the provisions of paragraph 21 will apply. Members who relocate to an area outside the United States which is not within the geographical area of jurisdiction of CINCUSAREUR/Seventh Army or CINCUSARPAC, as defined in AR 135-306, will be transferred to the USAR Control Group (Delayed) at the U.S. Army Administration Center; orders will specify the purpose of the transfer and the current address or destination of the member concerned. CO, USAAC will accomplish the necessary coordination and processing to order the member to active duty.

i. A member who is accepted by a unit prior to publication of his active duty orders will not be involuntarily ordered to active duty. A member who is accepted by a unit after orders directing him to enter active duty have been published will proceed on active duty in accordance with these orders.

j. The 60-day leave of absence authorized by a above, will be used by, and approved for, only those members who intend to relocate their residence outside of participating distance from the current unit of assignment. In the event a member granted such leave of absence returns to his unit prior to the end of his leave of absence, he will be accepted to serve in his original position if it has not been filled, or accepted as overstrength if it has been filled. In such cases the unit commander will require such member to present substantiating evidence before granting a leave of absence for any subsequent intended move; should the member fail to provide convincing evidence, the unit commander may deny the 60-day leave of absence.

#### 6. (Revoked)

7. *Members of units inactivated, reorganized, or relocated.* a. Upon inactivation, reorganization, or relocation of a reserve component unit, members thereof who are subject to the policies enunciated in this circular will, insofar as possible, be reassigned to other units within 50 miles or 90 minutes commuting distance from their residence (by POV or public conveyance, whichever is the faster) or, in the case of reorganizations, to other positions within the assigned organization.

b. Affected members will be reassigned to

fill current vacancies or vacancies projected to occur within 6 months, using current grade and MOS substitutability criteria (app. B). Such assignments will be made in consonance with the priorities for assignment and enlistment as shown in paragraph 8d; they will not preclude acceptance in a unit of a current and qualified applicant whose failure to gain unit membership would result in involuntary order to active duty.

c. Individuals who cannot be reassigned due to the absence of current or projected vacancies under the criteria in b above may, at the discretion of the State Adjutant General or U.S. Army/Corps commander, as applicable, be reassigned to a unit overstrength. In such cases, the members concerned may be retained as overstrength for not longer than 1 year. If not absorbed in an authorized position within 1 year, disposition of such individuals will be in accordance with d below.

d. Members who are not reassigned as provided above will be transferred in accordance with current procedures to the USAR Control Group (Annual Training); ARNGUS members will be discharged from the ARNG prior to such transfer. Those so transferred will be subject to later mandatory assignment under current policy. While members of the USAR Control Group (Annual Training), such individuals may be ordered to active duty for training for not more than 30 days annually.

8. *Enlistment, assignment, or reassignment.* a. Individuals initially enlisted in Reserve component units on or after the effective date of this circular will be accepted in accordance with the priorities and procedures established in this paragraph. Current policies and regulations governing enlistment standards and qualifications are applicable.

b. Pending change to pertinent regulations, the modified Acknowledgment of Understanding of Service Requirements (app. C) or Enlistment Agreement (app. D), as applicable, will be completed by all individuals initially enlisting on or after the effective date of this circular.

c. A member who is unable to continue unit participation because of relocation of residence or unit inactivation, reorganization, or relocation may be enlisted in an ARNG unit or assigned to another unit of his component or, in the case of a unit reorganization, to the same unit—

(1) To fill an existing vacancy in his current MOS.

(2) To fill an existing vacancy in an MOS other than for which he is trained but for which he is eligible under enlistment standards, provided he agrees to perform additional active duty for training that may be necessary to become qualified in the MOS concerned. Additional active duty for training will be required when school training is a prerequisite for award of the MOS concerned, as specified in AR 611-201, or in other cases where the unit commander determines that the unit does not have the capability to provide adequate and timely OJT leading to award of the new MOS. A member accepted on the basis of performing additional ACDUTRA will sign an Amendment to his current Acknowledgment of Understanding of Service Requirements (Enlistment Agreement) (app. E).

(3) To fill a vacancy which is scheduled to occur within 180 days of his enlistment or assignment either in his current MOS or, under the same terms specified in (2) above, in another MOS.

d. The following priorities in assignment and/or enlistment will be followed in filling enlisted vacancies in troop program units:

(1) *Priority 1.* Reenlistment to fill own vacancy.

(2) *Priority 2.* Members whose failure to gain unit membership would result in order to active duty under the provisions of this circular.

(3) *Priority 3.* Mandatory or voluntary assignment of members of units reorganized, inactivated, or relocated.

(4) *Priority 4.* Voluntary prior service personnel.

(5) *Priority 5.* For USAR units only, mandatory assignment of obligated USAR members.

(6) *Priority 6.* Nonprior service applicants between the ages of 17 and 18½.

(7) *Priority 7.* Nonprior service applicants over the age of 18½, only after the unit commander concerned has determined that individuals in higher priority categories are not available.

Within each and among the priorities listed in (1) through (7) above, it shall be normal practice to accept the earliest applicant for enlistment or assignment in a unit of the Reserve components who meets the minimum qualifications for a vacancy. Exceptions to this general policy may be made when, in the best judgment of those responsible for the procurement of Reserve component personnel, an individual's prior Active or Reserve military service, or significant civilian experience in the occupational skill concerned, is considered to warrant it. The authority for approving exceptions within each and among the priorities listed above will not be delegated below U.S. Army/Corps or State Adjutant General.

c. Qualified applicants within priorities 1 through 5 (d above) will not be refused enlistment or assignment solely because of the length of their remaining Ready Reserve obligation, provided that, in the case of the ARNG, applicants agree to whatever other stipulations are required by State statutes and regulations for membership.

f. Individual applicants for assignment or enlistment in the Reserve components will not be accepted unless there is reasonable assurance that they will be available and able to participate satisfactorily in the unit concerned. In this respect careful consideration will be given to geographical location, possible conflicts with the civilian occupation of the applicant, future plans, and past frequent relocations as outlined in paragraph 5.

g. Transfer to Ready Reserve Mobilization Reinforcement Pool and the Standby Reserve.

(1) Except as provided in paragraph 6, 7, 16, and 21, no action will be initiated after 30 June 1967 to transfer enlisted members who entered the Reserve components through RFA 55 or REP 63 to the Ready Reserve Mobilization Reinforcement Pool.

(2) Effective July 1, 1967, enlisted members with a remaining military obligation may be transferred to the Standby Reserve for the following reasons only:

(a) Upon completion of a combination of 5 years' Ready Reserve and active duty service, providing he does not have an overriding contractual obligation.

(b) Upon completion of Ready Reserve obligation when the member has a remaining statutory obligation, providing he does not have an overriding contractual obligation.

(c) An obligated reservist is temporarily disqualified for reserve duty because of medical defects remediable within 1 year.

9. *Excused absences.* Absences from scheduled unit training assemblies or ANACDUTRA (AFT) may be authorized by the unit commander for reasons of sickness, injury, emergency, or other circumstances beyond the control of the individual and substantiated by appropriate affidavits or certified by a doctor or medical officer. Employment conflicts, overtime, schooling, and loss of income are not normally considered valid reasons for ab-

sence from training. Equivalent training may be authorized as provided by NGR 45 and AR 140-1, as applicable.

10. *Unexcused absences from an ACDUTRA/AFT.* A member fails to participate satisfactorily when he fails, without proper authority, to attend annual active duty for training (ANACDUTRA) or, in the case of the Army National Guard, annual field training (AFT). In such cases—

a. A member will be ordered to active duty for a period which, when added to his prior service on active duty, active duty for training, annual field training, or full-time training duty, will total 24 months.

b. The following precedures will apply:  
 (1) The unit commander will determine if the member was notified in sufficient time to comply, and whether or not emergency or cogent reasons existed for his absence.

(2) Upon determining that the member was notified in sufficient time to comply, and that no emergency or cogent reason existed for his absence, the unit commander will reduce to grade E-2 a member in grade E-3, and will forward a request to the appropriate area commander, corps commander, or State Adjutant General (including a recommendation for reduction to E-2 of a member in grade E-4 or higher) that the member be ordered to active duty. The unit commander will immediately notify the member of the action taken, and advise him that he will be required to enter active duty on or about 30 days after this notification. The unit commander will at this time submit DD Form 44 to the member's Selective Service board designating the member as an unsatisfactory participant who is being reported for order to active duty under provisions of Public Law 89-687.

11. *Unexcused absences from unit training assemblies.* A member fails to participate satisfactorily when he accrues in any 1-year period a total of five or more unexcused absences from scheduled unit training assemblies as computed in b below.

a. A member who fails to participate satisfactorily in this respect will be ordered to active duty for a period which, when added to his prior service on active duty, active duty for training, annual field training, or full-time training duty, will total 24 months.

b. A member who without proper authority fails to attend a scheduled single unit training assembly (UTA) will be charged with one unexcused absence. A multiple unit training assembly (MUTA) is a combination of unit training assemblies; therefore, a member who, without proper authority, fails to attend any portion of an MUTA will be charged with one unexcused absence for each UTA equivalent not attended. However, in the case of absences from an MUTA 5 or MUTA 6, the maximum number of unexcused absences with which the member will be charged is four. The maximum number of absences chargeable for failure to attend MUTA is as follows:

MUTA 2-----	2 unexcused absences.
MUTA 3-----	3 unexcused absences.
MUTA 4-----	4 unexcused absences.
MUTA 5, 6-----	4 unexcused absences.

c. For purposes of counting unexcused absences, the "1-year period" will begin on the date of the training assembly from which the member is absent and will end 1 year later (e.g., if the unexcused absence occurs on 15 July 1967, the "1-year period" will end on 14 July 1968). When longer than 1 year elapses from the date of such absence, it no longer will be counted and the new 1-year period will begin on the date of the subsequent absence, if any. An example of charging unexcused absences is shown in the table below:

ing unexcused absences is shown in the table below:

Date of unexcused absence(s)	Number of absences	Cumulative total in 1-year period
July 10, 1967 (MUTA-4)	2-----	2
July 11, 1967 (MUTA-4)	2-----	4
July 10, 1968 (UTA)	1-----	3
July 10, 1969	No intervening absences.	0
Aug. 14, 1969 (First day of MUTA-4)	2-----	2
Sept. 18, 1969 (First assembly of MUTA-4)	1-----	3
Mar. 1, 1970 (UTA)	1-----	4
Aug. 13, 1970 (MUTA-2)	2-----	16

<sup>1</sup> Over 4—report for order to active duty.

d. Unexcused absences will remain charged to individual upon reassignment or enlistment in another Reserve Component unit.

e. The following applies to members assigned to units on the effective date of this circular:

(1) For a member who accrued his fifth unexcused absence on or before June 30, 1967, the enforcement measures prescribed in AR 135-90 will apply.

(2) For all other members, unexcused absences accrued prior to July 1, 1967 will be forgiven, and will not remain charged to the individual.

(3) The 1-year period and the counting of unexcused absences will start on the date of the first unexcused absence which occurs on or after July 1, 1967. For a member who accrues five unexcused absences after this date, enforcement measures prescribed herein will apply.

f. In addition to the orientation requirements specified in paragraph 12, the unit commander will—

(1) Insure that following each scheduled training assembly (UTA or MUTA) from which a member is absent without authority, but prior to the next scheduled training assembly (except as provided in (2) below):

(a) The member is contacted in person, if practical, and furnished with a letter of instruction (prepared locally) outlining his obligation to participate satisfactorily, stating the number of absences he has accrued and explaining the implications of additional unexcused absence from training.

(b) If he is unable or it is impractical to establish personal contact, the member is furnished the letter of instruction by certified mail, deliver to addressee only, return receipt requested.

(c) A copy of the letter of instruction and the Post Office receipt, if applicable, are filed in the member's military personnel records jacket as permanent documents.

(2) If the absence(s) charged will result in a total accrual of five or more unexcused absences in a 1-year period, determine if any cogent or emergency reasons existed which prevented the member from attending. If no such reasons existed, he will forward the member's military personnel records jacket to the appropriate area commander, U.S. Army Corps commander, oversea commander, or State Adjutant General, requesting that he be ordered to active duty as prescribed in a above. If the member is serving in grade E-3, the unit commander will reduce him to grade E-2 prior to forwarding his records. If the member is serving in grade E-4 or higher, the unit commander will include in his request a recommendation that the mem-

ber be reduced to grade E-2. The unit commander will then immediately notify the member of the action he has taken and advise him that he will be required to enter active duty on or about 30 days after this notification. The unit commander will at this time submit DD Form 44 to the member's Selective Service board designating the member as an unsatisfactory participant who is being reported for order to active duty under provisions of Public Law 89-687.

12. *Orientation.* In order to assure that each enlisted member is fully aware of and understands his obligations, the prerequisites for maintaining satisfactory participation, and the actions which will result from unsatisfactory participation, the unit commander will—

a. At the first training assembly held following receipt of this circular, advise all affected enlisted members of its principal provisions. Absent members will be oriented at the earliest assembly thereafter. Each new member of the unit will be similarly oriented upon his enlistment or assignment. The orientation will be repeated at least once annually for each enlisted member of the unit. Emphasis will be placed on the following:

- (1) The basic policy (par. 4).
- (2) Excused absences from training (par. 9).
- (3) Unexcused absences from training (pars. 10 and 11).
- (4) Relocation of residence (pars. 5 and 6).

b. Following the initial orientation of currently assigned personnel, cause each enlisted member to sign a statement that he has been oriented on and understands the satisfactory participation requirements and enforcement provisions. This statement will be signed in the presence of and countersigned by the unit commander or his duty authorized representative. The statement will be filed in the member's military personnel records jacket as a permanent document.

