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Part I

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List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11488

INCLUDING CERTAIN LANDS IN THE CHEROKEE NATIONAL FOREST

WHEREAS, on July 24, 1969, the Tennessee Valley Authority and the United States Department of Agriculture entered into an agreement providing for the transfer by the said Authority to the said Department of the right of possession and all other right, title, and interest which the Authority might have in or to the tract of land in Carter County, Tennessee, therein designated and described, so that such tract might be included in and reserved as a part of the Cherokee National Forest, in accordance with the terms and conditions of the said agreement and subject to the approval required by section 4(k)(c) of the Tennessee Valley Authority Act of 1933, as amended by the Act of July 18, 1941 (16 U.S.C. Section 831c(k)(c)); and

WHEREAS, on the 20th day of September, 1969, the said agreement between the Tennessee Valley Authority and the United States Department of Agriculture was approved by the Director of the Bureau of the Budget pursuant to the provisions of section 4(k)(c) of the Tennessee Valley Authority Act of 1933, as amended, *supra*, and of section 1(14) of Executive Order No. 11230 of June 28, 1965; and

WHEREAS, it appears that such lands are suitable for national-forest purposes and that the inclusion of such lands in the Cherokee National Forest would be in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me by section 24 of the Act of March 3, 1891, 26 Stat. 1103, and the Act of June 4, 1897, 30 Stat. 34, 36 (16 U.S.C. 471, 473), and as President of the United States, and upon the recommendation of the Secretary of Agriculture, it is ordered that the following described tract of land be included in and reserved as part of the Cherokee National Forest, such inclusion and reservation to be in accordance with and subject to all of the provisions and conditions of the said agreement of the 24th day of July, 1969, between the Tennessee Valley Authority and the United States Department of Agriculture:

TRACT NUMBER XTWIR–5

A tract of land lying in the Eighteenth Civil District of Carter County, State of Tennessee, on the right side of the Watauga River, approximately 1,000 feet north of Wilbur Dam, and more particularly described as follows:

Beginning at a metal marker (Coordinates: N. 733, 437; E. 3, 139, 411) in the center line of a road and in the boundary of the land of the United States of America in the custody of the Tennessee Valley Authority at a corner to the land of Ralph B. Nave et ux.

From the initial point with the line of the land in the custody of the Tennessee Valley Authority,

N. 69°42′ E., 757 feet to a metal marker;
N. 63°50′ E., 636 feet to a metal marker;
S. 21°59′ E., 622 feet to a metal marker;
S. 59°04′ W., 503 feet to a metal marker;

Leaving the line of the land in the custody of the Tennessee Valley Authority,

N. 76°19′ W., 72 feet to a metal marker in the center line of a road at a junction of roads;

With the center line of a road approximately along a bearing and distance of N. 74°46′ W., 1049 feet to the point of beginning. The above described land contains 15.1 acres, more or less.

The positions of corners and directions of lines are referred to the Tennessee Coordinate System.

NOTE: The above described land is transferred subject to the following:

1. Such rights as may be vested in the county and/or third parties to a right-of-way for a road.

2. An easement reservation in favor of the United States of America and the Tennessee Valley Authority for an electric power transmission line right-of-way on, over, and across a strip of land 100 feet wide, lying 50 feet on each side of the center line of an existing electric power transmission line owned and operated by the Authority and known as the Watauga Hydro-North Bristol Transmission Line, the center line of the strip being described as follows: Beginning at a point in the center line of the existing transmission line and in the northwest boundary of the above described land approximately 135 feet southwest of the most northerly property corner; thence with the center line of the existing transmission line approximately S. 22° W., 530 feet to a transmission line tower; thence approximately S. 23° E., 330 feet to a point in the boundary of the described land at or near the most southerly property corner.

Richard Nixon

THE WHITE HOUSE,
October 13, 1969.

[F.R. Doc. 69-12362; Filed, Oct. 13, 1969; 2:33 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Office of Economic Opportunity

Section 213.3373 is amended to show that one position of Special Assistant to the Assistant Director for Operations is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (c) is added to section 213.3373 as set out below.

§ 213.3373 Office of Economic Opportunity.

* * * * *

(c) *Office of the Assistant Director for Operations.* (1) One Special Assistant to the Assistant Director.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–1958 Comp., p. 218)

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

[F.R. Doc. 69-12327; Filed, Oct. 14, 1969; 8:49 a.m.]

Title 7—AGRICULTURE

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

PART 946—IRISH POTATOES GROWN IN WASHINGTON

Expenses and Rate of Assessment

Findings. (a) Pursuant to Marketing Agreement No. 113, and Order No. 946 (7 CFR Part 946), regulating the handling of Irish potatoes grown in the State of Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the State of Washington Potato Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the budget of expenses and the rate of assessment, hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby further found that it is impracticable and unnecessary to give preliminary notice or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this action until 30 days after its 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 potatoes from the beginning of such fiscal year, and (2) the current fiscal year began June 1, 1969, and the rate of assessment herein fixed will automatically apply to all assessable potatoes beginning with such date.

§ 946.222 Expenses and rate of assessment.

(a) The expenses the Secretary finds may be necessary for the State of Washington Potato Committee to incur to perform its functions pursuant to Marketing Agreement No. 113 and this part during the fiscal year ending May 31, 1970, and for such other purposes as the Secretary may determine to be appropriate will amount to $34,976.51.

(b) The rate of assessment to be paid by each handler in accordance with the said marketing agreement and this part shall be one-tenth of one cent ($0.001) per hundredweight, or equivalent quantity, of potatoes handled by him, as the first handler thereof during said fiscal year.

(c) Unexpended income in excess of expenses for the fiscal year may be carried over as a reserve.

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

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

Dated: October 10, 1969.

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

[F.R. Doc. 69-12326; Filed, Oct. 14, 1969; 8:49 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[12th Gen. Rev. of Export Regs., Amdt. 6]

PART 376—SPECIAL COMMODITY POLICIES AND PROVISIONS

Electronic Computers and Related Equipment

Part 376 is amended by revising § 376.10 to read as follows:

§ 376.10 Electronic computers and related equipment.

(a) *Applications for computers.* An application for a license to export electronic computers (Export Control Commodity No. 71420) shall include the following information, as applicable:

(1) *Analog computers.* (i) The quantity and accuracy rating of each type of summer, integrator, multiplier, or function generator employed; and

(ii) The number of integrator time scales and whether or not they are switchable during operation.

(2) *Digital computers.* (i) The quantity, type, and specification for each central processor;

(ii) The internal memory read/write cycle time;

(iii) The size of internal memory (bits) to be supplied with the computer being exported;

(iv) The maximum internal memory (designed capability in bits);

(v) The CPU bus rate;

(vi) The I/O bus rate;

(vii) The processing rate;

(viii) The processing data rate; and

(ix) The average number of bits transferred per instruction.

(b) *Applications for peripheral equipment.* An application for a license to export peripheral equipment, magnetic recording equipment, and magnetic recording media (Export Control Commodity Nos. 71430, 71492, and 89120) shall include the following information, as applicable:

(1) The quantity, type, and specification for each peripheral or magnetic recording device;

(2) The average access time;

(3) The average seek time;

(4) The latency time;

(5) The net capacity;

(6) The total number of accesses; and

(7) The total effective bit transfer rate.

(c) *Definitions of terms*—(1) *Analog computers.* (i) Static accuracy for summers, inverters, and integrators only, static accuracy applies to the percentage of actual output voltage. All other references to static accuracy apply to the percentage of full scale voltage, that is from maximum negative to maximum positive reference voltage.

(ii) Total error includes all errors of the unit resulting from, for example, tolerances of resistors and capacitors, tolerances of input and output impedances of amplifiers, the effect of loading, the effects of phase shift, the generating functions, etc. Total error at 1 KHz is to be measured with those resistors incorporated in the inverter, summer, or integrator which provide the least error.

(2) *Digital computers.* (i) "CPU bus rate" is the number of bits excluding parity accessed in one memory cycle times the number of read-write cycles per second times the number of independent memories (including interleaved) which can be transferred simultaneously between the main memory and the CPU, as limited by any device normally placed between the main memory

and the CPU. For systems with multiple CPUs, the "CPU bus rate" is the sum of the individual CPU bus rates as defined above that can be sustained simultaneously.

(ii) "I/O bus rate" is the number of bits excluding parity accessed in one memory cycle times the number of read-write cycles per second times the number of independent memories (including interleaved) which can be transferred simultaneously between the main memory and the I/O bus (or busses) as limited by any device normally placed between the main memory and the I/O bus, and which can be transferred simultaneously with the CPU bus rate.

(iii) "Total effective bit transfer rate" is the sum of the effective bit transfer rates of all peripheral memory units and data channels provided with the system, which can have simultaneous access to the I/O bus or (busses) as limited by the I/O control units provided with the system, assuming the configuration of peripheral units and data channels which would maximize this rate. The effective bit transfer rate (R_B) for magnetic tape transports and for data channels is the maximum bit transfer rate excluding parity. For static memory devices, it is the number of bits transferred per access excluding parity divided by the "average access time." For rotating memory devices it is the product of the maximum bit transfer rate excluding parity (R), the number of independent read-write channels (C) and the rotational period (T_B) divided by the sum of the rotational period (T_L) and the sum of the "minimum seek time" ($Tmin$) and the "latency time" (T_L) divided by the number of independent seek mechanisms (S). The mathematical expression is as follows:

$$R_B = \frac{R.C.T_B}{\frac{T_B + Tmin + T_L}{S}}$$

(iv) "Average access time" is the sum of the "average seek time" and the "Latency time" divided by the number of independent seek means or mechanisms.

(v) "Average seek time" for moving head and/or moving media devices is the sum of the "maximum seek time" and twice the "minimum seek time" divided by three. "Maximum seek time" is as rated for the particular device, e.g. for moving head devices the time to move between the two most widely separated tracks. "Minimum seek time" for moving head and/or moving media devices is as rated for the particular device, e.g. for moving head devices the time to move from one track to an adjacent track. "Seek time" for static or fixed head devices is zero.

(vi) "Latency time" for static memory devices is the cycle time of the device; "latency time" for rotating memory devices is the rotational period divided by twice the number of independent read-write heads per track.

(vii) "Processing data rate" is the product of the "average number of bits transferred per instruction" and the "processing rate."

(viii) "Average number of bits transferred per instruction" is the sum of:

(*a*) The number of bits in a fixed or floating point "instruction,"

(*b*) 0.40 times the number of bits in a fixed point "operand," and

(c) 0.15 times the number of bits in a floating point "operand."

(ix) "Processing rate" is the reciprocal of the sum of:

(*a*) 0.85 times the average "execution time" of a fixed point addition,

(*b*) 0.09 times the average "execution time" of a floating point addition, and

(*c*) 0.06 times the average "execution time" of a floating point multiplication.

(x) The "instruction" and "operand" lengths and the "execution times" of the operations in subdivisions (vii), (viii), and (ix) of this subparagraph are based on:

(*a*) A fixed point operand length of 24 bits or greater;

(*b*) A floating point operand length of 30 bits or greater;

(*c*) The fetching of an instruction word from main memory (for CPUs simultaneously fetching more than one instruction in one memory word, the execution time shall be the average over the possible locations of the instruction within the fetch word);

(*d*) One operand being in the accumulator(s) or a location in main memory acting as the accumulator(s);

(*e*) The second operand being in main memory;

(*f*) The result being left in the same accumulator or a location in main memory acting as the accumulator;

(*g*) The instruction and operands being in optimum locations in main memory; or

(*h*) No indexing or indirect operations being included.

(xi) "Net capacity" of a memory device is the total capacity designed to be accessible to the digital computing system excluding parity and error correction.

(xii) "Total number of accesses" is the sum of the number of accesses (per second) of all peripheral memory units provided with the system. The number of accesses to a memory device is the reciprocal of the "average access time."

(d) *Alternative means of furnishing information.* Instead of including all of the above information on each application, the applicant may furnish the Office of Export Control with technical specifications and other related data for his line of commodities described in paragraphs (a) and (b) of this section, keeping these current by supplementing technical bulletins or other similar publications as they are released. In such cases, an exporter can comply with the requirements of this § 376.10 by identifying the model number and entering the following statement in the "Commodity Description" space on the application, or on an attachment:

The current technical information relating to the commodity(ies) described on this application, as required by § 376.10 of the Export Control Regulations, has been previously furnished the Office of Export Control.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

Effective date: October 15, 1969.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 69-12305; Filed, Oct. 14, 1969; 8:47 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 34-8712]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Prohibition Against Purchase of Securities During Tender Offer

The Securities and Exchange Commission today announced the adoption of Rule 10b-13 (17 CFR 240.10b-13) under the Securities Exchange Act of 1934 ("the Act") to prohibit a person who makes a cash tender offer or exchange offer for an equity security from purchasing that security (or any other security immediately convertible into or exchangeable for that security) otherwise than pursuant to the tender or exchange offer, during the period beginning with the public announcement or other commencement of the offering, whichever is earlier, and the time when the offer must by its terms be accepted or rejected.

The proposed rule was first published in Securities Exchange Act Release No. 8391 and in the FEDERAL REGISTER for September 14, 1968 (33 F.R. 13036), as a result of which the Commission received a number of helpful comments and suggestions. On May 5, 1969, in Securities Act Release No. 8595 and in the FEDERAL REGISTER for May 9, 1969 (34 F.R. 7547), the Commission published its revised proposal to adopt Rule 10b-13 (17 CFR 240.10b-13). It has considered the comments and suggestions in response to that proposal and now adopts the rule in the form set forth below.

