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Title 3—THE PRESIDENT

Proclamation 3953

PARTIAL EXTENSION OF INCREASED DUTY ON IMPORTS OF CARPETS AND RUGS

By the President of the United States of America

A Proclamation

1. WHEREAS, pursuant to Section 7 of the Trade Agreements Extension Act of 1951 and in accordance with Article XIX of the General Agreement on Tariffs and Trade (61 Stat. (pt. 5) A58; 8 U.S.T. (pt. 2) 1786), the President by Proclamation No. 3454 of March 19, 1962 (76 Stat. 1452), as modified by Proclamation No. 3458 of March 27, 1962 (76 Stat. 1457), proclaimed, effective after the close of business June 17, 1962, and until the President otherwise proclaimed, an increased duty on imports of certain carpets and rugs and other floor coverings;

2. WHEREAS, after compliance with the requirements of Section 102 of the Tariff Classification Act of 1962 (76 Stat. 73), the President by Proclamation No. 3548 of August 21, 1963 (77 Stat. 1017), proclaimed, effective on and after August 31, 1963, the Tariff Schedules of the United States, which reflected, with modifications, and, in effect, superseded, Proclamation No. 3454 by providing for the increased duty on imports of such floor coverings in item 922.50 in Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States;

3. WHEREAS, pursuant to Section 351(c)(2) of the Trade Expansion Act of 1962 and in accordance with Article XIX of the General Agreement on Tariffs and Trade, the President, by Proclamation No. 3815 of October 11, 1967 (81 Stat. 1138), extended the increased rates of duty on imports of floor coverings provided for in item 922.50 in Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States to the close of December 31, 1969;

4. WHEREAS the increased duty on imports of floor coverings provided for in item 922.50 will terminate at the close of December 31, 1969, in accordance with Section 351(c)(1)(B) of the Trade Expansion Act of 1962, unless extended under Section 351(c)(2) of that Act;

5. WHEREAS, in relation to the possible extension of such increased duty, I have received and taken into account the advice from the Tariff Commission and the advice of the Secretary of Commerce and Secretary of Labor in accordance with Section 351(c)(2) of the Trade Expansion Act of 1962, recommendations of the Special Representative for Trade Negotiations in accordance with Sections 3(b), 3(j), and 5(c) of Executive Order No. 11075 of January 15, 1963 (48 CFR 1.3(b), 1.3(j), and 1.5(c)), and advice of other interested agencies of the Government; and

6. WHEREAS, pursuant to Section 351(c)(2) of the Trade Expansion Act of 1962 and in accordance with Article XIX of the General Agreement on Tariffs and Trade, I have determined that the partial extension, as herein proclaimed, of the increased duty on imports of floor coverings provided for in item 922.50 is necessary to prevent serious injury and is in the national interest.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including Section 351(c)(2) of the Trade Expansion Act of 1962, and in accordance with Article XIX of the General Agreement on Tariffs and Trade, do proclaim that the increased rate of duty on imports of floor coverings provided for in item 922.50 in Subpart A of Part 2 of the Appendix to the Tariff Schedules of the United States is extended in part, as amended below, with respect to articles entered, or withdrawn from warehouse, for consumption during the period beginning on January 1, 1970, and ending at the close of December 31, 1972, unless the President proclaims otherwise pursuant to Section 351(c) (1) or (2) of the Trade Expansion Act of 1962. The article description in item 922.50 shall read:

> "Wilton (including brussels) and velvet (including tapestry) floor coverings, and floor coverings of like character or description, provided for in item 360.46 of Part 5A of Schedule 3 all the foregoing other than imitation oriental floor coverings."

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of December in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-fourth.

Richard Nixon

[F.R. Doc. 70-216; Filed, Jan. 2, 1970; 4:00 p.m.]

Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 7898; Amdt. 39-912]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 and 400 Series Airplanes

Amendment 39-450 (32 F.R. 10641), AD 67-22-4, requires inspections and, if necessary, replacement or modification of all flap secondary transmission support bearing assemblies on British Aircraft Corp. Model BAC 1-11 200 and 400 series airplanes. Investigation of a request for extension of the inspection intervals required by this AD has shown that extensions based on service experience may be granted without adversely affecting safety. Therefore, the AD is amended to permit compliance at established inspection periods of the operator if the request for such compliance contains substantiating data to justify the increase.

Since this amendment provides a procedure by which different inspection intervals may be established for the operators concerned and thus relieves a present restriction, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-450 (32 F.R. 10641), AD 67-22-4, is amended by adding the following new paragraph at the end thereof:

(d) Upon request of the operator, and FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA Europe, Africa, and Middle East Region may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective January 11, 1970.

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

Issued in Washington, D.C., on December 22, 1969.

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

[F.R. Doc. 70-95; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 8309; Amdt. 39-911]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 and 400 Series Airplanes

Amendment 39-490 (32 F.R. 13857), AD 67-28-2, requires periodic inspection of the support bearings in the flap secondary transmission shafting for signs of corrosion or stiffness, and the replacement of corroded bearing housings with unused magnesium housings until the magnesium housings are replaced with aluminum alloy housings on British Aircraft Corp. Model BAC 1-11 200 and 400 series airplanes. Investigation of a request for extension of the inspection intervals required by this AD has shown that extensions based on service experience may be granted without adversely affecting safety. Therefore, the AD is amended to permit compliance at established inspection periods of the operator if the request for such compliance contains substantiating data to justify the increase.

Since this amendment provides a procedure by which different inspection intervals may be established for the operators concerned and thus relieves a present restriction, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-490 (32 F.R. 13857), AD 67-28-2, is amended by adding the following new paragraph at the end thereof:

(e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA Europe, Africa, and Middle East Region may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective January 11, 1970.

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

Issued in Washington, D.C., on December 22, 1969.

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

[F.R. Doc. 70-96, Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 8382; Amdt. 39-909]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 and 400 Series Airplanes

Amendment 39-477 (32 F.R. 12911), AD 67-25-2, as amended by Amendment 39-485 (32 F.R. 13269), requires the inspection of the flap drive screw jacks for freedom of movement, chipping and gouging and backlash on British Aircraft Corp. Model BAC 1-11, 200 and 400 series airplanes. Investigation of a request for extension of the inspection intervals required by this AD has shown that extensions based on service experience may be granted without adversely affecting safety. Therefore, the AD is amended to permit compliance at established inspection periods of the operator if the request for such compliance contains substantiating data to justify the increase.

Since this amendment provides a procedure by which different inspection intervals may be established for the operators concerned and thus relieves a present restriction, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-477 (32 F.R. 12911), AD 67-25-2, as amended by Amendment 39-485 (32 F.R. 13269), is further amended by adding the following new paragraph at the end thereof:

(g) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA Europe, Africa, and Middle East Region may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective January 11, 1970.

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

Issued in Washington, D.C., on December 22, 1969.

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

[F.R. Doc. 70-97; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 9279; Amdt. 39-910]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 Series Airplanes

Amendment 39-687 (33 F.R. 17895), AD 68-25-1, requires inspection of the saddle bracket assemblies for cracks or damage and replacement if necessary on British Aircraft Corp. Model BAC 1-11 200 series airplanes. Investigation of a request for extension of the inspection intervals required by this AD has shown that extensions based on service experience may be granted without adversely affecting safety. Therefore, the AD is amended to permit compliance at established inspection periods of the operator if the request for such compliance contains substantiating data to justify the increase.

Since this amendment provides a procedure by which different inspection intervals may be established for the operators concerned and thus relieves a present restriction, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-687 (33 F.R. 17895), AD 68-25-1, is amended by adding the following new paragraph at the end thereof:

(g) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA Europe, Africa, and Middle East Region may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

This amendment becomes effective January 11, 1970.

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

Issued in Washington, D.C., on December 22, 1969.

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

[F.R. Doc. 70-98; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 9932; Amdt. 39-916]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Viscount Models 744, 745D, and 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD) requiring modifications of the electrical generating system on British Aircraft Corp. Viscount Models 744, 745D, and 810 series airplanes was published in 34 F.R. 17340.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Viscount Models 744, 745D, and 810 series airplanes.

To provide immediate indication of failures in the electrical generation system, to preclude a simultaneous failure of all generators, and to ensure that emergency electrical power is supplied to certain emergency equipment necessary to continue flight to a safe landing, accomplish the following:

(a) For Models 744, 745D, and 810 series airplanes, within the next 1,000 hours' time in service after the effective date of this AD, unless already accomplished, install a busbar under the voltage warning light in accordance with British Aircraft Corp. Modification Leaflet No. D3232, dated August 1, 1969 (for Model 744 and 745D series airplanes), or No. FG2107, dated July 18, 1969 (for Model 810 series airplanes), or later ARB-approved issues or an FAA-approved equivalent.

(b) For Models 744 and 745D series airplanes, within the next 1,000 hours' time in service after the effective date of this AD, unless already accomplished—

(1) Install PVC sheathing over the generator equalizing lines in accordance with British Aircraft Corp. Bulletin for Modification No. D969, Issue 3, dated March 17, 1969, or a later ARB-approved issue or an FFA-approved equivalent; and

(2) Modify the electrical power distribution system in accordance with British Aircraft Corp. Modification Leaflet No. D3239, dated June 6, 1969, or a later ARB-approved issue or an FFA-approved equivalent to ensure that the electrical power for the following equipment is supplied from the No. 4 D.C. Emergency Bus-Bar:

(i) Pitot head heater No. 1 (port).

(ii) Flight deck lighting (i.e., instrument panels, pedestals, magnetic compass and circuit breaker panels).

(iii) D.C. and/or A.C. communication equipment for emergency communications.

(iv) Artificial horizon.

This amendment becomes effective February 5, 1970.

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

Issued in Washington, D.C. on December 23, 1969.

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

[F.R. Doc. 70-99; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 9939; Amdt. 39-915]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Viscount Models 744, 745D, and 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD) requiring an adjustment to the nose gear downlock microswitch mechanism on British Aircraft Corp. Viscount Models 744, 745D, and 810 series airplanes was published in 34 F.R. 17526.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORP. Applies to Viscount Models 744, 745D, and 810 series airplanes.

Within the next 500 landings after the effective date of this AD, unless already accomplished, adjust the nose landing gear downlock microswitch mechanism in accordance with British Aircraft Corporation Preliminary Technical Leaflet No. 262, Issue 2 (Models 744 and 745D series airplanes), or in accordance with British Aircraft Corp. Preliminary Technical Leaflet No. 125, Issue 2 (Model 810 series airplanes), or later ARB-approved issue or an FAA-approved equivalent.

This amendment becomes effective February 5, 1970.

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

Issued in Washington, D.C., on December 24, 1969.

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

[F.R. Doc. 70-100; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 10050; Amdt. 39-914]

PART 39—AIRWORTHINESS DIRECTIVES

Britten-Norman Models BN.2 and BN.2A Airplanes

There have been reports of cracks on the elevator trim tab attachment structure on Britten-Norman Models BN.2 and BN.2A airplanes. This condition could reduce the structural integrity of the trim tab structure. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive (AD) is being issued to require inspection of the elevator trailing edge member forward of the trim tab, repair or replacement of cracked members, and reinforcement of the elevator structure in the trim tab outboard hinge area on these airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITTEN-NORMAN, LTD. Applies to Britten-Norman Models BN.2 and BN.2A, airplanes.

Compliance is required within the next 50 hours' time in service, unless already accomplished.

To reduce the possibility of failure of the elevator trim tab attachment structure due to cracking, accomplish the following:

(a) Visually inspect the elevator trim tab hinge attachment structure for cracks in the angle of the elevator trailing edge member and elevator skin forward of the trim tab.

(b) If cracks are found during the inspection required by paragraph (a) which do not exceed four inches in length, repair the cracks in accordance with Britten-Norman Service Bulletin No. BN-2/SB.1, Issue 5, dated 23 June 1969, or an FAA-approved equivalent, before reinforcing the elevator structure as required by paragraph (d).

(c) If cracks are found during the inspection required by paragraph (a) which exceed four inches in length, replace the cracked member before reinforcing the elevator structure as required by paragraph (d).

(d) Reinforce the elevator structure by modifying the elevator trailing edge structure at the trim tab outboard hinge in accordance with Britten-Norman Modification Leaflet No. BN.2/NB/M/339, Issue 1, dated 23 July 1969, or an FAA-approved equivalent.

This amendment becomes effective January 11, 1970.

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

Issued in Washington, D.C., on December 24, 1969.

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

[F.R. Doc. 70-101; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 69-EA-126; Amdt. 39-900]

PART 39—AIRWORTHINESS DIRECTIVES

Canadair Aircraft

On page 17527 of the FEDERAL REGISTER for October 30, 1969, the Federal Aviation Administration published a proposed airworthiness directive which was applicable to Canadair CL-215-1A10 type airplanes.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 13697), § 39.13 of the Federal Aviation Regulations is amended hereby and the airworthiness directive adopted as published.

This amendment is effective January 6, 1970.

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

Issued in Jamaica, N.Y., December 18, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

1. Amend § 39.13 of the Federal Aviation Regulations by adding the following new airthworthiness directive:

CANADAIR. Applies to CL-215-1A10 airplanes certificated in all categories utilized in seaplane operation.

To prevent hazards associated with the loss of the chine spray strips, accomplish the following:

(a) Prior to further flight visually inspect the left and right chine spray strips P/N 215-30058-2, -3 and the bolts attaching the strips to the hull for cracks and/or deformation. These inspections are to be repeated within 25 water scoop and drop sequences or before the first flight of each day of operation, whichever occurs first. Replace cracked or deformed parts before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the installation can be performed.

(b) The inspection required by this AD constitute preventive maintenance and may be performed by persons authorized to perform preventive maintenance under FAR 43.

(c) The compliance times of the repetitive inspections may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, upon receipt of substantiating data submitted through an FAA Maintenance Inspector.

[F.R. Doc. 70-102; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 69-EA-128; Amdt. 39-901]

PART 39—AIRWORTHINESS DIRECTIVES

Eclipse Pioneer (Bendix)

On page 17526 of the FEDERAL REGISTER for October 30, 1969, the Federal Aviation Administration published a proposed airworthiness directive which would revise AD 65-21-1 applicable to Bendix starters installed on Lycoming aircraft engines.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 13697), § 39.13 of the Federal Aviation Regulations the revision to AD 65-21-1 is hereby adopted.

This amendment is effective January 6, 1970.

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

Issued in Jamaica, N.Y. on December 18, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

1. Amend § 39.13 of Part 39 of the Federal Aviation Regulations by revoking the description of AD 65-21-1 and inserting in lieu thereof the following:

Applies to BENDIX MODEL Nos. 756-9C, -9E, -10C, -16A, -21C, -21E, -22C, -22E, -54C, -56C, -56E, -62C, -62D, -64C, -64D, -74B, -76A, BENDIX-ECLIPSE 397 series and GARWIN G-760. Starters Installed on Lycoming Engines only.

Compliance required as indicated.

To prevent starter jaw ratcheting, and assure positive starter jaw disengagement from the engine, thereby preventing jaw fracturing with associated possibility of engine failure, accomplish the following:

(a) Modify engine installed starters having less than 900 hours' in service since new or since overhaul as of the effective date of this AD, in accordance with (c) or (d) prior to 1,000 hours' in service.

(b) Modify engine installed starters having 900 hours' or more time in service since new or since overhaul as of the effective date of this AD, in accordance with (c) or (d) within the next 100 hours' in service after the effective date of the AD.

(c) Unless previously accomplished, install Bendix Service Kit SK-159 per Bendix Service Bulletin Nos. 93 and 94 in those model starters listed above that have a torque rating over 250 lb./ft. The service kit incorporates modified components and rework procedure.

(d) Unless previously modified with Service Kit SK-111, install Service Kit SK-159 per Bendix S/B 93 and 94 in those model starters that have a torque rating 250 lb./ft. or lower.

[F.R. Doc. 70-103; Filed, Jan. 5, 1970; 8:46 a.m.]

[Docket No. 10039; Amdt. 39-913]

PART 39—AIRWORTHINESS DIRECTIVES

Rolls-Royce Dart 542-4, 542-10, 542-10J, and 542-10K Engines

There have been reports of fracture of engine propeller shafts and subsequent breaking of the coarse pitch propeller oil line on Rolls-Royce Dart 542-4, -10, -10J, and -10K engines. The 542-4 engines are installed on Convair 600 (240D) and 640 (340D and 440D) airplanes approved under STC SA1054WE and STC 1096WE and the 542-10, -10J, and -10K engines are installed on Nihon YS-11 airplanes. Since this condition is likely to exist or develop in other engines of the same type design, an airworthiness directive (AD) is being issued to require installation of a placard in the cockpit and initial and periodic inspections of the propeller shaft until it is determined that the shaft does not contain material inclusions.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

ROLLS-ROYCE. Applies to Rolls-Royce Dart 542-4 and Rolls-Royce Dart 542-10, 542-10J, and 542-10K engines.

Compliance is required as indicated, unless already accomplished.

To prevent cracking and subsequent failure of the engine propeller shaft and damage to the coarse pitch oil line due to material inclusions in that part of the shaft between the annulus gear support diaphragms, accomplish the following:

(a) For all airplanes with the Rolls-Royce Dart 542-4, -10, -10J, and -10K engines installed, except those having engine propeller shafts installed which have been supplied and marked, or overhauled (including ultrasonic inspections) and marked in accordance with paragraph (e) of this AD, within the next 50 hours' time in service after the effective date of this AD, install the following placard in clear view of the pilot and as close to the R.P.M. indicators as practicable:

"In the event of abnormal, short duration R.P.M. increase (500–600 R.P.M.) accompanied by a drop in TGT and torque pressure at a fixed power setting, immediately feather affected propeller per AFM feathering instructions."

(b) For engines which have been feathered in accordance with the placard in paragraph (a), overhaul the engine propeller shaft (including ultrasonic inspection) in accordance with Rolls-Royce Dart Overhaul Manual 0–Da. 10–AC to determine whether material inclusions or cracks exist in that part of the engine propeller shaft between the annulus gear support diaphragms, and whether the propeller coarse pitch oil line has been damaged. If material inclusions or cracks in the propeller shaft or damage to the propeller shaft or damage to the propeller coarse pitch oil line are found, before further flight, replace the cracked propeller shaft and damaged propeller coarse pitch oil line with an approved serviceable part.

(c) For all engines having propeller shafts with 1,200 or more hours' time in service on the effective date of this AD, within the next 450 hours' time in service and thereafter at intervals not to exceed 1,200 hours' time in service since the last inspection, inspect each engine propeller shaft (including ultrasonic inspection) in accordance with Rolls-Royce Dart Aero Engine Alert Service Bulletin No. Da 72–A367, dated September 17, 1969, or later ARB-approved issue or an FAA-approved equivalent. If material inclusions or cracks are detected during any inspection, before further flight replace the engine propeller shaft with an approved serviceable part of the same part number.

(d) For all engines having propeller shafts with less than 1,200 hours' time in service on the effective date of this AD, within a total of 1,650 hours' time in service, and thereafter at intervals not to exceed 1,200 hours' time in service since the last inspection, accomplish the inspection required in paragraph (c).

(e) For all airplanes having engines installed in which each engine propeller shaft has been supplied by Rolls-Royce with "CU" marked on the front end of the shaft, or in which each engine propeller shaft has been overhauled (including ultrasonic inspection for cracks and material inclusions) in accordance with Rolls-Royce Dart Overhaul Manual O–DA.10–AC and is identified with "CU" marked on the front end of the shaft, remove the placard required by paragraph (a) of this AD.

(f) The repetitive inspections required by paragraphs (c) and (d) may be discontinued for all aircraft having engines installed which have been supplied and marked, or overhauled (including ultrasonic inspections) and marked in accordance with paragraph (e).

This amendment becomes effective January 11, 1970.

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

Issued in Washington, D.C., on December 23, 1969.

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

[F.R. Doc. 70–104; Filed, Jan. 5, 1970; 8:46 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 69–WE–22]

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

Alteration of Federal Airway

On October 30, 1969, F.R. Doc. No. 69–12955 was published in the FEDERAL REGISTER (34 F.R. 17509) which amended F.R. Doc. No. 69–11065 (34 F.R. 14461).

In the amendment contained in F.R. Doc. No. 69–12955 reference was made to V–195 airway whereas it should have made reference to V–197 airway. Accordingly, action is taken herein to correct this typographical error.

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

In consideration of the foregoing, F.R. Doc. No. 69–12955 (34 F.R. 17509) is amended, effective immediately, as hereinafter set forth.

In V–197 "Bakersfield." is deleted and "Bakersfield, excluding the airspace more than 3 miles northeast of the centerline from Palmdale to 30 miles northwest." is substituted therefor.

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

Issued in Washington, D.C., on December 29, 1969.

LOUIS H. MCCAUGHEY,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 70–105; Filed, Jan. 5, 1970; 8:46 a.m.]

[Airspace Docket No. 69–SW–23]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airways and Jet Routes

On June 28, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9998) stating that the Federal Aviation Administration was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would alter the Federal airway and Jet Route structure in the vicinity of Vance AFB, Okla., Intensive Student Jet Training Area No. 1.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Due consideration was given to all comments received.

The Air Transport Association of America objected in particular to the proposed alignment of V–17W between Oklahoma City, Okla., and Gage, Okla., and J–20 between Liberal, Kans., and Oklahoma City, Okla., because of the increased mileage and resulting penalties to scheduled airline operations. They recommended that the direct alignment of J–20 be retained for use when the Intensive Student Jet Training was not in progress. They also recommended that the Vance AFB, T–38 training activities be incorporated fully into the common air traffic control system. No other comments were received.

The recommendation to retain the alignment of J–20 from Liberal via Gage to Oklahoma City has merit. This alignment will be retained and assigned the designator J–98. The present alignment of V–17 is retained for operations between Gage and Oklahoma City when the training area is not in use. The proposed alignment of V–17W would permit uninterrupted movement of nonparticipating aircraft between Gage and Oklahoma City when training is in progress. The agency is working toward incorporation of the T–38 training program into the common air traffic control system. The provision of Category IV air traffic control service to the T–38 training program is the final phase prior to full incorporation of the program into the system.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., March 5, 1970, as hereinafter set forth.

1. Section 71.123 (34 F.R. 4509, 7899) is amended as follows:

a. In V–12 "including a 12 AGL north alternate from Gage to Wichita via INT Gage 043°" is deleted and "including a north alternate from Gage to Wichita via INT Gage 025°" is substituted therefor.

b. In V–17 "including a 12 AGL west alternate via INT Oklahoma City 282° and Gaga 133° radials;" is deleted and "including a west alternate via INT Oklahoma City 282° and Gage 153° radials;" is substituted therefor.

c. In V–74 "12 AGL Ponca City, Okla.;" is deleted and "Ponca City, Okla., including an north alternate via INT Anthony 091° and Ponca City 327° radials;" is substituted therefor.

d. In V–210 "12 AGL Lamar." is deleted and "12 AGL Lamar; 13 miles, 79 miles, 55 MSL, Liberal, Kans.; INT Liberal 137° and Oklahoma City, Okla., 282° radials; Oklahoma City." is substituted therefor.

e. In V–280 "12 AGL Hutchinson, Kans.;" is deleted and "INT Gage 025° and Hutchinson, Kans., 234° radials; Hutchinson;" is substituted therefor.

2. Section 75.100 (34 F.R. 4856, 9616, 9985) is amended as follows:

a. In the text of J–20 "Gage, Okla.; Oklahoma City, Okla.;" is deleted and "Liberal, Kans.; INT Liberal 137° and Oklahoma City, Okla., 282° radials; Oklahoma City;" is substituted therefor.

b. In the text of J–23 "to Wichita, Kans." is deleted and "Ponca City, Okla.;

to Wichita, Kans." is substituted therefor.

c. In the text of J-26 "Wichita, Kans.;" is deleted and "Gage, Okla.; Wichita, Kans.;" is substituted therefor.

d. In the caption of J-98 "Oklahoma City, Okla.," is deleted and "Liberal, Kans.," is substituted therefor.

In the text of J-98 "From Oklahoma City, Okla.," is deleted and "From Liberal, Kans., via Gage, Okla.; Oklahoma City, Okla.;" is substituted therefor.

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

Issued in Washington, D.C., on December 18, 1969.

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

[F.R. Doc. 70-168; Filed, Jan. 5, 1970; 8:49 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 10034; Amdt. 682]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

1. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Amchitka, Alaska—Amchitka, NDB (ADF) Runway 7, Orig., 16 Sept. 1967 (established under Subpart C).
Amchitka, Alaska—Amchitka, NDB (ADF) Runway 25, Amdt. 1, 18 Apr. 1968 (established under Subpart C).
Dillingham, Alaska—Dillingham Municipal, VOR 1, Amdt. 1, 13 Aug. 1966 (established under Subpart C).
Dublin, Va.—New River Valley, VOR 2, Amdt. 1, 15 Oct. 1966 (established under Subpart C).
Jackson, Wyo.—Jackson's Hole, VOR-1, Amdt. 1, 11 June 1966 (established under Subpart C).
Lamar, Colo.—Lamar Municipal, VOR 1, Amdt. 2, 20 Aug. 1966 (established under Subpart C).
Monroeville, Ala.—Monroeville County, VOR 1, Orig., 10 Nov. 1966 (established under Subpart C).
Monroeville, Ala.—Monroeville County, VOR 2, Orig., 10 Nov. 1966 (established under Subpart C).
Natchez, Miss.—Hardy-Anders, VOR Runway 17, Amdt. 3, 27 May 1967 (established under Subpart C).

2. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.8 miles afterpassing DLG VOR.
				Climbing right turn to 2000' on DLG R 185° within 15 miles. Supplementary charting information: Runway 1, TDZ elevation, 68'.

Procedure turn E side of crs, 185° Outbnd, 005° Inbnd, 1800' within 10 miles of DLG VOR.
FAF DLG VOR. Final approach crs, 005°. Distance FAF to MAP, 2.8 miles.
Minimum altitude over DLG VOR, 600'.
MSA: 000°-090°—3600'; 090°-180°—1400'; 180°-270°—3600'; 270°-360°—4300'.
NOTE: When Dillingham FSS shut down, HF communications required below 1800'; VHF communications with King Salmon FSS above 1800'.
*When control zone not effective, except for operators with approved weather reporting service, use King Salmon altimeter setting; circling and straight-in MDA increased by 280', straight-in visibility minima increased by ¼ mile for Category C and ½ mile for Category D aircraft; alternate minima not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-1*	420	1	352	420	1	352	420	1	352	420	1	352
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	500	1	414	540	1	454	540	1¼	454	640	2	554
A	Standard.*		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Dillingham; State, Alaska; Airport name, Dillingham Municipal; Elev., 86'; Facility, DLG VOR; Procedure No. VOR Runway 1, Amdt. 2; Eff. date, 22 Jan. 70; Supp. Amdt. No. VOR 1, Amdt. 1; Dated, 13 Aug. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.9 miles after passing PSK VOR TAC.
				Make right climbing turn to heading 120° to 5100′ then proceed direct PSK VOR TAC and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 028° inbnd. Final approach R 028° intersects runway at threshold. Chart 3425′ Lookout tower 37°01′28″/ 80°44′47″.

Procedure turn E side of crs, 208° Outbnd, 028° Inbnd, 5100′ within 10 miles of PSK VORTAC.
FAF, PSK VORTAC. Final approach crs, 028°. Distance FAF to MAP, 2.9 miles.
Minimum altitude over PSK VORTAC, 4000′.
MSA: 000°–090°—5400′; 090°–180°—5000′; 180°–270°—5000′; 270°–360°—5100′.
NOTE: Use Bluefield altimeter setting.
% IFR departure procedure: Make climbing turn within 2 miles of airport to 120° heading to 5000′ before proceeding as cleared.
CAUTION: Mountainous terrain higher than airport in all quadrants.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2840	1	735	2840	1	735	2840	1½	735	2840	2	735
A	Not authorized.		T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%					

City, Dublin; State, Va.; Airport name, New River Valley; Elev., 2105′; Facility, PSK; Procedure No. VOR Runway 5, Amdt. 2; Eff. date, 22 Jan. 70; Sup. Amdt. No. VOR 2, Amdt. 1; Dated, 15 Oct. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: JAC VOR.
JAC VOR	Teton FM	Direct	11,300	Climb to 12,000′ via JAC R 012° to Signal Int and hold.*
Signal Int	JAC VOR	Direct	13,100	Supplementary charting information: *Hold N, 1 minute, right turns, 012° Inbnd. LRCO 122.1.