13. *Order to active duty. a. Authority to issue orders.* Commanders are authorized to issue orders to active duty as shown below:

Members	Issue orders
ARNGUS -----	Area commander concerned.
USAR unit personnel.	CONUS—Army/Corps commander, as appropriate.
	Outside CONUS—Area commander concerned.
USAR nonunit personnel.	CO, USAAC or area commander, as appropriate.

b. *Discharge of enlisted ARNGUS personnel.* State adjutants general will identify to the appropriate area commander those ARNGUS members who are to be ordered to active duty as Reserves of the Army. Members so identified will be discharged from their ARNG status by the State Adjutant General, effective the day prior to the date the member is scheduled to report to active duty.

c. *Processing.* Actions to order individuals to active duty will be acted upon with all possible promptness at each level concerned.

d. *Timing.* The date individuals are required to report for active duty will not be sooner than 30 days from the date of the orders.

e. *Period.*

(1) The member will be ordered to active duty for a period of 24 months less the number of days and months he has previously

served on active duty or active duty for training.

(a) Inactive duty training assemblies do not constitute "active duty for training."

(b) Initial ACDUTRA, annual ACDUTRA, annual field training (ARNG), and full-time training duty (ARNG) constitute "active duty for training."

(c) Time spent in cadet status at the USMA constitutes "active duty."

(d) Time spent in ROTC summer camp does not constitute "active duty for training" or "active duty."

(2) The enlistment or period of military service of those individuals ordered to active duty will be extended as necessary to provide for completion of the period of active duty concerned.

f. *Grade.* Members will be ordered to active duty in their current grade, subject to reductions specified in paragraphs 10, 11, and 21.

g. *Assignment instructions.* Prior to issuing orders to active duty, the area commander, corps commander, or Commanding Officer, USAAC, as appropriate, will request assignment instructions from OPO, DA, ATTN: EPADR-I, for individuals who are MOS qualified, indicating the number of months and days the member has served as computed in e above. These assignment instructions will be reflected in the orders when published. Additional information to be furnished by reporting headquarters will be established by separate instructions from Headquarters, Department of the Army.

*h. Orders.*

(1) Orders format TC 138, appendix I, AR 310-10, will be used (see example in app. F).

(2) The following information will be included in response to pertinent lead lines:

(a) Period: Months and days computed as prescribed in e above.

(b) Authority: Public Law 89-687, DA Circular 135-10.

(c) *Special Instructions:*

On EDCSA you are relieved from your present Reserve unit or Control Group.

Government transportation and meal tickets (as appropriate) will be furnished upon the member's request. The term of enlistment or period of military service of the member concerned is extended as necessary to permit completion of the period of active duty for which ordered and/or served.

(3) Orders will be forwarded to the member by certified mail with a return receipt requested.

(4) Amendatory orders will be issued changing the reporting date when the member is authorized a delay of 60 days or less. For delays of more than 60 days, the member's active duty orders will be revoked and new orders issued at the appropriate time.

(5) Copies of the orders will be furnished the Commanding Officer, USAAC, ATTN: AGAC-M-PRC, St. Louis, Mo. 63132, and to the Commanding Officer, U.S. Army Personnel Services Support Center, ATTN: AGFE, Fort Benjamin Harrison, Ind. 46249.

i. *Travel and personal affairs information and instructions.* The member will be furnished the travel and personal affairs information and instructions shown in section I, AR 135-210.

j. *Assignment and training.* Individuals ordered to active duty will be assigned to the U.S. Army reception station nearest their home for processing and further assignment.

(1) The following processing will be accomplished at the U.S. Army reception station (AR 612-10):

(a) Completion of required testing, interviewing, and records.

(b) Issue of required items of clothing.

(c) Medical examination, if required.

(2) Those who are not BCT or MOS qualified will be further assigned to the BCT activity in accordance with the USCONARC

Reception Station trainee monthly flow letter.

(3) Those who are BCT qualified will be further assigned to AIT in a training center, school, or unit (OJT).

(4) Members who are qualified in an MOS which is surplus to the needs of the Army will be further assigned to space vacancies in AIT either initially by DA-OPO or, subsequent to unit assignment, in the event the unit commander so recommends because OJT is inappropriate.

(5) Members trained in a MOS (other than surplus) will be further assigned to a unit.

k. *USAAC assistance.* The Commanding Officer, USAAC, may request assistance from area commanders on matters relative to delivery, receipt, and forwarding of orders for active duty pertaining to members of the RRMRF. Lateral coordination regarding foregoing actions will also be accomplished between area commanders as required.

l. *Failure to report.* When a member has been properly ordered to report for active duty on the date specified in his orders and does not report, appropriate action will be taken under AR 630-10 by the commander to whose installation he was ordered to report.

14. *Medical examination.* a. *General.* Each member ordered to active duty will be required to undergo a medical examination unless exempt under b below. Members residing in CONUS will receive a medical examination, if required, at the U.S. Army Reception Station. Members residing outside of CONUS will be directed to an appropriate military installation having medical examining facilities. Members determined to be medically disqualified for active duty will be processed for discharge under AR 635-200.

b. *Exceptions.* Those members who have undergone a medical examination within the 12-month period preceding their active duty reporting date are exempt from the provisions of a above, provided they sign Statement No. 1 on DD Form 220 (Active Duty Report) attesting that they have been so examined and that to their knowledge there has been no significant change in their physical condition.

c. *Scope of medical examination.* Medical examinations will be of the scope prescribed in regulations for entry on active duty and will include administration of the required immunizations as prescribed in AR 40-562.

d. *Standards of medical fitness.* Final determination of each member's fitness for active duty will be made in accordance with the standards of medical fitness prescribed in AR 40-501.

15. *Delay from entry on active duty.* a. *Authority.* State adjutants general, area commanders and U.S. Army Corps commanders for unit personnel, and CO, USAAC, for non-unit personnel are authorized to take final action on requests for initial delay and renewal of delay within the limitations set forth in b and c below. Requests for delay for reasons not identified below or for exceptions to policy will, for ARNG members, be forwarded to the Commanding Officer, Reserve Components Personnel Center, through Chief, National Guard Bureau, Washington, D.C. 20310, and for USAR members, to Commanding Officer, Reserve Component Personnel Center, Department of the Army, Fort Benjamin Harrison, Ind. 46249.

b. *Application.* Members must apply for delay in writing prior to publication of active duty orders, except that for emergencies, to include illness and injury, applications may be made at any time by the most expeditious means practicable. Verbal requests and approvals of requests will be confirmed in writing at the earliest practicable time. Applications will include supporting documents as appropriate, and will be submitted to the

unit commander who will forward them together with his recommendations to the headquarters authorized to take final action. Nonunit personnel will submit requests directly to CO, USAAC. Except for reasons of emergency or temporary illness or injury, no member will be authorized delay once his active duty orders have been published.

c. *Reasons for delay.*

(1) *Seasonal employment.* Delay not to exceed 6 months may be authorized to allow the individual to accept or participate in seasonal employment. As used herein, "seasonal employment" is employment which is not continuously active or not at peak operation during the whole of a calendar year in the geographical area of the employment site and which will not be available to the individual if he is required to enter active duty on the regularly scheduled date. Delays will become effective on the date of approval and will not exceed 6 months from that date. The employment must provide the individual's primary source of income and he must indicate by supporting documents that such employment is his normal occupation. Renewal of delay for this reason is not authorized.

(2) *Initial employment.* Delay not to exceed 6 months may be authorized to allow the individual to accept initial employment which would not be available to him if he is required to enter active duty on the regularly scheduled date and when the employer certifies that the individual must accept the position and undergo training to insure reemployment upon completion of active duty. Delay will become effective on the date of approval and will not exceed 6 months from that date. Renewal of delay for this reason is not authorized.

(3) *Federal/State examinations.* Delay not to exceed 60 days may be authorized to allow an individual to undergo a Federal or State examination for licensing or certification in a professional field. The examination must be scheduled during the 60-day period immediately following the date the individual would have been scheduled to enter active duty. The individual will be required to furnish a copy of the examination schedule and evidence that he has been accepted to undergo the examination on a specific date(s). Renewal of delay for this reason is not authorized.

(4) *Employment as a teacher.* Individuals who are employed as teachers at accredited educational institutions may be authorized delay until the end of the school year. Application will include supporting documents from the appropriate school official indicating the date upon which the current school year will terminate. Renewal of delay for this reason is not authorized.

(5) *Students.* Students enrolled in accredited full-time educational institutions above the high school level may be authorized delay to complete the current quarter, trimester, or semester in which enrolled, except that individuals who are enrolled in the senior year at a college or university may be delayed until the end of that school year. High school students will be delayed until they graduate or reach age 20, whichever occurs first. Further delay for education reasons is not authorized.

(6) *Emergency reasons.* Delay not to exceed 60 days may be authorized by reason of serious illness, injury, or death in the individual's immediate family. In general, delay may be granted in those instances where a physician indicates that a member of the immediate family is seriously ill and life expectancy is 60 days or less. When through serious illness of, or accident to, a member of the individual's family, important responsibilities are placed on the individual which must be met immediately, which cannot be

discharged by any other individual, delay may be authorized. In addition, delay may be authorized for any other emergency situation which may not specifically meet the above requirements but where the individual's entry on active duty would create a severe and unusual hardship on either himself or his family. Renewal of delay for this purpose may be granted not to exceed 60 days.

(7) *Temporary illness or injury.* An enlisted member who is temporarily ill or injured and who is otherwise medically fit for retention but is unable to perform active duty will be delayed for a period recommended by a physician not to exceed 1 year. In the event the period of delay recommended by the physician exceeds 1 year, processing under appropriate medical regulations will be accomplished.

16. *Separation from active duty.* Army regulations pertaining to Active Army members will apply. Except for those who are discharged due to expiration of term of military service or other authorized reasons, upon completion of active duty, members will be transferred as follows:

a. Those who have completed less than a total of 5 years' Ready Reserve and active military service will be transferred to the USAR Control Group (Annual Training).

b. Those who have completed a total of 5 but less than 6 years' Ready Reserve and active military service will be transferred to the Standby Reserve.

17. *Discharge.* This paragraph prescribes the criteria and procedures governing the discharge under the specific conditions set forth below, of nonprior service enlisted members who are subject to order to active duty under the provisions of this circular.

a. *Dependency/hardship.*

(1) *Dependency.* Discharge may be approved when the following conditions exist:

(a) A member has four or more individuals dependent upon him for 50 percent or more of their support.

(b) When by reason of death or disability of a member of his family, members of the enlisted person's family become principally dependent upon him for care or support to the extent that service on active duty would result in undue and genuine hardship, provided—

1. Such dependency exists as a result of the death or disability of a member of the enlisted person's family occurring after his enlistment, or conditions resulting from the death or disability of a member of the enlisted person's family occurring prior to his entry into the service have been aggravated to such an extent as to necessitate his care or support of a member of his family. Pregnancy of an enlisted man's wife is not a disability for which his separation is authorized. However, this does not preclude separation on account of a disability of the enlisted man's wife occurring as a result of her pregnancy.

2. Dependency is not of a temporary nature.

3. Every reasonable effort made by the enlisted person to alleviate the dependency condition has been without success.

4. Discharge is the only readily available means of eliminating or materially alleviating the hardship created by the dependency conditions.

(2) *Hardship.* Discharge may be approved when service on active duty would result in undue and genuine hardship, provided—

(a) Such hardship conditions affecting members of the enlisted person's family have arisen after enlistment, or conditions existing in the enlisted person's family prior to enlistment have been aggravated to such an extent as to constitute undue and genuine

hardship. Undue and genuine hardship does not necessarily exist solely because of altered income or because the enlisted person is separated from his family, or must suffer the inconveniences normally incident to military service.

(b) The hardship conditions are not of a temporary nature.

(c) The enlisted member has made every reasonable effort to alleviate hardship conditions without success.

(d) Discharge is the only readily available means of eliminating or materially alleviating the hardship conditions.

(3) For the purpose of separation under hardship/dependency conditions, the term "members of the family" include only spouse, children, father, mother, brothers, sisters, and any person who stood in loco parentis to the enlisted member prior to enlistment. (The term "in loco parentis" as used herein is defined as "any person who has stood in the place of a parent to an enlisted member for 5 continuous years when the member was a minor child.")

(4) The evidence required for dependency or hardship discharge normally will be in affidavit form. The evidence must substantiate dependency or hardship conditions upon which the application for discharge is based. The evidence required will include affidavits or statements submitted by or in behalf of the enlisted member's dependents and by at least two disinterested persons or agencies having first hand knowledge of the circumstances. If dependency or hardship is the result of disability of a member of the individual's family, a physician's certificate should be furnished showing specifically when such disability occurred, the nature thereof, and prognosis for recovery. There also will be furnished the names, ages, occupations, home addresses, and monthly incomes of other members of the applicant's family. The affidavits of disinterested individuals and agencies should include reasons within their knowledge that these members of the family can or cannot aid in the financial or physical care of the dependents concerned for the period the enlisted member is to be ordered to active duty.

(5) Applications for discharge for dependency or hardship reasons will be forwarded as prescribed in e below, to the commander or agency having discharge authority as specified in paragraph 18a.

b. *Religious reasons.* (1) *Regular or duly ordained minister of religion.* Applications for discharge based upon religious reasons to become a regular or duly ordained minister of religion will be substantiated by appropriate documentary evidence as follows:

(a) Statement from the appropriate authority of the church, religious sect, or organization that the enlisted member has met the requirements for recognition as a regular or duly ordained minister of religion.