Where securities are purchased for a consideration greater than that of the tender offer price, this operates to the disadvantage of the security holders who have already deposited their securities and who are unable to withdraw them in order to obtain the advantage of possible resulting higher market prices. Additionally, irrespective of the price at which such purchases are made, they are often fraudulent or manipulative in nature and they can deceive the investing public as to the true state of affairs. Their consequences can be various, depending upon conditions in the market and the nature of the purchases. They could defeat the tender offer, either by driving the market above the offer price or by otherwise reducing the number

of shares tendered below the stated minimum. Alternatively, they could further the tender offer by raising the market price to the point where ordinary investors sell in the market to arbitrageurs, who in turn tender. Accordingly, by prohibiting a person who makes a cash tender offer or exchange offer from purchasing equity securities of the same class during the tender offer period otherwise than pursuant to the offer itself, the rule accomplishes the objective of safeguarding the interests of the persons who have tendered their securities in response to a cash tender offer or exchange offer; moreover once the offer has been made, the rule removes any incentive on the part of holders of substantial blocks of securities to demand from the person making a tender offer or exchange offer a consideration greater than or different from that currently offered to public investors.

Although the rule applies to purchases of securities immediately convertible into or exchangeable for securities of the same class which are the subject of the offer, it does not prohibit a person who, at the commencement of the offer, owns securities convertible into or exchangeable for securities of the class which are the subject of the offer from converting or exchanging such holdings into such securities.

The rule deals with purchases or arrangements to purchase, directly or indirectly, which are made from the time of public announcement or initiation of the tender offer or exchange offer, until the person making the offer is required either to accept or reject the tendered securities. As used in the rule an offer could be publicly announced or otherwise made known to the holders of the target security through a published advertisement, a news release, or other communication by or for the person making the offer to holders of the security being sought for cash tender or exchange. Moreover, any understanding or arrangement during the tender offer period, whether or not the terms and conditions thereof have been agreed upon, to make or negotiate such a purchase after the expiration of that period would be prohibited by the rule. Purchases made prior to the inception of that period are not specifically prohibited under the rule, although disclosure of such purchases within a specific prior period is required to be filed in schedules filed under sections 13(d) and 14(d) of the Act. Of course, the general antifraud and antimanipulation provisions could apply to such pretender purchases. The prohibition of Rule 10b–13 (17 CFR 240.10b–13) applies to exchange offers when publicly announced even though they cannot be made until the happening of a future event, such as the effectiveness of a registration statement under the Securities Act of 1933. As the Commission explained in Securities Exchange Act Release No. 8595, as applied to the offer by one company of its own securities in exchange for the securities of another issuer, the application of Rule 10b–13 (17 CFR 240.10b–13) to exchange offers is essentially a codification of existing interpretations under Rule 10b–6 (17 CFR 240.-10b–6), which among other things, prohibits a person making a distribution from bidding for or purchasing the security being distributed or any right to acquire that security. These interpretations have pointed out that the security to be acquired in the exchange offer is, in substance, either a right to acquire the security being distributed or is brought within the rule under paragraph (b) thereof; and Rule 10b–6 (17 CFR 240.10b–6) prohibits the purchase of such security during the distribution except through the exchange offer, unless an exemption is available.

Since Rule 10b–13 (17 CFR 240.10b–13) applies to a cash tender offer or an offer of an exchange by an issuer to its own security holders of one class of its securities for another, if repurchase of the other security is subject to the prohibitions of Rule 10b–6 (17 CFR 240.10b–6), the issuer would have to obtain an exemption under paragraph (f) of that rule. Rule 10b–13 (17 CFR 240. 10b–13) does, however, exempt from its prohibitions purchases if otherwise lawful, under specified conditions pursuant to "qualified stock options" or "employee stock purchase plans" as defined in sections 422 and 423 of the Internal Revenue Code of 1954 as amended, or "restricted stock options" as defined in section 424(b) of the Internal Revenue Code of 1954 as amended, as well as purchases under specified types of employee plans.

In addition, Rule 10b–13 (17 CFR 240.10b–13) contains a provision that the Commission may, unconditionally or on terms and conditions, exempt any transaction from the operation of the rule, if the Commission finds that the exemption would not result in the use of a manipulative or deceptive device or contrivance or of a fraudulent, deceptive or manipulative act or practice comprehended within the purpose of the rule. It is contemplated that this exemptive provision would be narrowly construed and that an exemption would be granted by the Commission only in cases involving very special circumstances.

Commission action. The Securities and Exchange Commission acting pursuant to the provisions of the Securities Exchange Act of 1934, and particularly sections 10(b), 13(e), 14(e), and 23(a) thereof, and deeming it necessary and appropriate in the public interest and for the protection of investors, hereby adopts § 240.10b–13 as set forth below, effective November 10, 1969.

§ 240.10b–13 Prohibiting other purchases during tender offer or exchange offer.

(a) No person who makes a cash tender offer or exchange offer for any equity security shall, directly or indirectly, purchase, or make any arrangement to purchase, any such security (or any other security which is immediately convertible into or exchangeable for such security), otherwise than pursuant to such tender offer or exchange offer, from the time such tender offer or exchange offer is publicly announced or otherwise made known by such person to holders of the security to be acquired until the expiration of the period, including any extensions thereof, during which securities tendered pursuant to such tender offer or exchange offer may by the terms of such offer be accepted or rejected: *Provided, however,* That if such person is the owner of another security which is immediately convertible into or exchangeable for the security which is the subject of the offer, his subsequent exercise of his right of conversion or exchange with respect to such other security shall not be prohibited by this section.

(b) The term "exchange offer" as used in this section shall include a tender offer for, or request or invitation for tenders of, any security in exchange for any consideration other than for all cash.

(c) The provisions of this section shall not apply to a purchase of a security of the same class as that which is the subject of a cash tender offer or exchange offer (or of any other security which is immediately convertible into or exchangeable for such security) if such purchase is made by the issuer, by participating employees of the issuer or the employees of its subsidiaries, or by the trustee or other person acquiring such security for the account of such employees, pursuant to (1) a stock option plan involving only "qualified stock options," or qualifying as an "employee stock purchase plan" as those terms are defined in sections 422 and 423 of the Internal Revenue Code of 1954, as amended, or "restricted stock options" as defined in section 424(b) of the Internal Revenue Code of 1954, as amended: *Provided, however,* That for the purposes of this paragraph an option which meets all of the conditions of that section other than the date of issuance shall be deemed to be "restricted stock options"; or (2) a savings, investment, pension or other stock purchase plan providing for both (i) periodic payments (or payroll deductions) for acquisition of securities by or on behalf of participating employees and (ii) periodic purchases of the securities by participating employees, or the person acquiring them for the account of such employees.

(d) This section shall not prohibit any transaction or transactions if the Commission, upon written request or upon its own motion, exempts such transaction or transactions, either unconditionally or on specified terms or conditions, as not constituting a manipulative or deceptive device or contrivance or a fraudulent, or deceptive or manipulative act or practice comprehended within the purpose of this section.

(Secs. 10(b), 23(a), 48 Stat. 891, 901; sec. 8, 49 Stat. 1379; secs. 2, 3, Public Law 90–439; 15 U.S.C. 78j(b), 78m(e), 78n(d), 78n(e), 78w(a))

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

OCTOBER 8, 1969.

[F.R. Doc. 69–12304; Filed, Oct. 14, 1969; 8:47 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter V—Federal Water Pollution Control Administration, Department of the Interior

PART 620—WATER QUALITY STANDARDS

Adoption, Identification, and Availability of State Standards

Pursuant to the authority of section 10(c) of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 466g (c), the Secretary of the Interior hereby determines that the water quality standards adopted by the States listed, and contained in the documents identified in § 620.10, except as otherwise indicated, are consistent with paragraph (3) of section 10(c) of the Federal Water Pollution Control Act, as amended, and are such standards as protect the public health or welfare, enhance the quality of water and serve the purposes of the Federal Act; such standards shall hereafter be the standards applicable to the interstate waters for which adopted.

The documents containing such standards are incorporated herein and made a part hereof.

1. Section 620.10 is amended by adding the following:

KANSAS

Water quality standards established by Kansas in June 1967 for interstate waters subject to its jurisdiction and which are contained in documents entitled "River Basin Water Quality Criteria-Kansas" and "Plan of Implementation for Water Quality Control and Pollution Abatement," as amended; except for the final treatment compliance date of 1985, the bacteriological and temperature criteria for all interstate waters of Kansas, and the dissolved oxygen criterion for the Missouri River.

KENTUCKY

Water quality standards established by Kentucky on May 31, 1967, for interstate waters subject to its jurisdiction and which are contained in the document entitled "Kentucky Water Quality Standards for Interstate Waters," as amended; except for the criteria for the protection of aquatic life.

2. Section 620.10 is further amended by deleting from the paragraph entitled "New Mexico" the following phrases: "* * * except for dissolved oxygen criteria for Navajo Reservoir;" and "* * * except for the temperature change limit for the lower reach of the Pecos River;" and by adding to that paragraph the following: "and addenda adopted on January 13, 1969, and May 28, 1969, and made part of the water quality standards established by New Mexico."

(Sec. 1, 70 Stat. 506, as amended; 33 U.S.C. 466i)

Dated: October 9, 1969.

RUSSELL E. TRAIN,
Acting Secretary of the Interior.

NOTE: Incorporation by reference provisions in these regulations approved by the Director of the FEDERAL REGISTER on October 14, 1969.

[F.R. Doc. 69-12295; Filed, Oct. 14, 1969; 8:46 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT AND THE FAIR PACKAGING AND LABELING ACT

Exemption Regarding Single Strength and Less Than Single Strength Fruit Juice Beverages

In the matter of exempting single strength and less than single strength fruit juice beverages from certain labeling requirements of the regulations (21 CFR Part 1) for the enforcement of the Fair Packaging and Labeling Act and the Federal Food, Drug, and Cosmetic Act:

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of June 26, 1969 (34 F.R. 9873), based upon a joint petition submitted by the National Juice Products Association, 512 Florida Avenue, Tampa, Fla. 33601, and the Florida Canners Association, Post Office Box 780, Winter Haven, Fla. 33880.

In response, seven State agencies filed comments. Six are in support and one of these also suggests that the order be expanded to cover nonalcoholic, noncarbonated imitation diluted fruit juices and drinking water. One State agency, without supporting or opposing the proposal, points out that it might cover such products in cans of the specified capacities.

Because the intent of the proposal was to provide the same exemption for readily recognized containers of fruit juice products as that provided for fluid milk products, the Commissioner of Food and Drugs concludes that fruit juice products in containers other than the glass, plastic, or paper type used for fluid milk should not be covered by the exemption.

Accordingly, based on consideration given the petition, the comments received, and other relevant information, the Commissioner concludes that the proposed exemption as revised should be adopted as set forth below.

Therefore, pursuant to the provisions of the Fair Packaging and Labeling Act (secs. 5(b), 6(a), 80 Stat. 1298, 1299; 15 U.S.C. 1453, 1455) and the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371), and under the authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That § 1.1c(a) be amended by adding thereto a new subparagraph, as follows:

§ 1.1c Exemptions from required label statements.

* * * * *

(a) *Foods.* * * *

(13) (i) Single strength and less than single strength fruit juice beverages, imitations thereof, and drinking water when packaged in glass or plastic containers of ½-pint, 1-pint, 1-quart, ½-gallon, and 1-gallon capacities are exempt from the placement requirement of § 1.8b(f) that the declaration of net contents be located within the bottom 30 percent of the principal display panel: *Provided*, That other required label information is conspicuously displayed on the cap or outside closure and the required net quantity of contents declaration is conspicuously blown, formed, or molded into or permanently applied to that part of the glass or plastic container that is at or above the shoulder of the container.

(ii) Single strength and less than single strength fruit juice beverages, imitations thereof, and drinking water when packaged in glass, plastic, or paper (fluid milk type) containers of 1-pint, 1-quart, and ½-gallon capacities are exempt from the dual net-contents declaration requirement of § 1.8b(j).

(iii) Single strength and less than single strength fruit juice beverages, imitations thereof, and drinking water when packaged in glass, plastic, or paper (fluid milk type) containers of 8- and 64-fluid-ounce capacity, are exempt from the requirements of § 1.8b(b)(2) to the extent that net contents of 8 fluid ounces and 64 fluid ounces (or 2 quarts) may be expressed as ½ pint (or half pint) and ½ gallon (or half gallon), respectively.

* * * * *

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. 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, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 5(b), 6(a), 80 Stat. 1298, 1299; 15 U.S.C. 1453, 1455; sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371)

Dated: October 8, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-12285; Filed, Oct. 14, 1969; 8:45 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 19—CHEESES, PROCESSED CHEESES, CHEESE FOODS, CHEESE SPREADS, AND RELATED FOODS

Certain Cheeses, Identity Standards; Use of Additional Safe, Suitable Milk-Clotting Enzymes

In the matter of amending the standards of identity for cream cheese, neufchatel cheese, cottage cheese, creamed cottage cheese, gruyere cheese, samsoe cheese, blue cheese, gorgonzola cheese, nuworld cheese, roquefort cheese, and cook cheese (21 CFR 19.515, 19.520, 19:525, 19.530, 19.543, 19.544, 19.565, 19.567, 19.569, 19.570, and 19.635) to permit use of other safe and suitable milk-clotting enzymes in addition to, or in lieu of, rennet for cheesemaking:

No comments were received in response to the notice of proposed rule making in the above-identified matter that was published in the FEDERAL REGISTER of June 4, 1969 (34 F.R. 8925), on the initiative of the Commissioner of Food and Drugs.

Based on available information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to adopt the proposal. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered,* That Part 19 be amended as follows:

§ 19.515 [Amended]

1. In § 19.515 *Cream cheese* * * *, the second sentence of paragraph (b)(1) is revised to read "To such cream or mixture harmless lactic-acid-producing bacteria, with or without rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, are added and it is held until it becomes coagulated."