Procedure turn E. side of crs, 183° Outbnd, 003° Inbnd, 11,300′ within 11 miles of Teton FM.
Final approach crs, 003°.
Minimum altitude over Teton FM, 9100′.
MSA: 090°–180°—12,800′; 180°–270°—12,000′; 270°–090°—14,800′.
NOTES: (1) Final approach from holding pattern not authorized; procedure turn required. (2) VOR and fan marker equipment required.
%IFR departure procedures: Climb visually to 8000′, thence via JAC R 012° to Signal Int. Continue climb in 1-minute holding pattern right turns, 012° Inbnd to MEA/ MCA for direction of flight.
#Approach not authorized when Jackson's Hole altimeter not available.
CAUTION: High terrain all quadrants.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
C#	8000	2	1556	8000	2	1556	8000	2	1556	8000	2	1556
A	2700-3.#		T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%					

City, Jackson; State, Wyo.; Airport name, Jackson's Hole; Elev., 6444′; Facility, JAC; Procedure No. VOR-1, Amdt. 2; Eff. date, 22 Jan. 70; Sup. Amdt. No. 1; Dated, 11 Jan. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 7.3 miles after passing LAA VOR.
LAA, R 238° CW	LAA, R 349°	LAA 10-mile DME Arc LAA, R 337° lead radial.	5900	Climbing right turn to 6000′ direct to LAA VOR and hold.*
LAA, R 088° CCW	LAA, R 349°	LAA 10-mile DME Arc LAA, R 001° lead radial.	5900	Supplementary charting information: *Hold N, 1 minute, right turns, 169° Inbnd.
10-mile DME Arc	LAA VOR (NOPT)	169° crs	5100	LRCO 122.1R, 123.6R. Chart 7.3-mile DME at MAP. Runway 18, TDZ elevation, 3692′.

Procedure turn W side of crs, 349° Outbnd, 169° Inbnd, 5900′ within 10 miles of LAA VOR.
FAF, LAA VOR. Final approach crs, 169°. Distance FAF to MAP, 7.3 miles.
Minimum altitude over LAA VOR, 5100′; over LAA 169/4-mile DME, 4500′.
MSA: 000°-360°—5900′.
NOTES: (1) Use La Junta, Colo., altimeter setting. (2) Final approach from holding pattern not authorized; procedure turn required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-18	4500	1	808	4500	1¼	808	4500	1¼	808	4500	1¾	808
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	4500	1	797	4500	1¼	797	4500	1¼	797	4500	2	797
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-18	4180	1	488	4180	1	488	4180	1	488	4180	1	488
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	4180	1	477	4180	1	477	4180	1¼	477	4260	2	557
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Lamar; State, Colo.; Airport name, Lamar Municipal; Elev. 3703′; Facility, LAA; Procedure No. VOR Runway 18, Amdt. 3; Eff. date, 22 Jan. 70; Sup. Amdt. No. VOR 1, Amdt. 2; Dated, 20 Aug. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MVC VOR.
				Climbing right turn to 2000′ to MVC VOR and hold. Supplementary charting information: Hold S, 1 minute, left turns, 017° Inbnd. Final approach crs intercepts centerline 3000′ from runway threshold. LRCO 122.1R.

Procedure turn W side of crs, 197° Outbnd, 017° Inbnd, 2000′ within 10 miles of MVC VOR.
Final approach crs, 017°.
Minimum altitude over MVC VOR, 1020′.
MSA: 090°-270°—1800′; 270°-090°—1900′.
NOTE: Use NAS Whiting altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-3	1020	1	602	1020	1	602	1020	1	602	1020	1¼	602
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1020	1	602	1020	1	602	1020	1¼	602	1020	2	602
A	Not authorized		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Monroeville; State, Ala.; Airport name, Monroeville County; Elev., 418′; Facility, MVC; Procedure No. VOR Runway 3, Amdt. 1; Eff. date, 22 Jan. 70; Sup. Amdt. No. VOR 1, Orig.; Dated, 18 Nov. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MVC VOR.
				Climbing right turn to 2000′ to MVC VOR and hold. Supplementary charting information: Hold NE, 1 minute, right turns, 215° Inbnd. LRCO 122.1R. Final approach crs intercepts centerline 1000′ from threshold.

Procedure turn W side of crs, 035° Outbnd, 215° Inbnd, 2000′ within 10 miles of MVC VOR.
Final approach crs, 215°.
Minimum altitude over MVC VOR, 1040′.
MSA: 090°–270°—1800′; 270°–090°—1900′.
NOTE: Use NAS Whiting altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-21	1040	1	622	1040	1	622	1040	1	622	1040	1¼	622
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1040	1	622	1040	1	622	1040	1½	622	1040	2	622
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Monroeville; State; Ala.; Airport name, Monroeville County; Elev., 418′; Facility, MVC; Procedure No. VOR Runway 21, Amdt. 1; Eff. date, 22 Jan. 70; Sup. Amdt. No. VOR 2, Orig.; Dated, 10 Nov. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: HEZ VOR.
				Climbing right turn to 2000′ to HEZ VOR and hold. Supplementary charting information: Hold N, 1 minute, right turns, 194° Inbnd. LRCO 122.1R, 122.2R. Runway 17, TDZ elevation, 272′.

Procedure turn W side of crs, 014° Outbnd, 194° Inbnd, 1800′ within 10 miles of HEZ VOR.
Final approach crs, 194°.
MSA: 000°–270°—1800′; 270°–360°—1600′.
NOTE: Use MCB FSS altimeter setting when local altimeter not available and increase straight-in and circling MDA's 200′ all categories. Increase straight-in visibility Category C, ¼ mile, Category D, ½ mile.
*Alternate minimums not authorized except operators having approval of own weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-17	700	1	428	700	1	428	700	1	428	700	1	428
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	700	1	428	740	1	468	740	1½	468	840	2	568
A	Standard.*			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Natchez; State, Miss.; Airport name, Hardy-Anders; Elev., 272′; Facility, HEZ; Procedure No. VOR Runway 17, Amdt. 4; Eff. date, 22 Jan. 70; Sup. Amdt. No. 3; Dated, 27 May 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 10.5-mile DME Fix R 105° UBG VORTAC.
North Plains Int	UBG VORTAC (NOPT)	Direct	3100	Climbing left turn to 3600′ direct to UBG VORTAC.
10-mile DME Fix, R 204°	UBG VORTAC (NOPT)	Direct	3100	Supplementary charting information: LRCO 122.1.

Procedure turn S side of crs, 285° Outbnd, 105° Inbnd, 3600′ within 10 miles of UBG VORTAC.
Final approach crs, 105°.
Minimum altitude over UBG VORTAC, 3100′; over UBG R 105°, 5-mile DME, 2300′; over UBG R 105°, 8-mile DME, 1400′.
MSA: 000°–090°—3100′; 090°–180°—3800′; 180°–360°—4600′.
NOTE: Use Salem altimeter setting.
%Climb runway heading to 500′ then direct to UBG VORTAC before proceeding on crs. V–23 climb on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1200	1¼	1005	1200	1½	1005	1200	1¾	1005	1200	2	1005
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Aurora; State, Oreg.; Airport name, Aurora State; Elev., 195′; Facility, UBG VORTAC; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 22 Jan. 70

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.9-mile DME Fix.
R 150°, PSK VORTAC CW	R 208°, PSK VORTAC	10-mile Arc PSK, R 196° lead radial.	5100	Make right-climbing turn to heading 120° to 5100′, then proceed direct PSK VORTAC and hold.
R 260°, PSK VORTAC CCW	R 208°, PSK VORTAC	10-mile Arc PSK, R 220° lead radial.	5100	Supplementary charting information:
10-mile Arc, R 208°	3-mile DME Fix, R 208° (NOPT)	PSK R 208°/028° crs	4000	Hold SW, 1 minute, right turns, 028° Inbnd.
				Final approach R 028° intersects runway at threshold.
				Chart 3425′ lookout tower 37°01′28″ N./80°44′47″ W.
				Runway 5, TDZ elevation, 2105′.

Procedure turn E side of crs, 208° Outbnd, 028° Inbnd, 5100′ within 10 miles of PSK VORTAC.
FAF, PSK VORTAC. Final approach crs, 028°. Distance FAF to MAP, 2.9 miles.
Minimum altitude over 3-mile DME Fix, R 208°, 4000′; over PSK VORTAC, 3100′.
MSA: 000°–090°—5400′; 090°–180°—5000′; 180°–270°—5000′; 270°–360°—5100′.
NOTES: (1) Use Bluefield altimeter setting. (2) Inoperative table does not apply to REIL Runway 5.
%IFR departure procedure: Make climbing turn within 2 miles of airport to 120° heading to 5000′ before proceeding as cleared.
CAUTION: Mountainous terrain higher than airport in all quadrants.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S–5	2680	1	575	2680	1	575	2680	1	575	2680	1¼	575
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2740	1	635	2740	1	635	2740	1½	635	2780	2	675
A	Not authorized.		T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%					

City, Dublin; State, Va.; Airport name, New River Valley; Elev., 2105′; Facility, PSK; Procedure No. VOR/DME Runway 5, Amdt. Orig.; Eff. date, 22 Jan. 70

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 25-mile DME Fix.
R 249°, JAN VORTAC CW	R 326°, JAN VORTAC	15-mile Arc	2000	Climb to 2000′ to Snake DME Int and hold.
R 049°, JAN VORTAC CCW	R 326°, JAN VORTAC	15-mile Arc	2000	
15-mile Arc	23-mile DME Fix (NOPT)	R 326°, JAN	1160	Supplementary charting information:
JAN VORTAC	15-mile DME Fix (NOPT)	R 326°, JAN	2000	Hold NW, 1 minute, right turns, 146° Inbnd.
				Chart distance and minimum altitude at 23-mile DME stepdown fix.
				Runway 35, TDZ elevation, 105′.

Procedure turn not authorized. Approach crs (profile) starts at 15-mile DME Fix.
Final approach crs, 326°.
Minimum altitude over 15-mile DME Fix, 2000′; over 23-mile DME Fix, 1160′.
MSA: 090°–180°—2100′; 180°–270°—3500′; 270°–090°—1800′.
NOTE: Weather service not available. Use JAN approach altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-35	760	1	655	760	1¼	655	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	800	1	692	800	1¼	692	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Not authorized.	

City, Yazoo City; State, Miss.; Airport name, Barrier Field; Elev., 108′; Facility, JAN; Procedure No. VOR/DME Runway 35, Amdt. Orig.; Eff. date, 22 Jan. 70

3. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 8.3 miles after passing ABY VORTAC.
Bronwood Int	ABY VORTAC (NOPT)	Direct	2000	Climb to 2000′ on R 157° within 15 miles.
ABY, R 027° CCW	ABY, R 324° (NOPT)	10-mile Arc	2000	Supplementary charting information:
ABY, R 292° CW	ABY, R 324° (NOPT)	10-mile Arc	2000	TDZ elevation, 195′.
10-mile Arc	ABY VORTAC (NOPT)	R 324°	2000	

Procedure turn W side of crs, 324° Outbnd, 144° Inbnd, 2000′ within 10 miles of ABY VORTAC.
FAF, ABY VORTAC. Final approach crs, 144°. Distance FAF to MAP, 8.3 miles.
Minimum altitude over ABY VORTAC, 2000′; over 4-mile DME Fix, 780′.
MSA: 000°–270°—1600′; 270°–360°—2500′.
NOTE: ASR.
*Category D circling W of Runways 16–34 and E of Runways 4–22 centerline extended authorized at 780′ MDA.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D*		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-16	780	1	585	780	1	585	780	1	585	780	1¼	585
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	780	1	584	780	1	584	780	1½	584	920	2	724
	DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-16	660	1	465	660	1	465	660	1	465	660	1	465
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	660	1	464	660	1	464	660	1½	464	920	2	724
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Albany; State, Ga.; Airport name, Albany-Dougherty County; Elev., 196′; Facility, ABY; Procedure No. VOR Runway 16, Amdt. 16; Eff. date, 22 Jan. 70; Sup. Amdt. No. 15; Dated 10 Apr. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.2 miles after passing SSI VOR.
				Climbing right turn to 1500' direct to SSI VOR.
				Supplementary charting information: Final approach crs intercepts runway centerline 1000' from threshold. Runway 4, TDZ elevation, 16'.

Procedure turn E side of crs, 203° Outbnd, 023° Inbnd, 1500' within 10 miles of SSI VOR.
FAF, SSI VOR. Final approach crs 023°. Distance FAF to MAP, 6.2 miles.
Minimum altitude over SSI VOR, 1000'.
MSA: 090°–180°—1400'; 180°–270°—1600'; 270°–090°—1500'.
NOTE: Radar vectoring.
AIR CARRIER NOTE:
%Takeoff Runway 8 not authorized. Reduction not authorized Runways 15–33.
@Landing Runway 26 not authorized.
#Night minimum visibility 2 miles.
*Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-4#*	420	1	404	420	1	404	420	1	404	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C#@	460	1	440	480	1	460	480	1½	460	
A	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%			

City, Brunswick; State, Ga.; Airport name, Malcolm-McKinnon; Elev., 20'; Facility, SSI; Procedure No. VOR Runway 4, Amdt. 6; Eff. date, 22 Jan. 70; Sup. Amdt. No. 5; Dated, 16 May 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.8 miles after passing ELP VOR TAC.
Newman VOR	El Paso VORTAC	Direct	6500	Climbing left turn to 5500' on R 150° within 20 miles.
Rio Int	Giffen Int	R–081	5500	Supplementary charting information: Runway 26, TDZ elevation, 3956'.
Giffen Int	El Paso VORTAC (NOPT)	R–081	5000	

Procedure turn S side of crs, 081° Outbnd, 261° Inbnd, 6500' within 10 miles of ELP VORTAC.
FAF, ELP VORTAC. Final approach crs, 257°. Distance FAF to MAP, 3.8 miles.
Minimum altitude over Giffen Int., 5500'; over ELP VORTAC, 5000'.
MSA: 090°–230°—6400'; 230°–340°—8200'; 340°–090°—6800'.
NOTES: (1) ASR. (2) Inoperative table does not apply to REIL Runway 26.
%IFR westbound departure procedures when weather is below 4000–2; takeoff Runways 17, 22, and 26 climbing left turn to 120° heading. Intercept and climb via the ELP R 150° to airway MEA or as directed by ATC. Takeoffs Runways 4, 35, and 8, climbing right turn direct to ELP VORTAC continue climb via the ELP R 150° to airway MEA or as directed by ATC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-26	4280	¾	324	4280	¾	324	4280	¾	324	4280	1	324
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	4420	1	464	4460	1	504	4460	1½	504	4520	2	564
A	Standard.			T 2-eng or less—Standard.%			T over 2-eng—Standard.%					

City, El Paso; State, Tex.; Airport name, El Paso International; Elev., 3956' Facility, ELP; Procedure No. VOR Runway 26, Amdt. 22; Eff. date, 22 Jan. 70; Sup. Amdt. No. 21; Dated, 11 Dec. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 1.6 miles after passing SSI VOR.
				Climbing right turn to 1500′ direct to SSI VOR.

Procedure turn E side of crs, 203° Outbnd, 023° Inbnd, 1500′ within 10 miles of SSI VOR.
FAF, SSI VOR. Final approach crs, 035°. Distance FAF to MAP, 1.6 miles.
Minimum altitude over SSI VOR, 1000′.
MSA: 090°–180°—1400′; 180°–270°—1600′; 270°–090°—1500′.
NOTES: (1) Radar vectoring. (2) Use Brunswick FSS altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	460	1	448	480	1	468	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Not authorized.	

City, Jekyll Island; State, Ga.; Airport name, Jekyll Island; Elev., 12′; Facility, SSI; Procedure No. VOR-1, Amdt. 2; Eff. date, 22 Jan. 70; Sup. Amdt. No. 1; Dated, 16 May 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.8 miles after passing MKK VOR.
Palmtree Int	Laau Point Int (NPOT)	Direct	1900	Climbing left turn to 3000′ via MKK VOR R 030°; reverse crs and return to VOR at 4000′ and hold.
Laau Point Int	MKK VORTAC (NOPT)	Direct	1900	
MKK R 273°/LNY R 302°	Laau Point Int (NOPT)	LNY R 302°	1900	
				Supplementary charting information: Hold NE on R 056°, 1 minute, right turns, 236° Inbnd, MHA 4000′.

Procedure turn N side of crs, 251° Outbnd, 071° Inbnd, 2400′ within 10 miles of MKK VORTAC.
FAF, MKK VORTAC. Final approach crs, 069°. Distance FAF to MAP, 3.8 miles.
Minimum altitude over Laau Point Int, 1900′; over MKK VORTAC, 1900′; over MKK R 069°, 2-mile DME/LNY R 327°, 1700′.
MSA: 045°–135°—7000′; 135°–225°—5400′; 225°–045°—3400′.
NOTE: Radar vectoring.
%Runways 5, 17, and 23: Climbing left turn to 360° to 2000′; proceed as cleared. Runway 35; Climb straight ahead to 2000′ prior to turning on crs.
*Use Honolulu altimeter setting and increase MDA 200′ all categories when control zone not effective or current MKK altimeter setting not available.
#Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	1700	1¾	1246	1700	2	1246	1700	2¼	1246	1700	2½	1246
	Dual VOR or VOR/DME Minimums:											
C*	1100	1	646	1100	1	646	1100	1½	646	1380	2	926
A	1200-2½.#		T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%					

City, Kaunakakai, Molokai; State, Hawaii; Airport name, Molokai; Elev., 454′; Facility, MKK; Procedure No. VOR-1, Amdt. 3; Eff. date, 22 Jan. 70; Sup. Amdt. No. 2; Dated, 31 July 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: OTZ VOR (Tower Int, VOR/NDB)
OTZ NDB	OTZ VOR	Direct	1500	Climb to 1500′ on OTZ VOR R-079 within 15 miles. Supplementary charting information: 120′ hill 3000′ E of Runway 8. 163′ radio tower 0.9 mile N of airport.

Procedure turn S side of crs, 259° Outbnd, 079° Inbnd, 1500′ within 10 miles of OTZ VOR.
Final approach crs. 079°.
MSA: 000°–090°—3500′; 090°–180°—1400′; 180°–270°—1200′; 270°–360°—3000′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-8	480	1	470	480	1	470	480	1	470	480	1	470
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	470	480	1	470	480	1½	470	560	2	550
	VOR/NDB Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-8	400	1	390	400	1	390	400	1	390	400	1	390
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	480	1	470	480	1	470	480	1½	470	560	2	550
A	Standard.		T 2-eng. or less—200–1 Runway 8; Standard all other runways.				T over 2-eng.—200–1 Runway 8; Standard all other runways.					

City, Kotzebue; State, Alaska; Airport name, Ralph Wien Memorial; Elev., 10′; Facility, OTZ; Procedure No. VOR Runway 8, Amdt. 2; Eff. date, 22 Jan. 70; Sup. Amdt. No. 1; Dated, 28 Aug. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: PHK VORTAC.
PHK, R 009° CCW	PHK, R 342°	8-mile Arc	1500	Climb to 1500′ direct Canal Int via PHK R 169°.
PHK, R 274° CW	PHK, R 342°	8-mile Arc	1500	
Sherman Int	Cristol Int (NOPT)	R 342°	1000	Supplementary charting information:
8-mile Arc	Cristol Int (NOPT)	R 342°	1000	LRCO 122.1R. CAUTION: 185′ tower ¼ mile SSE. Runway 17, TDZ elevation, 17′.

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 1500′ within 10 miles of PHK VORTAC.
Final approach crs, 162°.
MSA: 000°–090°—1300′; 090°–180°—2100′; 180°–360°—1700′.
NOTES: (1) Use Palm Beach FSS altimeter setting. (2) Night minimums not authorized, Runways 7/25.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-17	540	1	523	540	1	523	540	1	523	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	620	1	603	620	1	603	620	1½	603	NA
A	Not authorized.		T 2-eng. or less—All runways, 300–1.				T over 2-eng.—Not authorized.			

City, Pahokee; State, Fla.; Airport name, Palm Beach County-Glades; Elev., 17′; Facility, PHK; Procedure No. VOR Runway 17, Amdt. 4; Eff. date, 22 Jan. 70; Sup. Amdt. No. 3; Dated, 9 Oct. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: SJU VORTAC.
R 304°, SJU VORTAC CW	R 094°, SJU VORTAC	10-mile Arc	1500	Turn right, climb to 1800′ on R 359° within 10 miles of SJU VORTAC. Supplementary charting information: Final approach crs to SJU VORTAC.
Isla Verde Int	4-mile DME (NOPT)	R 094°	740	

Procedure turn not authorized.
Approach crs profile starts at Isla Verde Int.
Final approach crs, 274°.
MDA over Isla Verde Int, 1500′; over 4-mile DME Fix, 740′.
MSA: 000°–090°—1200′; 090°–180°—4600′; 180°–270°—5100′; 270°–360°—1800′.
NOTES: (1) ASR. (2) Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
C	740	1	731	740	1	731	740	1½	731	740	2	731
	VOR/DME Minimums:											
C	500	1	491	500	1	491	500	1½	491	560	2	551
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9′; Facility, SJU; Procedure No. VOR-1, Amdt. 12; Eff. date, 22 Jan. 70; Sup. Amdt. No. 11; Dated, 13 Nov. 69

4. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.4 miles after passing Cascade NDB.
ERI VORTAC	Cascade NDB	Direct	2800	Climb to 3000′ direct to ERI VORTAC via ERI VORTAC R 060° and hold; or, when directed by ATC, climb to 3000′, right turn direct to Cascade NDB. Hold NE Cascade NDB, 1 minute, right turns, 240° Inbnd. Supplementary charting information: Hold SW ERI VORTAC, 1 minute, right turns, 060° Inbnd. Steel towers 9 miles E of airport 1675′; 7 miles E of airport 2170′; 5 miles SE of airport 2100′. Water tower 2500′ S of Runway 6 threshold 912′. Building 0.2 mile WSW Runway 24 threshold 788′; trees 0.1 mile NNW of Runway 6 threshold 817′; 0.2 mile NE of Runway 24 threshold 791′. Runway 24, TDZ elevation, 730′.
Hammett Int	Cascade NDB (NOPT)	300° crs 1.2 miles and NE (BC) ILS.	2000	
Wattsburg Int	Cascade NDB	Direct	3200	
Lawrence Int	Cascade NDB	Direct	3400	

Procedure turn N side of crs, 060° Outbnd, 240° Inbnd, 2800′ within 10 miles of Cascade NDB.
FAF, Cascade NDB. Final approach crs, 240°. Distance FAF to MAP, 3.4 miles.
Minimum altitude over Cascade NDB, 2000′.
MSA: 040°–130°—3200′; 130°–220°—3200′; 220°–310°—2400′; 310°–040°—2300′.
NOTES: (1) Inoperative components or visual aids table does not apply to Runway 24 for HIRL's, Category D and REIL's, all categories. (2) Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-24	1140	¾	410	1140	¾	410	1140	¾	410	1140	1	410
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1280	1	548	1320	1	588	1320	1½	588	1320	2	588
A	Standard.		T 2-eng. or less—Runway 24, Standard; Runway 6, RVR 24; 200′ ceiling and Standard visibility required Runways 2/20, 10/28.				T over 2-eng.—Runway 24, Standard; Runway 6, RVR 24′; 200′ ceiling and Standard visibility required Runways 2/20, 10/28.					

City, Erie; State, Pa.; Airport name, Erie International; Elev., 732′; Facility, I-ERI; Procedure No. LOC (BC) Runway 24, Amdt. Orig.; Eff. date, 22 Jan. 70

5. By amending § 97.25 of Subpart C to amend localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.9 miles after passing Surf Int.
Westlake Int	Snapper Int	Direct	3000	Climb to 4000′ via LOC crs and LAX R 046° to Stadium Int and hold.*
LAX VOR	Surf Int	Direct	2000	
Snapper Int	Surf Int (NOPT)	Direct	1600	Supplementary charting information: *Hold SW, 1 minute, right turns, 046° Inbnd. Chart I-OSS 1.3-mile DME at MAP. Runways 6 L/R. TDZ elevation, 115′.

Procedure turn S side of crs, 248° Outbnd, 068° Inbnd, 2000′ within 10 miles of Surf Int.
FAF, Surf Int. Final approach crs, 068°. Distance FAF to MAP, 4.9 miles.
Minimum altitude over Surf Int., 1600′.
MSA: Not authorized.
NOTES: (1) ASR/PAR. (2) DME should not be used to determine aircraft position over runway threshold or runway touchdown point. (3) Inoperative table does not apply to IIIRL Runways 6 L/R and REIL Runway 6R.
%IFR departure procedures: Northbound (280° CW through 060°) published SID's must be used or be radar vectored.
#Runways 6 L/R, 7R, RVR 50′; Runways 24 L/R, RVR 40′; Runways 25 L/R, 7L, RVR 24′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-6L	420	RVR 50	305	420	RVR 50	305	420	RVR 50	305	420	RVR 50	305
S-6R	640	RVR 50	525	640	RVR 50	525	640	RVR 50	525	680	RVR 60	565
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
A	Standard.		T 2-eng. or less—Runways 8/26, Standard.%#				T over 2-eng.—Runways 8/26, Standard; all other runways RVR 24′.%					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126′; Facility, I-OSS; Procedure No. LOC (BC) Runway 6L, Amdt. 1; Eff. date, 22 Jan. 70; Sup. Amdt. No. Orig.; Dated, 30 Oct. 69.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.7 miles after passing Surf Int.
Westlake Int	Snapper Int	Direct	3000	Climb to 4000′ via LOC crs and LAX R 046° to Stadium Int and hold.*
LAX VOR	Surf Int	Direct	2000	
Snapper Int	Surf Int (NOPT)	Direct	1600	Supplementary charting information: *Hold SW, 1 minute, right turns, 046° Inbnd. Chart I-OSS 1.5-mile DME at MAP. Runways 6 L/R, TDZ elevation, 115′.

Procedure turn S side of crs, 248° Outbnd, 068° Inbnd, 2000′ within 10 miles of Surf Int.
FAF, Surf Int. Final approach crs, 068°. Distance FAF to MAP, 4.7 miles.
Minimum altitude over Surf Int, 1600′.
MSA: Not authorized.
NOTES: (1) ASR/PAR. (2) DME should not be used to determine aircraft position over runway threshold or runway touchdown point. (3) Inoperative table does not apply to IIIRL Runways 6 L/R and REIL Runway 6R.
%IFR departure procedures: Northbound (280° CW through 060°) published SID's must be used or be radar vectored.
#Runways 6 L/R, 7R, RVR 50′; Runways 24 L/R, RVR 40′; Runways 25 L/R, 7L, RVR 24′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-6R	420	RVR 50	305	420	RVR 50	305	420	RVR 50	305	420	RVR 50	305
S-6L	640	RVR 50	525	640	RVR 50	525	640	RVR 50	525	680	RVR 60	565
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
A	Standard.		T 2-eng. or less—Runways 8/26, Standard.%#				T over 2-eng.—Runways 8/26, Standard; all other runways RVR 24′.%					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126′; Facility, I-OSS; Procedure No. LOC (BC) Runway 6R, Amdt. 1; Eff. date, 22 Jan 70; Sup. Amdt. No. Orig.; Dated, 30 Oct. 69

6. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AHT NDB.
AKW NDB	AHT NDB	Direct	1400	Climb to 3000′ on 060° bearing from AHT NDB within 15 miles.

Procedure turn S side of crs, 240° Outbnd, 060° Inbnd, 1400′ within 10 miles of AHT NDB.
Final approach crs, 060°.
MSA: 000°–270°—1500′; 270°–360°—2300′.
NOTES: (1) When facility shut down, this procedure not authorized. (2) Two-hour prior notice required for service. (3) Restricted to aircraft on official business only. Prior permission required before landing. (4) Inoperative table does not apply to HIRL or SALS Runway 7.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7	580	1	352	580	1	352	580	1	352	580	1	352
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	412	680	1	452	680	1½	452	780	2	552
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Amchitka; State, Alaska; Airport name, Amchitka; Elev., 228′; Facility, AHT NDB; Procedure No. NDB (ADF) Runway 7, Amdt. 1; Eff. date, 22 Jan. 70; Sup. Amdt. No. Orig.; Dated, 16 Sept. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AHT NDB.
AKW NDB	AHT NDB	Direct	1400	Climb to 3000′ on 260° bearing from AHT NDB within 15 miles.