(b) Statement from appropriate official of the religious order, sect, or organization that the enlisted member—

1. Must be separated from his military status for further processing into the order; and

2. Is fully qualified and acceptable for further religious training; and,

3. If discharged, will be eligible for ordination or taking the final vows on or about a given date.

(2) *Theological or divinity students.* Applications for discharge from theological or divinity students will be substantiated by a statement from the appropriate authority of the institution indicating that the individual is in fact enrolled and pursuing satisfactorily a course which will qualify him as a regular or duly ordained minister of religion.

(3) *Missionaries.* Enlisted personnel who belong to a church or a religious order requiring its members to perform a specified period of missionary service and who incur a religious obligation to perform such temporary full-time missionary work within or outside the United States may, upon request accompanied by certification by an appropriate church or organization official, be discharged. Upon discharge, DD Form 44 indicating the basis for discharge will be furnished the appropriate Selective Service Board.

(4) Applications will be forwarded as prescribed in e below, to the commander or agency having discharge authority as specified in paragraph 18a.

c. *National health, safety, and interest.*

(1) An enlisted member may apply for discharge in those instances where the critical need for his services in a civilian capacity from the viewpoint of health, safety, or general welfare outweighs the need of the Nation for the individual in active military status where he involuntarily ordered to active duty. Normally, favorable action on requests for discharge under this provision will be made only when, in addition to foregoing, it is clearly determined that—

(a) Application is motivated by critical national or community interest and not for the personal benefit of the applicant.

(b) The applicant's importance to the national health, safety, or interest in a civilian capacity has become significantly greater than it was at the time of his enlistment by reason of—

1. His unique qualifications in a critical civilian occupation, as listed in AR 135-133.

2. An unusual change in his employer's requirements for his services caused by such factors as a substantial increase in defense supporting activity.

3. A significant reduction in effectiveness of his employer's defense supporting activity because of the loss of personnel capable of performing the functions of the applicant and his employer's inability to replace such personnel.

(c) The applicant does not possess a critical military skill as defined in AR 135-133.

(2) All applications will contain the following information and material:

(a) Name of firm or agency or description of individual enterprise with which he is connected.

(b) Product manufactured or service rendered.

(c) Title and description of position filled.

(d) Applicant's connection with the activity prior to enlistment.

(e) Letters, affidavits, or other documentation from responsible officials of the firm, corporation, agency, or State substantiating the facts given above and setting forth the need for the services of the applicant.

(3) Applications will be forwarded as prescribed in e below, to the commander or agency having discharge authority as specified in paragraph 18a.

d. *Discharge for other reasons.*

(1) *Members of Peace Corps and IVS.* Members who are required to relocate outside the United States by reason of their membership in the Peace Corps or International Voluntary Services may, upon request accompanied by certification by an appropriate official of the organization concerned, be discharged in the national interest. Upon discharge, DD Form 44 indicating the basis for discharge will be furnished the appropriate Selective Service Board.

(2) Discharge for reasons other than those specified in a through d(1) above will be governed by AR 135-178 or NGR 25-3, as appropriate. ARNG members who are discharged for the reasons set forth above will be concurrently discharged from their status as Reserves of the Army.

*e. How submitted.*

(1) **ARNGUS personnel.** Application will be submitted to member's unit commander who will immediately forward it, together with his recommendations and applicant's record, to the appropriate State Adjutant General. Applications requiring Department of the Army approval will, in turn, be forwarded to the Commanding Officer, Reserve Component Personnel Center, through Chief, National Guard Bureau, Headquarters, Department of the Army, Washington, D.C. 20310.

(2) **USAR personnel.** Applications initiated by USAR members will be submitted as follows:

(a) A member of a USAR unit will submit his application to his unit commander who will immediately forward it, together with his recommendations and the member's records to the appropriate U.S. Army Corps/area commander. Applications requiring Department of the Army approval will, in turn, be forwarded to Commanding Officer, Reserve Component Personnel Center, Department of the Army, Fort Benjamin Harrison, Ind. 46249.

(b) A nonunit member will submit his request to CO, USAAC. Applications requiring Department of the Army approval will, in turn, be forwarded, together with the applicant's records, to Commanding Officer, Reserve Component Personnel Center, Department of the Army, Fort Benjamin Harrison, Ind. 46249.

*f. Orders.* Orders directing discharge will be issued as prescribed in AR 310-10 or NGR 2-4 citing the appropriate paragraph in AR 135-178 or NGR 25-3 and this circular as authority.

*g. Type of discharge.* Enlisted members discharged for the reasons set forth in this circular will be discharged under honorable conditions and the appropriate local Selective Service Board will be promptly notified of discharge action and the reason for discharge using DD Form 44 (Record of Military Status of Registrant).

18. **Authority to discharge. a. Authority to approve discharge.**

(1) State adjutants general, area commanders, and Commanding Officer, USAAC (except as indicated in paragraphs 20 c and d) are authorized to take final action on applications for discharge of enlisted members based on dependency or hardship.

(2) Headquarters, Department of the Army will take final action on applications for discharge from enlisted members based upon religious, national health, safety, and interest, Peace Corps and IVS reasons.

b. The approving authority will—

(1) Consider carefully the facts upon which the request is based.

(2) Procure any additional information that may be necessary to determine the validity of the request.

(3) Take final action to approve or disapprove the application.

c. In those instances where the circumstances for discharge for hardship reasons do not warrant approval, the commander may, if considered appropriate, approve delay from entry on active duty as authorized in paragraph 15.

19. **Appeals. a. General.** An individual who has been denied a requested discharge or delay in order to active duty may appeal such denial. The appeal will be submitted within 15 days of the member's receipt of a denial; it will explain those facts pertinent to his case which he feels were not fully considered, and may include any additional appropriate evidence which the applicant may wish to present.

b. **How submitted.** Requests for appeals will be submitted through the unit com-

mander to the commander having authority to approve discharges or delays as prescribed in paragraphs 15c and 18c, as appropriate.

c. **Authority to act on appeals.** The approving authority may act on such appeals when the decisions are favorable to the individual concerned. When denial of an appeal is indicated, however, he will forward the request and pertinent records, together with his recommendations, as follows:

(1) State adjutants general will forward denial of appeals to the Chief, Office of Reserve Components, through Chief, National Guard Bureau, Headquarters, Department of the Army, Washington, D.C. 20310.

(2) Agencies of Headquarters, Department of the Army, area commanders, and CO, USAAC, will forward denial of appeals to Chief, Office of Reserve Components, through Chief, Army Reserve, Headquarters, Department of the Army, Washington, D.C. 20310.

20. **Members of RRMRP prior to July 1, 1967. a.** The provisions of this circular are applicable to nonprior service enlisted reservists who were assigned to the RRMRP (Annual Training Control Group) prior to July 1, 1967 except as modified with regard to the following:

(1) Termination of grace period.

(2) Minimum number of months for which available to serve on active duty.

(3) Expiration of Ready Reserve obligation.

b. The above modifications are contained in—

(1) Paragraph 3, 7, and 10 of Letter, Department of the Army, Office of The Adjutant General, March 12, 1967, subject: New Policy Governing Satisfactory Participation in Reserve Component units, which was sent to members assigned to the RRMRP (Annual Training Control Group) prior to March 31, 1967, and

(2) Appropriate paragraphs in separate instructions issued individually by Commanding Officer, U.S. Army Administration Center, to members assigned on or after March 31, 1967 and before July 1, 1967.

c. Prior to disapproval of a request by such members of the RRMRP for a hardship discharge, the basis for which is three dependents, CO, USAAC, will forward the application together with his recommendation to Chief, Army Reserve, Department of the Army, for review and final determination. Appeals of decisions in such cases will be forwarded in the same manner, except that when denial is indicated, the request for appeal will be referred to the Chief, Office of Reserve Components, Department of the Army for decision.

d. Those requests by members of the RRMRP for hardship discharge, the basis for which is associated with occupation or privately owned business, will be forwarded by CO, USAAC to CO, RCPC for decision. Appeals of decisions in such cases will be forwarded in the same manner, except that when denial is indicated, the request for appeal will be referred to the Chief, Office of Reserve Components, through CAR, Department of the Army, for decision.

e. The authority previously delegated to the Commanding Officers, Reserve Component Personnel Center and U.S. Army Administration Center to administer, in conjunction with the provisions of this circular or separate instructions, members of the RRMRP, to include assignment, transfer, approval or denial of discharge, or order to active duty, is confirmed.

21. **Nonlocatees. a.** A member will be considered a nonlocatee when his failure to provide his unit commander or records custodian sufficient address information precludes timely issuance of orders to active duty.

b. When a member's failure to provide current address information precludes timely

issuance of active duty orders, or a member fails to acknowledge receipt of active duty orders, the appropriate area commander, State Adjutant General, U.S. Army Corps commander, or CO, USAAC, will initiate the actions prescribed in paragraph 35, AR 135-210. If such actions do not locate the member within 60 days of initiation, the member will be reduced to pay grade E-2, if serving in a higher grade, and transferred to the RRMRP (Control Group Annual Training), as an unsatisfactory participant (nonlocatee) and DD Form 14 (Search Report) will be forwarded to CO, USAAC. ARNGUS members will be discharged only from ARNG prior to transfer.

c. If, after an additional 60 days, CO, USAAC, has not located the member, he will certify the member to the Selective Service System for priority induction. If the member is not inducted or ordered to active duty he will be discharged 6 months prior to the expiration of his statutory obligation in accordance with AR 135-178, and appropriately reported to the Selective Service System as having been discharged as an unsatisfactory participant who has not fulfilled his statutory obligation.

## APPENDIX A

## FORMAT OF LETTER OF INSTRUCTIONS CONCERNING CHANGE OF RESIDENCE

Subject: Change of Residence

(Date)

To: \_\_\_\_\_  
(Grade, name, service number, MOS, and ETS of member)\_\_\_\_\_  
(Present unit assignment)\_\_\_\_\_  
(Present home address)\_\_\_\_\_  
(New home address)

(Character) (Efficiency) (AQB Scores, 90 or above)

\_\_\_\_\_  
(Dates of previous relocations w/60 days leave of absence)\_\_\_\_\_  
(Dates of unexcused absences within the past year)

1. This letter provides guidance and instructions pertinent to your reported change of residence. It identifies your status and provides you a priority for acceptance in another unit in your new area.

2. It is your responsibility to locate and join a Reserve Component unit at your new place of residence under terms specified in current directives. Failure to do so by \_\_\_\_\_

(Date)

will subject you to involuntary order to active duty on or about 30 days thereafter, for a period of 24 months, less any previous periods of active duty or ACDUTRA which you have performed. If you are relocating outside the United States you are advised that paid drill units normally are not located outside the United States and that you will be subject to order to active duty if you have not joined a paid drill unit or substantiated a basis for discharge by the date indicated above.

3. You may obtain assistance at the Army National Guard or Army Reserve unit, ARNG Armory or USAR Training Center nearest your new residence.

4. Should you desire to enlist in another component of the Armed Forces, this letter will serve as a conditional release if you are accepted for enlistment.

5. When you report to a unit present this letter to the commander or his representa-

\* Insert date 60 days from date of departure from current residence.

tive. If you are accepted, request that the commander complete Inclosure 1 and send it promptly to this unit.

6. If you have not already done so, inform this organization of your new home address not later than the date indicated in paragraph 2.

-----  
(Unit Commander)  
One inclosure: Notification of acceptance.  
INCLOSURE 1 TO APPENDIX A  
-----  
(To be completed by the commander of unit in which member is accepted)  
To: Commanding Officer (Unit designation and address) -----  
(Date) -----  
-----  
(Grade, name, service number of member)  
-----  
(New home address)  
 Above named member was enlisted in -----  
(ARNG unit and address)  
on ----- Request discharge  
(Date) -----  
be furnished if applicable.  
 Above named member was accepted for assignment to -----  
(USAR unit, corps or area,  
unit address) ----- Request  
(Date) -----  
orders or, if applicable, discharge be furnished.  
 Above named member was enlisted in -----  
(Component of Armed Forces—unit and address) ----- Request  
(Date) -----  
discharge be furnished.  
(Commander of the unit in which member is accepted)  
-----

APPENDIX B

GRADE AND MOS SUBSTITUTABILITY CRITERIA

The following substitution criteria are applicable for use in the assignment of eligible reservists of units which are inactivated, relocated, or reorganized:

a. Grade substitution measures authorized (in priority order).

- (1) Match selection in required grade.
- (2) Select an individual in grade E-1 to E-4 to fill E-4 requirements.
- (3) Select an individual in grade E-3, E-4, or E-5, to fill an E-5 position, except that an NCO will not be substituted for a specialist.
- (4) Select an individual one grade lower to fill an authorized E-6 position or above.

b. MOS substitution measures authorized (in priority order).

- (1) Match selections in required MOS and skill level.
- (2) Select individuals in the career group required by the vacancy as identified by the first two characters of the MOS code.
- (3) Select an individual with a third character "A" MOS on the list in table 1 for any other third character "A" MOS appearing on the list in table 1.
- (4) Select an individual with a basic tactical MOS, as listed below, for any other basic tactical MOS.

- 11B10—Light Weapons Infantryman.
- 11C10—Infantry Indirect Fire Crewman.
- 11D10—Armor Intel Specialist.
- 11E10—Armor Crewman.
- 11H10—Infantry Direct Fire Crewman.

- 12A10—Pioneer.
- 13A10—Artillery Basic.
- (5) Specific individual MOS substitutions.