§ 19.520 [Amended]

2. In § 19.520 *Neufchatel cheese* * * *, the second sentence of paragraph (b)(1) is revised to read "To such milk or mixture harmless lactic-acid-producing bacteria, with or without rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, are added and it is held until it becomes coagulated."

§ 19.525 [Amended]

3. In § 19.525 *Cottage cheese* * * *, the first sentence of paragraph (b)(1) is revised to read "One or more of the dairy ingredients specified in subparagraph (2) of this paragraph is pasteurized; purified calcium chloride may be added in a quantity of not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of the mix; harmless lactic-acid-producing bacteria, with or without rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, are added and it is held until it becomes coagulated."

4. In § 19.530(b), subparagraph (3) is revised to read as follows:

§ 19.530 Creamed cottage cheese; identity; label statement of optional ingredients.

* * * * *

(b) * * *

(3) A culture of harmless lactic acid and flavor-producing bacteria, with or without rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both.

* * * * *

§ 19.543 [Amended]

5. In § 19.543 *Gruyere cheese* * * *, the second sentence of paragraph (b) is revised to read "Sufficient rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, with or without purified calcium chloride in a quantity not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of the milk, is added to set the milk to a semisolid mass."

§ 19.544 [Amended]

6. In § 19.544 *Samsoe cheese* * * *, the third sentence of paragraph (b) is revised to read "Sufficient rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, with or without purified calcium chloride in a quantity not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of the milk, is added to set the milk to a semisolid mass."

§ 19.565 [Amended]

7. In § 19.565 *Blue cheese* * * *, the third sentence of paragraph (b) is revised to read "Sufficient rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, with or without purified calcium chloride in a quantity not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of the milk, is added to set the milk to a semisolid mass."

§ 19.567 [Amended]

8. In § 19.567 *Gorgonzola cheese* * * *, the third sentence of paragraph (b) is revised to read "Sufficient rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, with or without purified calcium chloride in a quantity not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of the milk, is added to set the milk to a semisolid mass."

§ 19.569 [Amended]

9. In § 19.569 *Nuworld cheese* * * *, the third sentence of paragraph (b) is revised to read "Sufficient rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, with or without purified calcium chloride in a quantity not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of milk, is added to set the milk to a semisolid mass."

§ 19.570 [Amended]

10. In § 19.570 *Roquefort cheese* * * *, the second sentence of paragraph (b) is revised to read "Sufficient rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, is added to set the milk to a semisolid mass."

§ 19.635 [Amended]

11. In § 19.635 *Cook cheese* * * *, the third sentence of paragraph (b) is revised to read "Sufficient rennet, or other safe and suitable milk-clotting enzyme that produces equivalent curd formation, or both, with or without purified calcium chloride in a quantity not more than 0.02 percent (calculated as anhydrous calcium chloride) of the weight of the skim milk, may be added to aid in setting the mix to a semisolid mass."

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. 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, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: October 8, 1969.

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

[F.R. Doc. 69-12283; Filed, Oct. 14, 1969; 8:45 a.m.]

PART 29—FRUIT BUTTERS, FRUIT JELLIES, FRUIT PRESERVES, AND RELATED PRODUCTS

Fruit Butter, Identity Standard; Confirmation of Effective Date of Order Regarding Use of Sorbic Acid and Certain Salts Thereof

In the matter of amending the definition and standard of identity for fruit butter (21 CFR 29.1) to permit use of sorbic acid and certain salts thereof:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of August 26, 1969 (34 F.R. 13658). Accordingly, the amendments promulgated by that order will become effective October 25, 1969.

Dated: October 8, 1969.

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

[F.R. Doc. 69-12284; Filed, Oct. 14, 1969; 8:45 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

TRISODIUM NITRILOTRIACETATE; CORRECTION

In F.R. Doc. 69-9345 published in the FEDERAL REGISTER of August 8, 1969 (34 F.R. 12885), the portion of § 121.1088(d) that reads "Not to exceed 5 parts per million in boiler water;" is corrected to "Not to exceed 5 parts per million in boiler feedwater;".

Dated: October 8, 1969.

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

[F.R. Doc. 69-12286; Filed, Oct. 14, 1969; 8:45 a.m.]

SUBCHAPTER C—DRUGS

PART 148i—NEOMYCIN SULPHATE

Neomycin Sulfate-Kaolin-Pectin-Sulfaguanidine-Homatropine Methylbromide Oral Suspension

In the FEDERAL REGISTER of April 2, 1969 (34 F.R. 6005), the Commissioner of Food and Drugs announced the conclusions of the Food and Drug Administration following evaluation of reports received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Diapec Suspension; contains per each 15 milliliters—105 milligrams of neomycin (as the sulfate), 1.5 grams of sulfaguanidine, 2.25 milligrams of homatropine methylbromide, 1.5 grams of kaolin, and 150 milligrams of pectin; Charles Pfizer & Co. (International), 235 East 42d Street, New York, N.Y. 10017.

The Academy evaluated this drug and found it to be ineffective for all indications claimed in its labeling. The Food and Drug Administration concurred and concluded that substantial evidence is lacking that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

All interested persons who might be adversely affected by removal of this drug from the market were invited to submit, within 30 days after publication of the notice in the FEDERAL REGISTER pertinent data bearing on the proposal to amend the antibiotic drug regulations to delete the combination drug from the list of drugs acceptable for certification.

Chas. Pfizer & Co. responded April 30, 1969, stating that the drug had never been marketed.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050–51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner (21 CFR 2.120), § 148i.6(a)(1) is amended by deleting from the second sentence "sulfaguanidine, homatropine methylbromide,".

There are no outstanding certificates for such combination drug.

Any person who will be adversely affected by removal of such drug from the market may file objections to this order, within 30 days after its publication in the FEDERAL REGISTER, stating reasonable grounds and requesting a hearing on such objections. A statement of reasonable grounds for a hearing should identify the claimed errors in the NAS-NRC evaluation and the Administration's conclusions as to the effectiveness of the combination drug and identify any adequate and well-controlled investigations on the basis of which it could reasonably be concluded that the combination drug would have the effectiveness claimed for its intended uses. Objections should be filed (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

If objections accompanied by reasonable grounds are received, the Commissioner will promptly announce a hearing which will be held under the provisions of section 507(f) of the act.

Effective date. This order shall become effective 40 days after its date of publication in the FEDERAL REGISTER unless stayed by the filing of proper objections. The Commissioner will announce in the FEDERAL REGISTER whether or not requests for hearing with reasonable grounds have been received during the 30-day period.

(Secs. 502, 507, 52 Stat. 1050–51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357)

Dated: October 7, 1969.

HERBERT L. LEY, JR.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-12287; Filed, Oct. 14, 1969; 8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4712]

[Arizona 819; Riverside 528; Nevada 054518, 054528]

ARIZONA, CALIFORNIA, AND NEVADA

Powersite Cancellation No. 254; Partial Cancellation of Powersite Classifications Nos. 55 and 272

By virtue of the authority contained in the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 133z-15, note), and pursuant to the findings of the Federal Power Commission in DA-145-Arizona, California, Nevada, it is ordered as follows:

1. The departmental orders of June 22, 1923, and May 29, 1933, creating Powersite Classifications Nos. 55 and 272 respectively, are hereby canceled so far as they affect the following described lands:

ARIZONA

GILA AND SALT RIVER MERIDIAN

T. 16 N., R. 21 W.,
Sec. 4;
Sec. 10, NW¼NW¼, SW¼SW¼.
T. 17 N., R. 21 W.,
Sec. 6;
Sec. 8, SW¼NE¼, W½, and SE¼;
Sec. 16, W½;
Sec. 22, SW¼SW¼;
Sec. 34, W½ and W½SE¼.
T. 18 N., R. 21 W.,
Sec. 18, lots 1 to 4, inclusive, SE¼NW¼, and E½SW¼;
Sec. 30, lots 3 and 4, E½NE¼, E½SW¼, and E½SE¼.
T. 21 N., R. 21 W.,
Sec. 30, lots 1 to 4, inclusive.
T. 16 N., R. 22 W.,
Sec. 12 (fractional).
T. 17 N., R. 22 W.,
Sec. 2;
Sec. 12 (fractional);
Sec. 22, lot 1.
T. 18 N., R. 22 W.,
Sec. 2, lot 4, S½NW¼, SW¼, W½SE¼, and SE¼SE¼;
Sec. 10 (fractional);
Sec. 12, W½, W½SE¼, and SE¼SE¼;
Secs. 14, 22, 24, 26, 28, 34, and 36.
T. 19 N., R. 22 W.,
Sec. 10 (fractional);
Sec. 22, lot 4;
Sec. 34, lots 1 to 4, inclusive, and SE¼SE¼.
T. 20 N., R. 22 W.,
Sec. 12, lots 1 to 4, inclusive;
Sec. 18, lots 7 to 10, inclusive;
Sec. 30, lots 5 to 8, inclusive, and N½NE¼, SE¼NE¼.

T. 20 N., R. 23 W.,
Sec. 24, lot 5, E½NE¼, and NE¼SE¼.

The areas described aggregate approximately 11,252.12 acres in Mohave County. The lands are patented, are within the Fort Mojave Indian Reservation or are withdrawn for reclamation purposes.

CALIFORNIA

SAN BERNARDINO MERIDIAN

T. 11 N., R. 21 E., as construed by Powersite Interpretation No. 58, approved Apr. 1, 1925, and Powersite Interpretation No. 243, approved Jan. 17, 1936:
Sec. 24, lots 1 to 9, inclusive, SW¼NW¼, NE¼SW¼, NW¼SE¼, S½SE¼;
Sec. 25, lots 2, 10, and 11 NE¼NE¼, SE¼NW¼;
Sec. 35, lot 4 and SE¼SE¼; lands in California in the Fort Mojave Indian Reservation between the Von Schmidt and present California-Nevada boundaries.
T. 9 N., R. 22 E., as construed by Powersite Interpretation No. 69, approved Aug. 26, 1925, and Powersite Interpretation No. 79, approved July 15, 1926:
Sec. 11, SE¼NE¼, NE¼SE¼;
Sec. 12, W½;
Sec. 13, SE¼NW¼, NE¼SW¼;
Sec. 24, SW¼NE¼, NW¼SE¼, SE¼SE¼.
T. 10 N., R. 22 E., as construed by Powersite Interpretation No. 51, approved July 17, 1924:
Sec. 10 (remaining classified portion);
Sec. 15 (remaining classified portion);
Sec. 22 (remaining classified portion);
Sec. 26, lots 1, 2, 3, and 4, SE¼NE¼;
Sec. 27, N½NE¼;
Sec. 36, lot 4, E½NW¼.
T. 8 N., R. 23 E.,
Sec. 4, lot 4, SW¼NW¼, NE¼SW¼, SW¼SE¼;
Sec. 16, E½E½;
Sec. 26, NW¼SW¼;
Sec. 27, E½NE¼;
Sec. 35, NE¼NE¼;
Sec. 36, NE¼SW¼.
T. 9 N., R. 23 E.,
Sec. 19, lot 8, SE¼SW¼, SW¼SE¼;
Sec. 30, lot 1, SE¼NW¼;
Sec. 32, SE¼NW¼, N½SE¼.
T. 6 N., R. 24 E.,
Sec. 10, E½E½;
Sec. 14, N½SW¼;
Sec. 15, E½NE¼.
T. 7 N., R. 24 E.,
Sec. 8, E½NW¼;
Sec. 16, NW¼SE¼.
T. 8 N., R. 24 E., unsurveyed.

The areas described aggregate approximately 5,312.24 acres in San Bernardino County, all of which are withdrawn for Indian, reclamation, or wildlife uses except the following public lands:

T. 8 N., R. 23 E.,
Sec. 4, lot 4, SW¼NW¼, NE¼SW¼, SW¼SE¼;
Sec. 26, NW¼SW¼;
Sec. 27, E½NE¼;
Sec. 35, NE¼NE¼.

Aggregating 320.09 acres.

NEVADA

MOUNT DIABLO MERIDIAN

T. 32 S., R. 66 E.,
Sec. 12, lots 1, 2, 3, and 4;
Sec. 24, lots 1, 2, 3, and 4;
Sec. 26, lots 1, 2, and 3, SW¼SW¼;
Sec. 27, S½S½;
Sec. 28, SE¼SW¼, SE¼;
Sec. 32, lots 1 to 5, inclusive;
Sec. 34, lots 1 to 4, inclusive;
Sec. 35, lot 1.
T. 33 S., R. 66 E., as construed by Powersite Interpretation Nos. 408 and 454, approved Apr. 23, 1956, and Dec. 8, 1964, respectively.
T. 34 S., R. 66 E., unsurveyed.

The areas described aggregate approximately 8,055.33 acres in Clark County, all of which are withdrawn for reclamation purposes.

2. At 10 a.m. on November 13, 1969, the public lands in California described in paragraph 1 hereof, totaling 320.09 acres, shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on November 13, 1969, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the mining laws subject to the provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the public lands should be addressed to the Manager, Land Office, Bureau of Land Management, Riverside, Calif.

HARRISON LOESCH,
Assistant Secretary of the Interior.

OCTOBER 8, 1969.

[F.R. Doc. 69–12289; Filed, Oct. 14, 1969; 8:46 a.m.]

[Public Land Order 4713]

[ES 5964]

LOUISIANA

Withdrawal for Administrative Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public land, which is under the jurisdiction of the Secretary of the Interior, is hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., ch. 2), but not from leasing under the mineral leasing laws, and reserved for use by the General Services Administration in connection with other lands within the former New Iberia Naval Auxiliary Air Station:

LOUISIANA MERIDIAN

T. 12 S., R. 6 E.,
Sec. 65.

The area described aggregates 111.03 acres in Iberia Parish.