Procedure turn N side of crs, 080° Outbnd, 260° Inbnd, 1400′ within 10 miles of AHT NDB.
Final approach crs, 260°.
MSA: 000°–270°—1500′; 270°–360°—2300′.
NOTES: (1) When facility shut down, this procedure not authorized. (2) Two-hour prior notice required for service. (3) Restricted to aircraft on official business only. Prior permission required before landing. (4) Inoperative table does not apply to HIRL or SALS Runway 25.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25	700	1	472	700	1	472	700	1	472	700	1	472
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	700	1	472	700	1	472	700	1½	472	780	2	552
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Amchitka; State, Alaska; Airport name, Amchitka; Elev., 228′; Facility, AHT NDB; Procedure No. NDB (ADF) Runway 25, Amdt. 2; Eff. date, 22 Jan. 70; Sup. Amdt. No. 1; Dated 18 Apr. 68

7. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	Map: MFV NDB.
				Make climbing right turn to 1500' direct to MFV NDB and hold. Supplementary charting information: Hold SW of MFV NDB, 1 minute, right turns, 028° Inbnd.

Procedure turn E side of crs, 208° Outbnd, 028° Inbnd, 1500' within 10 miles of Melfa NDB.
Final approach crs, 028°.
Minimum altitude over Melfa NDB, *640'.
MSA: 000°–090°—1600'; 090°–180°—1400'; 180°–270°—1400'; 270°–360°—1600'.
NOTES: (1) Use NASA Wallops Station altimeter setting. (2) Radar vectoring.
*When NASA Wallops Station altimeter setting not available, use Patrick Henry, Va., altimeter setting and increase circling and straight-in MDA's by 120' and increase straight-in visibility minimums by ¼ mile for Category C and Category D aircraft.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-2*	640	1	592	640	1	592	640	1	592	640	1¼	592
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	640	1	592	640	1	592	640	1½	592	640	2	592
A	Not authorized.		T 2-eng. or less—Standard.				T Over 2-eng.—Standard.					

City, Melfa; State, Va.; Airport name, Accomack County; Elev., 48'; Facility MFV; Procedure No. NDB (ADF) Runway 2, Amdt. 1; Eff. date, 22 Jan. 70; Sup. Amdt. No. Orig.; Dated, 2 Jan. 1969

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.1 miles after passing Picnic RBn/LOM.
PIE VORTAC	Picnic RBn/LOM	Direct	3000	Climb to 1700' direct to Van Dyke LOM and hold.
Lagoon Int	Snorkel Int (NOPT)	181° from AMP NDB	2600	
Snorkel Int	Picnic RBn/LOM (NOPT)	Direct	1900	Supplementary charting information:
Van Dyke LOM	Picnic RBn/LOM	Direct	3000	Van Dyke—Hold N, 1 minute, right turns, 181° Inbnd.
				210' tower, 0.5 mile W Runway 36L.
				Request Frankland RBn/LMM be published on AL chart.
				TDZ elevation, 12'.

Procedure turn E side of crs, 181° Outbnd, 001° Inbnd, 3000' within 10 miles of Picnic RBn/LOM.
FAF, Picnic RBn/LOM. Final approach crs, 001°. Distance FAF to MAP, 6.1 miles.
Minimum altitude over Snorkel Int, 2600'; over Picnic RBn/LOM, 1600'.
MSA: 000°–180°—2600'; 180°–360°—1600'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-36L	520	1	508	520	1	508	520	1	508	520	1¼	508
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	560	1	533	560	1	533	560	1½	533	580	2	553
A	Standard.		T 2-eng. or less—runway 18L, RVR 24'; Standard all other runways.				T over 2-eng.—runway 18L, RVR 24'; Standard all other runways.					

City, Tampa; State, Fla; Airport name, Tampa International; Elev., 27'; Facility, AMP; Procedure No. NDB (ADF) Runway 36L, Amdt. 6; Eff. date, 22 Jan. 70; Sup. Amdt. No. 5; Dated, 31 Oct. 68

8. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 262′; LOC 6.1 miles after passing Picnic RBn/LOM.
PIE VORTAC	Picnic RBn/LOM	Direct	3000	Climb to 1700′ direct to Van Dyke LOM and hold.
Van Dyke LOM	Picnic RBn/LOM	Direct	3000	
Lagoon Int	Snorkel Int (NOPT)	LCL crs	2600	Supplementary charting information:
Snorkel Int	Picnic RBn/LOM (NOPT)	LCL crs	1900	Hold N, 1 minute, right turns, 181° Inbnd.
				Request Frankland RBn/LMM be published on AL chart.
				210′ tower 0.5 mile W Runway 36L.
				Runway 36L, TDZ elevation, 12′.

Procedure turn E side of crs, 181° Outbnd, 001° Inbnd, 3000′ within 10 miles of Snorkel Int.
Approach crs (profile) starts at Snorkel Int. (Glide slope interception altitude, 2588′.)
FAF, Picnic RBn/LOM. Final approach crs, 001°. Distance FAF to MAP, 6.1 miles.
Minimum altitude over Snorkel Int, 2600′; over Picnic RBn/LOM.
Glide slope interception altitude, 2588′. Glide slope altitude at OM, 1886′; at MM, 225′.
Distance to runway threshold at OM, 6.1 miles; at MM, 0.5 mile.
MSA: 000°–180°—2600′; 180°–360°—1600′.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-36L	262	¾	250	262	¾	250	262	¾	250	262	¾	250
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-36L	460	¾	448	460	¾	448	460	¾	448	460	¾	448
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	560	1	533	560	1	533	560	1½	533	580	2	533
A	Standard.		T 2-eng. or less—Runway 18L, RVR 24′; Standard all other runways.				T over 2-eng.—Runway 18L, RVR 24′; Standard all other runways.					

City, Tampa; State, Fla.; Airport name, Tampa International; Elev., 27′; Facility, I-AMP; Procedure No. ILS Runway 36L, Amdt. Orig.; Eff. date, 22 Jan. 70

9. By amending § 97.31 of Subpart C to establish precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized for such airport by the Administrator. Initial approach minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at Pilot's discretion if it appears desirable to discontinue the approach. Except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
000°	360°	5 miles	1600	10 miles	1800							FAF all ASR runways 5 miles from thresholds.
												1. Radar antenna site on airport.
												2. Houston Approach Control vectors all aircraft to final approach crs 3 miles from FAF.
												TDZ elevations: Runways 21 and 30, 44′; Runway 3, 47′; Runways 12, 17, and 35, 48′.
												#RVR 24′ authorized Runway 3.

Missed approach: Climb to 2500′, right or left turn as appropriate direct to HOU VORTAC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
ASR:												
S-3	440	RVR 40	393	440	RVR 40	393	440	RVR 40	393	440	RVR 50	393
S-12	520	1	472	520	1	472	520	1	472	520	1	472
S-17	600	1	552	600	1	552	600	1	562	600	1	552
S-21	540	1	496	540	1	496	540	1	496	540	1	496
S-30	420	1	376	420	1	376	420	1	376	420	1	376
S-35	400	1	352	400	1	352	400	1	352	400	1	352
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C-3, 30, 35	480	1	432	500	1	452	500	1½	452	600	2	552
C-12	520	1	472	520	1	472	520	1½	472	600	2	552
C-21	540	1	492	540	1	492	540	1½	492	600	2	552
C-17	600	1	552	600	1	552	600	1½	552	600	2	552
A	Standard.		T 2-eng. or less—Standard.#				T over 2-eng.—Standard.#					

City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48′; Facility, Hobby Radar; Procedure No. Radar-1, Amdt. Orig.; Eff. date, 22 Jan. 70

10. By amending § 97.31 of Subpart C to amend precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by El Paso ASR minimum altitude vectoring chart.												1. Descend aircraft to MDA after FAF. ASR Runway 22, FAF 5 miles from threshold. ASR Runway 26, FAF 5 miles from threshold. 2. Missed approach point, runway threshold. Runway 22, TDZ elevation, 3943'. Runway 26, TDZ elevation, 3956'.

Missed approach: Climbing left turn to 6000' on heading 120° within 20 miles.
NOTE: Inoperative table does not apply to REIL Runway 26.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22	4320	¾	377	4320	¾	377	4320	¾	377	4320	1	377
S-26	4280	1	324	4280	1	324	4280	1	324	4280	1	324
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	4420	1	464	4460	1	504	4460	1¼	504	4500	2	544
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, El Paso; State, Tex.; Airport name, El Paso International; Elev., 3956'; Facility, ELP ASR; Procedure No. ASR-1, Amdt. 7; Eff. date, 22 Jan. 70; Sup. Amdt. No. 6; Dated, 11 Dec. 69

11. By amending § 97.31 of Subpart C to cancel precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

Houston, Tex.—William P. Hobby, Radar-1, Amdt. 16, effective 29 May 1969, canceled, effective 22 Jan. 1970.

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on December 16, 1969.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 70-1; Filed, Jan. 5, 1970; 8:45 a.m.]

[Docket No. 10051; Amdts. 121-56; 135-14]

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS OF SMALL AIRCRAFT

Emergency Mail Service

The purpose of these amendments to the Federal Aviation Regulations is to clarify the application of Parts 121 and 135 to emergency mail service conducted under the provisions of section 405(h) of the Federal Aviation Act of 1958.

Section 405(h) of the Federal Aviation Act of 1958 authorizes the Postmaster General, in the event of emergency caused by flood, fire, or other calamitous visitation, to contract for the emergency transportation of mail by aircraft to or from the localities affected by such calamity, where normal mail transportation facilities are inadequate to meet the requirements of the Postal service during the emergency. The language of that section clearly provides that operations conducted pursuant to such contracts are not "air transportation" within the purview of the Act. As a result, these operations are also excepted from the provisions of Parts 121 and 135 of the Federal Aviation Regulations that are applicable to "air transportation." However, it is not clear whether operations conducted pursuant to such contracts are also excepted from the provisions of those parts that are applicable to carriage of property other than in "air transportation." For example, the provisions of Parts 121 and 135 apply to intrastate common carriage, or interstate and intrastate contract operations conducted for compensation or hire, even though such operations do not involve "air transportation" within the purview of the Act. Since such an application of the commercial operator provisions of Parts 121 and 135 could defeat the purpose of § 405(h) of the Act, §§ 121.1 and 135.1 of those parts are hereby amended to expressly exclude emergency mail service conducted under § 405(h) of the Act.

The Post Office Department has advised the FAA that during emergency situations it must have the flexibility to exercise alternate options when operators certificated under Part 121 or 135 are not available. This amendment to the applicability of Parts 121 and 135 will provide the Post Office Department with the needed flexibility to transport the mail by aircraft during emergency situations.

Since this amendment merely clarifies existing regulations and imposes no additional burden on any person, I find that notice and public procedure hereon are unnecessary, and that good cause exists for making it effective on less than 30 days notice.

In consideration of the foregoing, Parts 121 and 135 of the Federal Aviation Regulations are amended as follows, effective January 6, 1970:

1. Section 121.1(b) is amended to read:

§ 121.1 Applicability.

* * * * *

(b) This part does not apply to operations conducted under Part 127, 133, or 135 of this chapter, or emergency mail

service conducted under § 405(h) of the Federal Aviation Act of 1958.

* * * * * *

2. Section 135.1(b) is amended by deleting subparagraph (6) and adding new subparagraphs (6) and (7) to read:

§ 135.1 Applicability.

* * * * *

(b) * * *

(6) Emergency mail service conducted under § 405(h) of the Federal Aviation Act of 1958; or

(7) Any other operations specified by the Administrator.

(Secs. 313(a) and 601 of the Federal Aviation Act of 1958; 49 CFR 1354(a) and 1421 and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on December 24, 1969.

J. H. SHAFFER,
Administrator.

[F.R. Doc. 70-106; Filed, Jan. 5, 1970; 8:46 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-603]

PART 225—TARIFFS OF CERTAIN CERTIFICATED AIRLINES; TRADE AGREEMENTS

Extension of Part for 2 Years

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of December 1969.

Frontier Airlines, Inc., in Docket 21573, filed an application requesting the extension of Part 225 for 2 years. Answers were filed by Air West, Inc.; Allegheny Airlines, Inc.; Mohawk Airlines, Inc.; North Central Airlines, Inc.; Ozark Air Lines, Inc.;[1] Piedmont Aviation, Inc.; Southern Airways, Inc.; Texas International Airlines, Inc.; and Continental Air Lines, Inc.

In support of the application, the local service carriers state that the local service industry, during the first 8 months of 1969, sustained a net loss of almost $33 million before income taxes and excluding capital gains), the most serious operating losses ever recorded for this segment of the industry. The carriers note that the Board just recently increased the trade agreement allowances by use of a station formula and extended the part because of "the present financial condition of the local service carriers and the need to reduce their dependence on subsidy."[2] The locals assert that their financial condition has worsened since that time and that the need for trade agreements to stimulate traffic is even greater. The local carriers also agree that trade agreements are especially beneficial to advertising smaller points where cash expenditures would yield marginal results. Several carriers point out that they have used their maximum trade allowance under the station formula adopted concurrently with the extension, but even the increased amount of trade agreements is only 15 to 20 percent of their total advertising budgets. Other carriers allege that they were prevented from placing the full amount of their allowance in 1969 because of the uncertainty as to whether the Board would extend Part 225, but are confident that they will be able to use the full amount in 1970.

Air West, which has the second largest allowance of trade agreements under the station formula, requests that the amount per station be increased from $4,000 to $6,000. Air West alleges that it was able to place its full amount of traded advertising with high-quality media and could have placed approximately $100,000 more in 1969. Air West suffered a deficit of over $12 million in the first 8 months of 1969, and therefore asks that, if the Board does not see fit to change the station allowance for the industry, a waiver be granted to Air West for $6,000 per station because of the extremely unusual circumstances of its financial position. Mohawk, which received only $2,000 more in trade authority under the station formula, requests that a minimum of $250,000 be allowed as an alternative to the station formula. Mohawk also requests that the Board extend Part 225 for 3 years to enable the local service carriers to more effectively plan and place advertising, especially in tourist markets.

Continental's answer renews its opposition to the increased trade allowances under the station formula and to use of trade agreements to advertise subsidy-ineligible routes. Continental asks that the Board at least expressly restrict trade agreements to subsidized routes and subsidized carriers, and undertake the review of Part 225 promised in ER-553 prior to any extension.

Although the Board stated that it would review Part 225 in the light of the experimental station formula and the expansion of routes and upgrading of equipment prior to extension, the deteriorating financial condition of the local carriers and attendant subsidy requirements persuade us that Part 225 should be extended without modification for 2 years and become effective immediately. We believe that an extension for 2 years will allow the carriers to plan effective long-range advertising programs without unduly postponing the time for Board reconsideration of the need for trade agreements in the light of changing conditions in the industry. According to the local carriers, the station formula has resulted in a greater emphasis on the smaller stations where cash promotional campaigns cannot economically be justified.

Although restriction of trade agreements to subsidy-eligible routes has some merit in theory, in the case of the local carriers it would be virtually unenforceable. The subsidy-eligible and subsidy-ineligible routes are generally so intertwined that they cannot be separated in the manner that, for example, the subsidized intra-Alaskan routes are separated from the nonsubsidized 48 States-Alaska routes of a "States-Alaska" carrier under Part 225. Implementation of such a restriction would impose a heavy administrative burden on the local carriers and the Board. Moreover, such a restriction would be of doubtful benefit to the trunkline carriers. Trade agreement advertising represents less than 25 percent of the typical local carrier's advertising budget; if trade agreements were limited to the subsidy-eligible routes, the local carriers could merely transfer the cash advertising to the competitive, subsidy-ineligible routes. Finally, Continental has not shown that unrestricted use of trade agreements by local carriers has had any significant adverse competitive impact on any trunkline carrier.

With respect to the two requests to increase the maximum trade allowance, the Board has given considerable attention to the level of trade agreements and has determined that the aggregate authority for the industry should not be increased beyond what it was prior to the recent mergers, i.e., $2,600,000.[3] We do not find that there has been a strong showing for a general increase in the maximum allowance, and we shall retain the present formula.[4]

In view of the fact that current authority to enter into and file trade agreements expires on December 18, 1969, we find that notice and public procedure on this amendment would be contrary to the public interest and that the amendment shall be effective immediately, subject to petitions for reconsideration. Such petitions and answers thereto, if any, shall be governed by § 302.37 of the procedural regulations.

Accordingly, the Board hereby amends Part 225 (14 CFR Part 225), effective December 30, 1969, as follows:

1. Amend paragraph (a) of § 225.2 to read:

§ 225.2 Filing of notice of trade agreement and cancellation of such agreement.

(a) *Notice of trade agreement.* Any airline may at any time prior to December 18, 1971, file with the Board a notice of its intention to furnish air transportation in exchange for services or goods for advertising purposes. Every such notice shall be accompanied by an executed counterpart of a written agreement, containing all the terms of the agreement between the parties thereto, duly entered into by such air carrier with the supplier and by an affidavit by the chief financial officer or other responsible officer of the airline having knowledge of the transaction in the form required by § 225.4. Every such notice shall be filed at least

[1] Ozark's pleading was styled "Application" and assigned Docket 21657, which is hereby consolidated in this proceeding for disposition.

[2] Regulation ER-553, adopted and effective Feb. 4, 1969.

[3] EDR-149 and ER-553.

[4] Air West's request for a waiver of the maximum, based on its extremely unusual financial situation, would be more appropriately presented in a separate proceeding.

14 days prior to the effective date specified in the trade agreement. Within the meaning of this part, air transportation shall be deemed to be furnished when the passenger is actually enplaned.

* * * * *

2. Amend paragraph (a) of § 225.5 to read:

§ 225.5 **Provisions of agreement.**

Each trade agreement entered into by an airline hereunder shall provide:

(a) That it shall become effective on a specified day, on or before January 1, 1972;

* * * * *

(Secs. 204(a), 403, 404, and 416 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 758, 760, 771; 49 U.S.C. 1324, 1373, 1374, 1386)

By the Civil Aeronautics Board.

Effective: December 30, 1969.

Adopted: December 30, 1969.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 70-138; Filed, Jan. 5, 1970; 8:48 a.m.]

SUBCHAPTER D—SPECIAL REGULATIONS

[Reg. SFR-35]

PART 378—INCLUSIVE TOURS BY SUPPLEMENTAL AIR CARRIER CERTAIN FOREIGN AIR CARRIERS, AND TOUR OPERATORS

Definitions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of December 1969.

Section 378.2(d) of Part 378 defines the term "tour operator" as "any person of U.S. citizenship (other than a supplemental air carrier) authorized hereunder to engage in the formation of groups for transportation on inclusive tours." It has come to the Board's attention that prospective corporate tour operators may be unaware of the statutory requirements respecting citizenship of corporations. Since tour operators are indirect air carriers, each is required to be a "citizen of the United States" by section 101(3) of the Act. The latter term is defined in section 101(13) as "(a) an individual who is a citizen of the United States or of one of its possessions, or (b) a partnership of which each member is such an individual, or (c) a corporation or association created or organized under the laws of the United States, or of any State, Territory, or possession of the United States, of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions."

In order to clarify this matter an editorial revision of the term "tour operator" is being made herein. This regulation is issued by the undersigned, pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19 and shall become effective 20 days after publication in the FEDERAL REGISTER. Procedures for review by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50–385.54).

Accordingly, the Civil Aeronautics Board hereby amends Part 378 (14 CFR Part 378), effective January 26, 1970, as follows:

1. Amend § 378.2(d) to read:

§ 378.2 **Definitions.**

* * * * *

(d) "Tour operator" means any citizen of the United States, as defined in section 101(13) of the Federal Aviation Act, 49 U.S.C. 1301(13) (other than a supplemental air carrier), authorized hereunder to engage in the formation of groups for transportation on inclusive tours.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

Effective January 26, 1970.

Adopted December 30, 1969.

[SEAL] JOSEPH B. GOLDMAN,
General Counsel.

[F.R. Doc. 70-139; Filed, Jan. 5, 1970; 8:48 a.m.]

[Reg. SPR-36]

PART 378a—BULK INCLUSIVE TOURS BY TOUR OPERATORS

Definitions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 30th day of December 1969.

Section 378a.2(d) of Part 378a defines the term "tour operator" as "any person of U.S. citizenship (other than a direct air carrier) authorized hereunder to engage in the formation of groups for transportation on bulk inclusive tours." It has come to the Board's attention that prospective corporate tour operators may be unaware of the statutory requirements respecting citizenship of corporations. Since tour operators are indirect air carriers, each is required to be a "citizen of the United States" by section 101(3) of the Act. The latter term is defined in section 101(13) as "(a) an individual who is a citizen of the United States or of one of its possessions, or (b) a partnership of which each member is such an individual, or (c) a corporation or association created or organized under the laws of the United States, or of any State, Territory, or possession of the United States, of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions."

In order to clarify this matter an editorial revision of the term "tour operator" is being made herein. This regulation is issued by the undersigned, pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19 and shall become effective 20 days after publication in the FEDERAL REGISTER. Procedures for review by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50–385.54).

Accordingly, the Civil Aeronautics Board hereby amends Part 378A (14 CFR Part 378A) effective January 26, 1970, as follows:

1. Amend § 378a.2(d) to read:

§ 378a.2 **Definitions.**

* * * * *

(d) "Tour operator" means any citizen of the United States, as defined in section 101(13) of the Federal Aviation Act, 49 U.S.C. 1301(13) (other than a direct air carrier) authorized hereunder to engage in the formation of groups for transportation on bulk inclusive tours.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

Effective: January 26, 1970.

Adopted: December 30, 1969.

[SEAL] JOSEPH B. GOLDMAN,
General Counsel.

[F.R. Doc. 70-140; Filed, Jan. 5, 1970; 8:48 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

[Oil Import Reg. 1 (Rev. 5) Amdt. 19]

Chapter X—Oil Import Administration, Department of the Interior

OI REG. 1—OIL IMPORT REGULATION

Appeals

Paragraphs (b) and (d) of section 21 "Appeals" have been revised to make it clear that the jurisdiction of the Oil Import Appeals Board is confined to the instances specified in paragraph (b) of section 21 of Oil Import Regulation 1, Revision 5, as amended, and that the Board is not authorized to waive any of the provisions of this regulation.

Section 21 of Oil Import Regulation 1 (Revision 5) (31 F.R. 7745) is amended to read as follows:

Sec. 21 Appeals.

(a) There is in the Department of the Interior, an Oil Import Appeals Board, comprised of a representative each from the Departments of the Interior, Defense, and Commerce, designated, respectively, by the Secretaries of such Departments. The Board shall elect a Chairman from its own membership.

(b) The Appeals Board shall consider petitions by persons affected by this regulation that fall within the limits of the jurisdiction specified in this paragraph

and may, within the limits of the maximum levels of imports established in section 2 of Proclamation 3279, as amended:

(1) Modify any allocation made to any person under this regulation on the grounds of exceptional hardship or error;

(2) Grant allocations of crude oil and unfinished oils in special circumstances to persons with importing histories who do not qualify for the allocations under this regulation;

(3) Grant allocations of finished products on the grounds of exceptional hardship to persons who do not qualify for allocations under this regulation; and

(4) Review the revocation or suspension of any allocation or license.

(c) (1) Except as provided in subparagraphs (2) and (3) of this paragraph, the modification or grant of an allocation by the Appeals Board shall become effective in the allocation period, as provided in section 3 of this regulation, which succeeds the allocation period during which the Board's decision is made and no decision of the Appeals Board shall become effective unless it is made and the Administrator is notified more than 30 calendar days before the beginning of an allocation period.

(2) An allocation granted pursuant to clause (2) or (3) of paragraph (b) of this section to a person who has become ineligible because of total loss of refinery capacity, petrochemical plant, or deepwater terminal facilities may be made effective within the allocation period during which the Appeal Board's decision is made.

(3) The Board may make effective in a current allocation period a grant or a modification of an allocation of imports when a quantity of such imports has been made available for such purpose by the Secretary.

(d) The Appeals Board may adopt, promulgate, and publish such rules and procedures as it deems appropriate for the conduct of its business. The decisions of the Appeals Board on petitions, if within the jurisdiction conferred upon it by paragraph (b), shall be final.

HOLLIS M. DOLE,
Acting Secretary of the Interior.

DECEMBER 31, 1969.

[F.R. Doc. 70-170; Filed, Jan. 2, 1970; 12:45 p.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Erie National Wildlife Refuge, Pa.

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

§ 28.7 Special regulations: Operation of vehicles.

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Snowmobiles may be operated on Erie National Wildlife Refuge in the area designated by posting.

The operation of snowmobiles shall be subject to the following special conditions:

(1) Use restricted to the period December 25 through March 15, between the hours of sunrise and 10 p.m. e.s.t., and only when there is at least 4 inches of snow cover on the area set aside for snowmobile use.

(2) All snowmobiles using the designated refuge area shall be equipped with noise control devices which have a manufacturer's rating of not more than 70 decibels on the A scale, as measured at 50 feet on a snow-packed course with the vehicle operating at a speed of at least 10 miles an hour.

(3) Operated only in such manner and at such a speed that no persons or property will be endangered.

(4) Parking will be limited to areas designated by signs for this purpose.

(5) Snowmobiles will not be left on the refuge overnight.

(6) All persons must be in a snowmobile or in a trail vehicle that is fixed to the snowmobile by a rigid tongue.

(7) No firearms or archery equipment are to be carried on snowmobiles.

(8) No form of wildlife may be chased or harried by snowmobiles.

The refuge area, comprising 4,961 acres, is delineated on maps available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1970.

RICHARD E. GRIFFITH,
Regional Director, Bureau of Sport Fisheries & Wildlife.

DECEMBER 24, 1969.

[F.R. Doc. 70-128; Filed, Jan. 5, 1970; 8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, the introductory portion in paragraph (e) is amended by adding thereto the name of the State of Iowa, and paragraph (e) (15) is added to read:

(15) *Iowa.* The adjacent portions of Kossuth, Palo Alto, Pocahontas, and Humboldt Counties bounded by a line beginning at the junction of U.S. Highway 169 and County Trunk Road B 14; thence, following U.S. Highway 169 in a southerly direction to State Highway 222; thence, following State Highway 222 in a westerly direction to State Highway 44; thence, following State Highway 44 in a westerly direction to County Trunk Road C15; thence, following County Trunk Road C15 in a westerly direction to State Highway 17; thence, following State Highway 17 in a northerly direction to County Trunk Road N 40; thence, following County Trunk Road N 40 in a northerly direction to County Trunk Road B 14; thence, following County Trunk Road B 14 in an easterly direction to U.S. Highway 169.

2. In § 76.2, paragraph (e) (8) relating to the State of North Carolina is amended to read:

North Carolina. (i) Duplin, Gates, Johnston, and Pitt Counties; (ii) that portion of Cumberland County bounded by a line beginning at the junction of U.S. Interstate Highway 95 and State Secondary Road 1835; thence, following State Secondary Road 1835 in a southerly direction to State Highway 24; thence, following State Highway 24 in a northwesterly direction to Cape Fear River; thence, following the eastern bank of Cape Fear River in a northerly direction to U.S. Interstate Highway 95; thence following U.S. Interstate Highway 95 in a northeasterly direction to its junction with State Secondary Road 1835; (iii) the adjacent portions of Edgecombe and Halifax Counties bounded by a line beginning at the junction of State Secondary Road 1418 and Fishing Creek; thence, following State Secondary Road 1418 in a southerly direction to State Highway 44; thence, following State Highway 44 in a southerly direction to State Highway 97; thence, following State Highway 97 in a northeasterly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a northeasterly direction to State Secondary Road 1103; thence, following State Secondary Road 1103 in a northwesterly direction to State Secondary Road 1003; thence, following State Secondary Road 1003 in a southwesterly direction to

State Secondary Road 1109; thence, following State Secondary Road 1109 in a southerly direction to the junction of State Secondary Road 1418 and Fishing Creek; (iv) the adjacent portions of Wayne and Lenoir Counties bounded by a line beginning at the junction of the Atlantic and East Carolina Railroad and the Lenoir County line; thence, following the Atlantic and East Carolina Railroad in a northwesterly direction to State Secondary Road 1713; thence, following State Secondary Road 1713 in a southwesterly direction to State Highway 111; thence, following State Highway 111 in a southerly direction to the Neuse River; thence, following the northern bank of the Neuse River in an easterly direction to State Secondary Road 1002; thence, following State Secondary Road 1002 in a northerly direction to the Atlantic and East Carolina Railroad; thence, following the Atlantic and East Carolina Railroad in a northwesterly direction to the Lenoir County line; and (v) that portion of Wilson County lying south of the Nash County line, east of State Highway 581, north of State Highway 42 and west of State Highway 58.

3. In § 76.2, paragraph (e) (11) relating to Texas is amended by adding thereto the name of Nueces County.

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

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

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

The amendments also exclude portions of certain counties in North Carolina from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to such excluded areas. However, the restrictions pertaining to such movement from nonquarantined areas contained in said Part 76 will apply thereto.