Required MOS

11B10	E3 E2 E1	Lt Wpns Inf
11B20	E4 E3	Lt Wpns Inf
11B40	E5	Ammo Sec Ldr
11C20	E5	FD Computer
11F20	E4	Radar Operator
12B20	E5	Construction Spec
	E4	Construction Spec
26C30	E5	Radar Repairman
32B20	E5	Repairman
64B20	E3	Assistant Driver
71A10	E3	General Clerk
	E2	Driver Messenger
	E1	Trainee
71B30	E5	Clerk Typist
71B30	E4	Clerk Typist
	E3	General Clerk (71A10)
71H20	E5	Pers Record Spec
	E4	Personnel Records Specialist
71J20	E5	Pay Records Spec
	E4	Pay Records Asst
95B10	E3	Military Policeman
	E2	
	E1	
95B20	E4	Military Policeman
	E3	
	E2	
	E1	
95B10	E3	Mil Policeman
	E2	
	E1	
95B20	E4	Mil Policeman
	E3	
	E2	
	E1	
13B40	E5	Gunner
13E20	E5	FD Computer
17B20	E4	Radar Operator
	E4	Tracking Radar Operator
51B20	E5	Sr Carpenter
	E4	Carpenter
35B20	E5	Sr Elec Instr Repairman
	E4	Repairman
31B20	E5	Sr Radio Mechanic
31C20	E5	Sr Radio Mechanic
31D20	E5	Sr Radio Mechanic
11D20	E3	Scout
72B10	E3	Messenger
	E2	Asst Messenger
	E1	Trainee
74B40	E5	Card Punch Operator
74B20	E4	Card Punch Operator
	E3	Asst Card Punch Operator
74C20	E5	Sr Pers Accounting Specialist Analyst
	E4	Pers Accounting Specialist Analyst
73C20	E5	Sr Voucher Exam Sp
	E4	Voucher Exam Sp
11B10	E3	Lt Wpns Inf
	E2	
	E1	
11B20	E4	Lt Wpns Inf
	E3	

TABLE 1. THREE-CHARACTER "A" MOS FOR WHICH SOFT SKILL MOS MAY BE SUBSTITUTED

MOS and Title

21A	Ballistic Missile Repair Helper.
22A	Electronic Repair Helper.
32A	Fixed Station Attendant.
36A	Wireman.
43A	Textile and Leather Repair Apprentice.
44A	Metal Working Apprentice.
45A	Armament Maintenance.
46A	Guided Missile Mechanical Repair Helper.
51A	Construction and Utilities Worker.
52A	Powerman.
54A	Clinical Operations Apprentice:
55A	Ammunition Apprentice.
56A	Supply Handler.
57A	Duty Soldier.
61A	Seaman.
62A	Engineer Equipment Assistant.
63A	Auto Maintenance Apprentice.
64A	Light Vehicle Driver.
65A	Railway Maintenance Apprentice.
66A	Railway Operations Apprentice.
76A	Supply Clerk.
82A	Rodman and Tapeman.
83A	Printers Apprentice.
94A	Food Service Apprentice.

APPENDIX C

ACKNOWLEDGMENT OF UNDERSTANDING OF SERVICE REQUIREMENTS

(Six-Year Enlistment in a Unit of the U.S. Army Reserve)

Date-----

In connection with my enlistment as a Reserve of the Army for service in a paid drill unit of the Army Reserve, this date, I hereby agree to and understand that—

I incur military obligation for 6 years. I will participate with my unit in scheduled training effective immediately.

I will enter on active duty for training for a period of -----<sup>1</sup> weeks within 120 days of this date, unless a delay for a longer period is authorized or directed by the Department of the Army. I may be delayed in reporting for active duty for training for a period necessary to accomplish a security clearance if my position requires it. If I am enlisting for a position requiring highly specialized skills for which appropriate formal training courses are offered only infrequently, I may be delayed to the extent necessary to insure that I pursue the proper course commensurate with my qualifications and the requirements of the position. If I am unable to complete training within the number of weeks indicated above because of illness, accident, or other emergency, I agree to remain on active duty for training for the additional period required to qualify for my original MOS. If for any reason I cannot satisfactorily complete the required training (schooling) in the MOS for which I originally entered on active duty for training, I will be required to accept training for the purpose of qualifying for an alternate MOS. In such event, I may be retained on active duty for training until I satisfactorily complete training for such alternate MOS, but in no case less than 120 days.

I understand that during my initial period of active duty for training I will not be entitled to any Veteran's Preference Benefits and I will not be entitled to basic allowance for quarters for dependents.

During my Ready Reserve service, both before and after my active duty training, I am required to participate satisfactorily in the scheduled training assemblies (not less than 48 annually) and annual active duty for training (not more than 17 days per year) with my assigned unit, unless excused therefrom by proper authority, until completion of my total 6-year military obligation. I agree to complete my Ready Reserve service in a paid drill unit of the Ready Reserve.

Prior to moving to another location (town, city, community, State), I must report any change of address to my unit commander or his representative. Within 60 days after leaving my unit, I must voluntarily locate and be accepted for assignment to another paid drill unit of the Ready Reserve or of another service; if prior to this time I have not performed my initial active duty for training, I realize that, at a time convenient to the service, I must enter on active duty training for the period required to qualify me for the position in my new unit, which may be longer than the number of weeks specified above but not less than 120 days.

I further understand that—

If for any reason, other than inactivation, relocation, or reorganization of my unit, I fail without proper authority to attend the

<sup>1</sup> Enter here, the total number of weeks required for BCT, ATI, and functional courses if required, plus 3 weeks travel and processing time.

prescribed number of unit training assemblies, or am unable to continue in a Ready Reserve paid drill unit assignment, I may be involuntarily ordered to active duty for 24 months less any period of active duty or active duty for training I have previously performed, in which case my term of enlistment will be extended to permit completion of such active duty.

After completion of any period of active duty, I will be required to serve the balance of my military obligation, if any, in the Ready Reserve and/or the Standby Reserve as provided in statutes and regulations.

For failure to perform satisfactory Ready Reserve service in any year subsequent to an involuntary active duty tour, I can be ordered to perform active duty for training for a maximum of 45 days.

If I am assigned by proper authority to the Ready Reserve Mobilization Reinforcement Pool, I may be required to perform up to 30 days active duty for training annually.

I must reply promptly to any military correspondence directed to me.

In the event of war or national emergency declared by Congress my enlistment, which would otherwise expire, will be continued in effect until 6 months after the end of such war or emergency, unless sooner terminated.

I have enlisted for assignment to an airborne unit vacancy and volunteer to undergo airborne training as a condition of my enlistment; if I refuse to undergo or fail to complete airborne training, for reasons within my control, I will be subject to being ordered to 24 months' active duty, less that period of active duty or active duty for training I may have already served, if I cannot be assigned to a position in a paid drill unit for which I am or can become qualified.

Signature \_\_\_\_\_

Name typed \_\_\_\_\_

Witnessed by: \_\_\_\_\_

(Unit commander or authorized representative)

APPENDIX D

(ARMY NATIONAL GUARD)  
ENLISTMENT AGREEMENT

In connection with my enlistment in the Army National Guard of the State of \_\_\_\_\_ and as a Reserve of the Army for service in the Army National Guard of the United States, this date, \_\_\_\_\_, I hereby agree to and understand that—

I incur a military service obligation of 6 years.

I will participate with my unit in schedule training effective immediately.

I will enter on active duty for training for a period of approximately \_\_\_\_\_ weeks (enter time required for training in designated MOS) within 120 days of this date, unless a delay for a longer period is authorized by the Department of the Army. If I am enlisting for a position requiring security clearance for access to or work with classified military information or equipment, I may be delayed to the extent necessary to accomplish the required clearance. If I am enlisting for a position requiring highly specialized skills for which appropriate formal training courses are offered only infrequently, I may be delayed to the extent necessary to insure that I pursue the proper course commensurate with my qualifications and the requirements of the position. Delay in either of above two instances shall not exceed a period of 1 year.

If I am unable to complete training within the number of weeks indicated above because

of illness, accident, or other emergencies, I agree to remain on active duty for training for the additional period required to qualify for my original MOS. If for any reason I cannot satisfactorily complete the required training (schooling) in the MOS for which I originally entered on active duty for training, I will be required to accept training for the purpose of qualifying for an alternate MOS. In such event, I may be retained on active duty for training until I satisfactorily complete training for such alternate MOS, but in no case less than 120 days.

NOTE. I have enlisted for assignment to an airborne unit vacancy and volunteer to undergo airborne training as a condition to my enlistment: If I refuse to undergo or fail to complete airborne training, for reasons within my control, I will be subject to being ordered to 24 months' active duty, less that period of active duty or active duty for training I may have already served, unless I can be assigned to a position in a paid drill unit for which I am or can become qualified.

During my Ready Reserve service, both before and after my active duty training, I am required to participate satisfactorily in the scheduled drills (at least 48 each year) and attend field training at least 15 days each year, unless excused therefrom by proper authority. If I become a member of the U.S. Army Reserve prior to the completion of my obligated period, I will be required to participate with a unit in that component.

I must, prior to moving to another location (town, city, community, State) report any change of address to my unit commander or his representative. Within 60 days after leaving my unit I must voluntarily locate and be accepted for assignment in a unit of the ARNG or USAR. If, prior to this time, I have not performed my initial active duty for training as agreed to above, I realize that, at a time convenient to the service, I must enter on this active duty for training for the period required to qualify me for the position in my new unit, which may be longer than the number of weeks specified above but not less than 120 days.

I further understand that—

If for any reason, other than inactivation, relocation, or reorganization of my unit, I fail without proper authority to attend the prescribed number of unit training assemblies, or am unable to continue in a Ready Reserve paid drill unit assignment, I can be involuntarily ordered to active duty for 24 months, less any period of active duty or active duty for training I previously performed.

I also understand my term of enlistment will be extended to permit completion of such active duty. After completion of this period of active duty, I will be required to serve the balance of my military obligation, if any, in the Ready Reserve and/or Standby Reserve as provided in statutes and regulations.

For failure to perform satisfactory Ready Reserve service in any year subsequent to performance of active duty provided above, I can be ordered to perform active duty for training for a maximum of 45 days.

If I am assigned to the Ready Reserve Mobilization Reinforcement Pool, I may be required to perform up to 30 days active duty for training annually.

I must reply promptly to any military correspondence directed to me.

In the event of war or national emergency declared by Congress, my enlistment, which would otherwise expire, will be continued in effect until 6 months after the end of such war or emergency, unless sooner terminated.

Signature \_\_\_\_\_

Name typed \_\_\_\_\_

Witnessed by: \_\_\_\_\_

(Unit commander or authorized representative)

NOTE. Delete paragraph if not appropriate to vacancy for which enlisted.

APPENDIX E

AMENDMENT TO ENLISTMENT AGREEMENT\*

Date \_\_\_\_\_

Upon being accepted for reassignment to the \_\_\_\_\_

(Unit designation)

I hereby agree to amendment of my previous Enlistment Agreement\* as follows and understand that—

I will enter on active duty for training for a period of (see Notes 1 and 2 below) \_\_\_\_\_ weeks, including travel to and from home station and processing time, at a time convenient to the service for the purpose of becoming qualified in the MOS required by the position vacancy for which I am accepted in my new unit.

(Insert, if applicable, airborne agreement as shown in Note 3, below.)

If I fail to participate satisfactorily in unit training assemblies or annual field training, or if I am unable to continue unit participation because of actions on my part, as opposed to unit inactivation, reorganization or relocation on the part of the military service, I will be subject to being ordered to 24 months active duty less that period of active duty or active duty for training I may have already served.

Except for the amendment(s) stated above, my original Enlistment Agreement\* remains in effect.

Signature \_\_\_\_\_

Name typed \_\_\_\_\_

Witnessed by: \_\_\_\_\_

(Unit commander or authorized representative)

NOTE 1: For personnel who have not completed initial ACDUTRA and require modification of their initial agreement due to a change in the length of ACDUTRA required to become MOS qualified, enter here the total number of weeks required for BCT, AIT, plus 3 weeks travel and processing time.

NOTE 2: For personnel who have completed initial ACDUTRA and require training in a MOS other than the one in which currently qualified, enter here the total number of weeks required for advanced individual training and, if applicable, the MOS producing school, as prescribed in DA Pamphlet 350-10, plus 2 weeks travel and processing time.

NOTE 3: The following will be added for male applicants enlisting for airborne unit vacancies which require the enlistee to become airborne qualified as a condition of enlistment: "I have enlisted for assignment to an airborne unit vacancy and volunteer to undergo airborne training as a condition to my enlistment; if I refuse to undergo or fail to complete airborne training, for reasons within my control, I will be subject to being ordered to 24 months' active duty, less that period of active duty or active duty for training I may have already served, unless I can be assigned to a position in a paid drill unit for which I am or can become qualified."

APPENDIX F

SAMPLE ORDER TO ACTIVE DUTY—ACTIVE DUTY OF OFFICER OR ENLISTED RESERVIST INVOLUNTARILY ORDERED TO ACTIVE DUTY (ASSIGNED TO A PERMANENT STATION WITH OR WITHOUT TDY EN ROUTE)

OO. TC. 138. By direction of the President, the following individual Ordered to Active Duty for period indicated unless sooner relieved. WP. PCS. Travel as directed is necessary in the military service. Wilson, Herman

\*Acknowledgment of Understanding of Service Requirements for USAR members.

\*Delete if not appropriate to vacancy for which enlisted.

G. ER 12345678 Pvt-2, 71B30 Fifth U.S. Army Control Group (Delayed) Headquarters, Fifth U.S. Army, Chicago, Ill. 60615.

Temporary Duty to: -----  
Reporting date (TDY): -----  
Period (TDY): -----  
Assigned to:<sup>1</sup> 00000, U.S. Army Reception Station, Fort Knox, Ky., for further assignment.