2. The land contains improvements in the form of airport landing strips, approaches, and navigation facilities.

HARRISON LOESCH,
Assistant Secretary of the Interior.

OCTOBER 8, 1969.

[F.R. Doc. 69–12290; Filed, Oct. 14, 1969; 8:46 a.m.]

[Public Land Order 4714]

[Sacramento 1679]

CALIFORNIA

Withdrawal for Public Recreation Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for protection of the South Yuba-Round Mountain Recreation Area:

MOUNT DIABLO MERIDIAN

SOUTH YUBA-ROUND MOUNTAIN RECREATION AREA

T. 17 N., R. 9 E.,
Sec. 10, S½S½SE¼;
Sec. 13, SW¼NE¼, S½SE¼NE¼, SE¼SW¼NW¼, NE¼SE¼NW¼, S½SE¼NW¼, N½N½SW¼, N½NE¼SE¼;
Sec. 14, lot 4, SE¼NE¼, S½NW¼, N½SW¼, N½NE¼SE¼, NW¼SE¼;
Sec. 15, lots 2 and 3, NE¼, E½SE¼NW¼, S½NW¼SW¼, SE¼SW¼, W½SW¼SE¼;
Sec. 16, N½ lot 1, lots 4 and 5, E½NE¼, SNE¼SW¼, S½SW¼, N½SE¼, N½SW¼SE¼, exclusive of any portion unpatented lot 77;
Sec. 17, S½SE¼SE¼;
Sec. 20, N½NE¼NE¼;
Sec. 22, lot 12.

The areas described aggregate approximately 1,233 acres in Nevada County.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,
Assistant Secretary of the Interior.

OCTOBER 9, 1969.

[F.R. Doc. 69–12291; Filed, Oct. 14, 1969; 8:46 a.m.]

[Public Land Order 4715]

ARIZONA

Withdrawal for National Forest Administrative Site; Partial Revocation of Administrative Site and Recreation Area Withdrawals

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., ch. 2), but not from leasing under the

mineral leasing laws, in aid of programs of the Department of Agriculture:

(A 1908)

KAIBAB NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

Tusayan Ranger Station

T. 30 N., R. 2 E.,
Sec. 13, N½NE¼NE¼, N½S½NE¼NE¼, SW¼SW¼NE¼NE¼, SE¼SE¼NE¼NE¼, NW¼NW¼SE¼NE¼, NE¼NE¼SE¼NE¼, S½N½SE¼NE¼, and S½SE¼NE¼.
T. 30 N., R. 3 E.,
Sec. 18, W½ lots 1 and 2.

Containing approximately 110 acres in Coconino County.

The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

2. The order of the Director, Bureau of Land Management, of October 30, 1952, withdrawing the public lands in the following described areas for airport purposes, is hereby revoked:

(A 1909)

KAIBAB NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

T. 30 N., R. 2 E.,
Sec. 23, SE¼;
Sec. 24, SW¼;
Sec. 25, W½;
Sec. 26;
Sec. 27, SE¼;
Secs. 34 and 35.

3. Public Land Order No. 4172 of February 27, 1967, withdrawing national forest lands in aid of programs of the Department of Agriculture, is hereby revoked so far as it affects the following described lands:

(A 035063–A)

TONTO NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

Arizona State Highway No. 87 (Bee Line) Roadside Zone

A strip of land 330 feet on each side of the centerline as the highway passes through the following legal subdivisions:

T. 3 N., R. 7 E., partially surveyed,
Sec. 13;
Sec. 22, S½;
Sec. 23;
Sec. 24, NW¼.

4. Public Land Order No. 1626 of May 6, 1958, withdrawing national forest lands for recreation, campground, picnic areas and roadside zones, is hereby revoked so far as it affects the following lands:

(A 011033–A)

SITGREAVES NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

Show Low-McNary (State Highway No. 173—F.H. 17) Roadside Zone

A strip of land 200 feet on each side of the centerline of State Highway No. 173 through the following legal subdivisions:

T. 9 N., R. 22 E.,
Sec. 22, W½NW¼SE¼NE¼ and SW¼SE¼NE¼.

5. The departmental order of February 25, 1927, withdrawing the following described lands for recreational purposes, is hereby revoked:

(A 705)

GILA AND SALT RIVER MERIDIAN

T. 14 S., R. 13 E.,
Sec. 14, NW¼SW¼;
Sec. 15, SE¼.

6. Public Land Order No. 3152 of July 30, 1963, withdrawing national forest lands in aid of programs of the Department of Agriculture, and Public Land Order 3584 of March 31, 1965, amendatory thereof, are hereby revoked so far as they affect the following described lands:

(A 09390–C)

COCONINO NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

U.S. Highway 89A (Roadside Zone)

A strip of land 300 feet each side of the centerline as the highway passes through the following legal subdivisions:

T. 17 N., R. 5 E.,
Sec. 12, lots 1 and 2, S½NE¼SE¼SE¼, and SE¼SE¼SE¼.

7. Public Land Order No. 1583 of February 5, 1958, withdrawing national forest lands for roadside zones and administrative sites, is hereby revoked so far as it affects the following described lands:

(A 09295–A)

APACHE NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

U.S. Highway 666

A strip of land 300 feet each side of the centerline as the highway passes through the following legal subdivisions:

T. 2 S., R. 29 E.,
Sec. 32, SW¼.

8. The departmental order of February 15, 1909, withdrawing the Jacob Lake Administrative Site from mineral location and entry, and described as unsurveyed land in sec. 29, T. 39 N., R. 2 E., is hereby revoked. The lands are now described as follows:

(A 09295–A)

KAIBAB NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

T. 38 N., R. 2 E., Sec. 7, in NW¼ of lot 4.

The lands are within the Grand Canyon National Game Preserve.

The areas released from withdrawal by this order aggregate approximately 3,186 acres.

9. At 10 a.m. on November 14, 1969, the national forest lands in the Kaibab and Apache National Forests which are released from withdrawal by this order, and which are included in A–1909 and A–09295–A, supra, shall be open to such forms of disposal as may by law be made of national forest lands. The remaining lands which are the subject of this order have been patented, or are otherwise not subject to private appropriation.

HARRISON LOESCH,
Assistant Secretary of the Interior.

OCTOBER 9, 1969.

[F.R. Doc. 69–12292; Filed, Oct. 14, 1969; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 984]

WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

Notice of Proposed Expenses of the Walnut Control Board and Rates of Assessment for the 1969–70 Marketing Year

Notice is hereby given of a proposal regarding expenses of the Walnut Control Board and rates of assessment for the 1969–70 marketing year. The year began August 1, 1969. This proposal is pursuant to §§ 984.68 and 984.69 of the marketing agreement, as amended, and Order No. 984, as amended (7 CFR Part 984). The amended marketing agreement and order regulate the handling of walnuts grown in California, Oregon, and Washington, and are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The Board has unanimously recommended a budget of expenses in the total amount of $130,000, and assessment rates of 0.10 cent per pound of inshell walnuts and 0.20 cent per pound of shelled walnuts. These rates will be applied to all merchantable walnuts handled or declared for handling during the 1969–70 marketing year. Such rates of assessment are expected to provide sufficient funds to meet the estimated expenses of the Board.

All persons who desire to submit written data, views, or arguments on the aforesaid proposal should file the same in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than 8 days after 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)).

The proposal is as follows:

§ 984.321 Expenses of the Walnut Control Board and rates of assessment for the 1969–70 marketing year.

(a) *Expenses.* Expenses in the amount of $130,000 are reasonable and likely to be incurred by the Walnut Control Board during the marketing year beginning August 1, 1969, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rates of assessment.* The rates of assessment for said marketing year, payable by each handler in accordance with § 984.69, are fixed at 0.10 cent per pound for merchantable inshell walnuts and 0.20 cent per pound for merchantable shelled walnuts.

Dated: October 10, 1969.

PAUL A. NICHOLSON,
Acting Director,
Fruit and Vegetable Division.

[F.R. Doc. 69–12302; Filed, Oct. 14, 1969; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 69–CE–23–AD]

AIRWORTHINESS DIRECTIVES

Allison Model 250–C18 Series Engines

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Allison Model 250–C18 Series Engines. There have been numerous instances of engine failures resulting in complete loss of power and forced landing of the helicopters in which these engines are installed. Since this condition is likely to exist or develop in other engines of the same type design, the proposed airworthiness directive would require at next overhaul, but no later than 750 hours since last overhaul or since new if never overhauled, after the effective date of this airworthiness directive, modification of the engine in accordance with the Allison Commercial Engine Bulletins hereinafter listed except that the power and accessories gear box may be modified in accordance with applicable portions of said Allison Commercial Engine Bulletins at next overhaul but no later than 1,125 hours since last overhaul or since new if never overhauled. All engines must be modified no later than October 1, 1971.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, view, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Director, Central Region, Attention: Regional Counsel, Airworthiness Rules Docket, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of the Notice in the FEDERAL REGISTER will be considered before action is taken upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

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

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

ALLISON. Applies to Model 250–C18 Series Engines.

Compliance: Unless already accomplished, accomplish the following:

(1) At next overhaul but no later than 750 hours' time in service since last overhaul or since new if never overhauled, modify the engine in accordance with Allison Commercial Engine Bulletins numbered 250CEB–57, –58, –59, –61, –62, –63, –65, –66, –67, –68, –69, –70, –72, –73, –74, –75, –76, –77, –78, –79, –80, –81, –85, –86, and –89, or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region, except as specified in (2) below.

(2) At next overhaul but no later than 1,125 hours' time in service since last overhaul or since new if never overhauled, modify the power and accessories gear box in accordance with applicable portions of Allison Commercial Engine Bulletins specified in (1) above, or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

(3) All engines must be modified in accordance with (1) and (2) above on or before October 1, 1971.

Issued in Kansas City, Mo., on October 7, 1969.

DANIEL E. BARROW,
Director, Central Region.

[F.R. Doc. 69–12300; Filed, Oct. 14, 1969; 8:47 a.m.]

Federal Railroad Administration

[49 CFR Part 230]

[Docket No. FRA–LI–1]

LOCOMOTIVE INSPECTION

Notice of Proposed Rule Making

In F.R. Doc. 69–11432 appearing on page 14767 in the issue of Thursday, September 25, 1969, the word "stenciled" in the second sentence of proposed § 230.401(b) should be changed to read "shown."

Issued in Washington, D.C., on October 10, 1969.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

[F.R. Doc. 69–12313; Filed, Oct. 14, 1969; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order No. 147; Rev. 3]

DISESTABLISHMENT OF THE OFFICE OF THE SPECIAL ASSISTANT TO THE SECRETARY (FOR ENFORCEMENT), AND ESTABLISHMENT OF THE OFFICE OF LAW ENFORCEMENT TRAINING

By virtue of the authority vested in me as Secrteary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950:

a. The Office of Special Assistant to the Secretary (for Enforcement) is hereby disestablished, and its functions and duties are concurrently reassigned to the Assistant Secretary (Enforcement and Operations); and

b. The Office of Law Enforcement Training is hereby established under the direct supervision of the Assistant Secretary (Enforcement and Operations).

Functions and duties assigned to the Assistant Secretary (Enforcement and Operations) as a result of the above actions include, but are not limited to, the following:

Serve as principal adviser to the Secretary on all law enforcement matters;

Inform the Secretary fully of all significant developments relating to Presidential protection;

Coordinate all enforcement activities of the Treasury and provide such policy, functional, and technical guidance to enforcement activities as is required to assure optimum benefits from joint and cooperative utilization of Treasury law enforcement resources;

Appraise Treasury enforcement agencies with respect to the overall efficiency, effectiveness, performance, and integrity of personnel, programs and activities, and institute any corrective action required;

Formulate basic law enforcement policy, program, organizational, and procedural proposals to effectively and efficiently carry out the Department's national and international law enforcement responsibilities;

Provide interagency and intergovernmental liaison and representation on enforcement matters;

Direct Treasury enforcement training;

Strengthen relationships with Federal, State, and local enforcement agencies;

Serve as U.S. representative with the International Criminal Police Organization (INTERPOL). In this capacity he will deal with all questions relating to INTERPOL dues, INTERPOL functions, obligations of membership, and agenda of and representation at INTERPOL conferences and General Assembly sessions.

In addition, the Assistant Secretary (Enforcement and Operations) is hereby delegated authority to act on behalf of the Secretary in fulfilling responsibilities assigned to the Department of the Treasury for establishing and administering the Federal Law Enforcement Training Center.

The functions and duties herein assigned to the Assistant Secretary (Enforcement and Operations) may, at his discretion, be delegated to subordinates in such manner as he shall from time to time direct.

To effectuate the provisions of this order, I hereby direct the Assistant Secretary (Enforcement and Operations) to draw on all enforcement facilities of the Department without limitation, except as to restrictions imposed by law.

This order is effective immediately. Any previous orders or instructions in conflict with the provisions of this order are hereby amended accordingly. Treasury Department Order No. 147 (Revision No. 2) and Treasury Department Orders No. 147–1 through No. 147–6 are hereby rescinded.

Dated: September 4, 1969.

[SEAL] DAVID M. KENNEDY,
Secretary of the Treasury.

[F.R. Doc. 69–12318; Filed, Oct. 14, 1969; 8:48 a.m.]

[Treasury Department Order No. 190; Rev. 7]

SUPERVISION OF BUREAUS AND PERFORMANCE OF FUNCTIONS IN THE TREASURY DEPARTMENT

1. The following officials shall be under the direct supervision of the Secretary:

The Under Secretary.
The Under Secretary for Mcnetary Affairs.
The Assistant to the Secretary, Director, Executive Secretariat.