Insofar as the amendments relieve certain restrictions presently imposed, they must be made effective immediately to be of maximum benefit to affected persons. Insofar as the amendments impose restrictions, they should be made effective without delay in order to protect the livestock of the United States. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 30th day of December 1969.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70–149; Filed, Jan. 5, 1970; 8:49 a.m.]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respect:

In § 76.2 paragraph (e) (1) relating to the State of Indiana is amended to read:

Indiana. That portion of Montgomery County bounded by a line beginning at the junction of County Roads 600S and 450W; thence, following County Road 450W in a southerly direction to County Road 700S; thence, following County Road 700S in a westerly direction to County Road 475W; thence, following County Road 475W in a southerly direction to State Highway 234; thence, following State Highway 234 in a westerly direction to County Road 500W; thence, following County Road 500W in a southerly direction to County Road 900S; thence, following County Road 900S in an easterly direction to County Road 475W; thence, following County Road 475W in a southerly direction to the southern boundary of Montgomery County; thence, following the southern boundary in an easterly direction to County Road 375E; thence, following County Road 375E in a northerly direction to County Road 1100S, thence, following County Road 1100S in a northwesterly direction to County Road 350E; thence, following County Road 350E in a northerly direction to County Road 750S; thence, following County Road 750S in a westerly direction to County Road 325E; thence, following County Road 325E in a northerly direction to County Road 600S; thence, following County Road 600S in a westerly direction to County Road 450W.

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

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

The amendment excludes certain areas in Montgomery County, Ind., from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to such excluded areas. However, the restrictions pertaining to such movement from nonquarantined areas contained in said Part 76 will apply thereto.

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

Done at Washington, D.C., this 24th day of December 1969.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70–150; Filed, Jan. 5, 1970; 8:49 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 550—PAY ADMINISTRATION (GENERAL)

Specific Exceptions

In F.R. Doc. 69–1465 appearing in the FEDERAL REGISTER of December 10, 1969 on page 19496 paragraph (q) was added to section 550.505. Paragraph (q) should have appeared as paragraph (s) as set out below.

§ 550.505 Specific exceptions.

* * * * *

(s) Pay for services of five teachers with the Department of Vocational Education, District of Columbia Public Schools, as instructors in District of Columbia Project D.C. D–15.

(5 U.S.C. 5533)

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

[F.R. Doc. 70–121; Filed, Jan. 5, 1970; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER C—REGULATIONS AND STANDARDS UNDER THE AGRICULTURAL MARKETING ACT OF 1946

PART 54—GRADING AND INSPECTION OF DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF; AND U.S. SPECIFICATIONS FOR CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

PART 55—GRADING AND INSPECTION OF EGG PRODUCTS

PART 56—GRADING OF SHELL EGGS AND U.S. STANDARDS, GRADES, AND WEIGHT CLASSES FOR SHELL EGGS

PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF; AND U.S. CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

Miscellaneous Amendments

Correction

In F.R. Doc. 69-15407 appearing at page 20383 in the issue of Wednesday, December 31, 1969, the phrase "$14 to $18 per day" appearing in the seventh line of the first new paragraph in the second column should read "$14 to $8 per day".

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR BARLEY CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, the following counties have been designated for barley crop insurance for the 1971 crop year.

ARIZONA

Maricopa.
Pinal.
Yuma.

CALIFORNIA

Modoc.

COLORADO

Boulder.
Larimer.
Logan.
Morgan.
Sedgwick.
Washington.
Weld.

IDAHO

Ada.
Bannock.
Benewah.
Bingham.
Bonneville.
Camas.
Canyon.
Caribou.
Cassia.
Franklin.
Fremont.
Gooding.
Idaho.
Jefferson.
Jerome.
Kootenai.
Latah.
Lewis.
Lincoln.
Madison.
Minidoka.
Nez Perce.
Oneida.
Owyhee.
Power.
Teton.
Twin Falls.

MARYLAND

Caroline.
Kent.
Queen Annes.

MINNESOTA

Becker.
Chippewa.
Clay.
Grant.
Kittson.
Mahnomen.
Marshall.
Norman.
Otter Tail.
Pennington.
Polk.
Pope.
Red Lake.
Roseau.
Stevens.
Swift.
Traverse.
Wilkins.

MONTANA

Big Horn.
Blaine.
Carbon.
Cascade.
Chouteau.
Daniels.
Fallon.
Fergus.
Glacier.
Golden Valley.
Hill.
Judith Basin.
Liberty.
Musselshell.
Phillips.
Pondera.
Prairie.
Richland.
Roosevelt.
Rosebud.
Sheridan.
Stillwater.
Teton.
Toole.
Valley.
Wheatland.
Yellowstone.

NORTH DAKOTA

Barnes.
Benson.
Bottineau.
Burke.
Burleigh.
Cass.
Cavalier.
Dickey.
Divide.
Dunn.
Eddy.
Emmons.
Foster.
Golden Valley.
Grand Forks.
Grant.
Griggs.
Hettinger.
Kidder.
La Moure.
Logan.
McHenry.
McKenzie.
McLean.
Mercer.
Mountrail.
Nelson.
Oliver.
Pembina.
Pierce.
Ramsey.
Ransom.
Renville.
Richland.
Rolette.
Sargent.
Sheridan.
Stark.
Steele.
Stutsman.
Towner.
Traill.
Walsh.
Ward.
Wells.
Williams.

OREGON

Gilliam.
Jefferson.
Klamath.
Linn.
Malheur.
Morrow.
Sherman.
Umatilla.
Union.
Wallowa.
Wasco.
Wheeler.

PENNSYLVANIA

Adams.
Chester.
Cumberland.
Dauphin.
Franklin.
Lebanon.
York.

SOUTH DAKOTA

Beadle.
Brookings.
Brown.
Clark.
Codington.
Day.
Deuel.
Edmunds.
Faulk.
Grant.
Hamlin.
Kingsbury.
McPherson.
Marshall.
Miner.
Roberts.
Spink.

UTAH

Cache.
Davis.
Salt Lake.
Utah.
Weber.

WASHINGTON

Adams.
Asotin.
Benton.
Columbia.
Douglas.
Franklin.
Garfield.
Grant.
Klickitat.
Lincoln.
Spokane.
Walla Walla.
Whitman.
Yakima.

WYOMING

Big Horn.
Goshen.
Park.
Washakie.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] RICHARD H. ASLAKSON,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 70-154; Filed, Jan. 5, 1970; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR WHEAT CROP INSURANCE

Pursuant to authority contained in § 401.101 of the above-identified regulations, the following counties have been designated for wheat crop insurance for the 1971 crop year.

ARKANSAS

Chicot.
Clay.
Craighead.
Crittenden.
Cross.
Desha.
Greene.
Jackson.
Mississippi.
Phillips.
Poinsett.
St. Francis.

CALIFORNIA

Modoc.

COLORADO

Adams.
Arapahoe.
Boulder.
Cheyenne.
Elbert.
Kit Carson.
Larimer.
Lincoln.
Logan.
Morgan.
Phillips.
Sedgwick.
Washington.
Weld.
Yuma.

IDAHO

Ada.
Bannock.
Benewah.
Bingham.
Bonneville.
Camas.
Canyon.
Caribou.
Cassia.
Franklin.
Fremont.
Gooding.
Idaho.
Jefferson.
Jerome.
Kootenai.
Latah.
Lewis.
Lincoln.
Madison.
Minidoka.
Nez Perce.

IDAHO—Continued

Oneida.
Owyhee.
Power.
Teton.
Twin Falls.

ILLINOIS

Adams.
Bond.
Brown.
Cass.
Champaign.
Christian.
Clark.
Clinton.
Coles.
Crawford.
Cumberland.
De Witt.
Douglas.
Edgar.
Effingham.
Fayette.
Fulton.
Greene.
Hancock.
Iroquois.
Jasper.
Jefferson.
Jersey.
Kankakee.
Logan.
McDonough.
McLean.
Macon.
Macoupin.
Madison.
Mason.
Menard.
Monroe.
Montgomery.
Morgan.
Moultrie.
Piatt.
Pike.
St. Clair.
Sangamon.
Schuyler.
Scott.
Shelby.
Tazewell.
Vermilion.
Washington.
Wayne.

INDIANA

Adams.
Allen.
Bartholomew.
Benton.
Blackford.
Boone.
Carroll.
Cass.
Clay.
Clinton.
Decatur.
De Kalb.
Delaware.
Elkhart.
Fayette.
Fountain.
Fulton.
Gibson.
Grant.
Hamilton.
Hancock.
Hendricks.
Henry.
Howard.
Huntington.
Jackson.
Jasper.
Jay.
Johnson.
Knox.
Kosciusko.
Lagrange.
Madison.
Marion.
Marshall.
Miami.
Montgomery.
Morgan.
Newton.
Noble.
Parke.
Pulaski.
Putnam.
Randolph.
Ripley.
Rush.
Shelby.
Sullivan.
Tippecanoe.
Tipton.
Union.
Vermillion.
Vigo.
Wabash.
Warren.
Wayne.
Wells.
White.
Whitley.

KANSAS

Allen.
Anderson.
Atchison.
Barber.
Barton.
Bourbon.
Brown.
Butler.
Chase.
Chautauqua.
Cherokee.
Cheyenne.
Clark.
Clay.
Cloud.
Coffey.
Comanche.
Cowley.
Crawford.
Decatur.
Dickinson.
Doniphan.
Douglas.
Edwards.
Elk.
Ellis.
Ellsworth.
Finney.
Ford.
Franklin.
Geary.
Gove.
Graham.
Grant.
Gray.
Greeley.
Greenwood.
Hamilton.
Harper.
Harvey.
Haskell.
Hodgeman.
Jackson.
Jefferson.
Jewell.
Johnson.
Kearny.
Kingman.
Kiowa.
Labette.

KANSAS—Continued

Lane.
Lincoln.
Linn.
Logan.
Lyon.
McPherson.
Marion.
Marshall.
Meade.
Miami.
Mitchell.
Montgomery.
Morris.
Nemaha.
Neosho.
Ness.
Norton.
Osage.
Osborne.
Ottawa.
Pawnee.
Phillips.
Pottawatomie.
Pratt.
Rawlins.
Reno.
Republic.
Rice.
Riley.
Rooks.
Rush.
Russell.
Saline.
Scott.
Sedgwick.
Seward.
Shawnee.
Sheridan.
Sherman.
Smith.
Stafford.
Stanton.
Stevens.
Sumner.
Thomas.
Trego.
Wabaunsee.
Wallace.
Washington.
Wichita.
Wilson.
Woodson.

KENTUCKY

Christian.

MARYLAND

Caroline.
Kent.
Queen Annes.

MICHIGAN

Bay.
Branch.
Calhoun.
Cass.
Clinton.
Eaton.
Gratiot.
Hillsdale.
Huron.
Ingham.
Ionia.
Jackson.
Kalamazoo.
Lenawee.
Livingston.
Monroe.
Saginaw.
St. Clair.
St. Joseph.
Sanilac.
Shiawassee.
Tuscola.
Washtenaw.

MINNESOTA

Becker.
Big Stone.
Blue Earth.
Chippewa.
Clay.
Dakota.
Douglas.
Faribault.
Freeborn.
Grant.
Kandiyohi.
Kittson.
Lac Qui Parle.
Le Sueur.
Mahnoman.
Marshall.
Norman.
Otter Tail.
Pennington.
Polk.
Red Lake.
Red Wood.
Renville.
Roseau.
Stevens.
Swift.
Traverse.
Waseca.
Wilkin.
Yellow Medicine.

MISSISSIPPI

Bolivar.
Coahoma.
De Soto.
Humphreys.
Issaquena.
Quitman.
Sharkey.
Sunflower.
Tallahatchie.
Tunica.
Washington.
Yazoo.

MISSOURI

Adair.
Andrew.
Audrain.
Barton.
Bates.
Boone.
Buchanan.
Butler.
Caldwell.
Callaway.
Cape Girardeau.
Carroll.
Cass.
Chariton.
Clark.
Clinton.
Cooper.
Dade.
Daviess.
De Kalb.
Dunklin.
Franklin.
Gentry.
Grundy.
Harrison.
Henry.
Holt.
Howard.

MISSOURI—Continued

Jackson.
Jasper.
Johnson.
Knox.
Lafayette.
Lawrence.
Lewis.
Lincoln.
Linn.
Livingston.
Macon.
Marion.
Mississippi.
Monroe.
Montgomery.
New Madrid.
Nodaway.
Pemiscot.
Pettis.
Pike.
Platte.
Ralls.
Randolph.
Ray.
St. Charles.
Saline.
Scotland.
Scott.
Shelby.
Stoddard.
Sullivan.
Vernon.

MONTANA

Blaine.
Big Horn.
Carbon.
Cascade.
Chouteau.
Custer.
Daniels.
Dawson.
Fallon.
Fergus.
Glacier.
Golden Valley.
Hill.
Judith Basin.
Liberty.
McCone.
Musselshell.
Petroleum.
Phillips.
Pondera.
Prairie.
Richland.
Roosevelt.
Rosebud.
Sheridan.
Stillwater.
Teton.
Toole.
Treasure.
Valley.
Wheatland.
Wibaux.
Yellowstone.

NEBRASKA

Adams.
Banner.
Box Butte.
Butler.
Cass.
Chase.
Cheyenne.
Clay.
Dawes.
Deuel.
Dodge.
Fillmore.
Franklin.
Frontier.
Furnas.
Gage.
Garden.
Gosper.
Hall.
Hamilton.
Harlan.
Hayes.
Hitchcock.
Jefferson.
Johnson.
Kearney.
Keith.
Kimball.
Lancaster.
Lincoln.
Merrick.
Morrill.
Nance.
Nemaha.
Nuckolls.
Otoe.
Pawnee.
Perkins.
Phelps.
Polk.
Red Willow.
Richardson.
Saline.
Saunders.
Scotts Bluff.
Seward.
Sheridan.
Thayer.
Washington.
Webster.
York.

NEW MEXICO

Curry.

NORTH DAKOTA

Adams.
Barnes.
Benson.
Bottineau.
Bowman.
Burke.
Burleigh.
Cass.
Cavalier.
Dickey.
Divide.
Dunn.
Eddy.
Emmons.
Foster.
Golden Valley.
Grand Forks.
Grant.
Griggs.
Hettinger.
Kidder.
La Moure.
Logan.
McHenry.
McIntosh.
McKenzie.
McLean.
Mercer.
Morton.
Mountrail.
Nelson.
Oliver.
Pembina.
Pierce.
Ramsey.
Ransom.
Renville.
Richland.

NORTH DAKOTA—Continued

Rolette.
Sargent.
Sheridan.
Sioux.
Slope.
Stark.
Steele.
Stutsman.
Towner.
Traill.
Walsh.
Ward.
Wells.
Williams.

OHIO

Allen.
Ashland.
Auglaize.
Butler.
Champaign.
Clark.
Clinton.
Crawford.
Darke.
Defiance.
Delaware.
Erie.
Fairfield.
Fayette.
Franklin.
Fulton.
Greene.
Hancock.
Hardin.
Henry.
Highland.
Huron.
Knox.
Licking.
Logan.
Lucas.
Madison.
Marion.
Medina.
Mercer.
Miami.
Montgomery.
Morrow.
Ottawa.
Paulding.
Pickaway.
Preble.
Putnam.
Richland.
Sandusky.
Seneca.
Shelby.
Union.
Van Wert.
Wayne.
Williams.
Wood.
Wyandot.

OKLAHOMA

Alfalfa.
Beaver.
Beckham.
Blaine.
Caddo.
Canadian.
Comanche.
Cotton.
Craig.
Custer.
Delaware.
Dewey.
Ellis.
Garfield.
Grady.
Grant.
Greer.
Harmon.
Harper.
Jackson.
Kay.
Kingfisher.
Kiowa.
Logan.
Major.
Mayes.
Noble.
Nowata.
Osage.
Ottawa.
Pawnee.
Payne.
Texas.
Tillman.
Washington.
Washita.
Woods.
Woodward.

OREGON

Baker.
Gilliam.
Jefferson.
Klamath.
Linn.
Malheur.
Morrow.
Sherman.
Umatilla.
Union.
Wallowa.
Wasco.
Wheeler.

PENNSYLVANIA

Adams.
Chester.
Cumberland.
Dauphin.
Franklin.
Lancaster.
Lebanon.
Perry.
York.

SOUTH DAKOTA

Aurora.
Beadle.
Bennett.
Bon Homme.
Brown.
Campbell.
Clark.
Codington.
Corson.
Day.
Deuel.
Dewey.
Douglas.
Edmunds.

SOUTH DAKOTA—Continued

Faulk.
Grant.
Haakon.
Hamlin.
Hand.
Hughes.
Hutchinson.
Hyde.
Jones.
Kingsbury.
Lyman.
McPherson.
Marshall.
Mellette.
Miner.
Perkins.
Potter.
Roberts.
Spink.
Stanley.
Sully.
Tripp.
Walworth.

TENNESSEE

Dyer.
Lake.
Lauderdale.
Obion.
Robertson.

TEXAS

Baylor.
Carson.
Castro.
Collin.
Cooke.
Dallam.
Deaf Smith.
Denton.
Fannin.
Floyd.
Foard.
Gray.
Grayson.
Hale.
Hansford.
Hartley.
Hutchinson.
Jones.
Knox.
Lipscomb.
Moore.
Ochiltree.
Oldham.
Parmer.
Randall.
Sherman.
Swisher.
Wilbarger.

UTAH

Box Elder.
Cache.
Davis.
Salte Lake.
Utah.
Weber.

WASHINGTON

Adams.
Asotin.
Benton.
Columbia.
Douglas.
Franklin.
Garfield.
Grant.
Klickitat.
Lincoln.
Okanogan.
Spokane.
Walla Walla.
Whitman.
Yakima.

WYOMING

Goshen.
Laramie.
Platte.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] RICHARD H. ASALKSON,
Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 70-155; Filed, Jan. 5, 1970; 8:49 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 14]

PART 722—COTTON

Subpart—Acreage Allotments for 1968 and Succeeding Crops of Upland Cotton

DATES FOR RELEASE, REAPPORTIONMENT, AND WITHDRAWAL FROM EXPORT PROGRAM

This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.). Included in this amendment are the following:

1. The closing dates for release and reapportionment of farm allotments in Nevada and North Carolina are changed in § 722.412(b)(7).

2. Paragraph (b)(5) of § 722.432 is revised to provide that the date for withdrawal of an application for export market acreage shall be February 15 of the current year.

Since this amendment is technical in nature and farmers need to know its effect in connection with plans for 1970, it is hereby determined that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is unnecessary.

The subpart—Acreage Allotments for 1968 and Succeeding Crops of Upland Cotton of Part 722, Subchapter B of Chapter VII, Title 7 (33 F.R. 895, 4451, 5532, 6705, 7564, 17346, 19823; 34 F.R. 924, 2351, 3733, 5099, 7231, 12325, 18089, and 19021) is amended as follows:

1. Section 722.412(b)(7)(iv) is amended by changing the dates for Nevada and North Carolina in the table to read as follows:

§ 722.412 Release and reapportionment of cotton allotments.

* * * * * *

(b) * * *

(7) *Closing dates.* * * *

(iv) * * *

State	Closing date for release	Closing date for requests for reapportionment	Final date for reapportionment
Nevada	Mar. 15	Mar. 30	Apr. 10.
North Carolina	Mar. 22	Mar. 22	Mar. 29.

2. Paragraph (b)(5) of § 722.432 is revised to read as follows:

§ 722.432 Export market acreage for 1968, 1969, and 1970.

* * * * * *

(b) * * *

(5) *Closing date for withdrawal of applications.* The applicant may withdraw an application at any time (i) prior to apportionment of export market acreage to the farm, or (ii) within 15 days after notice of the original apportionment of export market acreage to the farm is mailed to the applicant, or February 15 of the current year, whichever is later, by filing a written request for such withdrawal with the county committee. Such timely withdrawal shall also cancel the agreement of applicant to forego price support.

(Secs. 344, 346(e), 375, 63 Stat. 670, as amended, 79 Stat. 1192, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1346(e), 1375)

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

Signed at Washington, D.C., on December 29, 1969.

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

[F.R. Doc. 70-151; Filed, Jan. 5, 1970; 8:49 a.m.]

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 813.7]

PART 813—ALLOTMENT OF SUGAR QUOTAS, DOMESTIC BEET SUGAR AREA

1970

Basis and purpose. This allotment order is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 926 as amended), hereinafter called the Act, for the purpose of allotting the 1970 sugar quota for the Domestic Beet Sugar Area among persons who process sugar from sugar beets and market such sugar for consumption in the continental United States.

Section 205(a) of the Act requires the Secretary to allot a quota whenever he finds that the allotment is necessary, among other things (1) to prevent disorderly marketing of sugar or liquid sugar and (2) to afford all interested persons an equitable opportunity to market sugar or liquid sugar. Section 205(a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may prescribe.

Pursuant to the applicable rules of practice and procedure a preliminary finding was made that allotment of the quota is necessary and a notice was published on November 15, 1969 (34 F.R. 18309), of a public hearing to be held in Washington, D.C., Room 2-W, Administration Building, U.S. Department of Agriculture, on November 25, 1969, beginning at 10 a.m., e.s.t., for the purpose of receiving evidence to enable the Secretary (1) to affirm or revoke the preliminary finding of necessity for allotments, (2) to establish a fair, efficient, and equitable allotment of the 1970 quota for the Domestic Beet Sugar Area, (3) to revise or amend the allotment of the quota for the purposes of (a) allotting any increase or decrease in the quota, (b) prorating any deficit in the allotment for any allottee when written notification of release by an allottee of any part of an allotment becomes a part of the official records of the Department, and (c) substituting revised estimates or final actual data for estimates of such data when such data become a part of the official records of the Department, and (4) to provide how certain marketings shall apply to allotments.

The hearing was held at the time and place specified in the notice and testimony was given with respect to all of the issues referred to in the hearing notice.

In arriving at the findings, conclusions and regulatory provisions of this order, all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto.

Omission of a recommended decision and effective date. The record of the hearing shows that the prospective supply of sugar available for marketing will be substantially in excess of the quota of 3,215,667 tons and that 1970 marketings of beet sugar, unless restricted, would substantially exceed the 1970 quota for the Domestic Beet Sugar Area. The proceeding to which this order relates was instituted for the purpose of allotting the quota for the Domestic Beet Sugar Area to prevent disorderly marketing and to afford each interested person an equitable opportunity to market sugar within the quota for the area. In view of the need for allotments, it is imperative that processors know as soon as possible the approximate quantity of sugar each may market within the quota during the year in order to plan marketings and prevent disorderly marketing that could occur if the effective date of the allotment order is unduly delayed. Accordingly, in order to fully effectuate the purposes of section 205(a) of the Act it is hereby found that due and timely execution of the functions imposed upon the Secretary under the Act imperatively and unavoidably required the omission of a recommended decision in this proceeding. It is also hereby further found and determined for the reasons given above for the omission of a recommended decision that compliance with the 30-day effective date requirement of 5 U.S.C. 553 is impractical and contrary to the public interest; consequently, this order shall become effective on January 1, 1970.

Basis for findings and conclusions. Section 205(a) of the Act reads in pertinent part as follows:

* * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane, limited in any year when proportionate shares were in effect to processings to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such person to market or import that portion of such quota or proration thereof allotted to him. * * * The Secretary is also authorized in making such allotments of a quota for any calendar year to take into consideration in lieu of or in addition to the foregoing factors of processings, past marketings, and ability to market, the need for establishing an allotment which will permit such marketing of sugar as is necessary for the reasonably efficient operation of any nonaffiliated single plant processor of sugar beets or any processor of sugarcane and as may be necessary to avoid unreasonable carryover of sugar in relation to other processors in the area: *Provided,* That the marketing allotment of any such processor of sugar beets shall not be increased under this provision above an allotment of 25,000 short tons, raw value, * * * : *Provided, further,* That the total increases in marketing allotments made pursuant to this sentence to processors in the domestic beet sugar area shall be limited to 25,000 short tons of sugar, raw value, for each calendar year * * *. In making such allotments, the Secretary may also take into consideration and make due allowance for the adverse effect of drought, storm, flood, freeze, disease, insects, or other similar abnormal and uncontrollable conditions seriously and broadly affecting any general area served by the factory or factories of such person. * * *

The record of the hearing indicates that the prospective supply of domestic beet sugar available for marketing in 1970 exceeds the quota for that area to an extent that allotment of the quota is necessary to prevent disorderly marketing and to provide all processors of beet sugar equitable marketing opportunities within the limitations of the quota (R. 7, 8).

The allotment method set forth in this order follows the proposal made by the Government witness and is the same as the allotment method recommended by the Beet Sugar Industry Task Force in their letter of October 27, 1969, to the Director of the Sugar Division, Agricultural Stabilization and Conservation Service, USDA. A statement setting forth the allotment method was accepted in evidence at the hearing as Exhibit 7 (R. 14). Such method of allotting the quota provides for consideration of all of the factors cited in section 205(a) of the Act.

The substantive features of the allotment method are the calculation of "base allotments" by weighing the "processings" factor by 75 percent and the "past marketings" factor by 25 percent and the adjustment of base allotments when appropriate for inventory imbalances. Except as otherwise provided for, "processings" are measured by using 1969 crop processings and "past marketings" are measured by using average annual quota marketings for the years 1965 through 1969 (R. 15).

Provision is made for an alternative measure of 1969 crop processings and January 1, 1970, "effective inventories," to give consideration for adverse crop conditions (R. 16 and Ex. 7). A provision is also included which gives consideration to establishing allotments as necessary for the reasonably efficient operation of Buckeye Sugars, Inc., a nonaffiliated single plant processor (R. 19, 20) of sugar beets. Instead of computing allotments for Maine Sugar Industries, Inc., by the basic allotment formula, an allotment is provided that would permit it to

market in 1970 its January 1, 1970, effective inventory plus 15 percent of the sugar that it will produce from the 1970 crop. Processings of sugar beets began in the New York factory of Maine Sugar Industries, Inc., in 1965 and in its Maine factory in 1966. Since commencing operations, growers of sugar beets in the areas served by the two factories have not grown sufficient sugar beets under contract to enable effective operations of the two plants. In view of this situation, the measures of the factors of "processings," "past marketings," and "ability to market" as used in the basic allotment formula would not result in allotments that would be fair, efficient, and equitable for this processor. By permitting Maine Sugar Industries, Inc., to market its January 1, 1970, effective inventory gives consideration to the sugar it has the ability to market from the 1969 crop. Permitting additional marketings of 15 percent of the sugar produced from the 1970 crop makes it possible for it to market a percentage of the sugar it processes from the 1970 crop which is approximately the percentage of the 1969 crop marketed in 1969 by the beet sugar industry (R. 18, 19).

Production of sugar from 1969 crop sugar beets is the most up-to-date measure of the processings factor available to represent the operations for a year for each processor. A weighting of 75 percent to the processings factor in determining base allotments appear consistent with the importance of this factor considering that sugar produced from the 1969 crop will represent over 75 percent of the sugar to be marketed within the 1970 quota (R. 17). Processings of the 1969 crop continues well into the 1970 calendar year. However, processings from the 1969 crop after August 31, 1970, will be relatively insignificant. In order to permit adequate time for processors to plan for orderly marketing within their respective allotments during the last quarter of the year, it is necessary to establish August 31, 1970, as the final termination date through which 1969 crop processings may be used in determining 1970 allotments (R. 15, 16).

The factor "past marketings" when measured by the 1965–69 average annual marketings within allotments and weighted 25 percent in determining base allotments and when considered in conjunction with other provisions of the allotment method herein adopted, which are applicable to 1970, contributes to an orderly rate of change in marketings of each processor relative to the marketings of others (R. 17). The base period is long enough to incorporate a variety of experiences representative of the sharing of marketings during the immediate past.

The ability to market factor is reflected in the above measures of the other two factors (R. 17, 18). When appropriate, additional consideration is given this factor by providing for adjusting base allotments for January 1, 1970, inventory imbalances as set forth in detail in Finding (3).

The basic allotment method adopted herein is similar to the allotment method set forth in the 1969 order in the manner in which the alternative measure of processings is determined and also in the manner in which the alternative effective inventory is determined for use in adjusting base allotments. The steps in determining such alternative measures are set forth in Finding (3).

The record of the hearing contains only a single proposal or recommendation on each of the matters with respect to which a finding or conclusion is made in this order, and each such proposal or recommendation was concurred in by all interested persons and no alternative proposal was made.