Date of Rank: -----  
Home of Record: 14 Walston Place, Battleground, Ind. 30315.

Current Location:<sup>2</sup> (Orders address) 420 Montclair Street, St. Louis, Mo. 63132.

Period:<sup>3</sup> 00 months and 00 days.  
Authority: P.L. 89-687, DA Circular 135-10.  
Accounting Classification: (See AR 37-100).

Permanent Change of Station (Movement Designator Code): -----  
Procurement Program Number: 00-----  
Effective Date of Change of Strength Accountability: July 8, 1967.

Special Instructions:  
On the EDCSA you are relieved from your present Reserve Unit or Control Group.

Reception Station will use orders format TC 250 (AR 310-10) for further assignment. Government transportation request and meal tickets (as appropriate) will be furnished upon the member's request.

The term of enlistment of member concerned is extended as necessary to permit completion of the period of active duty for which order and/or served.

U.S. Army Reception Station Commanders will determine medical fitness, if required, in accordance with Chapter 3, AR 40-501. Those medically unfit will be processed in accordance with AR 635-200.

For the Adjutant General.

J. W. HURD,  
Colonel, AGC, Comptroller, TAGO.

[F.R. Doc. 67-12780; Filed, Oct. 30, 1967; 8:45 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

#### CANNED MUSHROOMS DEVIATING FROM IDENTITY STANDARD

#### Notice of Modification of Temporary Permit for Market Testing

Notice was given in the FEDERAL REGISTER of May 2, 1967 (32 F.R. 6737), that a temporary permit had been issued to Oxford Royal Mushroom Products, Inc., Kelton, Pa. 19346. The permit, granted pursuant to (21 CFR 10.5), covered interstate marketing tests of canned mushrooms in the button and whole forms with added calcium disodium EDTA, an ingredient not provided

<sup>1</sup>For non-MOS qualified members. When member is MOS qualified response will be extended to indicate the unit, training activity, or service school as shown in DA assignment instructions.

<sup>2</sup>Delete when orders address is shown at top of orders.

<sup>3</sup>Period of active duty will be for 24 months—Less any previous period of active duty and/or active duty for training.

for by the standard of identity for this canned vegetable (21 CFR 51.990).

Notice is hereby given that the subject temporary permit has been modified to include the optional forms of "pieces and stems" and "sliced" canned mushrooms under the same terms and conditions of the permit now in effect.

The expiration date of the permit (Apr. 24, 1968) is unchanged.

Dated: October 25, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-12799; Filed, Oct. 30, 1967; 8:47 a.m.]

[Docket No. FDC-D-103]

#### DRUGS FOR HUMAN USE CONTAINING BITHIONOL

#### Notice of Withdrawal of Approval of New-Drug Applications

Rexall Drug Co.; Medical Arts Supply Co.; Shulton, Inc.; Huntington Laboratories, Inc.; West Chemical Products, Inc.; North Coast Chemical Co.; Armour & Co.; Purex Corp.

In the FEDERAL REGISTER of July 19, 1967 (32 F.R. 10615), the Commissioner of Food and Drugs issued a Notice of Opportunity for Hearing on his proposal to issue an order under the provisions of section 505(e) (21 U.S.C. 355(e)) of the Federal Food, Drug, and Cosmetic Act (1) withdrawing approval of new-drug application No. 12-268 and all amendments and supplements thereto held by the Purex Corp. for the drug Cutitone Acne Cream, which contains bithionol as an active ingredient, and (2) withdrawing approval of all other new-drug applications and all amendments and supplements thereto for drugs for human use containing any bithionol, for which applicants have waived opportunity for a hearing on the proposal.

Each holder of the new-drug applications listed below has by letter requested withdrawal of approval of his application for a drug containing bithionol, and thereby waived notice of hearing as provided by section 505 of the act (21 U.S.C. 355) and the regulations thereunder (21 CFR Part 130), prior to such withdrawal:

A. NDA No. 8-982 for Rexall Medicated Dusting Powder, held by Rexall Drug Co., 8480 Beverly Boulevard, Los Angeles, Calif. 90054.

B. NDA No. 9-178 for Surginol Surgical Soap, held by Medical Arts Supply Co., 706-08-10 Fourth Avenue, Huntington, W. Va. 25701.

C. NDA No. 9-233 for Thylox Sulfur Cream and Thylox Sulfur Soap with Actamer, held by Shulton, Inc., Route 46, Clifton, N.J. 07011.

D. NDA No. 9-240 for Degerm with Actamer, held by Huntington Laboratories, Inc., 970 East Tipton Street, Huntington, Ind. 46750.

E. NDA No. 9-254 for Lan-O-Kleen, held by West Chemical Products, Inc.,

42-16 West Street, Long Island City, N.Y. 11101.

F. NDA No. 9-287 for Coco-Borax Powered Hand Soap, held by North Coast Chemical Co., 6300 17th Avenue, South, Seattle, Wash. 98108.

G. NDA No. 10-935 for Dial Deodorant Soap, held by Armour Grocery Products Division of Armour & Co., 1355 West 31st Street, Chicago, Ill. 60609.

H. NDA No. 12-268 for Cutitone Acne Cream, held by Purex Corp., 24600 South Main Street, Wilmington, Calif. 90746.

The Commissioner of Food and Drugs, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the provisions of the act (sec. 505(e), 52 Stat. 1053; 21 U.S.C. 355(e)) and delegated to him by the Secretary (21 CFR 2.120), finds on the basis of new evidence of clinical experience not contained in the above-identified new-drug applications or not available to the Commissioner until after such applications were approved, and tests by methods not deemed reasonably applicable when such applications were approved, evaluated together with the evidence available when the said applications were approved, that the bithionol-containing drugs, Rexall Medicated Dusting Powder under NDA No. 8-982, Surginol Surgical Soap under NDA No. 9-178, Thylox Sulfur Cream and Thylox Sulfur Soap with Actamer under NDA No. 9-233, Degerm with Actamer under NDA No. 9-240, Lan-O-Kleen under NDA No. 9-254, Coco-Borax Powdered Hand Soap under NDA No. 9-287, Dial Deodorant Soap under NDA No. 10-935, and Cutitone Acne Cream under NDA No. 12-268, are not shown to be safe for use under the conditions of use upon the basis of which these applications were approved.

The Commissioner further finds that clinical experience and the use of photopatch tests show that the use of bithionol, a component of each drug listed above, may cause photosensitivity and that in some instances the photosensitization may persist for prolonged periods as severe reactions without further contact with sensitizing articles and, further, that bithionol may produce cross photosensitization with other commonly used chemicals such as certain halogenated salicylanilides and hexachlorophene.

Therefore, based on the foregoing findings of fact, the approval of the new-drug applications listed above for the articles named is withdrawn, effective on the date of signature of this document. Upon promulgation of this order, all drugs for human use containing any bithionol will be regarded as new drugs for which no approval is in effect.

Dated: October 24, 1967.

JAMES L. GODDARD,  
Commissioner of Foods and Drugs.

[F.R. Doc. 67-12800; Filed, Oct. 30, 1967; 8:47 a.m.]

# FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16258, 15011; FCC 67M-1785]

## AMERICAN TELEPHONE AND TELEGRAPH CO.

### Order Regarding Procedural Dates

In the matter of American Telephone and Telegraph Co., and the Associated Bell System Cos., docket No. 16258; charges for interstate and foreign communication service.

In the matter of American Telephone and Telegraph Co., Docket No. 15011; charges, practices, classifications, and regulations for and in connection with teletypewriter exchange service.

The Telephone Committee having under consideration a motion for extension of time with respect to certain procedural dates heretofore established by the Committee's order of May 11, 1967, filed by Air Transport Association of America on October 13, 1967; and having also under consideration supporting requests filed on behalf of American Newspaper Publishers Association et al. and Aeronautical Radio, Inc.; and

It appearing necessary and appropriate to modify certain of the procedural dates heretofore established in the aforesaid order of May 11, 1967;

*It is ordered*, That the following modifications are hereby effected in our order of May 11, 1967:

(1) All other parties, including the FCC staff, shall distribute written testimony on rate making principles and factors on December 15, 1967.

(2) Hearing sessions for cross-examination on the evidence submitted by parties other than Respondents shall begin on January 15, 1968, at 10 a.m.

(3) If Respondents wish to offer rebuttal to the testimony submitted by other parties, such rebuttal shall be distributed on or before March 8, 1968.

(4) Hearing sessions for cross-examination on such rebuttal testimony will begin April 1, 1968, at 10 a.m.

Adopted: October 23, 1967.

Released: October 25, 1967.

By the Telephone Committee.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-12797; Filed, Oct. 30, 1967;  
8:47 a.m.]

[Docket No. 17817; FCC 67-1137]

### COSMOS CABLEVISION CORP.

#### Memorandum Opinion and Order Designating the Request for a Hearing

In re petition by Cosmos Cablevision Corp., Darlington, S.C., Docket No. 17817, File No. CATV 100-182; for authority

pursuant to § 74.1107 of the rules to serve and operate a CATV system in the Columbia, S.C., television market.

In re application of Cosmos Cablevision Corp., File No. BPCAR-41; for construction permit for community antenna relay station to serve its CATV System at Darlington, S.C.

1. Cosmos Cablevision Corp. requests a waiver of hearing to operate a CATV system at Darlington, S.C., located in the Columbia, S.C., television market (ARB 83), carrying the local signals of Channels 10 (NBC), Columbia, 13 (ABC, CBS, NBC), 15 (CP), and \*33 (Educ.-CP), Florence (with program exclusivity afforded); and the distant signals of Channels 19 (CBS), 25 (ABC), and \*35 (Educ.), Columbia. Also under consideration herein is the application filed by Cosmos for a Community Antenna Relay Station to serve its CATV system at Darlington. Cosmos proposes to transmit by microwave the signals of Channels 25 and 35, Columbia, S.C.

2. The Columbia market has a total net weekly circulation of 223,400. Channel assignments in the market and their status are: Columbia, 10 (NBC), 19 (CBS), 25 (ABC), \*35 (Educ.-Program Test Authority), and 57 (idle). Darlington (6,710), Darlington County (52,928), is located approximately 68 miles from Columbia (97,433), Richland County (200,102). Petitioner states that the area to be served is limited to the City's corporate limits and that the maximum subscriber potential is 1,060 households. Cosmos states that its proposal will provide Darlington with the full three network services; will bring the first educational station into the community; will have no adverse economic impact on either existing stations or UHF development; and will assist existing stations in coverage.

3. In opposition, Rovon Television, Inc., permittee of television broadcast Station WPDT, Florence, S.C., states that the community of Darlington is an integral part of the WPDT service area, that the second report and order was designed to protect emerging UHF stations such as WPDT so that the stations might achieve economic viability. Rovon concludes that its chances of obtaining a network affiliation will be "substantially lessened" by allowing the system to import distant signals.

4. In view of the size of the community and its location, it would appear that operation of this system would have little if any impact upon UHF development in the market. The same conclusion was reached in Cable Television of Hartsville, 8 FCC 2d 69, 9 RR 1265, which involved a system in a city of the same size located 10 miles from Darlington. See also, Video Vision, Inc., 7 FCC 2d 112, 9 RR 2d 493, for permission to import the Columbia UHF signals where the VHF station served the community; Greater Television, 5 FCC 2d 699, 8 RR 2d 1106. When weighed against the benefits to be obtained from operation of the system—such as full network coverage and an

educational station—waiver of § 74.1107 of the rules is indicated.<sup>2</sup>

5. The request to import the distant ABC signal from Channel 25, Columbia, presents a different problem. As we stated in the second report:

In markets below the top 100 (here, the Florence market) the independent UHF (or VHF) station is much less likely to develop; the stations in such markets are apt to be three or less in number and network affiliated. This means, in turn, that the nonduplication provision is effective (since network programming will be significantly involved), and protection of a station's network programming should contribute very substantially to insuring its continued viability.

Here, however, Rovon does not yet have a network affiliation and has alleged that CATV importation of a distant ABC signal would jeopardize its chances of obtaining an ABC affiliation. We can reach no decision on this question on the basis of the present record.

6. We have also considered the CARS application filed by Cosmos (BPCAR-41) to serve its CATV system at Darlington. Rovon has filed a "Petition to Deny Applications for Community Antenna Relay Services." The allegations contained in Rovon's petition directed against the CARS application do not present any new issues not considered and disposed of in connection with the top 100 waiver petition. We are therefore of the view that the petition should be denied, except as indicated, and that a grant of this application would serve the public interest.

*Accordingly, it is ordered*, Pursuant to §§ 74.1107 and 74.1109 of the Commission's rules, that with respect to the petition of Cosmos Cablevision Corp. for permission to carry the signals of Channels 19 and \*35, Columbia, S.C., waiver is granted.

*It is further ordered*, That the request of Cosmos Cablevision Corp. to carry the signal of Channel 25, Columbia, S.C., is designated for hearing on the following issues:

(1) To determine whether carriage of the signal of Channel 25, Columbia, S.C., by the Cosmos Cablevision Corp., Darlington, S.C., CATV system would significantly affect a prospective ABC network affiliation for Channel 15, Florence, S.C.

(2) To determine whether, in light of the evidence adduced under the above issue, Cosmos Cablevision Corp. should be authorized to carry the signal of Channel 25.