2. The following officials shall be under the direct supervision of the Under Secretary:

Assistant to the Under Secretary.
Special Assistant to the Secretary (Congressional Relations).
Special Assistant to the Secretary (National Security Affairs).
Special Assistant to the Secretary (Public Affairs).
Commissioner of Internal Revenue.
Comptroller of the Currency.

3. The following officials shall be under the direct supervision of the Under Secretary and shall exercise supervision over those offices, bureaus, and other organizational units indicated thereunder:

A. General Counsel.
  Legal Division.
  Office of Director of Practice.
  Office of Equal Opportunity Program.
B. Assistant Secretary (Tax Policy).
  Office of Tax Analysis.
  Office of Tax Legislative Counsel.
C. Assistant Secretary (Enforcement and Operations).
  Bureau of Customs.
  Bureau of Engraving and Printing.
  Bureau of the Mint.
  Office of Law Enforcement Training.
  U.S. Secret Service.
D. Assistant Secretary for Administration.
  Office of Administrative Services.
  Office of Budget and Finance.
  Office of Management and Organization.
  Office of Personnel.
  Office of Planning and Program Evaluation.
  Office of Security.

4. The following officials will be under the direct supervision of the Under Secretary for Monetary Affairs:

Deputy Under Secretary for Monetary Affairs.
Special Assistant to the Secretary (Debt Management).

5. The following officials shall be under the direct supervision of the Under Secretary for Monetary Affairs and shall exercise supervision over those offices, bureaus, and other organizational units indicated thereunder:

A. Assistant Secretary (International Affairs).
  Office of Administration.
  Office of Balance of Payments Programs, Operations, and Statistics.
  Office of Developing Nations.
  Office of Financial Policy Coordination and Operations.
  Office of Foreign Assets Control.
  Office of Industrial Nations.
  Office of International Economic Affairs.
  Office of International Gold and Foreign Exchange Operations.
  Office of Latin America.
B. Assistant Secretary (Economic Policy).
  Office of Debt Analysis.
  Office of Domestic Gold and Silver Operations.
  Office of Financial Analysis.
C. Fiscal Assistant Secretary.
  Bureau of Accounts.
  Bureau of the Public Debt.
  Office of the Treasurer of the United States.
D. U.S. Savings Bonds Division.

6. The Under Secretary, the Under Secretary for Monetary Affairs, the General Counsel, and the Assistant Secretaries are authorized to perform any functions the Secretary is authorized to perform. Each of these officials shall perform functions under this authority in his own capacity and under his own title, and shall be responsible for referring to the Secretary any matter on which actions should appropriately be taken by the Secretary. Each of these officials will ordinarily perform under this authority only functions which arise out of, relate to, or concern the activities or functions of or the laws administered by or relating to the bureaus, offices, or other organizational units over which he has supervision. Any action heretofore taken by any of these officials in his own capacity and under his own title is hereby affirmed and ratified as the action of the Secretary.

7. The following officers shall, in the order of succession indicated, act as Secretary of the Treasury in case of the death, resignation, absence, or sickness

of the Secretary and other officers succeeding him, until a successor is appointed or until the absence or sickness shall cease:

A. Under Secretary.
B. Under Secretary for Monetary Affairs.
C. General Counsel.
D. Presidentially appointed Assistant Secretaries in the order in which they took the oath of office as Assistant Secretary.

8. Treasury Department Order No. 190 (Revision 6) is rescinded, effective this date.

Dated: September 4, 1969.

[SEAL] DAVID M. KENNEDY,
Secretary of the Treasury.

[F.R. Doc. 69-12319; Filed, Oct. 14, 1969; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Filing of California State Protraction Diagram: Correction

OCTOBER 8, 1969.

The notice of filing of California State protraction diagram No. 61 appearing on page 14344 of the FEDERAL REGISTER issued for September 10, 1969 (F.R. Doc. 69-10802) is hereby corrected by deleting the E½ of sec. 35, T. 14 S., R. 36 E., M.D.M., to read as follows:

CALIFORNIA PROTRACTION DIAGRAM NO. 61

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 14 S., R. 36 E.,
Sec. 35, N½NE¼ and SE¼NE¼.

WALTER F. HOLMES,
Assistant Manager,
Riverside Land Office.

[F.R. Doc. 69-12293; Filed, Oct. 14, 1969; 8:46 a.m.]

[Serial No. N-1347]

NEVADA

Notice of Public Sale

OCTOBER 7, 1969.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421-1427), 43 CFR Subpart 2243, a tract of land will be offered for sale to the highest bidder at a sale to be held at 10:30 a.m., local time on Tuesday, November 25, 1969, at the Winnemucca District Office, Bureau of Land Management, East Highway 40, Winnemucca, Nev. 89445. The land is described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 40 N., R. 33 E.,
Sec. 24, lots 5 and 6.

The area described contains 86.4 acres. The appraised value of the tract is $3,020, and the publication costs to be assessed are estimated at $12.

The land will be sold subject to all valid existing rights. Reservations will be made to the United States for rights-of-way for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals are to be reserved to the United States and withdrawn from appropriation under the public land laws, including the general mining laws.

Bids may be made by a principal or his agent, either at the sale, or by mail. An agent must be prepared to establish the eligibility of his principal. Eligible purchasers are: (1) Any individual (other than an employee, or the spouse of an employee, of the Department of the Interior) who is a citizen or otherwise a national of the United States, or who has declared his intention to become a citizen, aged 21 years or more; (2) any partnership or association, each of the members of which is an eligible purchaser, or (3) any corporation organized under the laws of the United States, or any State thereof, authorized to hold title to real property in Nevada.

Bids must be for all the land in the parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received by the Winnemucca District Office, Bureau of Land Management, East Highway 40, Post Office Box 71, Winnemucca, Nev. 89445, prior to 4 p.m., on Monday, November 24, 1969. Bids made prior to the public auction must be in sealed envelopes, and accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, payable to the Bureau of Land Management, for the full amount of the bid plus estimated publication costs, and by a certification of eligibility, defined in the preceding paragraph. The envelope must show the sale number and date of sale in the lower left-hand corner: "Public Sale Bid, Sale N-1347, November 25, 1969".

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in specified increments. After oral bids, if any, are received, the authorized officer shall declare the high bid. A successful oral bidder must submit a guaranteed remittance, in full payment for the tract and cost of publication, before 3:30 p.m. of the day of the sale.

If no bids are received for the sale tract on Tuesday, November 25, 1969, the tract will be reoffered on the first Wednesday of subsequent months at 9 a.m., beginning December 3, 1969.

Any adverse claimants to the above described land should file their claims, or objections, with the undersigned before the time designated for sale.

The land described in this notice has been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of notation of the proposed classification decision. Inquiries concerning this sale should be addressed to the Land Office Manager, Bureau of Land Management, Room 3008 Federal Building, 300 Booth Street, Reno, Nev. 89502, or to the District Manager, Bureau of Land Management, East Highway 40, Post Office Box 71, Winnemucca, Nev. 89445.

H. JOHN HILLSOMER,
Acting Manager,
Nevada Land Office.

[F.R. Doc. 69-12294; Filed, Oct. 14, 1969; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

UNIVERSITY OF CALIFORNIA ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00175-33-46040. Applicant: University of California, Berkeley Campus, Post Office Box 1500, Berkeley, Calif. 94701. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used to survey human tumor tissue from various sources and of various types of the presence of C-type virus particles. Ultrastructural investigations of induced cellular transformation of normal cells by both viral and chemical agents will be done; host control of viral maturation sites will be studied. The biomedical-biophysical properties as related to structure of these viruses will be studied by negative-contrast techniques. Application received by Commissioner of Customs: September 8, 1969.

Docket No. 70-00176-33-46040. Applicant: Eastern Michigan University, Department of Biology, Ypsilanti, Mich. 48197. Article: Electron microscope, Model EM-9A. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used to teach biology majors the applications and use

of the electron microscope, in biological research with specific uses in plant anatomy, bacteriology and virology, mycology, protozoology, histology, and cytology. Master's degree candidates will have the opportunity to use the article in thesis work in these and other fields, as well as to train specifically in the techniques of use of the electron microscope. Students in the medical technology program will be given some exposure to electron microscopy as a medical tool. Application received by Comissioner of Customs: September 6, 1969.

Docket No. 70–00177–33–46040. Applicant: University of California, Irvine, California College of Medicine, Irvine, Calif. 92664. Article: Electron microscope, Model EM–9A. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used for the training of resident physicians, medical students and graduate students in the use of electron microscopes. Examples of research projects in progress are as follows:

(a) The evolution of glomerulosclerosis in human and experimental diabetes;

(b) The induction and progress of spermatogenesis with exogenous hormones;

(c) The passive transfer of diabetes;

(d) The study of virus induced diabetes.

The article will also be used to study selected clinical materials which are problem cases. Application received by Commissioner of Customs: September 8, 1969.

Docket No. 70–00178–65–46040. Applicant: The Catholic University of America, Washington, D.C. 20017. Article: Electron microscope, Model EM–802. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The article will be used for both instructional and research purposes in the field of materials science. The research projects include the following:

(a) Investigation of the occurrence of phase separation and the determination of phase boundaries in vitreous materials;

(b) Studies of the mechanism and kinetics of phase separation;

(c) Measurement of thermodynamic parameters of phase decomposition such as the spinodal wave length, and interface thickness;

(d) Crystallographic study of the martensite transformation in ferrous alloys;

(e) Growth studies of bainite in beta brass;

(f) Explorative studies to use the electron microscope as a high resolution electron scattering device with scanning and counter detection techniques.

Application received by Commissioner of Customs: September 8, 1969.

Docket No. 70–00179–33–07730. Applicant: Iowa State University, Ames Laboratory Warehouse, Ames, Iowa 50010. Article: X-ray diffraction Guinier camera, Model XDC–700. Manufacturer: Incentive Research and Development AB, Sweden. Intended use of article: The article will be used to provide high dispersion X-ray diffraction patterns from powder samples by exposing photographic film with diffracted X-rays. Application received by Commissioner of Customs: September 8, 1969.

Docket No. 70–00180–33–80200. Applicant: Masonic Medical Research Laboratory, Bleeker Street, Utica, N.Y. 13500. Article: Cardiac output thermistor and integrator. Manufacturer: Lars Stage, Department of Physiology, Sweden. Intended use of article: The article will be used for measuring cardiac output in cats. Application received by Commissioner of Customs: September 8, 1969.

Docket No. 70–00181–33–46060. Applicant: The University of Texas at Austin, Purchasing Office, Box 7306, University Station, Austin, Tex. 78712. Article: Scanning electron microscope, Model JSM–2. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used as a faculty-staff, graduate student, and undergraduate student research tool, as well as a teaching aid in the instruction of a special course in scanning electron microscopy. All research projects involve active participation by graduate students. Application received by Commissioner of Customs: September 8, 1969.

Docket No. 70–00182–00–46040. Applicant: State of New York Department of Health, 84 Holland Avenue, Albany, N.Y. 12208. Article: Exposure meter/timer and cassette for cut film. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used as an accessory to an existing electron microscope for measuring the exact exposure time. Application received by Commissioner of Customs: September 11, 1969.

Docket No. 70–00183–33–46500. Applicant: American Registry of Pathology, Armed Forces Institute of Pathology, Washington, D.C. 20305. Article: Ultramicrotome, Model SIDEA ("Om U2"). Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used for serial sectioning tissue in uniform thickness of 50–75 angstroms for study under the electron microscope. Research concerns the study of pathogensis of drug reaction within cells of human tissue. Application received by Commissioner of Customs: September 11, 1969.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69–12275; Filed, Oct. 14, 1969; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 5 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 F.R. 15953, Oct. 30, 1968), is hereby amended with regard to section 5–C, Delegations of Authority as follows:

After the subparagraph numbered (5) of the paragraph entitled "Specific Delegations" add a new subparagraph reading:

(6) The functions under title V of the Social Security Act relating to maternal and child health and crippled children's services, and the functions under section 402 (a) and (b) of the Social Security Amendments of 1967, Public Law 90–248 with respect to such title V.

Dated: October 9, 1969.

SOL ELSON,
Acting Assistant Secretary for Administration.

[F.R. Doc. 69–12317; Filed, Oct. 14, 1969; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19973; Order 69–10–40]

CONTINENTAL AIR LINES, INC.

Order Establishing Mail Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of October 1969.

By Order 69–8–17, dated August 4, 1969, the Board proposed certain final service mail rates for the Trust Territory operations of Continental Air Lines, Inc. All interested persons and particularly Continental Air Lines, Inc., and the Postmaster General were directed to show cause why the Board should not adopt the proposed findings and conclusions, and fix, determine, and publish the final rates specified therein. On August 13, 1969, the Postmaster General filed a conditional notice of objection on the basis that the proposed findings and conclusions did not provide for the equalization of rates by Continental. The Postmaster General states that such a provision is standard in certificated carriers' rate orders and if the final order will contain this standard provision, the notice of objection may be disregarded.

On September 12, 1969, Continental filed an answer stating that it would not object to the inclusion of a standard equalization clause in the final order.

The inclusion of a standard equalization clause in connection with Continental's Trust Territory operations was not raised in any of the prior filings in this matter. However, since the carrier and the Postmaster General now agree that the final rate order should contain such a provision, it will be included in the final order.