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) For the calendar year 1970 Domestic Beet Sugar processors will have available for marketing from 1969 crop sugar beets about 2,959,821 short tons, raw value, of sugar. This quantity of sugar, together with production of sugar from 1970 crop beets, will result in a supply of sugar available for marketing in 1970 sufficiently in excess of the anticipated 1970 quota for the Domestic Beet Sugar Area to cause disorderly marketing and prevent some interested person from having equitable opportunities to market sugar.

(2) The allotment of the 1970 Domestic Beet Sugar Area quota for consumption within the continental United States is necessary to prevent disorderly marketing and to afford all interested persons equitable opportunities to market sugar processed from sugar beets in that area.

(3) To assure a fair, efficient, and equitable distribution of the 1970 Domestic Beet Sugar Area quota for consumption within the continental United States, the factors specified in section 205(a) of the Act shall be given consideration, and allotments of such quota shall be determined by applying the basic allotment method, set forth in Part I of this finding, for all processors except for any processor who receives an allotment pursuant to Part II of this finding as follows:

PART I. BASIC ALLOTMENT METHOD

(a) Base allotments shall first be determined by giving consideration to the processing and past marketing factors as follows:

(i) The factor processings from proportionate shares shall be measured by each processor's actual processings of sugar from 1969 crop sugar beets (as defined at the end of this subdivision) exclusive of known quantities of sugar processed from nonproportionate share sugar beets, or the alternative measure of processings provided for herein, expressed as a percentage of the total of such actual or alternative processings for all applicable processors, and weighted by 75 percent: To give consideration to the provision in section 205(a) of the Act for making allowance for abnormal and uncontrollable conditions, the alternative measure of processings derived as follows shall be used for any processor when the quantity so derived exceeds such processor's actual 1969 crop year processings: (Processor's average crop year processings for 1967 and 1968 crops) × (Industry total 1969 crop year processings ÷ Industry average crop year processings for 1967 and 1968 crops) × 85 percent, except that such alternative measure shall not exceed 125 percent of such processor's actual 1969 crop processings. In making the above computation for the alternative measure of processings, known quantities of sugar processed from nonproportionate share sugar beets shall be excluded, and the total Industry processings from the 1967, 1968, and 1969 crops shall exclude the production of all processors which receive a special allotment in 1970. (Processings of sugar from 1969 crop sugar beets is defined as the sum of (1) sugar recovered from 1969 crop sugar beets processed through August 31, 1970, (2) sugar recovered from 1968 crop sugar beets processed between September 1, 1969, and August 31, 1970, and (3) estimated sugar to be recovered from juice held by a processor on August 31, 1970, less the sugar recovered from juice from 1968 crop beets held by the processor on September 1, 1969. The designation of crops of sugar beets by year as set forth in 7 CFR 891.2 determines the year of the crop of sugar beets.)

(ii) The factor past marketings shall be measured by each processor's average annual quota marketings for the years 1965 through 1969, expressed as a percentage of the total of the measure of all applicable processors, and weighted by 25 percent.

(iii) The total of the percentage resulting from (i) and (ii), above, for each applicable processor shall be multiplied by the Domestic Beet Sugar Area quota in short tons, raw value (excluding total quantities set aside as special allotments for other processors), to determine his base allotment in short tons, raw value.

(b) The factor "ability to market" shall be given consideration, in addition to that which is inherent in the consideration given to the other factors, by adjusting the base allotments, as determined in (a)(iii), above, for January 1, 1970 inventory imbalances to the extent as determined below; *Provided, however,* That in such determination the January 1, 1970, effective inventory to be used for individual processors shall be the total sugar produced from 1969 beets as previously defined in this Part I which was not marketed prior to January 1, 1970, and for any processor which the alternative measure of processings is used in (a)(i) above, the quantity by which alternative measure of processings exceeds his actual 1969 crop year processings:

(1) Compute the "plus" or "minus" January 1, 1970, inventory imbalance for each processor, by subtracting from his January 1, 1970, effective inventory his

January 1, 1965–69, average effective inventory adjusted proportionately so that the total of such adjusted average inventories of all processors is equal to the total January 1, 1970, effective inventories of all processors.

(ii) The "plus" adjustment applicable to the base allotment for each processor having a "plus" inventory imbalance, as determined in (b)(i), shall be the quantity that such imbalance exceeds 10 percent of his adjusted January 1, 1965–69, average effective inventory and such excess multiplied by 25 percent. Such adjustment for any processor shall not exceed 10 percent of his base allotment.

(iii) The "minus" adjustments applicable to the base allotments for processors having "minus" inventory imbalances shall be computed by prorating the total of the "plus" adjustments, as determined in (ii), among such processors on the basis of their "minus" inventory imbalances. Such adjustments for any processor shall not exceed 10 percent of his base allotment, and, if, as a result of this limitation, the sum of the "minus" adjustments is less than the sum of the "plus" adjustments, as determined in (ii) such "plus" adjustments shall be reduced proportionately to a total equal to the total "minus" adjustments.

(iv) The adjustments determined pursuant to (ii) and (iii) representing hundredweight of refined sugar shall be multiplied by the factor 0.0535 to express such adjustments in short tons, raw value.

(c) Allotments for individual processors, in short tons, raw value, shall be the base allotment quantity as determined in (a)(iii) adjusted upward or downward, respectively, on the basis of "plus" or "minus" adjustments as determined in (b)(iv). *Except*, That if the allotment so established for Buckeye Sugars, Inc., is less than 25,000 short tons, raw value, its allotment shall be established as set forth in Part II. Allotments established pursuant to Part I shall be based on data excluding that relating to any allottee receiving a special allotment pursuant to Part II.

Part II. Special Allotments

A special allotment shall be established for Maine Sugar Industries, Inc., equal to its January 1, 1970, effective inventory determined as provided in Part I(b), plus 15 percent of the estimated quantity of sugar that it will produce from 1970 crop sugar beets. For the purpose of determining such allotment, estimated 1970 crop sugar production will be determined by multiplying the number of acres of 1970 crop beets contracted by Maine Sugar Industries, Inc., and planted prior to July 1, 1970, by 1.6 tons of sugar. In the event the allotment computed for Buckeye Sugars, Inc., in Part I is less than 25,000 short tons, raw value, a special allotment of 25,000 short tons, raw value, shall be established for Buckeye Sugars, Inc.

(4) The determination of allotments in finding (3), are set forth in the following table. They are based on data as provided for in the hearing record including estimates for 1969 crop processings, January 1, 1970, inventories and estimated acreage planted to beets set forth in finding (5) of this order which data shall be used pending availability and substitution of revised estimates or final data for such estimates and as applied to the Domestic Beet Sugar Area quota of 3,215,667 short tons, raw value. Allotments of the 1970 quota as established by this order are 80 percent of the allotments as shown in column (12).

Processors	Estimated processings of sugar from 1969-crop beets		Average marketings within the quota 1965–1969		Percent of total (col. (2)× 0.75+ col. (4)× 0.25)	Base allotments short tons, raw value (col. (5)× quota) [1]	January 1, effective inventories hundredweight, refined			Adjustments to base allotments [2]		Allotments short tons, raw value (col. (6)+ or −)
	Hundredweight refined	Percent of total	Hundredweight refined	Percent of total			Estimated 1970	1965–1969 adjusted average to col. (7) total	Inventory imbalances col. (7)− col. (8)	Hundredweight refined	Short tons, raw value	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Amalgamated Sugar Co., The	8,800,000	13.5264	7,320,162	13.0602	13.4098	423,742	8,395,259	7,658,302	+736,957	0		423,742
American Crystal Sugar Co	9,000,000	13.8338	7,185,127	12.8193	13.5802	429,126	7,688,078	6,726,202	+961,876	+72,314	+3,869	432,995
Buckeye Sugars, Inc.[3]												25,000
Great Western Sugar Co	15,322,000	23.5513	13,370,798	23.8554	23.6273	746,609	13,096,539	13,433,321	−336,782	−11,805	−631	745,978
Holly Sugar Corp	9,718,000	14.9374	9,383,681	16.7418	15.3885	486,268	8,188,381	9,667,633	−1,479,252	−51,853	−2,774	483,494
Layton Sugar Co.[4]	343,051	.5273	340,035	.6067	.5472	17,291	329,373	379,276	−49,903	−1,749	−94	17,197
Maine Sugar Ind., Inc.[3]												30,728
Michigan Sugar Co	2,400,000	3.6890	1,925,477	3.4353	3.6256	114,567	2,030,679	1,898,150	+132,529	0	0	114,567
Monitor Sugar Co	1,000,000	1.5371	937,279	1.6722	1.5709	49,640	699,071	896,100	−197,029	−6,907	−370	49,270
Spreckels Sugar Co	9,000,000	13.8338	7,440,116	13.2742	13.6939	432,716	6,233,794	6,106,660	+127,134	0	0	432,716
Union Sugar Div., Cons. Foods Corp	2,750,000	4.2270	2,393,484	4.2703	4.2378	133,912	2,264,150	2,171,192	+92,958	0	0	133,912
Utah-Idaho Sugar Co	6,725,000	10.3369	5,753,240	10.2646	10.3188	326,068	5,759,843	5,748,331	+11,512	0	0	326,068
Total	65,058,051	100.0000	56,049,399	100.0000	100.0000	3,159,939	54,685,167	54,685,167	±2,062,966	±72,314	±3,869	3,215,667

[1] Column (5)× quota less allotments of 30,728 tons for Maine Sugar Industries, Inc., and 25,000 tons for Buckeye Sugars, Inc.

[2] Plus (+) adjustments in Col. 10=(Extent (+) quantities in Col. 9 exceeds 10 percent of Col. 8)×(25 percent); Minus (−) adjustments in Col. 10=total of (+) adjustments in Col. 10, prorated to processors on the basis of minus (−) quantities in Col. 9. Plus (+) and minus (−) adjustments in Col. 11=(Col. 10 adjustments)×(0.535).

[3] These processors not included in the basic allotment method computations. A minimum special allotment of 25,000 tons is established for Buckeye Sugars, Inc., so as to permit marketings of sugar as is necessary for the reasonably efficient operation of its factory. The allotment established for Maine Sugar Industries, Inc., is based on its respective effective inventory on Jan. 1, 1970, of 21,838 tons plus 15 percent of its estimated 1970-crop beet sugar production. Estimated 1970-crop sugar production is based on 37,042 acres planted for Maine Sugar Industries, Inc.

[4] Without the application of the alternative measure of "processings", 1969-crop processings were 325,000 cwts. and the Jan. 1, 1970, effective inventory was 311,322 cwts. for Layton Sugar Co.

(5) Based on information available to the Department as of December 17, 1969, 37,042 acres will be contracted for and planted to 1970 crop sugar beets for Maine Sugar Industries, Inc., prior to July 1, 1970.

(6) The order shall be revised without further notice or hearing for the purpose of (a) substituting revised estimates or final data for estimated data on 1969 crop processings, January 1, 1970, effective inventories and acreage planted to 1970 crop beets used in the determination of allotments when such data become part of the official records of the Department, (b) allotting any quantity of an allotment which may be released by an allottee to other allottees able to utilize additional allotment in proportion to the established allotments of such allottees when the written notification to the Director of the Sugar Division of such release becomes a part of the official records of the Department, and (c) revising allotments to give effect to any change in the quota for the area made by the Secretary pursuant to the provisions of the Sugar Act. In making revisions to give effect to a change in the quota for the area, allotments shall be made by the full application of the allotment procedure adopted herein.

(7) Official notice will be taken of (a) final or revised estimated data for 1969 crop processings, January 1, 1970, inventories and 1970 crop acreage planted to beets submitted by processors in written form when such data become a part of the official records of the Department, (b) any written notice to the Department by an allottee that he is unable to fill part of his allotment when the notification becomes a part of the official records of the Department, and (c) any regulation issued by the Secretary which changes the 1970 Domestic Beet Sugar Area quota.

(8) To assure that the marketing of sugar or liquid sugar is charged against the proper allotment, it is necessary that the order provide for charges to allotments of processors who sell sugar beets, or molasses derived from sugar beets, but retain and process such sugar beets or molasses into sugar or liquid sugar for delivery to or for the account of the buyer.

(9) Allotments established in the foregoing manner and in the quantities set forth in the order provide a fair, efficient and equitable distribution of any 1970 Domestic Beet Sugar Area quota that may be established for consumption within the continental United States and meet the requirements of section 205(a) of the Act.

(10) To assure that an allottee will not market a quantity of sugar in excess of his final 1970 allotment to be established later on the basis of final data, allotments established by this order should be limited to 80 percent of the quota pending the allotment of the quota based upon final data.

(11) Maine Sugar Industries, Inc., shall succeed to all interest in the historical data pertinent to determining allotments of the former allottee, New York Sugar Industries, Inc.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, and in accordance with the Findings and Conclusions heretofore made, it is hereby ordered:

§ 813.7 Allotment of the 1970 sugar quota for the Domestic Beet Area.

(a) *Allotments.* For the period January 1, 1970, until the date allotments of the entire 1970 calendar year sugar quota for the Domestic Beet Sugar Area are prescribed, 80 percent of the 1970 quota for the Domestic Beet Sugar Area is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processors	Short tons, raw value	Equivalent in hundredweight refined beet sugar
Amalgamated Sugar Co., The	338,994	6,336,336
American Crystal Sugar Co.	346,396	6,474,692
Buckeye Sugars, Inc.	20,000	373,832
Great Western Sugar Co., The	596,782	11,154,804
Holly Sugar Corp.	386,795	7,229,813
Layton Sugar Co.	13,758	257,159
Maine Sugar Industries, Inc.	24,582	459,476
Michigan Sugar Co.	91,654	1,713,159
Monitor Sugar Division, Robert Gage Coal Co.	39,416	736,748
Spreckels Sugar Co., Division of American Sugar Co.	346,173	6,470,523
Union Sugar Division, Consolidated Foods Corp.	107,130	2,002,430
Utah-Idaho Sugar Co.	260,854	4,875,776
Subtotal	2,572,534	48,084,748
Unallotted	643,133	12,021,178
Total	3,215,667	60,105,926

(b) *Marketing of sugar beets and molasses.* If sugar beets or molasses derived from sugar beets are sold by a processor but retained and processed by such processor and the sugar or liquid sugar processed therefrom is delivered to or for the account of the buyer of the sugar beets or molasses, such delivery at the time it occurs shall constitute a marketing which shall be effective for filling the allotment of the processor who sold and processed such sugar beets or molasses.

(c) *Marketing limitations.* Marketings shall be limited to allotments as established herein subject to the prohibitions and provisions of §§ 816.1 to 816.9 of this chapter (Sugar Regulation 816 (33 F.R. 8495)).

(d) *Transfer of allotments.* The Director, Sugar Division Agricultural Stabilization and Conservation Service of the Department, may permit marketings to be made by one allottee, or other person, within the allotment established for another allottee upon relinquishments by such allottee of a commensurate quantity of its allotment and upon receipt of evidence satisfactory to the Director that (1) a merger, consolidation, transfer of sugar-processing facilities, or other action of similar effect upon the allottees or persons involved has occurred, or (2) the allottee receiving such permission will process 1970 crop sugar beets which the allottee relinquishing allotment has become unable to process.

(e) *Revision of allotments.* Allotments established under this order may be revised without further notice of hearing, to give effect to (1) the substitution of revised estimates or final data for estimates, (2) the reallocation of any quantity of an allotment released by an allottee and (3) any change in the Domestic Beet Sugar Area quota.

(Secs. 205, 209, 403; 61 Stat. 926, as amended, 928, as amended, 932; 7 U.S.C. 1115, 1119, 1153)

Effective date: January 1, 1970.

Signed at Washington, D.C. on December 29, 1969.

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

[F.R. Doc. 70-75; Filed, Jan. 5, 1970; 8:45 a.m.]

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 814.8]

PART 814—ALLOTMENT OF SUGAR QUOTAS, MAINLAND CANE SUGAR AREA

Calendar Year 1970

Basis and purpose. This allotment order is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 922), hereinafter called the "Act", for the purpose of establishing preliminary allotments of a portion of the 1970 sugar quota for the Mainland Cane Sugar Area for the period January 1, 1970, until the date allotments of such quota are prescribed for the full calendar year 1970 on the basis of a subsequent hearing.

Omission of recommended decision and effective date. The record of the hearing regarding the subject of this order shows that approximately 1 million tons of 1968 and 1969 crop sugar will remain to be marketed after January 1, 1970. This quantity of sugar, along with production of sugar from 1970 crop sugarcane, will result in a supply of sugar available for marketing in 1970 sufficiently in excess of the 1970 quota that disorderly marketing may occur and some interested persons may be prevented from having equitable opportunities to market sugar (R 6). The inventories of sugar on January 1, 1970, together with production in early 1970, may make it possible for some allottees to market shortly after January 1, 1970, a quantity of sugar larger than the allotments established by this order. It, therefore, is necessary that such allotments to be effective, be in effect on January 1, 1970. In view thereof and since this proceeding was instituted for the purpose of issuing allotments to prevent disorderly marketing of sugar and to afford all interested persons an equitable opportunity to market, it is hereby found that due and timely execution of the functions imposed upon the Secretary under the Act imperatively and unavoidably requires omission of a recommended decision in this proceeding. It is hereby further found that compliance with the 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and consequently, this order shall be effective on January 1, 1970.

Preliminary statement. Section 205(a) of the Act requires the Secretary to allot a quota whenever he finds that the allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons equitable opportunities to market sugar within the quota for the area. Section 205(a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may by regulation prescribe.

Pursuant to the applicable rules of practice and procedure (7 CFR 801.1 et seq.) a preliminary finding was made that allotment of the quota is necessary, and a notice was published on November 22, 1969 (34 F.R. 18764), of a public hearing to be held at Washington, D.C., in Room 2-W, Administration Building, on December 4, 1969, beginning at 10 a.m., e.s.t., for the purpose of receiving evidence to enable the Secretary, (1) to affirm, modify, or revoke the preliminary finding of necessity for allotment, and (2) to establish fair, efficient, and equitable allotments of a portion of the 1970 quota for the Mainland Cane Sugar Area for the period January 1, 1970, until the date the Secretary prescribes allotments of such quota for the calendar year 1970 based on a subsequent hearing.

The hearing was held at the time and place specified in the notice of hearing and testimony was received with respect to the subject and issues referred to in the hearing notice. In arriving at the findings, conclusions, and the regulatory provisions of this order all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that findings and conclusions proposed by the interested persons are inconsistent with the findings and conclusions herein, the specified or implied request to make such findings and reach such conclusions are denied on the basis of the facts found and stated and the conclusions reached as set forth herein.

Basis for findings and conclusions. Section 205(a) of the Act reads in pertinent part as follows:

• • • Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processing of sugar or liquid sugar from sugar beets or sugarcane, limited in any year when proportionate shares were in effect to processings to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such persons to market or import that portion of such quota or proration thereof allotted to him. The Secretary is also authorized in making such allotments of a quota for any calendar year to take into consideration in lieu of or in addition to the foregoing factors of processing, past marketings and ability to market, the need for establishing an allotment which will permit such marketings of sugar as is necessary for the reasonably efficient operation of any non-affiliated single plant processor of sugar beets or any processor of sugarcane and as may be necessary to avoid unreasonable carryover of sugar in relation to other processors in the area: *Provided*, That • • • the marketing allotments of a processor of sugarcane shall not be increased under this provision above an allotment equal to the effective inventory of sugar of such processor on January 1 of the calendar year for which such allotment is made, • • •: *Provided further*, That the total increases in marketing allotments made pursuant to this sentence to processors in the mainland cane sugar area shall be limited to 16,000 short tons of sugar, raw value, for each calendar year. In making such allotments, the Secretary may also take into consideration and make due allowance for the adverse effect of drought, storm, floods, freeze, disease, insects, or other similar abnormal and uncontrollable conditions seriously and broadly affecting any area served by the factory or factories of such person. The Secretary may also, upon such hearing and notice as he may by regulations prescribe, revise or amend any such allotment upon the same basis as the initial allotment was made. • • •

The necessity for allotment of the 1970 sugar quota for the Mainland Cane Sugar Area is indicated by the extent to which the quantity of sugar in prospect for marketing in 1970 exceeds the quota that may be established and that in the absence of allotments disorderly marketing would result, and some interested persons would be prevented from having equitable opportunities to market sugar (R 6, 7).

Testimony indicates that it is desirable to defer allotment proceedings with respect to the allotment of the full quota for 1970 until most allottees have completed processing of 1969 crop sugarcane, but allotments of a portion of the quota should be in effect beginning January 1, 1970, because inventories of sugar on January 1, 1970, together with production of sugar in early 1970 may make it possible for some allottees to market shortly after January 1, 1970, a quantity of sugar larger than eventually may be allotted to them (R 7).

The Department of Agriculture proposed at the hearing that for the period January 1, 1970, to the date an order is made effective based on a subsequent hearing that for the Mainland Cane Sugar Area, preliminary 1970 allotments be established at 75 percent of the allotment of the 1969 quota for the area which became effective on June 17, 1969, pursuant to Sugar Regulation 814, Amendment 3, (34 F.R. 9699): *Provided*, That any allotment established shall not be less than 90 percent of the estimated January 1, 1970, physical inventory of the respective allottee which cannot be marketed within the allottee's 1969 marketing allotment (R 8).

The witness representing all the processors in the Mainland Cane Sugar Area proposed at the hearing that the preliminary allotment for each allottee be established at 75 percent of his 1969 allotment except that any allotment established shall not be less than the respective allottee's estimated January 1, 1970, effective inventory which cannot be marketed within his 1969 allotment and is conditioned on the assumption that an allottee may not use a preliminary allotment to make a constructive delivery of sugar to be produced from the 1970 crop.

The proposal by the Government witness and that by the witness representing all mainland cane processors included provisions as to the latest dates for the submission of inventory data to be used in determining allotments. Both proposals also included a provision whereby the allotment order could be revised to substitute revisions of estimated inventories.

The method for determining preliminary allotments of a portion of the 1970 Mainland Cane Sugar Area quota adopted herein as set forth in the accompanying findings and conclusions follows the proposal of the witness for the Mainland Cane Sugar Area that would establish minimum preliminary allotments which would permit all processors to market their January 1, 1970, effective inventories which could not be marketed within 1969 allotments. Other provisions included in this allotment order were apparently agreeable to all interested persons and follow the proposal made by the Government witness. It has been determined that preliminary 1970 allotments for each individual processor established at the higher of 75 percent of his 1969 allotment or his estimated January 1, 1970, effective inventory would not permit any allottee to market sugar early in 1970 in excess of the final 1970 allotment for such allottee which will be established on the basis of a subsequent hearing.

The hearing record contains proposals to include in the order to become effective January 1, 1970, paragraphs essentially the same as paragraphs (b), (c), and (d) of § 814.7, Sugar Regulation 814.7, Amendment 1 (34 F.R. 6031) (R 12).

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) For the calendar year 1970 Mainland cane sugar processors will have available for marketing from 1968 and 1969 crop sugarcane approximately 1 million short tons, raw value, of sugar. This quantity of sugar, together with production of sugar from 1970 crop sugarcane, will result in a supply of sugar available for marketing in 1970 sufficiently in excess of the anticipated 1970 quota for the Mainland Cane Sugar Area to cause disorderly marketing and prevent some interested persons from having equitable opportunities to market sugar.

(2) The allotment of the 1970 Mainland Cane Sugar Area quota is necessary to prevent disorderly marketing and to afford all interested persons equitable opportunities to market sugar processed from sugarcane produced in the area.

(3) It is desirable to defer the allotment of the entire 1970 calendar year sugar quota for the Mainland Cane Sugar Area until processings from 1969 crop sugarcane can be known or closely estimated for all allottees, but it is necessary to make allotments of a portion of the 1970 quota effective January 1, 1970, to prevent some allottees from marketing a quantity of sugar larger than eventually may be allotted to them when the entire 1970 quota is allocated.

(4) The findings in (3), above, require that effective for the period January 1, 1970, until the date allotments of the 1970 calendar year Mainland Cane Sugar Area quota are prescribed on the basis of a subsequent hearing, the preliminary allotment of the 1970 Mainland Cane Sugar Area quota for each allottee shall be established at the larger of 75 percent of its 1969 allotment which became effective on June 17, 1969, pursuant to Sugar Regulation 814.7, Amendment 3 (34 F.R. 9699), or the respective allottee's estimated January 1, 1970, effective inventory, which could not be marketed within its 1969 marketing allotment. Official notice will be taken of production reports received from allottees of their estimated January 1, 1970, effective inventories by letters or written reports postmarked not later than December 22, 1969, when they became official records of the Department. Subsequent to the issuance of this initial order official notice will be taken of all revised and corrected January 1, 1970, inventory data when they become part of the official records of the Department.

(5) January 1, 1970, effective inventories of sugar are physical inventories of sugar on January 1, 1970, plus sugar produced from 1969 crop sugarcane in 1970. Such estimated January 1, 1970, effective inventories of sugar in short tons, raw value, which could not be marketed under 1969 marketing allotments are shown as follows for each named allottee.

Breaux Bridge Sugar Coop., Inc	7,876
Caire & Graugnard	4,355
Cajun Sugar Coop., Inc	21,512
Cora Texas Manufacturing Co., Inc	9,334
Dugas & LeBlanc, Ltd	13,418
Lafourche Sugar Co	14,613
Louisiana State Penitentiary	3,318
Meeker Sugar Coop., Inc	11,490
Milliken & Farwell, Inc	8,743
St. James Sugar Coop., Inc	20,773
South Coast Corp	61,632
Southdown, Inc	29,311
Valentine Sugars, Inc	9,976

Atlantic Sugar Association	26,953
Florida Sugar Corp	20,835
Glades County Sugar Growers Coop., Association	46,837
Osceola Farms Co	50,065
South Puerto Rico Sugar Co., Inc	69,476
Sugarcane Growers Coop. of Florida	101,692
Talisman Sugar Corp	45,904
U.S. Sugar Corp	214,630

The allotment established for each such named allottee in this order is not less than such listed quantity. The individual preliminary allotments for all other allottees determined at 75 percent of each allottee's 1969 allotment as provided in finding (4) above exceeds their respective January 1, 1970, effective inventories.

(6) Consideration has been given to the statutory factors "processings," "past marketings," and "ability to market" in establishing allotments of the 1970 sugar quota for the Mainland Cane Sugar Area as set forth in finding (4) above.

(7) No allotments shall be established herein for the two former allottees Little Texas, Inc., and Erath Sugar Co., which do not plan to market sugar during 1970.

(8) Provision shall be made in the order to restrict marketings of sugar to allotments established herein.

(9) Only sugar produced from 1969 or earlier crops of sugarcane may be marketed under allotments established herein.

(10) To facilitate full and effective use of allotments, provision shall be made in the order for transfer of allotments under circumstances of a succession of interest, and under circumstances involving an allottee becoming unable to process sugarcane and such cane as he would normally process, if operating, is processed by other allottees.

(11) To aid in the efficient movement and storage of sugar, provision shall be made to enable a processor to market a quantity of sugar of his own production in excess of his allotment equivalent to the quality of sugar which he holds in storage and which was acquired by him within the allotment of another allottee of the 1970 Mainland Cane Sugar Area quota.

(12) For the period January 1, 1970, until the date allotments of the Mainland Cane Sugar Area quota for the 1970 calendar year are prescribed on the basis of a subsequent hearing, the allotments established in the foregoing manner provide a fair, efficient, and equitable distribution of such quota and meet the requirements of section 205(a) of the Act.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act: *It is hereby ordered:*

§ 814.8 Allotment of the 1970 sugar quota for the Mainland Cane Sugar Area.