*Accordingly, it is further ordered*, Pursuant to § 309 of the Communications Act as amended, and §§ 74.1031, 74.1107, and 74.1109 of the Commission's rules,

<sup>2</sup> We have also considered, in connection with the opposition, the "Petition to Prohibit Cosmos Cablevision Corp. from Importing Distant Signals," filed pursuant to § 74.1109 of the rules by Rovon Television, Inc., on Apr. 12, 1967. To the extent that it requests additional relief or leave to file supplementary material, and in the absence of an adequate showing, it is denied.

that the above captioned application of Cosmos Cablevision Corp. is granted subject to the following condition:

Cosmos Cablevision Corp. may not furnish the signal of Channel 25, Columbia, S.C., to its Darlington, S.C., CATV system until further order.

*It is further ordered*, That the "Petition to Deny Applications for Community Antenna Relay Services" and the "Petition to Prohibit Cosmos Cablevision Corporation from Importing Distant Signals", both filed by Rovon Television, Inc., are denied.

*It is further ordered*, That Rovon Television, Inc., and Cosmos Cablevision Corp. are made parties to this proceeding and, to participate, must comply with the applicable provision of § 1.221 of the rules.

The burden of proceeding and proof with respect to issue 1 is on Rovon. Issue 2 is conclusory. A time and place for the hearing will be specified in another order.

Adopted: October 11, 1967.

Released: October 26, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-12798; Filed, Oct. 30, 1967;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

[S.O. 994, ICC Order 10]

### LEHIGH VALLEY RAILROAD CO.

#### Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, agent, the Lehigh Valley Railroad Co. is unable to transport traffic to and from Raven Run, Pa., because of bridge destroyed by fire at mile post 171.

*It is ordered*, That:

(a) Rerouting traffic: The Lehigh Valley Railroad Co., being unable to transport traffic to and from Raven Run, Pa., because of a bridge destroyed by fire at mile post 171, that carrier and its connections are hereby authorized to reroute or divert such traffic over any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

<sup>2</sup> Commissioner Bartley absent. Commissioner Cox concurring in part and dissenting in part and issuing statement filed as part of the original document. Commissioners Loevinger and Johnson concurring in the result.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order:

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 a.m., October 26, 1967.

(g) Expiration date: This order shall expire at 11:59 p.m., December 31, 1967, unless otherwise modified, changed or suspended.

*It is further ordered*, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., October 26, 1967.

INTERSTATE COMMERCE  
COMMISSION,

[SEAL] R. D. PFAHLER,  
Agent.

[F.R. Doc. 67-12791; Filed, Oct. 30, 1967;  
8:46 a.m.]

[Notice 482]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 26, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the

protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 97357 (Sub-No. 21 TA), filed October 20, 1967. Applicant: ALLYN TRANSPORTATION COMPANY, 14011 South Central Avenue, Los Angeles, Calif. 90059. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *molten sulphur*: From points in Los Angeles County, Calif.; to Yuma, Ariz., for 150 days. Supporting shipper: Collier Carbon & Chemical Corp., 714 West Olympic Boulevard, Los Angeles, Calif. 90015. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 106760 (Sub-No. 86 TA), filed October 20, 1967. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio 43614. Applicant's representative: O. L. Thee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-fabricated buildings, building sections and/or component parts*; from points in Georgia to points in Florida, for 180 days. Supporting shipper: Madison Industries, Conyers, Ga. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 112223 (Sub-No. 82 TA), filed October 19, 1967. Applicant: QUICKIE TRANSPORT COMPANY, 501 11th Avenue South, Minneapolis, Minn. 55415. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn. 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry, crude sulphur* in bulk; from the plantsite of Cenex, Inc., near Pine Bend, Minn.; to the plantsite of Badger Ordnance Works near Baraboo, Wis., for 150 days. Supporting shipper: Cenex, Inc., Division of Framers Union Central Exchange Inc., St. Paul, Minn. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 123054 (Sub-No. 6 TA), filed October 19, 1967. Applicant: R. & H. CORPORATION, Post Office Box 208, 295 Grand Avenue, Clarion, Pa. 16214. Applicant's representative: Alfred N. Lowenstein, 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Kitchen cabinets and accessories* used in the installation thereof; from Richmond, Ind., to points in Paint Township, Clarion County, Pa., for 180 days. Supporting shipper: General Kitchen Sales, Inc., Post Office Box 550, Clarion, Pa. 16214. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 128683 (Sub-No. 1 TA), filed October 18, 1967. Applicant: CHARLIE C. HOLT, Post Office Box 88, Emporia, Va. 23847. Applicant's representative: John C. Goddin, Post Office Box 1636, Richmond, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Textile fabrics*; from Emporia, Va.; to Baltimore, Md.; Netcong, Paterson, and South Hackensack, N.J., New York, N.Y., and its commercial zone; Athens and Syracuse, N.Y.; Alban and Warren, R.I.; and Lancaster, Easton, and York, Pa.; (2) *raw textile fabric materials*, from Paterson, South Hackensack, and Jersey City, N.J.; New York, N.Y., and its commercial zone; Lancaster and York, Pa.; North Adams, Mass.; and Pawtucket, R.I.; to Emporia, Va.; (3) *chemicals and dyes* used in the manufacture and processing of textile fabrics, but not in bulk or in tank vehicles; from Haledon, N.J., to Emporia, Va., under contracts with Belding Hausman Fabrics, Inc., and Virginia Dyeing Corp., for 180 days. Supporting shippers: Virginia Dyeing Corp., Emporia, Va., and Weldon Mills, Inc., Emporia, Va. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 129135 (Sub-No. 1 TA), filed October 20, 1967. Applicant: KATUIN BROS. INC., 102 Terminal, Dubuque, Iowa, 52001. Applicant's representative: John J. Goen, Dyersville, Iowa 52040. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, in bags and in bulk; from Cedar Rapids, Iowa, to points in Illinois; for 180 days. Supporting shipper: The Quaker Oats Co., Merchandise Mart plaza, Chicago, Ill. 60654. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 129445 (Sub-No. 1 TA), filed October 20, 1967. Applicant: DIXIE TRANSPORT CO. of Texas, P.O. Box 5447, 3840 Interstate 10 South, Beaumont, Tex. 77706. Applicant's representative: Archie L. Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphaltic products*, in bulk, in tank vehicles, from Port Arthur, Tex., to points in Louisiana, and return of *rejected or damaged shipments*, for 180 days. Supporting shipper: Bitucote Products Co. (Mr. Herb Warren, Manager Road Sales), Post Office Box 7145, Little Rock, Ark. 72205. Send protests to: District Supervisor, John C. Redus, Bureau

of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 129473 TA filed October 19, 1967. Applicant: R. D. ALLISON, doing business as ALLISON TRANSFER COMPANY, 703 East Ashley Street, Post Office Box 31, Station G, Jacksonville, Fla. 32202. Applicant's representative: Martin Sack, Jr., Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, restricted to shipments having an immediately prior or subsequent movement in containers by rail, motor, water or air, and *empty containers* having an immediately prior or subsequent movement by rail, motor, water or air, between points in Florida; for 180 days. Supporting shipper: Fernstrom Storage and Van Co., Post Office Box 66220, Chicago, Ill. 60666. Send protests to: District Supervisor, G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Federal Office Building, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 129478 TA, filed October 20, 1967. Applicant: ROBERT C. STALEY, doing business as Staley Truck Line, 107 24th Street SW., Mason City, Iowa 50401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture and appliances*, from Mason City, Iowa, to points in Minnesota within 50 miles of Mason City, Iowa, for 180 days. Supporting shipper: Sears, Roebuck & Co., 1720 South Federal, Mason City, Iowa. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-12792; Filed, Oct. 30, 1967;  
8:46 a.m.]

[Notice 46]

### MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 26, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69929. By order of October 23, 1967, the Transfer Board approved the transfer to the Buddy Adelman Trucking Corp., New York, N.Y., of a portion of certificate No. MC-47662, issued January 3, 1952, to MacEvoy, Inc.,

Philadelphia, Pa., authorizing transportation, restricted to the use of special equipment, of: Machinery, between points in specified New Jersey counties, on the one hand, and, on the other, New York, N.Y., and points in Nassau, Suffolk, Westchester, and Rockland Counties, N.Y.; and boats, between specified New Jersey counties on the one hand, and, on the other, the above-named destination points. Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306, attorney for applicants.

No. MC-FC-69934. By order of October 18, 1967, the Transfer Board approved the transfer to Texhoma Freight Lines, Inc., Wichita Falls, Tex., of the operating rights in certificates Nos. MC-98004 and subs thereunder issued to P. J. Nix, doing business as Texhoma Freight Lines, Wichita Falls, Tex., authorizing the transportation of: General commodities, with the usual exceptions, between points in Texas and Oklahoma. Richard H. Champlin, Post Office Box 82488, Oklahoma City, Okla., attorney for applicants.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-12793; Filed, Oct. 30, 1967;  
8:46 a.m.]

## ATOMIC ENERGY COMMISSION

### STATE OF COLORADO

#### Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Colorado for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A résumé, prepared by the State of Colorado and summarizing the State's proposed program, was also submitted to the Commission. With the exception of the referenced organizational chart, the Radiation Advisory Committee membership and a listing of laboratory and monitoring equipment, this résumé is set forth below as an appendix to this notice. A copy of the program, including proposed Colorado regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C. 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, in triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered

into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 28th day of September 1967.

For the Atomic Energy Commission.

W. B. McCool,  
Secretary.

**PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF COLORADO FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED**

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Colorado is authorized under section 66-26-2 Colorado Revised Statutes, 1963, annotated Volume 9 (181 CSL 1965) to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Colorado certified on September 12, 1967, that the State of Colorado (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on ----- that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement the regulatory authority of the Commission in the State un-

der Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

- A. Byproduct materials;
- B. Source materials; and
- C. Special nuclear materials in quantities not sufficient to form a critical mass.

ARTICLE II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

- A. The construction and operation of any production or utilization facility;
- B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;
- C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;
- D. The disposal of such other byproduct, source or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ARTICLE III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ARTICLE IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or l. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ARTICLE V. The Commission will use its best efforts to cooperate with the State and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection, and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ARTICLE VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any Agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules and regulations, and procedures by which such reciprocity will be accorded.

ARTICLE VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspen-

sion is required to protect the public health and safety.

ARTICLE VIII. This agreement shall become effective on January 1, 1968, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at -----, in triplicate, this ----- Day of -----.

FOR THE U.S. ATOMIC  
ENERGY COMMISSION

FOR THE STATE OF  
COLORADO

**FOREWORD**

This document includes a résumé of past activities and accomplishments by the Colorado State Department of Public Health in control of ionizing radiation for the protection of the public health. Proposed programs and facilities are presented for the assumption of additional responsibilities with respect to sources of ionizing radiation as well as supporting information on authority, regulation, organization, and resources.

The Governor, on behalf of the State of Colorado, is authorized to enter into an agreement with the Federal Government providing for the State to assume certain responsibilities with respect to ionizing radiation. This authority is granted in section 66-26-2 Colorado Revised Statutes, 1963, annotated Volume 9 (181 CSL 1965).

The AEC is authorized to enter into an agreement with the governor of a State whereby the Commission may transfer to the State certain licensing and regulatory control of byproduct material, source material, and special nuclear material in quantities not sufficient to form a critical mass. This authority is found in section 274b of the Atomic Energy Act of 1954 as amended.

Colorado has accomplished a number of pioneering activities in managing ionizing radiation. They were the leaders in studying and controlling radiation exposures in uranium mines. The first continuous State air monitoring program was established by the Colorado State Department of Public Health. Now, leadership in the promotion of the peaceful uses of atomic energy is designed to be consistent with the protection of the public and occupational health.

**HISTORY**

In 1949, problems created by the expanding uranium mining and milling industry demanded a large portion of the occupational health program of the Colorado State Health Department. Support from other agencies in this program permitted the purchase of equipment and provided training to State personnel, both formal and in-service, that otherwise was unavailable. It was at this time that radiation activities were started in Colorado.

The activities of the occupational health program continued to expand, and in 1963, the Occupational and Radiological Health Division was formed consisting of three sections: (1) Radiological Health, (2) Occupational Health, and (3) Air Pollution. In January of 1967, the name of the division was changed to the Air, Occupational, and Radiation Hygiene Division, with the Radiological Health Section being renamed the Radiation Hygiene Section. The following activities relate the more significant developments in the history of the Radiation Hygiene Section.

*Uranium mining and milling.* In 1949, full scale studies of health hazards in uranium mines were undertaken by the State Health Department in cooperation with the U.S. Public Health Service. These studies developed into a program consisting of analysis for Radon and Radon daughters, 226m, 210Pb,

and other naturally occurring nuclides. The results of these studies were applied to establish adequate ventilation facilities to limit radon daughter concentrations in mine atmospheres to accepted standards. In 1960 the Department trained Colorado Bureau of Mines technicians to do this work; however, current activities are still maintained in training; calibration of equipment, evaluation of the Bureau of Mines program, consultation to industry, and research.

**X-Ray survey program.** A limited program for surveying X-ray machines was started in 1957. Rules and regulations requiring registration of sources of ionizing radiation were promulgated by the Colorado State Board of Health in 1959.

Following this requirement of registration, the Department initiated a dental radiological health program by mailing the specially prepared Surpak film kit to all dentists in the Denver Metropolitan area. This survey was conducted with the cooperation of the Colorado Dental Association and the U.S. Public Health Service (U.S.P.H.S.). A total of 643 dental X-ray units were evaluated in this manner, and corrections in filtration and collimation were made by the individual dentist as needed.

Comprehensive physical surveys of dental and all other diagnostic X-ray installations began in 1962 using procedures approved by the U.S.P.H.S. Also during this period, State radiological health specialists assisted in training selected local health department personnel in the survey procedures. As a result of this training, the organized local health departments gave invaluable assistance in completing the program in their respective areas.