It now appears that the Post Office Department and Continental are in agreement that an equalization clause should be included in the final order, thus disposing of the conditional notice of objection filed herein. The time designated for filing notice of objection has elapsed and no other notice of objection has been filed by any person. Under the foregoing circumstances, all persons have waived the right to a hearing and all other procedural steps short of a final decision of the Board fixing a final service mail rate for Continental's Trust Territory operations.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof,

It is ordered, That:

(1) The fair and reasonable rates of compensation to be paid Continental Air Lines, Inc., for transportation of mail by aircraft between Honolulu, Guam, and Okinawa, on the one hand, and Johnston Island and the Trust Territory, on the other hand, and between Johnston Island and the Trust Territory, and within the Trust Territory, the facilities used and useful therefor, and the services connected therewith, are as follows:

(a) For the period May 16, 1968, through December 31, 1968, a rate of $1.07 per ton-mile, which rate shall be applied in accordance with the terms and conditions set forth below:

(b) For the period on and after January 1, 1969, a rate of $1 per ton-mile, which rate shall be applied in accordance with the terms and conditions set forth below:

Mail Ton-Miles

The mail ton-miles for each shipment of mail shall be based upon the standard mileage established herein for service between the points of origin and destination of each shipment.[1]

Standard Mileage

The standard mileage for each pair of points shall be as set forth in the appendix to this order.[2]

Changes in Standard Mileage

The standard mileages set forth in the appendix to this order shall remain in effect throughout the period this rate order is in effect: *Provided, however,* That at any time the Board may institute a proceeding, and Continental Air Lines, Inc., and/or the Postmaster General, may make application to the Board for establishment of standard mileages to a new point: *And provided further, however,* That once each fiscal year the Board may institute a proceeding and Continental Air Lines, Inc., and/or the Postmaster General may make application to the Board for revision of any standard mileage effective July 1 of such fiscal year. Such applications will not be regarded as reopening the rate. Applications provided for above shall be clearly entitled "Application for (New) (Revised) Standard Mileage", shall contain a clear and concise statement of the requested standard mileage or standard mileage revision and the facts upon which such request is based, and shall in all other respects conform to the applicable requirements of the rules of practice.

In establishing standard mileages to a new point, the Board will consider the routings of flights to such point and the number of flights required by the postal service. In establishing revised standard mileages, the Board will consider the effect of changes in airport location, mail flow, and flight routings reflected in the carrier's general schedules during the first 7 days of the month immediately preceding the July 1 effective date of such revision.

Origin and Destination of Mail Shipments

As used herein "point of origin" means the point at which the carrier first enplanes the mail shipment after receipt thereof from a Postal Administration or its representatives, from another ratemaking division of the same carrier, the operations of which division are not encompassed herein, or from another carrier; and "point of destination" means the point at which the carrier deplanes the mail shipment for delivery to a Postal Administration or its representatives, to a separate ratemaking division of the same carrier, the operations of which division are not encompassed herein, or to another carrier.

Equalization of Rates

1. *Election to equalize.* Any air carrier, or, pursuant to agreement, any two or more air carriers providing service on an interline or interchange basis, may, by notice, elect to establish a reduced charge for the carriage of mail between:

(a) Any point where a U.S. Post Office Department international exchange office is located[3] and any other point to which such international exchange office is authorized to dispatch airmail, or

(b) Foreign points,

equal to the charge then in effect for service between such points by any other air carrier or air carriers.

2. *Common-rating of certain points.* Any carrier, or, pursuant to agreement, any two or more carriers providing service on an interline or interchange basis, may, by notice, elect to establish a reduced charge for the carriage of mail between San Francisco, Calif., and Tokyo, Japan, equal to the charge then in effect for service between Seattle, Wash., and Tokyo, Japan. Any such reduced charge shall apply to all mail carried between San Francisco, Calif., and Tokyo, Japan, moving to, from, or beyond San Francisco and to, from, or beyond Tokyo.

Notice of Election to Equalize Rate

An original and three copies of each notice of election and agreement pursuant to equalization paragraph 1 or 2 above shall be filed with the Board and a copy thereof shall be served upon the Postmaster General and each carrier providing on-line or connecting service between the stated points. Such notices shall contain a complete description of the reduced charge being established, the routing over which it applies, how it is constructed, and the charge with which equalization is sought.

Any equalized rate established pursuant to this order shall be effective for the electing carrier or carriers as of the date of filing of the notice required by such paragraphs or such later date as may be specified in the notice and shall continue in effect until such election is terminated. Elections may be terminated by any electing carrier upon 10 days' notice filed with the Board and served upon the Postmaster General and each carrier providing on-line or connecting service between the stated points.

Division of Equalized Rates

In case of equalization of rates by agreement pursuant to equalization paragraph 1 or 2 above, the agreement shall provide for the proration of the mail compensation between participating carriers on the basis of the relative compensation which would otherwise be payable to each carrier in the absence of the provisions of equalization paragraph 1 or 2 above. In the absence of an agreement among carriers pursuant to equalization paragraph 1 or 2 above for equalization of rates for interline or interchange shipments between a stated pair of points, any carrier (or two or more carriers jointly) may, by notice, elect to receive as its portion of the total compensation for each shipment the amount remaining after subtracting from such total compensation the compensation due the other carrier or carriers involved (nonelecting carriers). Such total compensation shall be computed on the basis of the lowest rate then in effect for service between the stated pair of points for any carrier or carriers. The compensation due the nonelecting carrier or carriers shall be that otherwise applicable to the

[1] No tabulation of standard mileages is being attached to this order when initially issued. An appendix establishing standard mileages will be published in a supplemental order.

[2] See footnote 1 supra.

[3] International exchange offices currently authorized to dispatch mail for the transpacific area are located in Seattle, Anchorage, San Francisco, Los Angeles, Honolulu, Wake, Guam, Pago Pago, Washington, Chicago, and New York. The terms of this paragraph shall apply to points at which international exchange offices are hereafter established and shall cease to apply to any points at which international exchange offices are discontinued. The Postmaster General will file a notice of such new and discontinued offices in this docket and serve a copy on Continental Air Lines.

point-to-point service it actually provides. In those instances where there is a non-electing carrier or carriers involved in providing the through service and two or more carriers elect to receive payment under this provision, the total payment due such electing carriers shall be prorated by them on the basis of the relative compensation which would otherwise be payable to each of them in the absence of the provisions of this paragraph.

DIVISIONS OF EQUALIZED RATES PRESCRIBED BY THE BOARD

In the event that any carrier is unable to enter into an agreement with any other carrier to transport mail between any stated points at a reduced rate pursuant to equalization paragraph 1 or 2 above, it may file an application with the Board requesting it to determine and fix a different method of apportioning the total compensation for each such shipment of mail between the participating carriers. Such applications shall not be deemed to reopen the mail rates fixed by this order. Applications filed pursuant to this paragraph shall conform generally to the provisions of the rules of practice governing the filing of petitions in mail rate cases. Within 7 days after the application is served any party may file an answer in support of or in opposition to the application together with any documentary material upon which it relies. Any order upon an application filed pursuant to this paragraph shall be effective no earlier than the filing date of the application with the Board.

In reviewing such application, the Board will consider, among other pertinent factors, the need for the proposed service, the historical participation of electing carrier or carriers in the transportation of mail between such stated points, the amount of absorption required, and the grounds for refusal by the carrier or carriers to enter into an equalization agreement. After hearing the carriers concerned, either in writing or orally in those cases where it deems such action appropriate, the Board will, by order, prescribe the method for apportioning the total compensation between such carriers, but in no event shall the carrier or carriers which refuse to enter into an agreement to equalize compensation be required to accept less than the compensation which would have been payable if the service were performed under voluntary agreement pursuant to equalization paragraph 1 or 2, above.

(2) The final service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General.

(3) This order shall be served upon Continental Air Lines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., and the Postmaster General.

(4) This order will become effective upon expiration of 10 days from the date hereof, unless prior to such time objection is filed hereto.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-12314; Filed, Oct. 14, 1969; 8:48 a.m.]

[Docket No. 18650; Order 69-10-38]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority October 8, 1969.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates, Docket No. 18650, Agreement CAB 20806, R-57 and R-58.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated September 26, 1969, names an additional specific commodity rate, as set forth in the attachment hereto,[1] which reflects a significant reduction from the general cargo rates. In addition, a rate for a new description has been specified from Houston to Mexico City.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act: *Provided,* That tentative approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

Action on Agreement CAB 20806, R-57 and R-58, be and hereby is deferred with a view toward eventual approval: *Provided,* That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-12315; Filed, Oct. 14, 1969; 8:48 a.m.]

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[1] Filed as part of the original document.

[Docket No. 20781; Order 69-10-51]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Transatlantic Promotional Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of October 1969.

Agreements adopted by the International Air Transport Association (IATA) relating to transatlantic promotional fares, Docket No. 20781, Agreement C.A.B. 20848.

By Order 69-4-138, the Board approved various IATA transatlantic fare resolutions subject to certain conditions. The Board, inter alia, limited to March 31, 1970, its approval of the contract bulk inclusive tour (CBIT) fares intended for effectiveness from November 1, 1969, through March 31, 1971, and set this element of the resolutions down for an expedited investigation along with the discontinuance of the round-trip discount. Subsequently, by Order 69-7-81, the Board denied petitions for reconsideration filed by Pan American World Airways, Inc., Trans World Airlines, Inc., American Express Co., Creative Tour Operators Association and Flying Mercury, all of which sought an extension of the period during which the CBIT fares were approved.

A petition has been filed by Pan American, on September 16, 1969, seeking leave to file, as an unauthorized document, another petition for reconsideration alleging changed circumstances since the date of Board's action in denying petitions for reconsideration by Order 69-7-81, and requesting that the Board extend its approval of the CBIT fare through September 30, 1970. Answers supporting Pan American's petition for reconsideration have been filed by TWA and by the Department of Transportation. A petition to file, as an unauthorized document, an answer opposing Pan American's petition has been filed by the National Air Carrier Association (NACA).

In light of the importance of the issues raised, the Board has determined to receive briefs and oral argument from parties to this proceeding before passing upon the merits of Pan American's petition. Briefs and argument will be directed specifically to the question of the extension of the Board's interim approval of the CBIT fares until September 30, 1970. We do not intend to reach the broad question of lawfulness per se of the CBIT fares which will be determined in the regular course of the investigation now being conducted.

We take note of the fact that the formal hearings in this investigation have now been completed. Since the record in the proceeding may contain evidence relevant to the issue of an extension of our interim approval of the CBIT fares, the parties are free to rely upon that record in their presentations to the Board and may also submit, with their briefs,

affidavits in support of other factual matters which they desire the Board to take into account.

In the interest of orderly procedure, we will require that any party who desires to participate in the oral argument file with the Board and serve upon all parties to Docket 20781 his brief, together with a request to the Board for leave to participate in the oral argument, on or before October 20, 1969. The Board will subsequently advise the persons desiring to appear of the amount of time which will be granted for argument, and reserves the right to require that persons having common interests be represented by one or more spokesmen.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204, 404(b), 412, 414, and 1002 (f) thereof,

It is ordered, That:

1. Petitions for leave to file an unauthorized document by Pan American World Airways, Inc., and by the National Air Carrier Association are hereby granted.

2. On October 27, 1969 at 10 a.m., the Board will hear oral argument from parties to this proceeding on the question of the extension of its tentative approval of the Contract Bulk Inclusive Tour Fares in Agreement CAB 20848 until September 30, 1970.

3. Any party who desires to participate in such oral argument shall file with the Board a brief in support of or in opposition to the petition for reconsideration on or before October 20, 1969, together with a request for leave to present an oral argument to the Board.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-12316; Filed, Oct. 14, 1969; 8:48 a.m.]

CIVIL SERVICE COMMISSION

MUSEUM DIRECTOR—AERONAUTICS

Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on October 3, 1969, for the single position of Museum Director (Aeronautics), GS-1015-17, Smithsonian Institution, Washington, D.C.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

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

[F.R. Doc. 69-12328; Filed, Oct. 14, 1969; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Science and Technology Planning, Office of the Assistant Secretary for Science and Technology.

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

[F.R. Doc. 69-12329; Filed, Oct. 14, 1969; 8:49 a.m.]

DEPARTMENT OF DEFENSE

Notice of Title Change in Noncareer Executive Assignment

By Notice of November 17, 1967, F.R. Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from "Deputy Assistant Secretary (Policy Planning and Arms Control), ODAS (Policy Planning and Arms Control), OASD (International Security Affairs), OSD" to "Deputy Assistant Secretary (Policy Plans and National Security Council Affairs), ODAS (Policy Plans and NSC Affairs), OASD (International Security Affairs), OSD".

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

[F.R. Doc. 69-12330; Filed, Oct. 14, 1969; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

CARIBBEAN CRUISE ASSOCIATION

Notice of Agreements Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of Agreement Filed for Approval by:

Mr. William J. Armstrong, Acting Secretary, Caribbean Cruise Association, 17 Battery Place, Suite 631, New York, N.Y. 10004.

Agreement No. 9823, between the parties identified hereafter, establishes a conference of steamship lines to govern the carrying of cruise passengers within the Caribbean area, as defined therein. The Caribbean Cruise Association agreement includes, among other things, provisions covering definitions and rules concerning its organization and operation; territorial jurisdiction with respect to cruises and travel agency sales; membership; passage fares and rates of commission; agencies with respect to the sale of cruises including the appointment of subagencies included, or to be included, in the Trans-Atlantic Passenger Steamship Conference "Master List" as authorized to represent the member lines of the Caribbean Cruise Association; advertising ethics; and arbitration of complaints and/or claims between parties of the Association.

The stated purpose of the Caribbean Cruise Association is to coordinate and apply a code of ethics for the mutual interest of all lines operating within the area of jurisdiction as defined in the agreement relating to the promotion and sale of their cruise operations and for the general welfare of the public.