(a) *Allotments.* For the period January 1, 1970, until the date allotments of the 1970 calendar year sugar quota for the Mainland Cane Sugar Area are prescribed, on the basis of a subsequent hearing, the 1970 quota of 1,169,333 tons for the Mainland Cane Sugar Area is hereby allotted in part, to the extent shown in this section, to the following processors in the quantities which appear opposite their respective names:

Processors	Allotments (short tons, raw value)
Albania Sugar Co	6,847
Alma Plantation, Ltd	7,458
J. Aron & Co., Inc	10,851
Billeaud Sugar Factory	7,212
Breaux Bridge Sugar Co-op	7,876
Wm. T. Burton Industries, Inc	5,092
Caire & Graugnard	4,355
Cajun Sugar Co-op., Inc	21,512
Caldwell Sugars Co-op., Inc	11,207
Columbia Sugar Co	6,584
Cora-Texas Manufacturing Co., Inc	9,334
Dugas & LeBlanc, Ltd	13,418
Duhe & Bourgeois Sugar Co	7,416
Evan Hall Sugar Co-op., Inc	19,072
Frisco Cane Co., Inc	1,646
Glenwood Co-op., Inc	13,957
Helvetia Sugar Co-op., Inc	10,258
Iberia Sugar Co-op., Inc	15,679
Lafourche Sugar Co	14,613
Harry L. Laws & Co	12,014
Levert-St. John, Inc	10,088
Louisa Sugar Co-op., Inc	8,586
Louisiana State Penitentiary	3,318
Louisiana State University	38
Meeker Sugar Co-op., Inc	11,490
Milliken & Farwell, Inc	8,743
M. A. Patout & Son, Ltd	11,810
Poplar Grover Planting & Refining Co	7,288
Savoie Industries	13,532
St. James Sugar Co-op., Inc	20,773
St. Mary Sugar Co-op., Inc	11,479
South Coast Corp	61,632
Southdown, Inc	29,311
Sterling Sugars, Inc	20,930
J. Supple's Sons Planting Co., Inc	4,226
Valentine Sugars, Inc	9,976
Vida Sugars, Inc	3,488
A. Wilbert's Sons Lumber & Shingle Co	7,118
Young's Industries, Inc	4,742
Louisiana subtotal	454,969
Atlantic Sugar Association	26,953
Florida Sugar Corp	20,835
Glades County Sugar Growers Co-op., Association	46,837
Osceola Farms Co	50,065
South Puerto Rico Sugar Co., Inc	69,476
Sugarcane Growers Co-op. of Florida	101,692
Talisman Sugar Corp	45,904
U.S. Sugar Corp	214,630
Florida subtotal	576,392
Total mainland cane	1,031,361

(b) *Marketing limitations.* Marketings shall be limited to the marketing of sugar produced from the 1968 and 1969 crops of sugarcane and to the allotments as established herein subject to the prohibitions and provisions of § 816.3 of this chapter (33 F.R. 8495).

(c) *Transfer of allotments.* The Director, Sugar Division, Agricultural Stabilization and Conservation Service of the Department of Agriculture, may permit marketings to be made by one allottee, or other persons, within the allotment established for another allottee upon relinquishment by such allottee of a quantity of its allotment and upon receipt of evidence satisfactory to the Director that (1) a merger, consolidation, transfer of sugar-processing facilities, or other action of similar effect upon the allottees or persons involved has occurred, or (2) the allottee receiving such permission will process sugarcane which the allottee relinquishing allotment has become unable to process.

(d) *Exchanges of sugar between allottees.* When approved in writing by the Director, Sugar Division, Agricultural Stabilization and Conservation Service of the Department, any allottee holding sugar or liquid sugar acquired by him within the allotment of another person established in paragraph (a) of this section may ship, transport, or market up to an equivalent quantity of sugar processed by him in excess of his allotment established in paragraph (a) of this section. The sugar or liquid sugar held under this paragraph shall be subject to all other provisions of this section as if it had been processed by the allottee who acquired it for the purpose authorized by this paragraph.

(e) *Revision of allotments.* Allotments established under this order may be revised without further notice or hearing to give effect to the substitution of revised estimates or final data for estimates of such data.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, Interprets or applies secs. 205, 209; 61 Stat. 926, as amended, 926; 7 U.S.C. 1115, 1119)

Effective date: January 1, 1970.

Signed at Washington, D.C., on December 30, 1969.

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

[F.R. Doc. 69-15535; Filed, Dec. 31, 1969; 2:34 p.m.]

[Sugar Reg. 815.11]

PART 815—ALLOTMENT OF DIRECT-CONSUMPTION PORTION OF MAINLAND

Sugar Quota for Puerto Rico, 1970

Basis and purpose. This allotment order is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 926, as amended), hereinafter called the "Act", for the purpose of allotting the portion of the sugar quota for Puerto Rico for the calendar year 1970 which may be filled by direct-consumption sugar among persons who market such sugar for consumption in the continental United States.

Omission of recommended decision and effective date. The record of the hearing regarding the subject of this order shows that the capacity to produce refined sugar in Puerto Rico far exceeds the maximum quantity of Puerto Rican direct-consumption sugar that may be marketed within probable mainland and local quotas (R 8). The proceeding to which this order relates was instituted for the purpose of alloting the direct-consumption portion of the mainland quota to prevent disorderly marketing and to afford each interested person an equitable opportunity to market

direct-consumption sugar in the continental United States. The allotments made effective by this order are small in relation to the quantities of sugar that could be produced for marketing and delay in the issuance of the order might result in some persons marketing more than their fair share of the direct-consumption portion of the quota. Therefore, it is imperative that this order become effective on January 1, 1970, in order to fully effectuate the purposes of section 205(a) of the Act. Accordingly, it is hereby found that due and timely execution of the functions imposed upon the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision in this proceeding. It is hereby further found that compliance with the 30-day effective date requirements in 5 U.S.C. 553 is impracticable and contrary to the public interest and, consequently, this order shall be effective on January 1, 1970.

Preliminary statement. Under the provisions of section 205(a) of the Act, the Secretary is required to allot a quota or proration thereof whenever he finds that allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar or (4) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for the area. Section 205(a) also provides that such allotment shall be made after such hearing and upon such notice as the Secretary may by regulation prescribe.

Pursuant to the applicable rules of practice and procedure (7 CFR 801.1 et seq.), a preliminary finding was made that allotment of the direct-consumption portion of the quota is necessary and a notice was published on October 22, 1969 (34 F.R. 17110), of a public hearing to be held at Santurce, P.R., in New Conference Room, Seventh Floor, Segarra Building, Stop 20, on November 13, 1969, at 9:30 a.m., e.s.t., for the purpose of receiving evidence to enable the Secretary to make a fair, efficient and equitable distribution of the direct-consumption portion of the mainland sugar quota for Puerto Rico for the calendar year 1970. The hearing was held at the time and place specified in the notice.

In arriving at the findings, conclusions, and regulatory provisions contained herein, all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining to the allotment of the direct-consumption portion of the mainland quota.

Basis for findings and conclusions. Section 205(a) of the Act reads in pertinent part as follows:

> * * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processing of sugar or liquid sugar from sugar beets or sugarcane, limited in any year when proportionate shares were in effect to processings to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; and the ability of such person to market or import that portion of such quota or proration thereof allotted to him. * * *

The record of the hearing regarding the subject of this order shows that the capacity to produce refined sugar in Puerto Rico far exceeds the maximum quantity of Puerto Rican direct-consumption sugar that may be marketed within the probable quotas. Thus, to prevent disorderly marketing of sugar and to afford all interested persons an equitable opportunity to market sugar within the quota as required by section 205(a) of the Act, allotment of the direct-consumption portion of the mainland sugar quota for Puerto Rico for the calendar year 1970 is found to be necessary (R–8, 9).

While all three factors specified in the provisions of section 205(a) of the Act quoted above have been considered, only the "past marketings" and "ability to market" factors have been given percentile weightings in the formula on which the allotment of the direct-consumption portion of the mainland quota for Puerto Rico is based. Testimony indicates that allottees accounting for over 90 percent of the direct-consumption sugar brought into the continental United States each year do not process sugar from sugarcane and accordingly, no weight should be given to the factor "processings from proportionate shares" (R–9, 10).

The Government witness proposed that the factor "past marketings" be measured for each processor and refiner by the average annual quantity of direct-consumption sugar which he marketed in the continental United States within the mainland quotas for Puerto Rico during the 5 years, 1965 through 1969, inclusive expressed as a percentage of the sum of such quantities for all processors and refiners. The witness stated that the use of the quantities marketed in the most recent 5-year period will reflect market conditions similar to those which would be expected to occur in the marketing of direct-consumption sugar in the mainland in 1970, and furthermore, that a 5-year average of such marketings tends to minimize short-run influences affecting data for a single year and adds stability to the "past marketings" factor (R–10, 11).

The Government witness proposed that the factor "ability to market" be measured by the largest quantity of direct-consumption sugar marketed in the mainland by each refiner and processor in any one of the past 5 years, 1965 through 1969, expressed as a percentage of the sum of such quantities for all refiners and processors. The witness stated that the actual demonstrated ability of each allottee as measured by the largest quantity of sugar marketed in any one of the last 5 years is believed to be the best measure of processor's and refiner's relative ability to market direct-consumption sugar in the mainland in 1970, and that the use of a more remote period would not be as indicative of current ability to market (R–11, 12).

In determining allotments of the direct-consumption portion of the mainland quota for the calendar year 1970, the Government witness proposed that the factors "past marketings" and "ability to market," measured as proposed above, be weighted equally and such weighted percentages shall be applied to the quantity to be allotted in determining individual allotments (R–12).

The order allotting the direct-consumption portion of the mainland quota for 1969 established a liquid sugar reserve of 25 short tons, raw value, for other than named allottees. The record of the hearing reveals that shipment of liquid sugar from other than named allottees totaled 10 tons in 1966, 13 tons in 1967, 15 tons in 1968, and 13 tons to date in 1969. Accordingly, the Government witness proposed that a liquid sugar reserve in an amount not to exceed 20 short tons, raw value, be established to permit the marketing of liquid sugar in the continental United States in 1970 by other than named allottees. Provision is therefore made for determining allotments by applying the weighted percentage factors for each allottee to the direct-consumption portion of the mainland quota less such liquid sugar reserve.

At the hearing the witness representing three of the named allottees supported and endorsed the Government's proposal.

At the hearing a witness for Aguirre Co. proposed that 1969 marketing data be excluded from that used in determing the measure of "past marketings" and that "past marketings" be measured by using average marketings of each allottee during the 4-year period 1965 through 1968. This proposal was concurred in by Central Roig Refining Co. and Western Sugar Refinery Co., two of the three allottees who earlier during the hearing had supported the Government's proposal. The proposal by Aguirre Co. was opposed by Puerto Rican American Sugar Refinery, Inc. The other named allottee (Central San Francisco) did not oppose or support the Aguirre Co. proposal but requested that 1964 marketing data not be used in the allotment formula. The principal reasons given by allottees in support of the Aguirre proposal was the inability of refiners to obtain raw sugar for refining due to low Puerto Rican production of raw sugar and the weather conditions which adversely affected the quality of sugar at mills making turbinado sugar. In view of the fact that the adoption of the Aguirre Co. proposal would result in penalizing the allottee that filled the largest percentage of its 1969 allotment and would favor those allottees that marketed a lower percentage of their 1969 allotments, it has not been adopted herein.

A proposal was made by the witness for Central San Francisco and concurred in by three other allottees that initial allotments be established at 95 percent

of the direct-consumption quota instead of 90 percent so that allottees would not be unduly restricted from marketing direct-consumption sugar on the mainland early in the year. This proposal has not been adopted since the official records of the Department show that no allottee has been restricted in past years due to the 90 percent provision from marketing sugar within its ability.

In accordance with the record of the hearing (R–16, 17) provision has been made in the findings and the order to revise allotments for the calendar year 1970, without further notice or hearing for purposes of (1) giving effect to the substitution of revised estimates or final data or both for estimates of the quantity of direct-consumption sugar imported into the continental United States by each allottee, (2) allotting any quantity of an allotment to other allottees or to the residuary balance available for all persons when written notification of release of such allotment becomes a part of the official records of Department, and (3) giving effect to any increase or decrease in the direct-consumption portion of the mainland quota. Also, as proposed in the record (R–20) the findings and order contain provisions relating to restrictions on marketing similar to those contained in the 1969 Puerto Rican allotment order since such provisions operated successfully in 1969 and no objection was made in the record to their inclusion.

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) Based upon the rate of production of refiners and processors in Puerto Rico in 1969, the potential capacity of Puerto Rican processors and refiners to produce direct-consumption sugar during the calendar year 1970 is at least 348,000 short tons, and this quantity is proportionately far greater than the total quantity of such sugar which may be marketed within the mainland and local sugar quotas for Puerto Rico for the calendar year 1970.

(2) The allotment of the direct-consumption portion of the mainland sugar quota for Puerto Rico for the calendar year 1970 is necessary to prevent disorderly marketings of such sugar and to afford each interested person an equitable opportunity to market such sugar in the continental United States.

(3) Assignment of percentile weight to the "processing from proportionate shares" factor in the allotment formula would not result in fair, efficient, and equitable allotments.

(4) An allotment of 20 short tons, raw value, shall be established as a liquid sugar reserve to permit the marketing of liquid sugar in the continental United States by persons other than named allottees during the calendar year 1970.

(5) The "past marketings" factor shall be measured by each allottee's percentage of the average entries of direct-consumption sugar by all allottees into the continental United States during the year 1965 through 1969.

(6) The "ability to market" factor shall be measured for each allottee by expressing each allottee's largest entries of direct-consumption sugar into the United States during any one of the past 5 years, 1965 through 1969, as a percent of the sum of such entries for all allottees.

(7) The quantities of sugar and percentages referred to in paragraphs (5) and (6), above, based on data involving estimates for 1969 direct-consumption entries which shall be used to establish allotments pending availability and substitution of revised or final data for such estimates, are set forth in the following table:

Processor or refiner	Average annual marketings 1965–69		Highest annual marketings 1965–69	
	Short tons raw value	Percent of total	Short tons raw value	Percent of total
	(1)	(2)	(3)	(4)
Aguirre Co.	6,193	4.0592	6,913	4.1519
Central Roig Refining Co.	20,327	13.3234	22,508	13.5181
Central San Francisco	1,091	.7151	1,344	.8072
Puerto Rican American Sugar Refinery, Inc.	101,751	66.6931	110,769	66.5267
Western Sugar Refining Co.	23,204	15.2092	24,969	14.9961
Total	152,566	100.0000	166,503	100.0000

(8) Allotments totaling the direct-consumption portion of the Puerto Rican mainland quota for the calendar year 1970, less the liquid sugar reserve provided for in Finding (4), above, should be established by giving 50 percent weight to past marketings, measured as provided in Finding (5), above, and 50 percent weight to ability to market, measured as provided in Finding (6), above; and the sum of such weighted percentages for each allottee applied to the quantity to be allotted shall determine the allotment for each allottee.

(9) This order may be revised without further notice or hearing for the purpose of substituting revised estimates or final data or both for previous estimates of the Puerto Rican direct-consumption sugar entries by and on behalf of each allottee in 1969 when such revised data or final data or both become part of the official records of the Department.

(10) This order shall be revised without further notice or hearing to revise allotments to give effect to any change in the direct-consumption portion of the quota for Puerto Rico for the calendar year 1970 on the same basis as is provided in these findings for establishing allotments.

(11) This order shall require each allottee to submit to the Department, in writing, an estimate of the maximum quantity of direct-consumption sugar he will be able to market during the quota year within any allotment, and a release for allocation to other allottees or to a residuary balance available for all persons the portion of any allotment which may be established for him in excess of such maximum quantity. Such notice shall be submitted to the Department by each allottee in the following form on October 1, 1970, and on December 1, 1970.

I, the undersigned allottee, estimate that I will be able to market not to exceed ------ short tons, commercial weight, equivalent to ------ short tons, raw value, of sugar during the entire calendar year 1970, within any allotment of the direct-consumption portion of the 1970 mainland quota for Puerto Rico which may be established for me pursuant to S.R. 815.

I release for disposition under the provisions of S.R. 815 the portion of any allotment in excess of the above stated quantity of sugar and any increase in my allotment in excess of such stated amount which would result from either an increase in the direct-consumption portion of the Puerto Rican sugar quota or the allocation of any allotment, or a portion thereof, released by one or more other allottees, occurring in either case, from the date of this release until the end of the calendar year.

Allottees may revise a previous notice of the maximum quantity he may market during the quota year and a previous release of allotment deficit by submitting to the Department on the prescribed form a new notice of the maximum quantity he may market during the quota year and a new release of allotment deficit. A revised notice and release may be given effect only to the extent that the allotment of any other allottee will not be reduced solely thereby as provided in Finding (12).

(12) This order shall provide for reallotment without further notice or hearing of any allotment, or portion thereof, that may be released by an allottee as provided in Finding (11) whenever such released allotments or portions thereof become available.

In revising allotments for the purpose of giving effect to a quota increase or decrease, or to give effect to a release by an allottee, allotment deficits shall be determined and allocated without regard to any previous determination and proration of deficits and such deficits shall be allocated proportionately among other allottees to the extent they are able to utilize additional allotments, on the basis of allotments computed for such allottees without including allocation of any allotment deficits: *Provided*, That the allotment previously in effect for an allottee which includes a deficit proration shall not be reduced solely to give effect to a revised notice received from another allottee subsequent to such deficit proration and which notice increases the declared maximum quantity such other allottee is able to market. Such deficit allocations to any allottee

shall be limited in accordance with the written statement of the maximum quantity he will market submitted as provided in Finding (11). In the event the total of allotment deficits released by allottees exceeds the total quantity which can be utilized by other allottees, the excess quantity shall be placed in a residual balance available for all persons.

(13) Official notice will be taken of (a) written notice to the Department by an allottee of the estimated maximum marketings of such allottee within an allotment and of the quantities of sugar released for reallotment when the notification becomes a part of the official records of the Department, (b) final data and revised estimates for 1969 calendar year marketings of sugar for direct-consumption in the mainland that become a part of the official records of the Department, and (c) any regulation issued by the Secretary which changes the mainland sugar quota for Puerto Rico and the direct-consumption portion thereof established for 1970.

(14) Each allottee during the calendar year 1970 shall be restricted from bringing into the continental United States for consumption therein any direct-consumption sugar in excess of the smaller of the sum of his allotment established herein and the quantity brought in under any residual balance available for all persons or the sum of the quantity of sugar produced by the allottee from sugarcane grown in Puerto Rico and the quantity of sugar acquired from Puerto Rican processors by the allottee during such year for shipment to the mainland within the applicable mainland quota for Puerto Rico. All other persons shall be prohibited from bringing direct-consumption sugar into the continental United States during the calendar year 1970 for consumption therein except such sugar acquired in such year from an allottee within his allotment established herein or sugar brought in within the liquid sugar reserve established for other than named allottees or within any residual balance available for all persons. All persons collectively shall be prohibited from bringing into the continental United States any direct consumption sugar other than crystalline sugar in excess of the quantity by which the direct-consumption portion of the mainland quota exceeds 126,033 short tons, raw value. Of that part of the direct-consumption portion of the mainland quota that may be filled by either liquid or crystalline sugar, 20 short tons, raw value, shall be reserved to cover shipments of liquid sugar by other than named allottees as provided in Finding (4).

(15) To facilitate full and effective use of allotments, provision shall be made in the order for transfer of allotments under circumstances of a succession of interest.

(16) Allotments established in the foregoing manner and the amounts set forth in the order provide a fair, efficient, and equitable distribution of the direct-consumption portion of the mainland quota, as required by section 205(a) of the Act.

(17) To assure that an allottee will not market a quantity of sugar in excess of his final 1970 allotment to be established later on the basis of final data; allotments established by this order should be limited to 90 percent of the direct-consumption portion of the mainland sugar quota for Puerto Rico pending the allotment of the quota based on final data.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, and in accordance with the findings and conclusions heretofore made: It is hereby ordered:

§ 815.11 Allotment of the direct-consumption portion of mainland sugar quota for Puerto Rico for the calendar year 1970.

(a) *Allotments.* For the period January 1, 1970, until the date allotments of the entire 1970 direct-consumption portion of the mainland sugar quota for Puerto Rico are prescribed 90 percent of the 1970 direct-consumption portion of the mainland sugar quota for Puerto Rico is hereby allotted as follows:

Allottee	*Direct-consumption allotment (short tons, raw value)*
Aguirre Co	5,985
Central Roig Refining Co	19,565
Central San Francisco	1,110
Puerto Rican American Sugar Refinery, Inc	97,105
Western Sugar Refining Co	22,017
Liquid sugar reserve for persons other than named above	18
Subtotal	145,800
Unallotted	16,200
Total	162,000

(b) *Restrictions on marketing.* (1) During the calendar year 1970, each allottee named in paragraph (a) of this section is hereby prohibited from bringing into the continental United States for consumption therein, any direct-consumption sugar from Puerto Rico in excess of the smaller of (i) the sum of the allottee's allotment established in paragraph (a) of this section and the quantity brought in within any residual balance available for all persons, or (ii) the sum of the quantity of sugar produced by the allottee from sugarcane grown in Puerto Rico, and the quantity of sugar produced from Puerto Rican sugarcane which was sugar acquired by the allottee in 1970 for further processing and shipment within the direct-consumption portion of the mainland quota for Puerto Rico for the calendar year 1970.

(2) During the calendar year 1970, all persons other than the allottees specified in paragraph (a) of this section are hereby prohibited from bringing into the continental United States, for consumption therein, any direct-consumption sugar from Puerto Rico except that acquired from an allottee within the quantity limitations established in subparagraph (1) of this paragraph and that brought in within the liquid sugar reserve for persons other than named allottees or within any residual balance available for all persons.

(3) Of the total quantity of direct-consumption sugar allotted in paragraph (a) of this section, 126,033 short tons, raw value, may be filled only by sugar principally of crystalline structure and the balance may be filled by sugar whether or not principally of crystalline structure, except that 20 short tons, raw value, of such balance is reserved to cover shipments of liquid sugar by other than named allottees.

(4) Each allottee shall submit the notices and releases as provided in finding (11) accompanying this order.

(c) *Revision of allotments.* The Administrator, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, is hereby authorized to revise the allotments established under this section without further notice or hearing to give effect to (1) the substitution of revised estimates or final data for estimates as provided in Finding (9) accompanying this order, (2) any increase or decrease in the direct-consumption portion of the mainland quota for Puerto Rico for the calendar year 1970, as provided in Finding (10) accompanying this order, and (3) the reallocation, as provided in Finding (12) accompanying this order, of any allotment or portion thereof released by an allottee.

(d) *Transfer of marketing rights under allotments.* The Director, Sugar Division, Agricultural Stabilization and Conservation Service, of the Department of Agriculture, consistent with the provisions of the Act, may permit a quantity of sugar produced from sugarcane grown in Puerto Rico to be brought into the continental United States for direct-consumption therein by one allottee, or other person, within the allotment or portion thereof established for another allottee upon relinquishment by the latter allottee of an equivalent quantity of his allotment and upon receipt of evidence satisfactory to the Director that a merger, consolidation, transfer of sugar-processing facilities, or other action of similar effect upon the allottees or persons involved has occurred.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153; interprets or applies secs. 205, 209; 61 Stat. 926, 928; 7 U.S.C. 1115, 1119)

Effective date. January 1, 1970.

Signed at Washington, D.C., on December 31, 1969.

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

[F.R. Doc. 69-15534; Filed, Dec. 31, 1969; 2:34 p.m.]

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[Amdt. 1]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Proportionate Shares for Farms; 1970 Crop

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended,

§ 850.218 (34 F.R. 17155) is amended as follows:

In § 850.218, paragraph (e) is amended by changing the date for Michigan from February 27, 1970, to February 13, 1970, and by changing the date for New Jersey from March 13, 1970, to February 13, 1970.

STATEMENT OF BASES AND CONSIDERATIONS

Based on local cropping practices, recommendations made by representatives of processors and grower associations at a meeting with the Michigan State Committee and the concurrence with such recommendations by such committee, this amendment changes the closing date for receiving requests for proportionate shares in Michigan from February 27, 1970, to February 13, 1970.

The change in the date for New Jersey is made on recommendations of the New Jersey State Committee.

Accordingly, I hereby find and conclude that the foregoing amendment will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Secs. 301, 302, 403, 61 Stat. 929, 930, as amended, 932; 7 U.S.C. 1131, 1132, 1153)

Effective date: Date of publication.

Signed at Washington, D.C., on December 29, 1969.

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

[F.R. Doc. 70-152; Filed, Jan. 5, 1970; 8:49 a.m.]

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

[Navel Orange Regulation 189, Amdt. 1]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of Navel oranges grown in Arizona and designated part of California.

(b) *Order, as amended.* The provisions in paragraph (b)(1) (i), (ii), and (iii) of § 907.489 (Navel Orange Reg. 189, 34 F.R. 20263) are hereby amended to read as follows:

§ 907.489 Navel Orange Regulation 189.

* * * * *

(b) * * *

(1) * * *

(i) District 1: 617,000 cartons;

(ii) District 2: 70,000 cartons;

(iii) District 3: 33,000 cartons.

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

Dated: December 31, 1969.

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

[F.R. Doc. 70-153; Filed, Jan. 5, 1970; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order No. 13]

PART 1013—MILK IN SOUTHEASTERN FLORIDA

Order Suspending Certain Provisions

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Southeastern Florida marketing area.

It is hereby found and determined that for the months of December 1969, January and February 1970, the following provisions of the order no longer tend to effectuate the declared policy of the Act:

In § 1013.15—"not less than eight days' " and "or was so received during the preceding month."

STATEMENT OF CONSIDERATION

Presently, the order requires that 8 days' production from a dairy farmer must be received at a pool plant during the month in order for such person to acquire producer status.

The Southeastern Florida market continues to require some supplemental supplies of milk. These provisions were previously suspended for the months of August through November 1969. During the months of December 1969 through February 1970 it is expected this need will continue. The needed additional supplies can be obtained most economically by shifting the production of certain dairy farmers regularly affiliated with either the Tampa Bay or Upper Florida markets to the Southeastern Florida market.

In many instances it is not practical or economical to bring as much as 8 days' production of milk from dairy farmers of the other Florida markets in order to qualify such dairy farmers as producers. If such dairy farmers' production does not qualify as producer milk, it is a receipt of other source milk and subject to payments as prescribed by the order.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that it will continue to permit handlers and cooperative associations to obtain supplemental supplies of milk from the individual producers normally associated with either the Tampa Bay or Upper Florida markets without uneconomical movements of milk supplies;

(b) This order continues in effect through February 1970 the suspension of the aforesaid provisions which were previously suspended for the months of August through November 1969 (34 F.R. 13585); and

(c) This suspension order is known to handlers and does not require of persons affected substantial or extensive preparation prior to the effective date.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the months of December 1969, January and February 1970.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 30, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-113; Filed, Jan. 5, 1970; 8:46 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 23,673]

PART 545—OPERATIONS

Amendment Relating to Fixed-Balance Bonus Accounts

DECEMBER 30, 1969.

Resolved, That the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amending § 545.3 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.3) for the purpose of

permitting Federal associations to issue fixed-balance bonus accounts having a 6-month qualifying period, hereby amends paragraph (b) of said § 545.3 by adding, after subparagraph (9), the following, effective December 30, 1969:

§ 545.3 **Bonus on monthly-payment and fixed-balance accounts.**

* * * * *

(b) *Fixed-balance accounts* * * *

(9) * * * *Provided,* That the Board may by resolution authorize the distribution of a bonus on fixed-balance accounts on terms other than those prescribed by this paragraph (b).

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–1948 Comp., p. 1071)

Resolved further that, since affording notice and public procedure on the above amendment would delay the amendment from becoming effective for a period of time and since it is in the public interest for the additional authority granted in the amendment to become effective without delay, the Board hereby finds that notice and public procedure on said amendment are contrary to the public interest under the provisions of § 508.11 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.11) and 5 U.S.C. 553(b); and since publication of said amendment for the period specified in § 508.14 of such regulations (12 CFR 508.14) and 5 U.S.C. 553(d) prior to the effective date of said amendment would in the opinion of the Board likewise be contrary to the public interest for the same reason, the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER, *Secretary.*

[F.R. Doc. 70–148; Filed, Jan. 5, 1970; 8:49 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. 23,660]

PART 561—DEFINITIONS

PART 564—SETTLEMENT OF INSURANCE

Amendments Relating to Increase of Maximum Insurance on Insured Accounts From $15,000 to $20,000

DECEMBER 30, 1969.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amending Parts 561 and 564 of the rules and regulations for Insurance of Accounts (12 CFR 561, 564) for the purpose of implementing the provisions of section 8 of Public Law 91–151, approved December 23, 1969, amending sections 401(b) and 405(a) of title IV of the National Housing Act (12 U.S.C. 1724(b), 1728(a)) to increase from $15,000 to $20,000 the maximum amount of insurance on accounts insured by the Federal Savings and Loan Insurance Corporation, hereby amends § 561.6 of said Part 561 (12 CFR 561.6) and §§ 564.2 to 564.10, inclusive, of said Part 564 (12 CFR 564.2 to 564.10, inclusive) as follows, effective January 6, 1970:

The figure "$15,000" is hereby changed in each place in which it appears in the foregoing sections of the rules and regulations for Insurance of Accounts to read "$20,000".