The continuing program encompasses physical surveys of X-ray units in the healing arts and in industry with written reports on each survey submitted to the individual in charge of the installation. NCRP standards and recommendations as published in NBS Handbooks 76 and 93 are used in all procedures.

Approximately 1,500 medical X-ray units and 1,230 dental X-ray machines have been surveyed out of a total of 2,800 registered units in the State. Results indicate that 95 percent of the dental units and 70 percent of the medical machines and facilities are in physical compliance at this time. This degree of compliance has been accomplished without the aid of rules and regulations specifying physical requirements. The program is now 97 percent completed with only a few X-ray installations in outlying areas that have not had an initial survey. Many of the installations have had more than one physical survey.

**Radium control program.** As previously mentioned, rules and regulations which were promulgated in 1959 required sources of ionizing radiation including radium sources to be registered with the Department. There are 33 registered installations in Colorado that use radium sealed sources, and all have had complete storage area surveys and tests made for leakage contamination. All of these installations are in compliance with standards recommended in NBS Handbook 73. The Department provides assistance to radium users in the proper disposal of unwanted or leaking sources.

**Environmental surveillance.** An air surveillance program was established as early as 1954 and was conducted by the Colorado State Health Department until joining the Public Health Service surveillance network in 1957. Currently, participation is maintained in two national surveillance networks and one standby project. The mechanism for expanding surveillance as the need arises has been established as part of the emergency monitoring program. A State milk monitoring program is being conducted and

a summary of these activities is published periodically in "Radiological Health Data." Additional surveillance is conducted on food, water, and other materials. Another phase of this project is human evaluation by *in vivo* counting of human thyroids for <sup>131</sup>I and whole body counting for <sup>137</sup>Cs on a selected population group.

Activities in this program are expanding rapidly. Collection of background data and continuing environmental surveillance are currently being planned and organized to measure the environmental effects of nuclear power facilities to be constructed in Colorado. Specific surveillance has been done and is planned in the future to determine levels of radioactivity in the ambient air in selected communities in Colorado. Projects such as "Gasbuggy" and the proposed use of nuclear energy for oil shale recovery in northwest Colorado indicate a busy future for this program.

**Whole body counting facility.** In 1961, the Whole Body Counting Facility was completed and put into operation. Activities of the Whole Body Counter have been described briefly above, particularly regarding surveillance. Additional activities involve adapting whole body counting techniques to evaluation of internal depositions resulting from the use of radioactive materials. The adaptability of the instrumentation of the Whole Body Counter to other aspects of radiological health programs has improved the capabilities of the Division in rapid evaluation and accuracy of measurement.

**Uranium mill tailings.** Pursuant to enabling legislation, the Board of Health promulgated regulations concerning the stabilization of uranium mill tailing piles. In implementing the purpose of these regulations all inactive uranium mill tailing piles have been surveyed by the companies and plans submitted for stabilization along with a schedule for completion. In January 1967, one pile was completely stabilized and control of one additional pile has been started. Colorado assumed leadership in adoption of these regulations to prevent potential long-range contamination of the environment.

**Training.** Because of a close association with local health departments, training courses have been provided to technical personnel in local areas to better coordinate radiological health activities on a local level. This is a continuing program and it has succeeded in increasing the capabilities of additional people in radiological health. Staff members are active in various professional societies concerned with radiation and have established an educational program in radiological health through the news media and lectures to various interested groups.

**Radioactive materials.** All radioactive material, except naturally occurring and accelerator-produced radionuclides, is under the jurisdiction of the U.S. Atomic Energy Commission. Staff members began to accompany AEC inspectors on inspections of AEC licensees in 1957. In recent years, members of the Radiation Hygiene Section have participated in a cross-section of byproduct licensee inspections.

**Research.** Research became a part of the program very early, primarily on the uranium mining and milling problems. More recently, research projects involved other studies such as "<sup>131</sup>I, Metabolism", radium surveillance and radon progeny inhalation studies in cooperation with Colorado State University. Several reports on these studies were published in various journals.

**Emergency procedures.** The Health Department has maintained a program for handling radiological emergencies and accidents in cooperation with law enforcement and other local and State official agencies throughout the State since 1959. This program is currently being reorganized to increase capabilities

in this area as well as provide capabilities at the local level in the case of an emergency.

The Radiation Hygiene Section, which is responsible for the program, will coordinate the program so that when and if an emergency does occur a systematic procedure can be followed, including rapid communications to the correct people and preparedness of a specific medical facility with emergency transportation, if needed. Emergency communications and transportation will be provided by the Colorado State Patrol and through local authorities. The Section is equipped with adequate instrumentation for evaluation of an incident. In addition, assistance is available through the Region VI Radiological Team of the U.S. Atomic Energy Commission.

#### ORGANIZATION AND RESPONSIBILITY

The State government and health department organization for the purpose of regulation of sources of ionizing radiation is illustrated in Chart 1 in the appendix.

The Radiation Advisory Committee is appointed by the governor and consists of nine members representing industry, the healing arts, and educational institutions. This committee provides evaluation, review and guidance to the Department on all aspects of the radiological health program. Its present membership is shown in the appendix.

The Colorado State Department of Public Health will regulate the use of all sources of ionizing radiation except those which it may exempt or which are under the jurisdiction of the Federal Government. This function rests in the Radiation Hygiene Section.

The Colorado Division of Commerce and Development and the State Department of Natural Resources are active in the promotion and development of nuclear energy. The health department works with these two agencies so that regulation and control will in no way interfere with development unless there is a question regarding the safety aspects of a particular operation.

The Department works very closely with the Industrial Commission, particularly regarding occupational disease disability claims arising from exposure to ionizing radiation. Also, a cooperative program with the Colorado Bureau of Mines has been developed for the control of radiation exposure in the mining industry. The accomplishments of this joint program have been noteworthy and provided leadership among all Western States.

#### DEPARTMENT AND STAFF ORGANIZATION

The Radiation Hygiene Section is one of three sections in the Air, Occupational, and Radiation Hygiene Division—the others being Air Hygiene and Occupational Health. The Air, Occupational, and Radiation Hygiene Division is one of 11 in the State Health Department. Close liaison with other divisions within the State Health Department is maintained where associated programs involve radiological health aspects. Among these are the Engineering and Sanitation Division, the Water Pollution Control Division, the Hospital and Nursing Home Division, the Tuberculosis Section of the Preventive Medical Services Division, and the Dental Health Section of the Special Health Services Division.

Legal services are provided by the State attorney general's office and a staff attorney in the health department. Biostatistics, data processing, and vital statistics are provided by the Records and Statistics Section of the Administrative Services Division of the State Health Department.

The program of the Radiation Hygiene Section includes the regulation of sources of ionizing radiation, whole body counting,

environmental monitoring, consultative services, and applied research.

In addition to the Section Chief, the Radiation Hygiene Section is comprised of four professional employees. One of these, the public health physicist, will have primary responsibility for the Whole Body Counting facility. In order to maintain maximum flexibility, primary responsibilities for the remainder of the program (e.g., licensing and registration, inspection and compliance, environmental monitoring, consultative services, and applied research) may be rotated among the other three members of the staff. Supervision and administration of the radiological health program are provided by the division director and section chief. Current staff qualifications are shown in the attachment. Future replacements and additions to the staff will be similarly qualified.

Although local health departments will not participate directly in the agreement materials program, trained personnel from these units will continue to assist by conducting over 60 percent of the X-ray surveys in the State.

In unusual situations, industrial hygienists on the occupational health staff are trained and available to assist the Radiation Hygiene Section in radiological health activities.

#### REGULATORY PROCEDURES AND POLICY

**Licensing and registration.** The Colorado radiation control program extends to all sources of radiation. The regulations require licensing of all radioactive materials and registration of all radiation-producing machines except such sources as may be specifically exempted from these requirements in accordance with the regulations.

Licensing procedures and criteria will be consistent with those of the Atomic Energy Commission as provided in Part III of the State of Colorado Rules and Regulations Pertaining to Radiation Control.

General licenses are effective by regulation without the filing of applications with the Department or the issuance of licensing documents. General licenses are issued for specified materials under specified conditions when it is determined that the issuance of specific licenses is not necessary to protect the public and occupational health and safety. Specific licenses or amendments thereto are issued upon review and approval of an application. A specific licensing document will be issued to named persons and will incorporate appropriate conditions and expiration date. Prelicensing inspections will be conducted when appropriate.

The Department, when it determines such to be appropriate, will request the advice of the Radiation Advisory Committee, or appropriate members thereof, with respect to any matter pertaining to a license application, or to criteria for reviewing applications.

All applications for nonroutine medical uses of radioactive materials will be referred for advice and consultation to those members of the Radiation Advisory Committee who have appropriate training and experience in nonroutine human uses of radioactive materials. Appropriate research protocols will be required as part of an application. The Department will maintain knowledge of current developments, techniques and procedures for medical uses applicable to the licensing program through continuing contact and information exchange with the U.S. Atomic Energy Commission and other Agreement States.

The registration program will be a continuation of the current activity except that (a) all radiation machines will be subject to the applicable provisions of Part IV of the regulations and (b) radium and accelerator-produced radionuclides which

were formerly registered must now be licensed.

**Inspection.** Inspections for the purpose of evaluating radiation safety and determining compliance with appropriate regulations and provisions of licenses will be conducted as needed.

Inspection frequency will be based upon the extent of the hazard-potential and experience with the particular facility. It is expected that all specific licensees will be inspected at least once each 2-year period. The following frequency is anticipated:

<i>Use of classification</i>	<i>Usual inspection frequency</i>
Industrial radiography:	
Fixed installations.	Once each 12 months.
Mobile operations—	Once each 6 months.
All commercial waste operations.	Once each 6 months.
Broad licenses—industrial, medical, or academic.	Once each 6–12 months.
Other specific licenses—industrial, medical, or academic.	Once each 12–24 months.

Inspections will be made by prearrangement with the licensee or may be unannounced at reasonable times, as the Department, in its judgment, determines to be most constructive. Consultation visits will be made frequently in the early years of the licensing and compliance program in order to establish understanding and cooperation.

Inspections will include the observation of pertinent facilities, operators, and equipment; a review of use procedures, radiation safety practices, and user qualifications; a review of records of radiation surveys, personnel exposure, and receipt and disposition of licensed materials—all as appropriate to the scope and conditions of the license and applicable regulations. In addition, independent measurements will be made as appropriate.

At the start and conclusion of an inspection, personal contact will be made at management level whenever possible. Following the inspections, results will be discussed with the licensee management.

Investigations will be made of all reported or alleged incidents to determine the conditions and exposures incident thereto and to determine the steps taken for correction, cleanup, and the prevention of similar incidents in the future.

Radiological assistance in the form of monitoring, liaison with appropriate authorities and recommendations for area security and cleanup will be available from the Department.

Reports will be prepared covering each inspection or investigation. The reports will be reviewed by the Radiation Hygiene Section Chief.

**Compliance and enforcement.** The status of compliance with regulations, registration, or license conditions will be determined through inspections and evaluations of inspection reports.

When there are items of noncompliance, the licensee will be so informed at the time of inspection. When the items are minor and the licensee agrees at the time of inspection to correct them, written notice at the completion of the inspection will list the items of noncompliance, confirm corrections made at the time, and inform the person that a review of other corrective action will be made at the next inspection.

Where items of noncompliance of a more serious nature occur, the licensee will be informed by letter of the items of noncompliance and required to reply within a

stated time as to the corrective action taken and the date completed. Assurance of corrective action will be determined by a followup inspection or at the time of the next regular inspection.

Upon request by the licensee, the terms and conditions of a license may be amended, consistent with the Act or regulations, to meet changing conditions in operations or to remedy technicalities of noncompliance of a minor nature. The Department may amend, suspend, or revoke a license in the event of continuing refusal of the licensee to comply with terms and conditions of the license, the Act, or regulations or failure to take adequate action concerning items of noncompliance. Prior to such action, the Department shall notify the licensee of its intent to amend, suspend or revoke the license and provide the opportunity for a hearing.

The Department will use its best efforts to attain compliance through cooperation and education. Only in instances where real or potential hazards exist, or cases of repeated noncompliance or willful violation will the full legal procedures normally be employed.

Where the Department finds that the licensee has been guilty of deliberate and willful violation, or that the public health, safety, or welfare imperatively requires emergency action, and incorporates such findings in its order, it may institute revocation proceedings without giving notice and summarily suspend the license pending proceedings for revocation which shall be promptly instituted and determined upon request of any interested person.

In the event of an emergency relating to any source of ionizing radiation which endangers the public peace, health or safety, the Department shall have the authority to issue such orders for the protection of the public health and safety as may be appropriate, including orders to lay an embargo upon or impound radioactive materials and other sources of ionizing radiation in the possession of any person who is not equipped to observe the provisions of the Act or any rules or regulations promulgated thereunder.

**Effective date of license transfer.** Any person who, on the effective date of the agreement with the Atomic Energy Commission, possesses a license issued by the Federal Government shall be deemed to possess a like license issued under Chapter 181, Colorado Session Laws 1965 which shall expire either 90 days after the receipt from the Department of a notice of expiration of such license, or on the date of expiration specified in the Federal license, whichever is earlier.

**Administrative procedures and judicial review.** The basic standards of procedure for administrative agencies in the State of Colorado are set by the rules of procedure required by Colorado law with respect to hearings, issuance of orders, and judicial review of findings, and order of the Colorado State Board of Health (Chapter 3, Article 16, CRS 1963). These rules provide for:

1. Due notice to interested persons and opportunity to present data or views either orally or in writing prior to the adoption, amendment, or repeal of any rule.