The parties to this agreement 9823 are:

Cunard Line, Ltd.
French Line (Compagnie Generale Transatlantique).
German Atlantic Line (Deutsche Atlantik Schiffahrts-Gesellschaft m.b.H. & Co.).
Holland-America Line (N.V. Nederlandsch-Amerikaansche Stoomvaart-Maatschappij "Holland-Amerika Lijn").
Home Lines (Home Lines, Inc.).
Incres Line (Victoria Steamship Co., Ltd.).
Italian Line ("Italia" Societa per Azioni di Navigazione).
North German Lloyd (Norddeutscher Lloyd).
Norwegian America Line (Den Norske Amerikalinje A/S, Oslo).
Swedish American Line (Aktiebolaget Svenska Amerika Linien).
United States Lines (United States Lines, Inc.).
Paquet Lines (Cie. Francaise de Navigation).

Dated: October 9, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-12320; Filed, Oct. 14, 1969; 8:49 a.m.]

HAMBURG-AMERIKA LINIE ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Hamburg-Amerika Linie, Norddeutscher Lloyd Ozean/Stinnes-Linien, and Lykes Bros. Steamship Co., Inc.

Notice of agreement filed by:

Mr. Ralph Rugan, Jr., Biehl & Co., Inc., 416 Common Street, New Orleans, La. 70130.

Agreement No. 9768–1 amends the basic agreement to include Ozean/Stinnes-Linien as a participant in the interchange of cargo containers and/or related equipment in the Gulf/United Kingdom-North European Trade in accordance with the terms and conditions set forth therein.

Dated: October 10, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69–12321; Filed, Oct. 14, 1969; 8:49 a.m.]

JAPAN LINE LTD. ET AL.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Japan Line, Ltd., Mitsui-Osk Lines, Ltd., Kawasaki Kisen Kaisha, Ltd., and Yamashita-Shinnihon Steamship Co., Ltd.

Notice of agreement filed by:

Francis L. Tetreault, Esq., Graham & James, 310 Sansome Street, San Francisco, Calif. 94104.

Agreement No. 9721 between Japan Line, Mitsui-OSK Lines, "K" Line, the Yamashita-Shinnihon Steamship Co., Ltd., and their Pacific Coast agents provides for the joint establishment of two container terminal operating companies to operate in Los Angeles and Oakland. Although, as stated in Article 14, "(i)t is the intention of the Lines to employ the services of the terminal corporations to the extent feasible * * * there is no commitment by any party to employ either corporation exclusively." Agreement No. 9721–1, here, would permit any two or more of the lines to "cooperate in the joint rental or purchase of personal and real property to be used for * * * terminal areas and facilities or container truck and rail terminals within the United States, either directly or through corporate entities to be formed by the two or more parties hereto participating in the particular transaction." Details of any joint action or activity are to be promptly reported to the Federal Maritime Commission.

Dated: October 10, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69–12322; Filed, Oct. 14, 1969; 8:49 a.m.]

NORTH ATLANTIC UNITED KINGDOM FREIGHT CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed by:

Mr. Burton H. White, Burlingham, Underwood, Wright, White & Lord, 25 Broadway, New York, N.Y. 10004.

Agreement No. 7100–8, between the member lines of the North Atlantic United Kingdom Freight Conference, amends Article IX of the basic agreement to provide that any Conference member which is a party to Agreement No. 9498, as amended (1) may charter to Wallenius Line, on any terms which may be agreed upon between them, space in any vessel operated under authority of such agreement for the carriage only of set-up, packed or unpacked automobiles, trucks, and house trailers, and (2) shall be entitled to represent Wallenius Line solely in respect to the aforesaid commodities and to permit its agents, operators or managers to do so.

Dated: October 9, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69–12323; Filed, Oct. 14, 1969; 8:49 a.m.]

SEA-LAND SERVICE, INC. AND YAMASHITA-SHINNIHON STEAMSHIP CO., LTD.

Notice of Agreement Filed

Notice is hereby given that the following agreement has beeen filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed by:

Mr. F. Hiljer, Jr., Commerce Manager, Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J. 07207.

Agreement No. 9824 between Sea-Land Service, Inc., and the Yamashita-Shinnihon Steamship Co., Ltd., covers the transportation of cargo under through bills of lading from Sea-Land's ports of call in Alaska to Yamashita-Shinnihon's ports of call in the Far East with transshipment in Seattle pursuant to the terms and conditions set forth in the agreement.

Dated: October 10, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69–12324; Filed, Oct. 14, 1969; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP70-75]

CITIES SERVICE GAS CO.

Notice of Application

OCTOBER 8, 1969.

Take notice that on September 29, 1969, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP70-75 a "budget-type" application pursuant to sections 7 (b) and (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1970 and the operation of gas sales and transportation facilities and the cessation of service and removal of direct sale measuring, regulating, and related minor facilities no longer required by Applicant's customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states the purpose of this application is to enable it to act with reasonable dispatch during the 1970 calendar year in establishing new delivery points for direct sales of natural gas, to make miscellaneous rearrangements on its system, and to cease service and remove direct sales measuring, regulating, and minor facilities no longer required without the delay incident to the filing and processing of numerous minor individual applications. Deliveries to any one consumer through proposed facilities will not exceed 100,000 Mcf annually and the total estimated cost of the proposed sales and transportation facilities does not exceed $300,000. Applicant estimates that facilities to connect 60 customers would be constructed during the calendar year.

The deliveries to any one direct sale customer through facilities to be abandoned will not have exceeded 100,000 Mcf annually.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12308; Filed, Oct. 14, 1969; 8:48 a.m.]

[Docket No. G-8932]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

OCTOBER 6, 1969.

Take notice that on September 29, 1969, El Paso Natural Gas Co. (Applicant), Box 1492, El Paso, Tex. 79999, filed in Docket No. G-8932 a petition pursuant to section 3 of the Natural Gas Act to amend further the order of the Commission issued on November 25, 1955, to authorize the importation on a limited term basis from Canada into the United States at a point on the international boundary near Sumas, Wash., of an additional 50,000 Mcf of natural gas per day, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicant states that the proposed increase in importation volumes is necessary to implement the proposed purchase of such additional daily quantity from Westcoast Transmission Co., Ltd. Applicant proposes the additional volumes to be imported during the period November 1, 1969, through March 31, 1970.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12277; Filed, Oct. 14, 1969; 8:45 a.m.]

[Docket No. CP68-362]

EL PASO NATURAL GAS CO.

Notice of Petition To Amend

OCTOBER 6, 1969.

Take notice that on September 29, 1969, El Paso Natural Gas Co. (Applicant), Box 1492, El Paso, Tex. 79999, filed in Docket No. CP68-362 a petition to amend the order of the Commission issued on August 19, 1968, in the same docket, to extend deliveries of natural gas under Applicant's FPC Gas Rate Schedule X-15 to Northern Natural Gas Co. (Northern) for a limited term commencing January 1, 1970, and through December 31, 1970, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Applicant proposes to continue service to Northern of a minimum monthly average of 25,000 Mcf per day at 14.65 p.s.i.a. with an option of up to 75,000 Mcf per day, subject to Applicant having that amount available. The proposed rate for the extended term, shall be the weighted average price per month Applicant shall be required to pay its suppliers of gas from the Coyanosa Gasoline Plant.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12278; Filed, Oct. 14, 1969; 8:45 a.m.]

[Docket No. CP69-349]

GREAT LAKES GAS TRANSMISSION CO.

Notice of Petition To Amend

OCTOBER 6, 1969.

Take notice that on September 30, 1969, Great Lakes Gas Transmission Co. (Applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP69-349 a petition to amend the order of the Commission of September 16, 1969, to authorize Applicant to increase its sales of natural gas to Inter-City Gas, Ltd. (Inter-City) from 4,000 Mcf per day to 9,000 Mcf per day during the 1-year period commencing November 1, 1969, and terminating November 1, 1970, all as more fully set forth in the petition to

amend which is on file with the Commission and open to public inspection.

Applicant states Inter-City has informed it that it will need approximately 5,000 Mcf per day to permit Inter-City to sell gas to Reserve Mining Co. during this 1-year period.

Applicant states no new facilities are needed to make the proposed increase in sales.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12279; Filed, Oct. 14, 1969; 8:45 a.m.]

[Docket No. RI66-81]

KERR-McGEE CORP.

Order Accepting Decreased Rate Filing Subject To Refund in Existing Rate Suspension Proceeding

OCTOBER 8, 1969.

On September 8, 1969, Kerr-McGee Corp. (Kerr-McGee) tendered for filing a proposed revenue-sharing rate decrease from 11.75265 cents to 10.73066 cents, inclusive of tax reimbursement, designated as Supplement No. 21 to Kerr-McGee's FPC Gas Rate Schedule No. 12, for a sale for resale to Phillips Petroleum Co. (Phillips) in Texas Railroad District No. 10. Phillips gathers and processes the gas in its Sherman Gasoline Plant and resells the residue gas to Michigan Wisconsin Pipe Line Co. under its FPC Gas Rate Schedule No. 4 at a rate of 15.22 cents, plus tax reimbursement, which is in effect subject to refund in Docket No. RI65-256. Kerr-McGee's present effective 11.75256 cents rate is subject to refund in Docket No. RI66-81 and its last firm rate (not subject to refund) is 6.77530 cents per Mcf. The proposed decreased rate filing is set forth in Appendix "A" hereof.

Kerr-McGee requests that its proposed decreased rate filing be permitted to become effective as of August 1, 1969. Since Kerr-McGee's proposed 10.73066 cents decreased rate still amounts to an increase in rate over its last firm rate, but is a reduction in its presently effective rate, we conclude that it would be in the public interest to waive the 30-day notice requirement provided in section 4(d) of the Natural Gas Act and accept for filing Kerr-McGee's proposed rate decrease effective as of August 1, 1969, the proposed effective date, subject to refund in the existing rate suspension proceeding in Docket No. RI66-81.

The Commission finds:

Good cause exists for accepting for filing Kerr-McGee's proposed rate decrease, designated as Supplement No. 21 to Kerr-McGee's FPC Gas Rate Schedule No. 12, effective as of August 1, 1969, the proposed effective date, subject to the existing rate suspension proceeding in Docket No. RI66-81.

The Commission orders:

The proposed 10.73066 cents per Mcf decreased rate contained in Supplement No. 21 to Kerr-McGee's FPC Gas Rate Schedule No. 12 is accepted for filing and permitted to become effective as of August 1, 1969, subject to the existing rate suspension proceeding in Docket No. RI66-81.

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 decrease	Date filing tendered	Effective date	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed decreased rate	Rate in effect subject to refund in dockets Nos.
RI66-81...	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	12	21	Phillips Petroleum Co.[1] (Texas Hugoton Field, Sherman County, Tex.) (RR. District No. 10).	$613	9-8-69	[2] 8-1-69	(Accepted subject to refund)	[6] [7] 11.75265[8]	[3] [4] [6] [7] 10.73066	RI66-81.

[1] Phillips gathers and processes the gas and resells the residue gas to Michigan Wisconsin Pipe Line Co. under its FPC Gas Rate Schedule No. 4 at a rate of 15.22 cents plus applicable tax reimbursement subject to refund in Docket No. RI65-256. A rate of 16.22 cents plus applicable tax reimbursement is suspended until Jan. 1, 1970, in Docket No. RI70-28.

[2] The stated effective date is the effective date requested by Respondent.

[3] Revenue-sharing rate decrease.

[4] Pressure base is 14.65 p.s.i.a.

[5] Based on 148.157 percent of a base rate of 7.1463 cents (148.157 percent = Phillips' present 15.22-cent rate divided by Phillips' 10.2729-cent base rate, which became contractually due on Aug. 1, 1969) plus tax reimbursement.

[6] Includes 0.15655-cent tax reimbursement before decrease and 0.14293-cent tax reimbursement after decrease.

[7] Subject to downward B.t.u. adjustment and a deduction of 0.4466-cent for sour gas.

[F.R. Doc. 69-12307; Filed, Oct. 14, 1969; 8:48 a.m.]

[G 18119, etc.]

McCULLOCH OIL CORP.

Notice of Petition To Amend

OCTOBER 6, 1969.

Take notice that on August 25, 1969, McCulloch Oil Corp., 6157 West Century Boulevard, Los Angeles, Calif. 90047, filed in Dockets Nos. G-18119, G-6528, G-11161, G-19220, CI61-299, CI61-564, CI61-1184, CI61-1523, CI62-197, CI62-579, CI62-598, CI62-1491, CI64-270, CI64-271, and CI65-289, a certificate of amendment of certificate of incorporation to reflect the change in corporate name from McCulloch Oil Corporation of California to McCulloch Oil Corp., all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before October 22, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12280; Filed, Oct. 14, 1969; 8:45 a.m.]

[Docket No. CP69-353]

MISSISSIPPI VALLEY GAS CO., AND TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO INC.

Order Setting Hearing Date and Prescribing Procedure

OCTOBER 7, 1969.

Mississippi Valley Gas Co. (Mississippi), Jackson, Miss. 39207, filed on June 27, 1969, in Docket No. CP69-353, pursuant to section 7(a) of the Natural Gas Act, an application for an order directing Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Tennessee), to connect its transportation facilities with distribution facilities to be constructed by the applicant and sell and deliver natural gas to the applicant for resale in the town of Holcomb in Grenada County, Miss., and to construct measuring and

regulating facilities at the delievery point.

Mississippi proposes to construct and operate a natural gas distribution system in Holcomb at an estimated cost of $47,412 to be financed from funds on hand. Holcomb's natural gas requirements in the third year of operation are estimated at 17,340 Mcf annual and 160 Mcf maximum day, at 14.73 p.s.i.a.

Tennessee filed an answer opposing Mississippi's application on the ground that service to Mississippi "will place an undue burden upon Tennessee's ability to render adequate service to its existing customers" and "will further limit Tennessee's ability to meet the requests for incremental service from its existing customers."