(Secs. 401, 402, 403, 405, 48 Stat. 1255, 1256, 1257, 1259, as amended; 12 U.S.C. 1724, 1725, 1726, 1728. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–1948 Comp., p. 1071)

Resolved further that, since affording notice and public procedure on the above amendment would delay the amendment from becoming effective for a period of time and since it is in the public interest for the additional authority granted in the amendment to become effective without delay, the Board hereby finds that notice and public procedure on said amendment are contrary to the public interest under the provisions of § 508.11 of the general regulations of the Federal Home Loan Bank Board and 5 U.S.C. 553(b); and publication of said amendment for the period specified in section 508.14 of the general regulations of the Federal Home Loan Bank Board and 5 U.S.C. 553(d) prior to the effective date of said amendment would in the opinion of the Board likewise be contrary to the public interest for the same reason, and the Board hereby so finds; and the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER, *Secretary.*

[F.R. Doc. 70–147; Filed, Jan. 5, 1970; 8:49 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart A—Eligibility Requirements

In § 203.20 paragraph (a) is amended to read as follows:

§ 203.20 **Maximum interest rate.**

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages insured on or after January 5, 1970.

* * * * *

In § 203.74 paragraph (a) is amended to read as follows:

§ 203.74 **Maximum interest rate.**

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, but in no case shall the interest rate exceed 8½ percent per annum with respect to loans insured on or after January 5, 1970.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

SUBCHAPTER D—RENTAL HOUSING INSURANCE

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 207.7 paragraph (a) is amended to read as follows:

§ 207.7 **Maximum interest rate.**

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after January 5, 1970.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Projects

In § 213.10 paragraph (a) is amended to read as follows:

§ 213.10 **Maximum interest rate.**

(a) The mortgage or a supplementary loan shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, or the lender and the borrower, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages or supplementary loans receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after January 5, 1970.

* * * * *

Subpart C—Eligibility Requirements—Individual Properties Released From Project Mortgage

In § 213.511 paragraph (a) is amended to read as follows:

§ 213.511 **Maximum interest rate.**

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per

annum with respect to mortgages insured on or after January 5, 1970.

* * * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart C—Eligibility Requirements—Projects

In § 220.576 paragraph (a) is amended to read as follows:

§ 220.576 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, but in no case shall the interest rate exceed 8½ percent per annum with respect to loans receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after January 5, 1970.

* * * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

In § 221.518 paragraph (a) is amended to read as follows:

§ 221.518 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after January 5, 1970. Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

* * * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

SUBCHAPTER J—MORTGAGE INSURANCE FOR NURSING HOMES

PART 232—NURSING HOMES MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 232.29 paragraph (a) is amended to read as follows:

§ 232.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages insured on or after January 5, 1970.

* * * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 232, 73 Stat. 663; 12 U.S.C. 1715w)

SUBCHAPTER L—CONDOMINIUM HOUSING INSURANCE

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Individually Owned Units

In § 234.29 paragraph (a) is amended to read as follows:

§ 234.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages insured on or after January 5, 1970.

* * * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 234, 75 Stat. 160; 12 U.S.C. 1715y)

SUBCHAPTER M—HOMES FOR LOWER INCOME FAMILIES

PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

Subpart D—Eligibility Requirements—Rehabilitation Sales Projects

Section 235.540 is amended to read as follows:

§ 235.540 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall such interest rate exceed 8½ percent per annum with respect to mortgages insured on or after January 5, 1970.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 235, 82 Stat. 477; 12 U.S.C. 1715z)

SUBCHAPTER N—PROJECTS FOR LOWER INCOME FAMILIES

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS

Subpart A—Eligibility Requirements for Mortgage Insurance

Section 236.15 is amended to read as follows:

§ 236.15 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages insured on or after January 5, 1970.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 236, 52 Stat. 498; 12 U.S.C. 1715z–1)

SUBCHAPTER Q—SUPPLEMENTAL PROJECT LOAN INSURANCE

PART 241—SUPPLEMENTARY FINANCING FOR FHA PROJECT MORTGAGES

Subpart A—Eligibility Requirements

Section 241.75 is amended to read as follows:

§ 241.75 Maximum interest rate.

The loan shall bear interest at the rate agreed upon by the lender and the borrower, but in no case shall the interest rate exceed 8½ percent per annum with respect to loan insured on or after January 5, 1970. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 241, 82 Stat. 508; 12 U.S.C. 1715z–b)

SUBCHAPTER V—LAND DEVELOPMENT INSURANCE

PART 1000—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

Section 1000.50 is amended to read as follows:

§ 1000.50 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after January 5, 1970.

(Sec. 1010, 79 Stat. 464; 12 U.S.C. 1749jj)

SUBCHAPTER W—GROUP PRACTICE FACILITIES INSURANCE

PART 1100—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

Subpart A—Eligibility Requirements

In § 1100.45 paragraph (a) is amended to read as follows:

§ 1100.45 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 8½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after January 5, 1970.

(Sec. 1104, 80 Stat. 1275; 12 U.S.C 1749aaa–3)

Issued at Washington, D.C., December 30, 1969.

[SEAL] EUGENE A. GULLEDGE,
Federal Housing Commissioner.

[F.R. Doc. 70–114; Filed, Jan. 5, 1970; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 36—LOAN GUARANTY

Maximum Interest Rate

1. In § 36.4311, paragraph (a) is amended to read as follows:

§ 36.4311 Interest rates.

(a) Excepting non-real-estate loans insured under 38 U.S.C. 1815, effective January 5, 1970, the interest rate on any loan guaranteed or insured wholly or in part may not exceed 8½ per centum per annum on the unpaid principal balance.

* * * * *

2. In § 36.4503, paragraph (a) is amended to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after May 7, 1968, shall not exceed an amount which bears the same ratio to $21,000 (or to such increased maximum as the Administrator may from time to time specify for the area in which the loan is made pursuant to section 1811(d) of title 38, United States Code) as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to $12,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by the Veterans' Administration shall bear interest at the rate of 8½ percent per annum, except where a commitment to make the loan was issued prior to January 5, 1970, in which case the rate of interest shall be that applicable on the date such commitment was issued.

* * * * *

(72 Stat. 1114, 38 U.S.C. 210)

These VA regulations are effective January 5, 1970.

Approved: January 2, 1970.

[SEAL] DONALD E. JOHNSON,
Administrator of Veterans' Affairs.

[F.R. Doc. 70-188; Filed, Jan. 5, 1970; 8:50 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-26—PROCUREMENT SOURCES AND PROGRAMS

Discrepancies in GSA Shipments

New criteria are provided to report over, short, or damaged shipments on which GSA pays the transportation charge, obtain adjustments on billings, and return material ordered or shipped in error.

Subpart 101-26.3—Procurement From GSA Supply Depots

1. Section 101-26.307-1 is revised to read as follows:

§ 101-26.307-1 Reporting requirements.

(a) When overages, shortages, or damages are incurred in shipments on which GSA pays the transportation charge, agencies shall document such discrepancies with sufficient information to enable initiation and processing of claims against carriers for shortages, damages, and the disposition of any overages in shipment. Discrepancies which are incurred in international ocean or air shipments or in shipments on which GSA does not pay the transportation charge will be processed in accordance with instructions contained in § 101-40.702.

(b) Standard Form 361, Discrepancy in Shipment Report (Short Title "DIS REP") illustrated at § 101-40.4906-3, shall be used in accordance with instructions contained in this § 101-26.307, and the GSA handbook, Over, Short, or Damaged Shipments from GSA, promulgated by the Commissioner, Federal Supply Service, to report:

(1) Carrier discrepancies in shipments to consignees in the United States (except Alaska) when the total value of the loss or the total cost of repairs of the items involved on a single Government bill of lading exceeds $15 (The dollar limitation for carrier discrepancies does not apply to overages or to situations where shortages are offset by overages in shipments delivered by the same carrier on different GBL's); and

(2) GSA errors in shipment when the value of the difference involved exceeds $10 per line item.

(c) Delay in submission of over, short, or damaged reports, including those covering shipper discrepancies, will delay GSA adjustment action and may complicate claim action against carriers. Accordingly, reports shall be prepared promptly and mailed to the GSA regional office within 10 days after receipt of shipment.

2. Section 101-26.307-2 is revised to read as follows:

§ 101-26.307-2 Adjustments.

GSA will adjust any billing discrepancy resulting from overdeliveries or underdeliveries or from overcharges or undercharges in accordance with the dollar limitations as cited in § 101-26.307-1(b).

3. Section 101-26.307-3 is revised to read as follows:

§ 101-26.307-3 Inquiries relating to GSA shipments.

Inquiries relating to GSA shipments should be directed to the appropriate addressee of the GSA regional office shown in the current edition of the GSA Stock Catalog.

4. Section 101-26.310 is revised to read as follows:

§ 101-26.310 Ordering and shipping errors.

In accordance with the provisions of this § 101-26.310, GSA may authorize agencies to return material when it has been ordered in error by the agency or shipped in error by GSA, with appropriate credit for material accepted by GSA. This credit will be based on current GSA Stock Catalog prices, and an adjustment will be made in current or future billings. Material shall not be returned until appropriate documents authorizing such action are received from the shipping GSA region.

(a) The return of material by an agency, to correct ordering or shipping errors, may be authorized and later accepted by GSA: *Provided,*

(1) The value of the material exceeds $10 per line item based on prices shown in the current edition of the GSA Stock Catalog.

(2) Authorization to return material is requested from the shipping GSA region within 30 days (60 days for overseas points) after receipt of the shipment. Requests should always contain a complete explanation of the reasons for the return of the material.

(3) Each item is in "like-new" condition and is identified by a stock number in the current edition of the GSA Stock Catalog.

(4) Each item is identified with a specific purchase order or requisition.

(5) The condition of the material is acceptable on inspection by GSA. If it is not acceptable, disposition, without credit, will be made by GSA. However, if the condition is attributable to carrier negligence, the agency will be given full credit when GSA is responsible for payment of transportation costs. When an agency is responsible for such costs, subsequent credit allowed by GSA will be reduced by the amount paid the agency by the carrier for damages incurred.

(6) The merchandise to be returned will not adversely affect the GSA nationwide inventory situation. This provision will not apply if the material was originally shipped in error by GSA.

(7) The return transportation costs are not excessive in relation to the cost of the material. However, if material is shipped in error by GSA, an adjustment mutually satisfactory to the agency and GSA will be made.

(b) Transportation costs on material specifically authorized for return by a regional office will be paid by GSA if it were shipped in error and by the agency if it were ordered in error. If transportation costs are paid by GSA, claims against carriers for discrepancies in shipment will be the responsibility of GSA. When an agency pays the transportation costs, it will be responsible for processing such claims.

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

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

Dated: December 30, 1969.

ROD KREGER,
Acting Administrator of General Services.

[F.R. Doc. 70-92; Filed, Jan. 5, 1970; 8:45 a.m.]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER D—GRANTS

PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

Subpart C—Health Professions Student Loans

Notice of proposed rule making, public rule making procedures and postponement of effective date have been omitted in the issuance of the following amendments to Subpart C—Health Professions Student Loans, which relates solely to loans to students of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, and veterinary medicine. The purpose of these amendments is to implement the amendments made to Part C of Title VII, Public Health Service Act, by Public Law 90-490 (82 Stat. 779), including the provisions relating to a change in the grace period, deferment of repayment during periods of advanced professional training, penalty charges for failure of timely repayment, a minimum monthly repayment rate, and a uniform interest rate for student loans; and authorizing a school participating in both the Health Professions Student Loan and Scholarship programs to transfer to its Scholarship account a portion of the Federal Capital Contributions paid to the school. A number of technical or clarifying changes are also included.

The following amendments to Subpart C shall become effective on the date of publication in the FEDERAL REGISTER, but, except as otherwise provided herein, only with respect to appropriations for fiscal years ending after June 30, 1969.

Subpart C of Part 57 is amended as follows:

1. Paragraph (c) of § 57.201 is revised to read as follows:

§ 57.201 Definitions.

* * * * *

(c) *School.* A public or other nonprofit school of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, or veterinary medicine which provides a course of study, or a portion thereof, which leads respectively to a degree of Doctor of Medicine, Doctor of Dental Surgery or an equivalent degree, Doctor of Osteopathy, Doctor of Optometry or an equivalent degree, Doctor of Podiatry or an equivalent degree, Bachelor of Science in pharmacy or an equivalent degree, or Doctor of Veterinary Medicine or an equivalent degree, and which is accredited as provided in section 721(b)(1)(B) of the Act.

* * * * *

2. Paragraph (a) of § 57.207 is revised to read as follows:

§ 57.207 Health professions student loan funds.

(a) *Funds established with Federal Capital Contributions.* Any fund established by a school with Federal Capital Contributions shall be deposited and carried in a special account of such school. There shall be in such fund at all times monies representing the Institutional Capital Contribution, equal to at least one-ninth of the amount of the balance of the Federal Capital Contributions in such fund.

(1) Except for funds transferred as provided for in subparagraph (2) of this paragraph, such fund shall be used by such school only for (i) loans to students; (ii) capital distribution as provided in section 743 of the Act or as agreed to by the school and the Secretary; and (iii) costs of litigation arising in connection with the collection of an obligation to such fund and interest thereon.

(2) Not to exceed 20 per centum of the amount paid to any such school from the appropriation for any fiscal year for Federal Capital Contributions may be transferred to the sums available to the school for scholarship awards under section 780 of the Act, to be used for the same purpose as such sums: *Provided, however,* That where the Secretary finds in a particular case that a school has demonstrated an unusual need for scholarship funds, he may approve the transfer of an amount in excess of 20 per centum of the amount so paid. In the case of any transfer pursuant to this subparagraph, the proportionate amount of the Institutional Capital Contribution (i.e., one-ninth of the amount so transferred) may be withdrawn by the school from such fund.

* * * * *

3. Paragraph (b) of § 57.209 is revised to read as follows:

§ 57.209 Eligibility and selection of student loan recipients.

* * * * *

(b) *Selection of loan recipients and determination of need.* It shall be the responsibility of the school to select qualified applicants and to make reasonable determinations of need. In determining whether a student is in need of a loan to pursue a full-time course of study at the school, the school shall take into consideration:

(1) The financial resources available to the student; and

(2) The costs reasonably necessary for the student's attendance at the school, including any special needs and obligations which directly affect the student's ability to attend the school on a full-time basis.

* * * * *

4. Paragraph (a) of § 57.211 is revised to read as follows:

§ 57.211 Evidence of student indebtedness—promissory note; security.

(a) *Evidence of indebtedness—promissory note.* Each loan to a student from any fund or funds shall be evidenced by a promissory note, executed by the student borrower in such form as shall be approved by the Secretary.

(1) Any substantive deviations from the promissory note form so approved shall be made only pursuant to approval by the Secretary prior to the making of any loan evidenced thereby, except that a school which elects to require security or endorsement in cases permitted under paragraph (b) of this section may include a provision reflecting such election without prior approval.

(2) With respect to student loans made after June 30, 1969, each promissory note shall include a provision stating that the loan evidenced thereby shall bear interest, on the unpaid balance of such loan, computed only for periods for which the loan is repayable, at the rate of 3 percent per year.

(3) A copy of each executed note shall be supplied by the school to the student maker thereof.

* * * * *

5. Section 57.213 is revised to read as follows:

§ 57.213 Repayment and collection of student loans.

(a) *Repayment of student loans.* Subject to the provisions of this paragraph any student loan made after June 30, 1969, including interest accrued thereon, shall be repayable in equal or graduated periodic installments in amounts calculated on the basis of a 10-year repayment period. Except as otherwise provided in this paragraph, repayment shall begin 1 year after the student ceases to be a full-time student.

(1) When a borrower, within such 1-year period, reenters the same or another school as a full-time student, the date upon which interest accrual and the repayment period begin shall be related to and determined by the date on which he last ceases to be a full-time student at any school.

(2) Repayment of the loan shall be suspended, and interest thereon shall not accrue, during (i) all periods of up to a total of 3 years of active duty performed by the borrower as a member of a uniformed service; (ii) all periods of up to a total of 3 years of service as a volunteer under the Peace Corps Act; and (iii) all periods of up to a total of 5 years of advanced professional training. With respect to student loans made before July 1, 1969, all periods up to a total of 5 years of advanced professional training after June 30, 1969, may be excluded from such repayment period where so agreed by the school which made the loan and the Secretary: *Provided,* That

in no such case may the total of the periods of advanced professional training so excluded from the repayment period and the period between the date on which the borrower ceases to be a full-time student and the date on which, under the terms of the promissory note evidencing such loan, the repayment period is to begin, exceed 6 years. For purposes of this subdivision, advanced professional training shall include only (*a*) internship and residency programs or (*b*) full-time training beyond the first professional degree of at least 1 academic year which is provided by an accredited institution or an affiliate thereof, and which will advance the borrower's knowledge of and strengthen his skills in the health profession for the study of which he received the loan.

(3) Each student borrower may (subject to the provisions of subparagraph (b) (3) of this section) choose the repayment schedule which he prefers from those in use by the school and approved by the Secretary, but a student borrower may, at his option and without penalty, prepay all or part of the principal and accrued interest at any time.

(b) *Collection of student loans.* (1) Each school at which a fund is established shall exercise due diligence in the collection of all loans due the fund. The school shall use such collection practices as are generally accepted among institutions of higher education and which are at least as extensive and effective as those used in the collection of other student loan accounts due the school.

(2) With respect to any student loan made after June 30, 1969, the school may assess a charge for failure of the borrower to pay all or any part of an installment when it is due, and, in the case of a borrower who is entitled to deferment benefits under section 741(c) of the Act or cancellation benefits under section 741(f) of the Act, for any failure to file timely and satisfactory evidence of such entitlement. The amount of such charge may not exceed $1 for the first month or part of a month by which such installment or evidence is late and $2 for each such month or part of a month thereafter. The school may elect to add the amount of such charge to the principal amount of the loan as of the first day after the day on which such installment or evidence was due, or to make the amount of the charge payable to the school not later than the due date of the next installment after receipt by the borrower of notice of the assessment of the charge.

(3) With respect to any student loan made after June 30, 1969, the school may provide that during the repayment period of a loan, payments of principal and interest by the borrower with respect to all the outstanding loans made to him from any Health Professions Student Loan Fund shall be at a rate equal to not less than $15 per month.

6. Subparagraph (d) (2) of § 57.214 is revised to read as follows:

§ 57.214 Provisions for student loan cancellations.

* * * * *

(d) * * *

(2) For purposes of subparagraph (1) of this paragraph, the Secretary, after consultation with the appropriate State health authority, may determine an area to be a rural shortage area characterized by low family income if the area has been designated as a shortage area pursuant to paragraph (c) of this section and is an area in which (i) at least 50 per centum of the total population is rural (as determined in accordance with the most recent available data of the U.S. Bureau of the Census), or there is no municipality of more than 10,000 population, and (ii) at least 35 per centum of the population has a family income of less than $3,000 (as determined in accordance with the most recent available data of the U.S. Bureau of the Census).

7. Paragraph (a) of § 57.215 is revised to read as follows:

§ 57.215 Records, reports, inspection.

(a) *Records and reports.* Each Federal Capital Contribution and Federal Capital Loan shall be subject to the condition that the school shall maintain such records, and file with the Secretary such reports relating to its Health Professions Student Loan Fund or Funds, as the Secretary may find necessary to carry out the purposes of the Act and the regulations. Where any school has both a fund established with Federal Capital Contributions and a fund established with Federal Capital Loans, records shall be kept separately for each fund. All records shall be retained until such time as agreed upon with the Secretary that there is no further need for retention.

* * * * *

(Secs. 215, 741, Public Health Service Act as amended, 58 Stat. 690, 82 Stat. 778, 42 U.S.C. 216, 294a)

Dated: November 14, 1969.

ROBERT Q. MARSTON,
Director,
National Institutes of Health.

Approved: December 30, 1969.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 70-117; Filed, Jan. 5, 1970; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER D—TARIFFS AND SCHEDULES

[Released Rates Order MC-505]

PART 1307—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATION OF MOTOR CARRIERS

Released Rates of Motor Common Carriers of Household Goods

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 18th day of December, 1969.

Upon consideration of the petition filed November 20, 1969, by the Household Goods Carriers' Bureau, to which no reply has been filed, seeking further amendment of this order (Released Rates Order No. MC-505, as contained in Ex Parte No. MC-19, decided June 7, 1966, 102 M.C.C. 267, 277, published in 31 F.R. 8919), to permit continued assessment of an increased valuation charge on shipments of household goods destined to points in Mexico;

It appearing, that special conditions continue to exist on U.S. shipments into Mexico because domestic carriers, under authority of the Commission, cannot operate in Mexico, and shipments must be unloaded at the border and reloaded on equipment of Mexican carriers, which increases the cost of insuring such shipments; and good cause appearing therefor:

It is ordered, That paragraph (a) of § 1307.201 of Title 49 of the Code of Federal Regulations be, and it is hereby, further amended so as to eliminate the restriction on such increased valuation, limiting its effectiveness solely for an annual period, and thereby rendering it effective until the further order of the Commission, as follows:

§ 1307.201 Released rates on household goods.

(a) *Establishment authorized; rate bases* * * *

Released values and liability limitations	Transportation rate basis	Storage in transit rate basis
* * *	* * *	* * *
	Base Transportation rate plus a valuation charge of 50 cents for each $100, or fraction thereof of the released value of the entire shipment. On shipments destined to a point in Mexico, the valuation charge will be $1.50 for each $100, or fraction thereof, of the released value of the entire shipment.	

It is further ordered, That this amendment become effective December 31, 1969.

(Secs. 204, 219, as amended, 220, as amended; 49 Stat. 546, 563; 49 USC 304, 319, 320)

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-119; Filed, Jan. 5, 1970; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 69–WA–59–B]

TERMINAL CONTROL AREAS

Proposed Airspace Configurations

On December 3, 1969, the Acting Director, Air Traffic Service, issued in Washington, D.C., a notice of public hearings to be conducted at various locations in order to insure that the views of all interested persons would be heard concerning individual terminal control areas that are being proposed for 22 high density terminals listed in that notice.

A schedule was published in the notice of public hearings indicating the specific date, time, and address for each of the local hearings. Since the issuance of this schedule, it has become necessary to change the date for the public hearing at New Orleans, La., and the location for the public hearing at Miami, Fla. Accordingly, the schedule for the public hearings on the terminal control areas for New Orleans and Miami is as follows:

Jan. 14, 1970, 7:00 p.m.	New Orleans, La.	Louisiana State University, New Orleans University Center, Cabildo Room 242, New Orleans, La.
Jan. 21, 1970, 9:30 a.m.	Miami, Fla....	Pan Air Recreational Club, 4677 Northwest 9th Street, Miami, Fla.

Issued in Washington, D.C. on December 18, 1969.

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

[F.R. Doc. 70–169; Filed, Jan. 5, 1970; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69–EA–152]

VOR FEDERAL AIRWAY SEGMENTS

Proposed Alteration and Revocation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter several VOR Federal airway segments within the Boston, Mass., air route traffic control area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Administration proposes the following airspace actions:

1. Realign VOR Federal Airway No. 3 segment from Hartford, Conn., to Boston, Mass., via the intersection of Hartford 044° T (057° M) and Boston 251° T (266° M) radials.

2. Realign VOR Federal Airway No. 14 segment from Gardner, Mass., to Boston via the intersection of Gardner 128° T (142° M) and Boston 251° T (266° M) radials.

3. Revoke VOR Federal Airway No. 149 segment between Binghamton, N.Y., and Utica, N.Y.

4. Realign VOR Federal Airway No. 153 segment from Lake Henry, Pa., via Hancock, N.Y., to Georgetown, N.Y.

5. Designate VOR Federal Airway No. 229 segment from Hartford to Gardner via the intersection of Hartford 044° T (057° M) and Gardner 150° T (164° M) radials.

6. Realign VOR Federal Airway Nos. 292 and 308 segments from Putnam, Conn., to Boston via the intersection of Putnam 043° T (057° M) and Boston 251° T (266° M) radials.

7. Realign VOR Federal Airway No. 449 to extend from Lake Henry via Delancy, N.Y., to Albany, N.Y.

8. Realign VOR Federal Airway No. 475 segment from Madison, Conn., via Norwich, Conn.; Providence, R.I.; intersection of Providence 013° T (027° M) and Boston 223° T (238° M) radials; to Boston.

9. Revoke VOR Federal Airway No. 457.

These proposed actions are designed to improve traffic handling for aircraft operating between the New York and Boston Air Route Traffic Control Center Areas and will provide routing compatibility with the airway alignments contained in the New York Metroplex, Airspace Docket No. 69–EA–30 (34 F.R. 14850, 16877).

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

Issued in Washington, D.C., on December 29, 1969.

LOUIS H. MCCAUGHEY,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 70–107; Filed, Jan. 5, 1970; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 208, 214, 295]

[Docket No. 21666]

OVERSEAS MILITARY PERSONNEL CHARTERS

Supplemental Notice of Proposed Rule Making

DECEMBER 31, 1969.

The Board, by circulation of notice of proposed rule making EDR–173, dated December 1, 1969, and publication at 34 F.R. 19297, gave notice that it had under consideration proposed amendments to Parts 208, 214, and 295 which would establish a class of charter for military personnel and their immediate families. Interested persons were invited to participate in the proceeding by submission of twelve (12) copies of written data, views, or arguments pertaining thereto, to the Docket Section of the Board on or before January 6, 1970.

Counsel for a foreign air carrier and the Department of Defense have requested an extension 30 days, and counsel for a number of supplemental carriers and the Davis Agency have requested a 90-day extension. The Department of Defense cites technical and administrative problems in obtaining and submitting pertinent data and comment within the prescribed period, and those requesting an extension of 90 days represent that such additional time is needed for the purpose of conducting a survey or investigation to develop factual data. The undersigned finds that good cause has been shown for additional time for filing comments to the extent of 60 days. Accordingly, pursuant to authority delegated in § 385.20(d) of the Board's organization regulations, the undersigned hereby extends the time for submitting comments to March 7, 1970.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board:

[SEAL] ARTHUR H. SIMMS,
Associate General Counsel, Rules and Rates Division.

[F.R. Doc. 70–141; Filed, Jan. 5, 1970; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

LORE JOSEPH ADAMS

Notice of Granting of Relief

Notice is hereby given that Lore Joseph Adams, Moss Bluff Station, Lake Charles, La., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on November 17, 1952, in the 14th Judicial Court, Parish of Calcasieu, State of Louisiana, of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Lore Joseph Adams because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Mr. Adams to receive, possess, or transport in commerce or affecting commerce, any firearm. Notice is hereby given that I have considered Lore Joseph Adams' application and:

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

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

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

Signed at Washington, D.C., this 30th day of December 1969.

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

[F.R. Doc. 70-165; Filed, Jan. 5, 1970; 8:49 a.m.]

KENNETH O'DELL HART

Notice of Granting of Relief

Notice is hereby given that Kenneth O'Dell Hart, Del City, Okla., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer shipment, or possession of firearms incurred by reason of his conviction on March 12, 1948, by the Circuit Court of Barton County, Mo., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Kenneth O'Dell Hart because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Kenneth O'Dell Hart to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Kenneth O'Dell Hart's application and:

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

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

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

Signed at Washington, D.C., this 30th day of December 1969.

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

[F.R. Doc. 70-167; Filed, Jan. 5, 1970; 8:49 a.m.]

THOMAS A. SNYDER

Notice of Granting of Relief

Notice is hereby given that Thomas A. Snyder, 4805 Ranchland Avenue, Louisville, Ky., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on October 9, 1958, in the U.S. District Court for the Western District of Kentucky of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Thomas A. Snyder because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Mr. Snyder to receive, possess, or transport in commerce or affecting commerce, any firearm. Notice is hereby given that I have considered Thomas A. Snyder's application and:

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

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

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

Signed at Washington, D.C., this 30th day of December 1969.

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

[F.R. Doc. 70-166; Filed, Jan. 5, 1970; 8:49 a.m.]

Office of the Secretary

PIG IRON FROM BRAZIL

Determination of Sales at Not Less Than Fair Value

DECEMBER 31, 1969.

On November 21, 1969, there was published in the FEDERAL REGISTER a "Notice of Tentative Negative Determination"

that pig iron from Brazil is not being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded until December 22, 1969, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

No written submissions or requests having been received, I hereby determine that for the reasons stated in the tentative determination, pig iron from Brazil is not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)) and section 53.33(c), Customs Regulations (19 CFR 53.33(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 70-162; Filed, Jan. 5, 1970; 8:49 a.m.]

PIG IRON FROM SWEDEN

Determination of Sales at Not Less Than Fair Value

DECEMBER 31, 1969.

On November 21, 1969, there was published in the FEDERAL REGISTER a "Notice of Tentative Negative Determination" that pig iron from Sweden is not being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded until December 22, 1969, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

No written submissions or requests having been received, I hereby determine that for the reasons stated in the tentative determination, pig iron from Sweden is not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)) and section 53.33(c), Customs Regulations (19 CFR 53.33(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 70-164; Filed, Jan. 5, 1970; 8:49 a.m.]