2. Adoption or amendment of rules in emergency situations without observance of the normal requirements of notice and hearing, upon a finding by the Department that immediate action is necessary for the preservation of the public health, safety, or general welfare.

3. Petition to the Department requesting the promulgation, amendment, or repeal of any rule.

4. Declaratory judgment procedure available on petition by proper party to determine validity of statute, rule or final decision of Department. (Chapter 77, Article II, CRS 1963.)

5. Right to hearing after reasonable notice in a case in which legal rights, duties or privileges of specific parties are required by law or constitutional right to be determined.

6. Judicial review in the district court by any person aggrieved by a final decision of the Department, and appeal to the State supreme court for review of a final judgment of the district court.

**Compatibility and reciprocity.** In promulgating rules and regulations, the Department has, insofar as practicable, avoided requiring dual licensing and has provided for reciprocal recognition of other State and Federal licenses.

Routine staff meetings will be conducted involving all members of the division who are involved with the radiological health program to determine and maintain compatible programs with the U.S. Atomic Energy Commission and other Agreement States. Periodic internal evaluation exercises will be conducted concerning all phases of the program. Written reports, inspection reports, records and statistics will be compatible with the current Atomic Energy Commission program.

R. J. REECE

DIRECTOR, DIVISION OF AIR, OCCUPATIONAL AND RADIATION HYGIENE

**Education and Training:**

M.D. University of Kansas, 1949.  
Internship, University of Kansas, 1950.  
M.P.H., Harvard, 1954.  
Medical Management of Radiation Accidents, USPHS.  
Radiological Health for Physicians, USPHS.  
Orientation course in Practices and Procedures of Licensing and Regulation, AEC.  
Basic Civil Defense, FCDA.  
Numerous meetings and short courses in radiological health.

**Experience and Related Activities:**

Preventive Medicine Officer, U.S. Army, 1951-52.  
Local Health Officer, Kansas, 1950-51, 1952-53, 1954-55.  
Director of Local Health Services Division, Colorado State Department of Public Health (including Industrial Hygiene Section and radiological health program), 1955-62.  
Director of Occupational and Radiological Health Division, Colorado State Department of Public Health, 1962-67.  
Director, Colorado Civil Defense Health Section, 1955-61.  
Member, USPHS Medical Liaison Officer Network in Radiological Health.  
Member, American Medical Association, American Industrial Medical Association, American Public Health Association.  
Lecturer in Radiological Health, Colorado State University.  
Investigator in several AEC and USPHS radiation research projects.

P. W. JACOB

CHIEF OF THE RADIATION HYGIENE SECTION OF COLORADO STATE DEPARTMENT OF PUBLIC HEALTH

**Education and Training:**

B.S. Chemistry and Physics, University of Colorado, 1936.  
Civil Defense Monitoring, FDA.  
Basic Radiological Health, USPHS.  
Medical X-Ray Protection, USPHS.  
Radiation Surveillance, Nevada Test Site.  
Radiation Monitoring, USPHS, Salt Lake City.  
AEC orientation course in Practices and Procedures of Licensing and Regulation, Bethesda.  
Management, Development, and Decision Making, University of Denver.

Program Planning, University of Oklahoma.

Numerous short courses in radiological health and industrial hygiene.

**Experience and Related Activity:**

Colorado Department of Public Health: Industrial Hygienist, 1947-54.  
Chief, Industrial Hygiene Section (including Radiological Health) 1954-63.  
Chief, Radiological Health Section, 1963-present.  
Responsibility for administration of the radiation control program.  
Chief of Radiological Defence, Colorado Civil Defense Agency.  
Past member NT-1 Committee of American Standards Association on Uranium and Thorium Mining and Milling.  
Past Member Committee on Ionizing Radiation, American Conference of Governmental Industrial Hygienists.  
President, Rocky Mountain Section of American Industrial Hygiene Association.  
Lecturer, University of Denver and Colorado State University.  
Coinvestigator on various research projects.  
Several publications.

ROBERT D. SIEK

SENIOR RADIOLOGICAL HEALTH SPECIALIST

**Education and Training:**

B.S. in Sanitary Sciences, University of Denver, 1957.  
M.P.H. in Industrial Hygiene, University of Michigan, 1961.  
U.S.P.H.S. Training Courses:  
Medical X-Ray Protection, CSDPH, 1964.  
Basic Radiological Health, CSDPH, 1963.  
Management of Radiation Emergencies and Accidents, USPHS, Montgomery, Ala.  
U.S.A.E.C. Training Courses:  
Fundamentals of Radiological Health and Safety (9-month extension course), University of Denver, 1963-64.  
Orientation in Practices and Procedures of Licensing and Regulation, Bethesda, Md., 1966.  
**Experience and Related Activity:**  
Pueblo City-County Health Department, 1957-60.  
Responsibility of industrial hygiene and radiation protection program at the local level. Program was conducted under the supervision of a State Health Department industrial hygienist.  
Colorado State Department of Public Health, 1961-present.  
Responsibility for promotion, training of personnel, and direct service of industrial hygiene and radiological health programs on a district basis throughout the State. Assists section chief on program planning and evaluation and represents him as requested in technical and administrative functions.

ALBERT J. HAZLE

RADIOLOGICAL HEALTH SPECIALIST

**Education and Training:**

B.S. in Agriculture, Colorado State University, 1956.  
Graduate work in Phycology, Colorado State University, 1960.  
U.S.P.H.S. Training Courses:  
Basic Radiological Health, CSU, 1962.  
Medical X-Ray Protection, CSDPH, 1964.  
Occupational Radiation Protection, Taft, 1965.  
U.S.A.E.C. Training Courses:  
Fundamentals of Radiological Health and Safety (9-month extension course), University of Denver, 1963-64.

Orientation in Practices and Procedures of Licensing and Regulation, Bethesda, 1965.

Applied Health Physics Course, ORINS, 1967.

**Civil Defense Course:**

Radiological Monitoring Training Course, Denver, 1963

Civil Defense for Food and Drug officials, FDA, Denver, 1964.

**Experience and Related Activity:**

Jefferson County Health Department, 1961-65.

Performance and supervision of radiation protection programs in the healing arts and industry. Participant with AEC in inspection of licensed users of radioactive materials in the county. Represent department director as directed in cooperative program planning and in liaison function.

Colorado State Department of Public Health, 1965-present.

Performance of radiation protection programs in the healing arts and industry radiation source registration program, surveillance and emergency service programs. Assists section chief in program planning and development of rules and regulations. Participates in joint research projects with Colorado State University on uranium miners and radon exposure. Participates in AEC inspections of licensed users of radioactive materials. Previous operator of the Whole Body Counting Facility.

JOHN K. EMEASON

RADIOLOGICAL HEALTH SPECIALIST

**Education and Training:**

D.V.M., Colorado State University, 1950.  
Graduate work, one full academic year's training in Radiological Health and Radiation Biology, PHS fellowship, Colorado State University, 1964-65.  
U.S.A.E.C. Training Courses:  
Orientation in Practices and Procedures of Licensing and Regulation, Bethesda, 1966.  
Applied Health Physics Course, ORINS, 1967.  
**Experience and Related Activity:**  
County Health Officer, Bent County, Colorado, 1950-60.  
Colorado State Department of Public Health, 1965-present.  
In charge of X-ray and radium registration and survey program. Participates in AEC inspections of licensed users of radioactive materials.

**Other:**

Fifteen years practice experience in veterinary medicine.  
U.S. Army Veterinary Corps Reserve, 1950-55.

ARVIN LOVAAS

PUBLIC HEALTH PHYSICIST

**Education and Training:**

B.S., Chemistry Major, Wisconsin State College at River Falls, 1953.  
M.S. in Radiation Biology (Radiological Physics Fellowship Program), University of Rochester, 1956.

**Experience and Related Activity:**

University of Rochester, AEC Project, Technical Assistant in Radiation Biology, 1956-66.

Work mainly involved analysis of environmental and biological samples for radioactive materials, primarily radium, thorium, and/or their products. Assisted in student labs.

Colorado State Department of Public Health, 1963-present.

Operator of Whole Body Counting Facility.

RAY A. BRENNAN (PART TIME)

CHIEF, OCCUPATIONAL HEALTH SECTION

**Education and Training:**

A.B. Chemistry, University of Denver, 1950.  
Chemistry and Math, University of Colorado, 1948.

**U.S.P.H.S. Training Courses:**

Two-week course in Occupational Health and Radiological Health.

Comprehensive course on Atmospheric Particulate Survey Techniques, Colorado State University, 1962.

**U.S.A.E.C. Training Course:**

Radiological Health and Safety, University of Denver (10-week equivalent), 1963-64.

**Civil Defense Courses:**

Radiological Monitoring Training Course, Denver, 1963.

Civil Defense for Food and Drug Officials, FDA, Denver, 1964.

**Experience and Related Activity:**

Colorado Department of Public Health:

Occupational Health Chemist and Industrial Hygienist, 1952-60.

Senior Industrial Hygienist, 1960-66.

Principal Industrial Hygienist, 1966-present.

Six weeks active duty with U.S.P.H.S. involved in off-site radiological monitoring at A.E.C. Nuclear Testing Grounds, Mercury, Nev., 1957.

Member, Colorado Public Health Association.

Member, American Conference of Governmental Industrial Hygienists.

Member, Rocky Mountain Section, American Industrial Hygiene Association.

ARVIN G. APOL (PART TIME)

SENIOR INDUSTRIAL HYGIENIST

**Education and Training:**

A.B. General Chemistry and Biology Major, Calvin College, Grand Rapids, Mich., 1953-57.

M.P.H. (Industrial Health), University of Michigan, 1964.

M.S. in Industrial Health (sponsored by U.S.P.H.S. Traineeship), University of Michigan, 1965.

**Experience and Related Activity:**

Colorado School of Mines Research Foundation, Golden, Colo., Chemist, 1957-58.  
Colorado State Department of Public Health, 1960-present.

[F.R. Doc. 67-11918; Filed, Oct. 9, 1967; 8:48 a.m.]

## CIVIL SERVICE COMMISSION

### PUBLIC INFORMATION SPECIALIST

#### Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission has found effective October 12, 1967, that there is a manpower shortage for the position of Public Information Specialist, GS-1081-9, U.S. Commission on Civil Rights, Washington, D.C. (This position primarily requires public information experience in disseminating information to Spanish-speaking Americans. Fluency in written and spoken Spanish is essential.) This finding will terminate when the position is filled.

The appointee to this position may be paid for the expense of travel and transportation to the first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to  
the Commissioners.*

[F.R. Doc. 67-12808; Filed, Oct. 30, 1967; 8:47 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 18595]

### ALM DUTCH ANTILLEAN AIRLINES

#### Notice of Further Prehearing Conference

Application for authority to engage in foreign air transportation of persons,

property and mail between the Netherlands Antilles and Miami via Santo Domingo, D.R., Port au Prince, Haiti, Kingston, and Montego Bay, Jamaica, Camaguey, and Havana, Cuba; and between the Netherlands Antilles and New York; and for off-route charter authority.

Notice is hereby given that a further prehearing conference in the above-entitled proceeding is assigned to be held before the undersigned Examiner at 10 a.m., e.s.t., November 7, 1967, in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., October 24, 1967.

[SEAL] RICHARD A. WALSH,  
*Hearing Examiner.*

[F.R. Doc. 67-12795; Filed, Oct. 30, 1967; 8:46 a.m.]

[Docket No. 15610 etc.]

### SERVICE TO LAWRENCEVILLE, ILL., VINCENNES, IND., AND KANKAKEE, ILL.

#### Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be heard on November 8, 1967, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., October 25, 1967.

[SEAL] FRANCIS W. BROWN,  
*Chief Examiner.*

[F.R. Doc. 67-12796; Filed, Oct. 30, 1967; 8:47 a.m.]

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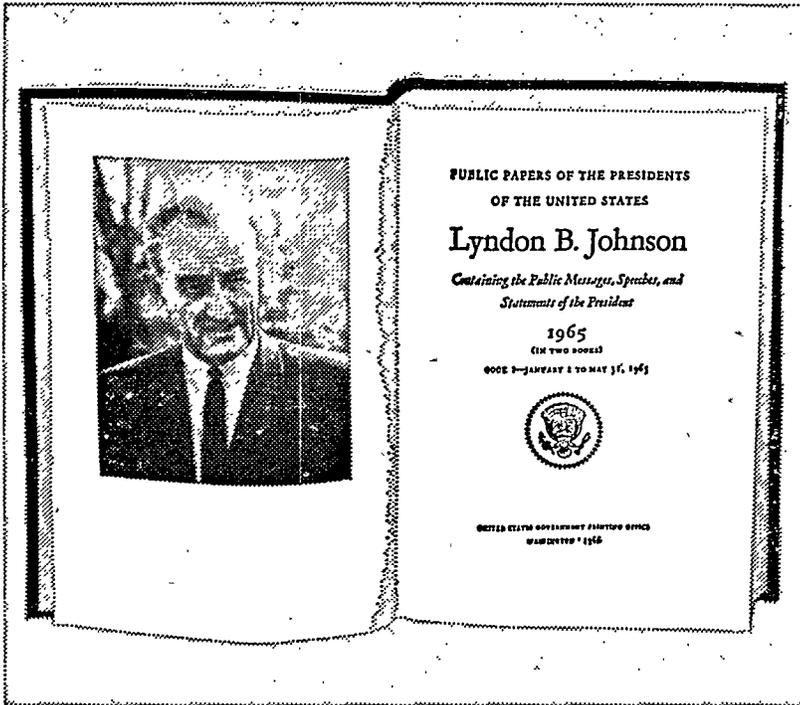
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