Notice of Mississippi's application, setting July 31, 1969, as the final date for filing protests or petitions to intervene, was published in the FEDERAL REGISTER on July 10, 1969 (34 F.R. 11446). None was filed.

The Commission finds:

It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that a public hearing be held on the issues presented by Mississippi's application as ordered hereinafter.

The Commission orders:

(A) A public hearing on the issues presented by Mississippi's application under Docket No. CP69-353 will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., commencing at 10 a.m. on January 13, 1970.

(B) Each party shall file with the Commission and serve on all other parties and the Commission's staff the proposed evidence comprising its case-in-chief, including prepared testimony of witnesses and exhibits, as follows:

Mississippi on or before November 10, 1969;
Tennessee on or before December 8, 1969:

Mississippi shall file and serve rebuttal evidence on or before December 30, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-12303; Filed, Oct. 14, 1969; 8:47 a.m.]

[Project No. 2701]

NIAGARA MOHAWK POWER CORP.

Notice of Application for License for Constructed Project

OCTOBER 6, 1969.

Public notice is hereby given that application for license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Niagara Mohawk Power Corp. (correspondence to: Mr. Lauman Martin, Senior Vice President and General Counsel, Niagara Mohawk Power Corp., 300 Erie Boulevard West, Syracuse, N.Y. 13202) for constructed Project No. 2701, known as West Canada Creek Project, located on West Canada Creek, a tributary of the Mohawk River, in the towns of Trenton and Russia in the counties of Oneida and Herkimer, N.Y., and near the cities of Rome and Utica.

The existing project comprises:

A. Prospect development consisting of (1) a concrete overflow dam approximately 306 feet long and 52 feet high with earthfill dikes at the north and south ends (the spillway crest, which is at elevation 1,146.5, is surmounted by three 15- x 27-foot tainter gates and seven bays of stoplogs), maintaining a normal pool of 1161.5; (2) a reservoir, formed by the dam, with 880 acre-feet of storage in 5 feet of drawdown; (3) a canal, approximately 4,500 feet long, leading from the South Dike to a concrete intake structure; (4) a 13.5-foot-diameter penstock, 430 feet long, leading from the concrete intake to the powerhouse; (5) a powerhouse housing one generator rated at 17,325 kw.; (6) two 42-inch pipes in the dam to serve as intakes for future water supply for the city of Utica; and B. Trenton development consisting of (1) a concrete and masonry dam approximately 288 feet long and about 60 feet high with an overflow section (crest elevation 1,017.91) approximately 100 feet long surmounted by 6-foot hinged flashboards and a 10- x 15-foot sluice gate; (2) a concrete spillway about 160 feet long (crest elevation 1,016.24) surmounted by 7½-foot flashboards discharging into a spillway channel excavated into rock around the east abutment of the dam; (3) a reservoir, formed by the dam, having 45 acre-feet of storage in 6 feet of drawdown; (4) two water intakes, one built into the dam and consisting of eight 5-foot-diameter pipes and the second (a high level intake on the reservoir) consisting of a 10.5-foot-diameter concrete lined tunnel reducing to a 10-foot-diameter steel pipe, feeding a 7-foot-diameter steel pipeline 3,875 feet long, and a 12-foot-diameter wood stave pipeline approximately 2,730 feet long changing to a steel pipeline about 851 feet long; (5) a powerhouse containing seven generators with a total capacity of 23,600 kw.; and C. appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 24, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All pro- to the proceeding. Persons wishing to be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12281; Filed, Oct. 14, 1969; 8:45 a.m.]

[Docket No. E-7507]

NORTHERN STATES POWER CO., MINNESOTA

Notice of Application

OCTOBER 8, 1969.

Take notice that on October 1, 1969, Northern States Power Co. (Applicant) of Minneapolis, Minn., filed an application pursuant to section 203 of the Federal Power Act seeking authority to acquire certain electric distribution facilities and real estate located in the county of Minnehaha, State of South Dakota, and certain electric distribution facilities located in the county of Rock, State of Minnesota, from Interstate Power Co. (Interstate).

The facilities proposed to be acquired by Applicant for a base purchase price of $222,900, consist of all of the electric distribution facilities and real estate owned and operated by Interstate in the State of South Dakota, such facilities being located in the county of Minnehaha, and about 1 mile of primary electric distribution line just across the South Dakota eastern border in Rock County, Minn.

Applicant represents that after the acquisition there will be no change in the use of the acquired facilities.

Upon acquisition Applicant will introduce its applicable standard rates which in general are lower than the present rates of Interstate.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 24, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12309; Filed, Oct. 14, 1969; 8:48 a.m.]

[Project No. 2150]

PUGET SOUND POWER & LIGHT CO.

Notice of Application for Amendment of License for Constructed Project

OCTOBER 8, 1969.

Public notice is hereby given that application for amendment of license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Puget Sound Power & Light Co. (correspondence to: L. E. Karrer, senior vice president, Puget Sound Power & Light Co., Puget Power Building, Bellevue, Wash. 98004) for constructed Project No. 2150 known as Baker River Project, located on Baker River in Whatcom and Skagit Counties, Wash.

The Lower Baker River Development of the project was partially destroyed by a mudslide in May 1965. The application seeks approval of "as built" revised Exhibits J & K, K, L, and M to reflect in

the license the following described project rehabilitation work, and revision in the project boundary to show relocation of a new substation on land owned by the licensee, with a resultant reduction in the annual charges: (1) two generating units (Nos. 1 and 2) totaling 39,510 kilowatts would be deleted; (2) Unit No. 3 was rehabilitated to its full capacity of 57,600 kilowatts; and (3) the powerhouse was reconstructed to contain Unit No. 3 and a possible future unit (No. 4) of a size at least equal to No. 3.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 24, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12310; Filed, Oct. 14, 1969; 8:48 a.m.]

[Docket No. RP70-7]

SOUTH GEORGIA NATURAL GAS CO.

Notice of Proposed Changes in Rates and Charges

OCTOBER 8, 1969.

Take notice that South Georgia Natural Gas Co. (South Georgia) on September 30, 1969, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1,[1] to become effective on October 30, 1969. The proposed rate changes would increase charges for jurisdictional service by $1,340,475 based on sales volumes for the 12-month period ended May 31, 1969, as adjusted.

South Georgia states that the principal reasons for the proposed rate increase are (1) increases in cost of financing which gives rise to the need for a 7.75 percent return on its transmission facilities, (2) increased cost of purchased gas, (3) higher operating and maintenance expenses, (4) increased cost of materials and supplies, and (5) increases in taxes.

Copies of South Georgia's filing were served on its customers and interested State commissions.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 24, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12311; Filed, Oct. 14, 1969; 8:48 a.m.]

[1] Sixth Revised Sheet No. 11; Seventh Revised Sheet No. 9; 10th Revised Sheet No. 12B; 15th Revised Sheet No. 6; 16th Revised Sheet No. 5, to its original FPC Gas Tariff, Original Volume No. 1

[Docket No. RP69-13]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Request for Approval of Stipulation and Agreement and for Acceptance of Proposed Changes in Rates and Charges

OCTOBER 6, 1969.

Take notice that on October 3, 1969, Texas Eastern Transmission Corp. (Texas Eastern) filed a request for approval of a stipulation and agreement in Docket No. RP69-13, together with a schedule of proposed rates. The stipulation and agreement is the result of numerous conferences among Texas Eastern, the Commission's Staff and interested parties, and is designed to effectuate a reduction of the increased rates filed in this docket.

The stipulation and agreement resolves all issues in Docket No. RP69-13 and generally provides for specified reduced rates to become effective as of November 1, 1969, for rate reductions for the period of May 15, 1969 to November 1, 1969, and for contingent refunds and rate reductions.

Copies of the stipulation and agreement and the schedule of proposed rates were served on all of Texas Eastern's customers, parties of record, and interested State commissions.

Comments or objections relating to the proposed stipulation and agreement may be filed with the Federal Power Commission, Washington, D.C. 20426, on or before October 17, 1969.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 69-12282; Filed, Oct. 14, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4563]

COMMONWEALTH UNITED CORP.

Order Suspending Trading

OCTOBER 9, 1969.

The common stock, $1 par value, of Commonwealth United Corp., a California corporation, being listed and registered on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, and the Pacific Coast Stock Exchange, the 6 percent convertible subordinated debentures due 1983, being listed and registered on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange, the warrants for $1 par common stock and the $1.05 convertible preferred stock being listed and registered on the American Stock Exchange, and the Pacific Coast Stock Exchange pursuant to the provisions of the Securities Exchange Act of 1934 and all other securities of Commonwealth United Corp., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Pacific Coast Stock Exchange, and the Philadelphia-Baltimore-Washington Stock Exchange, and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 10, 1969 through October 19, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-12296; Filed, Oct. 14, 1969; 8:46 a.m.]

[File No. 24 SF-3439]

TANGER INDUSTRIES

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

OCTOBER 8, 1969.

I. Tanger Industries, incorporated in California, 1919 Doreen Avenue, South El Monte, Calif. 91733, on August 29, 1967, on April 1, 1969, filed with the Commission a notification on Form 1-A and proposed offering circular under the Commission's regulation A (adopted pursuant to the provisions of section 3(b) of the Securities Act of 1933) for an exemption from registration under that Act of an offering of 30,000 shares of $1 par value common capital stock to the public at prevailing over-the-counter market prices, for an aggregate amount not in excess of $300,000. An amended notification and offering circular were filed July 23, 1969. The offering circular, as amended, represents that issuer is a diversified holding company with subsidiaries engaging in business operations relating to precision engineering and machine work, the importation and distribution of sporting equipment, general

insurance agencies and coin-operated washers and dryers.

II. The Commission, on the basis of information reported to it by its staff, has reasonable cause to believe that:

A. The notification and offering circular, as amended, omit to state material facts necessary in order to make the statements made in the light of the circumstances under which they are made, not misleading, in that:

1. The notification identifies Mr. Berj Hagopian as an affiliate and as issuer's president, a director and principal securities holder. The offering circular, as amended, reveals his connection from 1960 to 1964 as president of Transval Electronics, but omits to state material facts with respect to Mr. Hagopian's role as the principal stockholder and executive officer of Transval, with respect to separate proceedings in the U.S. District Court for the Southern District of California, Central Division, begun in 1962, in which Transval Electronics and Berj Hagopian, respectively, were adjudicated bankrupts, and with respect to the amounts distributed to creditors in these proceedings.

2. The offering circular omits to disclose issuer's intent and negotiations to obtain a loan of $1,400,000 secured by a second encumbrance on the corporate assets.

B. The offering, if made, would be in violation of the antifraud provisions of section 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended,

It is ordered, Pursuant to Rule 261(a), subparagraphs (1) and (2) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-12297; Filed, Oct. 14, 1969; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

CANAVERAL CAPITAL CORP.

Notice of Application for Change in Ownership and Control of a Licensed Small Business Investment Company

Canaveral Capital Corp. (Canaveral), 301 Third Avenue, Brooklyn, N.Y. 11215, is a Federal Licensee under the Small Business Investment Act of 1958, as amended. Canaveral was incorporated under the laws of the State of Florida on February 22, 1962, and was licensed by the Small Business Administration (SBA) on March 21, 1962. Canaveral filed an application for authority to do business in the State of New York on July 1, 1964. On November 15, 1967, Canaveral merged with Merit Capital Corp., a New York corporation. The survivor was Merit Capital Corp., whose name was changed to Canaveral Capital Corp. on November 28, 1967. The SBA license was retained as Canaveral Capital Corp., dated March 21, 1962, a New York corporation. The company has asked SBA to approve a proposed change in its ownership and control. Such prior approval is required under section 107.701 of SBA Rules and Regulations.

Mr. Joseph Levine, president and 95.72 percent stockholder (192.6 shares) of Canaveral has agreed to sell to Santo R. Santisi, 546 Center Street, North Brunswick, N.J. 08902, a total of 96.3 shares (47.86 percent) of Canaveral's outstanding stock. The paid-in capital of Canaveral will be increased from $206,604 to $431,604 if SBA approval is granted.

It has been determined that the above transaction constitutes a change of control of Canaveral because of a voting Trust Agreement signed by all of the stockholders. Messrs. Joseph Levine and Santo R. Santisi, as trustees, will have equal power to vote the outstanding stock of Canaveral. Mr. Joseph Levine formerly had absolute control of Canaveral. If this application is approved by SBA, Messrs. Levine and Santisi will each control 50 percent of the stock and neither, acting alone, can control Canaveral.

Comments on the change of ownership and control should be addressed to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, within 10 days after the publication of this notice. SBA will decide on the application after that time.

Dated: October 6, 1969.

A. H. SINGER,
Associate Administrator for Investment.

[F.R. Doc. 69-12299; Filed, Oct. 14, 1969; 8:47 a.m.]

INVERNESS CAPITAL CORP.

Notice of Issuance of Small Business Investment Company License

On August 16, 1969, a notice of application for a license as a small business investment company was published in the FEDERAL REGISTER (34 F.R. 13347) stating that an application had been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations Governing Small Business Investment Companies (13 CFR Part 107, 33 F.R. 326) for a license as a small business investment company by Inverness Capital Corp., 345 Park Avenue, New York, N.Y. 10022.

Interested parties were given to the close of business August 26, 1969, to submit their written comments to SBA. No comments were received.

Notice is hereby given that pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information and facts with regard thereto, SBA will issue License No. 02/02-0273 to Inverness Capital Corp. to operate as a small investment company.

Dated: October 1, 1969.

ARTHUR H. SINGER,
Associate Administrator for Investment.

[F.R. Doc. 69-12298; Filed, Oct. 14, 1969; 8:46 a.m.]

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