PIG IRON FROM THE UNITED KINGDOM

Determination of Sales at Not Less Than Fair Value

DECEMBER 31, 1969.

On November 21, 1969, there was published in the FEDERAL REGISTER a "Notice of Tentative Negative Determination" that pig iron from the United Kingdom is not being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded until December 22, 1969, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

No written submissions or requests having been received, I hereby determine that for the reasons stated in the tentative determination, pig iron from the United Kingdom is not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)) and section 53.33(c), Customs Regulations (19 CFR 53.33(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 70-163; Filed, Jan. 5, 1970; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Wyoming 19140]

WYOMING

Notice of Proposed Classification of Public Lands for Multiple-Use Management

DECEMBER 24, 1969.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify for multiple-use management the public lands within the areas described below.

2. Publication of this notice has the effect of segregating (a) all the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171); (b) the lands described in paragraph 4 of this notice are not segregated from desert land entry laws; (c) the lands described in paragraph 5 of this notice are segregated from the above laws and are further segregated from appropriation under the general mining laws (30 U.S.C. 21), and the lands shall remain open to all other applicable forms of appropriation, including the mining laws (except as provided in paragraph 5) and the mineral leasing laws. As used herein "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

3. Public lands located within the following described areas are shown on the Sublette County classification map, which is on file in the District Office, Bureau of Land Management, Pinedale, Wyo., and in the Land Office, Bureau of Land Management, Federal Building, Cheyenne, Wyo. The general descriptions of the areas are as follows:

SIXTH PRINCIPAL MERIDIAN

SUBLETTE COUNTY, WYOMING

All public lands within the following described areas:

North LaBarge Creek

Beginning at the southwest corner of Sublette County at the corner common to sec. 31, T. 27 N., R. 115 W., sec. 6, T. 26 N., R. 115 W., sec. 36, T. 27 N., R. 116 W., and sec. 1, T. 26 N., R. 116 W.;

Thence east along the south boundary of Sublette County to the Green River;

North along the Green River to the mouth of Middle Piney Creek;

West northwesterly along Middle Piney Creek to the Bridger National Forest boundary;

South along said boundary to the point of beginning.

Desert, Fremont Butte, Square Top

Beginning at a point in sec. 25, T. 28 N., R. 112 W., where the existing proposed Pinedale and Rock Springs District boundary joins the Green River;

Thence east-northeast along said boundary to the northwest corner of sec. 5, T. 30 N., R. 105 W.;

West 6 miles to the northwest corner of sec. 5, T. 30 N., R. 106 W.;

North 2 miles to the northeast corner of sec. 30, T. 31 N., R. 106 W.;

West 2 miles to the southwest corner of sec. 24, T. 31 N., R. 107 W.;

North 4 miles to the Boulder-Big Sandy Road;

North-northwest along said road to the Boulder Road and Highway 187;

Northwest along Highway 187 to Boulder Creek;

South along Boulder Creek to its confluence with the New Fork River;

South-southwest along the New Fork River to its confluence with the Green River;

South along the Green River to the point of beginning, excluding the W½NE¼, sec. 30, T. 31 N., R. 106 W.

Mesa

Beginning at the conjunction of the New Fork and Green Rivers in sec. 29, T. 30 N., R. 110 W.;

North and west along the Green River to the section line common to secs. 6 and 7, T. 34 N., R. 111 W.;

Due east approximately 9½ miles to the point where the New Fork River crosses the section line common to secs. 2 and 11, T. 34 N., R. 110 W.;

Southeast along the New Fork River to Highway 187;

Southeast along Highway 187 to Boulder Creek;

South along Boulder Creek to the New Fork River;

Southwest along New Fork River to the point of beginning, excluding the S½NW¼, SW¼NE¼, sec. 9, SW¼SE¼, sec 18, T. 34 N., R. 111 W., W½SW¼, sec. 15, NW¼NW¼, sec. 22, T. 34 N., R. 110 W.

Bench Corral-Deer Hills

Beginning at the confluence of Cottonwood Creek and the Green River in sec. 17, T. 31 N., R. 110 W.;

Thence south along the Green River to its confluence with Middle Piney Creek in sec. 4, T. 30 N., R. 111 W.;

West-northwest along Middle Piney Creek to the Bridger National Forest boundary in sec. 7, T. 30 N., R. 114 W.;

North along said boundary to the corner common to secs. 16, 17, 20, and 21, T. 33 N., R. 114 W.;

South approximately 3 miles to South Cottonwood Creek;

East along South Cottonwood Creek to Cottonwood Creek;

Southeast along Cottonwood Creek to the point of beginning, excluding the NE¼, N½NW¼, sec. 5, secs. 8 and 10, T. 30 N., R. 114 W., secs. 7, 8, and 17, SE¼NW¼, S½NE¼, and NE¼SE¼, sec. 18, T. 30 N., R. 112 W., NW¼SW¼, sec. 19, T. 31 N., R. 113 W., S½NW¼, sec. 11, SE¼NW¼, E½SW¼, E½, sec. 14, T. 31 N., R. 111 W., E½SE¼, sec. 17, NE¼SW¼, W½NW¼, SE¼NW¼, sec. 21, NW¼NE¼, sec. 28, T. 31 N., R. 110 W.

Round Valley-Rye Grass

Beginning at the confluence of Horse Creek and the Green River in sec. 36, T. 34 N., R. 111 W.;

Thence south along the Green River to the mouth of Cottonwood Creek;

Thence northwest along Cottonwood Creek to where it crosses the section line common to secs. 9 and 10, T. 33 N., R. 113 W.;

North approximately 4½ miles to where Horse Creek crosses the section line common to secs. 21 and 22, T. 34 N., R. 113 W.;

East along Horse Creek to the point of beginning, excluding the NE¼NW¼, sec. 17, T. 31 N., R. 110 W., SW¼NE¼, W½SE¼, sec. 33, T. 33 N., R. 110 W., N½NE¼, NE¼NW¼, sec. 21, T. 33 N., R. 112 W., E½NW¼, W½NE¼, sec. 15, T. 34 N., R. 112 W.

The total area of the public lands included within the purview of this notice of proposed classification aggregates approximately 750,000 acres.

4. As provided in paragraph 2 above, the following lands are not segregated from the desert land entry laws:

SIXTH PRINCIPAL MERIDIAN

T. 31 N., R. 110 W.,
Secs. 6 and 7.
T. 32 N., R. 110 W.,
Secs. 6 to 8, inclusive;
Secs. 17 to 21, inclusive;
Sec. 29, W½, NE¼, N½SE¼, and SW¼SE¼;
Secs. 30 and 31;
Sec. 32, W½W½, E½NW¼, NE¼SW¼, and NW¼NE¼.
T. 30 N., R. 111 W.,
Secs. 4 and 5;
Sec. 6, E½E½;
Sec. 7, E½NE¼;
Secs. 8 and 9;
Sec. 17, N½NE¼.
T. 31 N., R. 111 W.,
Sec. 1;
Secs. 3 to 5, inclusive;
Sec. 6, E½NW¼, NE¼, and E½SE¼;
Sec. 7, NE¼;
Sec. 8, N½, SE¼, and E½SW¼;
Secs. 9, 10, 12, and 15;
Sec. 17, E½;
Sec. 20, NE¼ and E½SE¼;
Secs. 21, 22, and 28;
Sec. 29, E½E½;
Sec. 32, E½E½;
Sec. 33.
T. 32 N., R. 111 W.,
Secs. 1 to 4, inclusive;
Secs. 9 to 15, inclusive;
Secs. 21 to 25, inclusive;
Sec. 31, S½;
Sec. 32, S½.

The lands described aggregate approximately 21,500 acres.

5. As provided in paragraph 2 above, the following lands are further segregated from appropriation under the general mining laws:

SIXTH PRINCIPAL MERIDIAN

T. 30 N., R. 105 W.,
Sec. 7, S½SE¼.
T. 30 N., R. 106 W.,
Sec. 1, SW¼SW¼;
Sec. 2, S½;
Sec. 11, N½NE¼;
Sec. 12, N½ and NE¼SE¼.
T. 31 N., R. 106 W.,
Sec. 10, NW¼;
Sec. 30, lot 4 and SE¼SW¼.
T. 32 N., R. 106 W.,
Sec. 18, lot 3 and W½SE¼.
T. 33 N., R. 106 W.,
Sec. 17;
Sec. 19, E½E½;
Sec. 20, N½N½ and SW¼NW¼.
T. 31 N., R. 107 W.,
Sec. 25, S½S½;
Sec. 26, N½SW¼, NW¼SE¼, and S½SE¼;
Sec. 27, N½S½;
Sec. 28, N½S½;
Sec. 29, N½S½;
Sec. 30, S½NW¼, S½NE¼, N½SE¼, and NE¼SW¼.
T. 32 N., R. 107 W.,
Sec. 8, N½SW¼;
Sec. 17, NW¼NE¼;
Sec. 19, lots 5 and 6;
Sec. 24, lot 1.
T. 33 N., R. 107 W.,
Sec. 14, W½, W½NE¼, and NW¼SE¼;
Sec. 18, lots 3, 4, 5, and SE¼NW¼;
Sec. 22, N½NE¼.
T. 31 N., R. 108 W.,
Sec. 4, lot 5 and NW¼SW¼;
Sec. 5, lots 10 to 12, inclusive, and SE¼SE¼;
Sec. 7, lot 3 and SE¼NW¼;
Sec. 8, NE¼NW¼;
Sec. 26, N½SW¼;
Sec. 27, N½S½;
Sec. 28, S½N½ and N½S½;
Sec. 29, S½N½, S½SW¼, and SW¼SE¼;
Sec. 30, lot 4, SE¼SW¼, and S½SE¼.
T. 32 N., R. 108 W.,
Sec. 21, SW¼SW¼;
Sec. 26, SW¼SW¼;
Sec. 28, SW¼NW¼;
Sec. 34, SE¼NE¼.
T. 33 N., R. 108 W.,
Sec. 1, lots 1, 2, 3, and 4;
Sec. 2, lot 1, S½NE¼, N½SE¼, and NE¼SW¼;
Sec. 11, lot 1, NE¼SE¼, SW¼SE¼, NW¼SW¼;
Sec. 12, lots 1 to 4, inclusive, and NW¼SW¼;
Sec. 13, lots 1 to 6, inclusive, NE¼SE¼, SW¼NW¼, and NW¼SW¼;
Sec. 14, lot 1, W½E½, and E½W½;
Sec. 23, NW¼;
Sec. 27, NE¼SE¼;
Sec. 31, lot 4 and SE¼SW¼.
T. 34 N., R. 108 W.,
Sec. 26, SW¼SE¼;
Sec. 34, lot 3, SE¼NE¼, and N½SE¼.
T. 30 N., R. 109 W.,
Sec. 5, lots 2 and 5;
Sec. 7, lot 10;
Sec. 8, lots 1, 5, 6, and 7.
T. 31 N., R. 109 W.,
Sec. 11, lot 1;
Sec. 12, lots 5 to 10, inclusive, NE¼SE¼, and SE¼SW¼;
Sec. 15, lots 7 and 8;
Sec. 21, lots 2, 3, 6, and 9;
Sec. 25, SE¼SE¼;
Sec. 28, lots 1, 3, NE¼NW¼, and NW¼SW¼;
Sec. 29, lots 3, 4, and 7;
Sec. 31, lots 1, 2, 3, 6, S½NE¼, and NW¼NE¼;
Sec. 32, NW¼SW¼;
Sec. 33, E½SW¼, S½SE¼, and NE¼SE¼;
Sec. 34, N½S½ and SE¼NE¼;
Sec. 35, S½N½, NE¼NE¼, and NW¼SW¼.
T. 32 N., R. 109 W.,
Sec. 1, lot 4 and S½NW¼.
T. 33 N., R. 109 W.,
Sec. 8, NE¼NE¼;
Sec. 9, SW¼NW¼;
Sec. 35, NE¼SE¼.
T. 34 N., R. 109 W.,
Sec. 25, lots 1 to 16, inclusive, SW¼, S½NW¼, and NE¼NW¼;
Sec. 26, N½ and N½S½;
Sec. 27, lots 1 to 7, inclusive, lots 10 to 19, inclusive, W½NE¼, SE¼NE¼, NE¼SE¼, and NE¼NW¼.
T. 35 N., R. 109 W.,
Sec. 19, lot 2 and N½SE¼.
T. 30 N., R. 110 W.,
Sec. 4, N½SW¼;
Sec. 5, N½S½;
Sec. 6, lot 6, NE¼SW¼ and N½SE¼;
Sec. 11, lots 2 to 4, inclusive;
Sec. 12, lot 5;
Sec. 13, lot 1;
Sec. 14, lots 1, 4, 5, 7, and NW¼NW¼;
Sec. 27, lot 3 and SE¼NW¼;
Sec. 28, lots 5 to 9, inclusive;
Sec. 29, NE¼SE¼.
T. 31 N., R. 110 W.,
Sec. 21, lots 3 to 6, inclusive, lot 8 and W½SE¼;
Sec. 27, lot 4;
Sec. 33, E½SW¼;
Sec. 34, SE¼SE¼;
Sec. 35, E½NE¼, N½SE¼, NE¼SW¼, and S½SW¼;
Sec. 36, N½N½.
T. 32 N., R. 110 W.,
Sec. 28, W½NW¼, and NW¼SW¼;
Sec. 29, SE¼SE¼;
Sec. 32, NE¼NE¼ and SW¼NE¼.
T. 33 N., R. 110 W.,
Sec. 3, lot 4;
Sec. 15, SW¼SE¼.
T. 34 N., R. 110 W.,
Sec. 24, NE¼NE¼;
Sec. 33, NE¼SE¼;
Sec. 34, W½SW¼;
Sec. 35, S½N½.
T. 35 N., R. 110 W.,
Sec. 5, lot 3 and SE¼NW¼.
T. 37 N., R. 110 W.,
Sec. 2, lots 1, 2, and 3;
Sec. 33, NW¼SW¼.
T. 29 N., R. 111 W.,
Sec. 1, lot 12;
Sec. 2, lots 5, 12, 15, and 17;
Sec. 3, lots 6, 15, 17, and 18;
Sec. 4, lots 9 and 10;
Sec. 10, lot 1;
Sec. 11, lot 1;
Sec. 21, lots 2 and 4;
Sec. 28, lot 5.
T. 30 N., R. 111 W.,
Sec. 10, S½SW¼;
Sec. 15, N½NW¼ and SW¼NW¼.
T. 35 N., R. 111 W.,
Sec. 3, lot 4 and SE¼NW¼;
Sec. 4, lot 1, SE¼, S½NE¼, SE¼NW¼, S½SW¼, and NE¼SW¼;
Sec. 8, NE¼, N½SE¼, SE¼SE¼;
Sec. 9, N½N½ and SW¼NW¼;
Sec. 17, NE¼NE¼.
T. 36 N., R. 111 W.,
Sec. 1, W½SW¼ and SW¼NW¼;
Sec. 2, SE¼NE¼;
Sec. 11, SE¼NE¼ and SE¼;
Sec. 14, NE¼, SW¼, and SE¼NW¼;
Sec. 22, SE¼ and SE¼NE¼;
Sec. 23, N½NW¼, SW¼NW¼, NW¼NE¼, and SW¼SE¼;
Sec. 27, NE¼, W½SE¼, and E½W½;
Sec. 33, E½SE¼;
Sec. 34, S½NW¼, SW¼, W½NE¼, and NW¼SE¼.

T. 27 N., R. 112 W.,
Sec. 9, lots 2, 3, 4, 6, and 8;
Sec. 29, lots 9 and 10.
T. 28 N., R. 112 W.,
Sec. 23, lots 4, 5, and 7;
Sec. 24, lots 4, 5, 6, 10, SE¼NW¼, and NE¼SW¼;
Sec. 25, lot 6;
Sec. 26, lots 5, 6, 8, 9, 12, and 13;
Sec. 35, lots 1 to 3, inclusive.
T. 34 N., R. 112 W.,
Sec. 11, SE¼SW¼;
Sec. 14, N½NW¼ and NW¼NE¼.
T. 30 N., R. 113 W.,
Sec. 24, S½SE¼;
Sec. 25, NW¼NE¼, NW¼, and NW¼SW¼;
Sec. 26, S½SE¼;
Sec. 33, S½NE¼ and NE¼NE¼;
Sec. 34, N½;
Sec. 35, N½NW¼, SW¼NW¼, and NW¼NE¼.
T. 34 N., R. 113 W.,
Sec. 5, S½SE¼;
Sec. 6, SE¼NE¼.
T. 28 N., R. 114 W.,
Sec. 10, NW¼NW¼, NW¼SE¼, and SW¼NE¼.
T. 29 N., R. 114 W.,
Sec. 4, S½SW¼ and NE¼SW¼;
Sec. 7, lots 3 and 4, E½SW¼ and SE¼;
Sec. 8, SW¼, SW¼SE¼, SE¼NW¼, S½NE¼, and NE¼NE¼;
Sec. 9, NW¼NW¼;
Sec. 20, S½N½ and NE¼NE¼;
Sec. 21, N½N½.
T. 30 N., R. 114 W.,
Sec. 8, NW¼SW¼;
Sec. 11, NE¼SE¼;
Sec. 30, lot 4, SE¼SW¼ and S½SE¼;
Sec. 31, lot 1.
T. 31 N., R. 114 W.,
Sec. 7, NW¼SE¼;
Sec. 22, SW¼SE¼;
Sec. 27, NE¼NW¼, NW¼NE¼, S½NW¼, and NW¼SW¼;
Sec. 28, SE¼ and SE¼SW¼;
Sec. 29, NW¼SE¼ and N½SW¼;
Sec. 30, lot 2, SE¼, SE¼NW¼, and NE¼SW¼.
T. 32 N., R. 114 W.,
Sec. 20, SE¼NE¼.
T. 33 N., R. 114 W.,
Sec. 10, S½SE¼, SE¼SW¼, and N½SW¼;
Sec. 20, S½SE¼ and NE¼SE¼;
Sec. 29, N½NE¼ and SW¼NE¼.
T. 27 N., R. 115 W.,
Sec. 21, NW¼SE¼;
Sec. 26, SW¼NE¼ and SE¼NW¼;
Sec. 27, SE¼NW¼ and SW¼NE¼.

Aggregating approximately 23,000 acres.

6. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Pinedale District Office, Bureau of Land Management, Post Office Box 768, Pinedale, Wyo. 82941.

7. A public hearing on the proposed classification will be held on February 11, 1970, at 1:30 p.m. in the Courtroom, Sublette County Courthouse, Pinedale, Wyo.

DANIEL P. BAKER,
State Director.

[F.R. Doc. 70-94; Filed, Jan. 5, 1970; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

SURVEY OF DISTRIBUTORS STOCKS OF CANNED FOODS

Notice of Determination

In conformity with title 13, United States Code, sections 181, 224, and 225, and due notice of consideration having been published October 31, 1969 (34 F.R. 17663), I have determined that yearend data on stocks of 21 canned and bottled products, including vegetables, fruits, juices, and fish, are needed to aid the efficient performance of essential governmental functions, and have significant application to the needs of the public and industry and are not publicly available from nongovernmental or other governmental sources. This is a continuation of the survey conducted in previous years.

All respondents will be required to submit information covering their December 31, 1969, inventories of 21 canned and bottled vegetables, fruits, juices, and fish. Reports will not be required from all firms but will be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods, in order to provide yearend inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger." (In addition, multiunit firms reporting separately by establishment will be requested to update the list of their establishments maintaining canned food stocks.)

Report forms will be furnished to firms covered by the survey. Additional copies of the forms are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have, therefore, directed that this annual survey be conducted for the purpose of collecting these data.

Dated: December 24, 1969.

GEORGE H. BROWN,
Director, Bureau of the Census.

[F.R. Doc. 70-85; Filed, Jan. 5, 1970; 8:45 a.m.]

Business and Defense Services Administration

CLARKSON COLLEGE OF TECHNOLOGY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00655-25-58700. Applicant: Clarkson College of Technology, Potsdam, N.Y. 13676. Article: Phase shift unit, Model 818 (500VA). Manufacturer: F. C. Robinson & Partners, Ltd., United Kingdom. Intended use of article: The article will be used by undergraduate students in courses EE 70, 71, 74, and 75, Electrical Engineering Laboratory A, B, and D respectively. These courses are required for all students and they support theory courses EE 31 and 32, Electromechanical Energy Conversion I and II, and EE 24, Industrial Electronics. It is expected that the article will also be used by graduate students engaged in experimental work in the power and control fields where it is often necessary to control the phase angle of an alternating voltage with respect to a reference voltage. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a voltage source which is capable of delivering an alternating output voltage of constant amplitude whose phase angle can be controlled from 0° to 360° in 1° steps with respect to an alternating voltage of the same frequency. In addition, the article can deliver an output of 500 watts.

We are advised by the National Bureau of Standards (NBS) in its memorandum of August 15, 1969, that the phase control characteristics and the 500-watt output of the foreign article are pertinent to the purposes for which the article is intended to be used. NBS further advises that a number of domestic manufacturers can provide a voltage source having the pertinent phase control characteristics of the foreign article, but none of these sources are also capable of a 500-watt output. In addition, NBS advises that it knows of no other instrument or apparatus, of equivalent scientific value to the foreign article, for the purposes for which this article is intended to be used, which is being manufactured in the United States.

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

[F.R. Doc. 70-87; Filed, Jan. 5, 1970; 8:45 a.m.]

UNIVERSITY OF PITTSBURGH

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and

the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70–00204–00–11000. Applicant: University of Pittsburgh, Central Receiving Department, Terrace and De Soto Streets, Pittsburgh, Pa. 15213. Article: Mass marker, Model LKB 9010. Manufacturer: LKB Produkter, AB, Sweden. Intended use of article: The article will be used as a component to an existing gas chromatography-mass spectrometry system for educational purposes. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which this article is intended to be used is being manufactured in the United States. Reasons: The foreign article is an accessory to a priorly imported gas chromatograph-mass spectrometer which is manufactured by the same source that supplies the article.

The Department of Commerce knows of no similar accessory which is interchangeable with the foreign article, or can be readily adapted to the gas chromatograph-mass spectrometer with which the article is intended to be used.

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

[F.R. Doc. 70–88; Filed, Jan. 5, 1970; 8:45 a.m.]

PURDUE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70–00245–00–77040. Applicant: Purdue University, Purchasing Department, Lafayette, Ind. 47907. Article: LKB Model 9010 mass marker for a LKB 9000 mass spectrometer. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used as an accessory to an existing LKB 9000 gas chromatograph-mass spectrometer. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which this article is intended to be used is being manufactured in the United States. Reasons: The foreign article is an accessory to a priorly imported gas chromatograph-mass spectrometer which is manufactured by the same source that supplies the article.

The Department of Commerce knows of no similar accessory which is interchangeable with the foreign article, or can be readily adapted to the gas chromatograph-mass spectrometer with which the article is intended to be used.

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

[F.R. Doc. 70–89; Filed, Jan. 5, 1970; 8:45 a.m.]

UNIVERSITY OF MISSOURI

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket number: 69–00650–30–7200. Applicant: University of Missouri—Columbia, Purchasing Department, General Services Building, Columbia, Mo. 65201. Article: Rheogoniometer, R. 18 Type C/2d. Manufacturer: Farol Research Engineers, Ltd., U.K. Intended use of article: The article will be used to study the rheological properties of viscoelastic and power law fluids. In particular, it will be used to determine the effect of changes in shear rate, about a steady state shear, upon the stress response of the fluids. Proper identification of the fluid properties is vital to ongoing research in fluid mechanics, and mass transfer. It will be significant in heat transfer and thermodynamics research. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is capable of measuring normal stress as well as viscosity as a function of shear rate. There is no known comparable domestic instrument being manufactured in the United States which has this capability. The ability of the foreign article to measure normal stress as well as viscosity as a function of the shear rate is necessary to the accomplishment of the purposes for which such article is intended to be used, and therefore, is pertinent.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

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

[F.R. Doc. 70–90; Filed, Jan. 5, 1970; 8:45 a.m.]

MOUNT SINAI SCHOOL OF MEDICINE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00660–33–46040. Applicant: Mount Sinai School of Medicine, 2 East 100th Street, New York, N.Y. 10029. Article: Electron microscope, Model EM–801 and accessories. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used in structural studies on viruses and bacteria. The viral studies will entail detailed examination of subunits of viral capsids, determination of the configuration of components of the tails, tail fibers, and sheaths of small bacteriophages, as well as the early intracellular events of viral replication both in bacterial and animal cells. The bacterial studies are directed toward defining the precise arrangement of the components that comprise the cell walls of Gram positive cocci. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has a guaranteed resolving power of 5 angstroms and this article is equipped with a tilt stage which can be operated without lose of resolution. The most closely comparable domestic instrument available at the time the foreign article was ordered was the EMU–4B electron microscope which was then being manufactured by the Radio Corp. of

America (RCA) and which is currently being produced by Forgflo Corp. (Forgflo). Although the Model EMU–4B electron microscope also has a guaranteed resolving power of 5 angstroms, the tilt stage which can be supplied with this instrument has a guaranteed resolving power of 8 angstroms while in use. (The lower the numerical rating in terms of angstrom units, the better the resolving power.)

We are advised by the Department of Health, Education, and Welfare (HEW) in a memorandum dated September 22, 1969, that the guaranteed resolving power of 5 angstroms which the foreign article provides during operation of the tilt stage is pertinent to the purposes for which this article is intended to be used.

For this reason, we find that the RCA Model EMU–4B electron microscope is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

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

[F.R. Doc. 70–91; Filed, Jan. 5, 1970; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20993; Order 69–12–129]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority December 30, 1969.

By Order 69–12–75, dated December 16, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69–12–75 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 21379, R–4, be, and it hereby is approved: *Provided,* That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 70–142; Filed, Jan. 5, 1970; 8:48 a.m.]

[Dockets Nos. 20781, 20993; Order 69–12–124]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fare and Rate Matters

Issued under delegated authority December 30, 1969.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB agreement number.

The agreement amends the resolutions governing rates of exchange and the rounding-off of passenger fares by the inclusion of the currency of the German Democratic Republic.

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 following resolutions, which are incorporated in the agreement indicated, are adverse to the public interest or in violation of the Act:

Agreement	*IATA resolutions*
21508	100(Mail 822)021b/023a.
	200(Mail 971)021b/023a.
	300(Mail 318)021b/023a.
	JT12(Mail 723)021b/023a.
	JT23(Mail 237)021b/023a.
	JT31(Mail 172)021b/023a.
	JT123(Mail 627)021b/023a.

Accordingly, it is ordered, That:

Action on Agreement CAB 21508 be and hereby is deferred with a view toward eventual approval.

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] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 70–143; Filed, Jan. 5, 1970; 8:48 a.m.]

CIVIL SERVICE COMMISSION

MEDICAL RADIOLOGY TECHNICIAN, NEW YORK CITY

Notice of Adjustment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established the following special minimum salary rate and rate ranges:

GS–647 MEDICAL RADIOLOGY TECHNICIAN

Geographic coverage: New York City.
Effective date: First day of the first pay period beginning on or after December 28, 1969.

PER ANNUM RATES

Grade	1[1]	2	3	4	5	6	7	8	9	10
GS–4	$6,626	$6,810	$6,994	$7,178	$7,362	$7,546	$7,730	$7,914	$8,098	$8,282
GS–5	7,206	7,412	7,618	7,824	8,030	8,236	8,442	8,648	8,854	9,060
GS–6	7,798	8,027	8,256	8,485	8,714	8,943	9,172	9,401	9,630	9,859
GS–7	8,404	8,659	8,914	9,169	9,424	9,679	9,934	10,189	10,444	10,699
GS–8	9,013	9,295	9,577	9,859	10,141	10,423	10,705	10,987	11,269	11,551
GS–9	9,631	9,942	10,253	10,564	10,875	11,186	11,497	11,808	12,119	12,430

[1] Corresponding statutory rates: GS–4—seventh; GS–5—sixth; GS–6—fifth; GS–7—fourth; GS–8—third; GS–9—second.

All new employees in the specified occupational levels will be hired at the new minimum rates.

As of the effectve date, the agency will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at a statutory rate shall receive basic compensation at the corresponding numbered rate authorized by and after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335.

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

[F.R. Doc. 70–122; Filed, Jan. 5, 1970; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Notice of Revocation of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by noncareer executive assignment in the excepted service the positions of Assistant Director, Division of Institutional Services, Bureau of Prisons and Associate Commissioner of Industries, Office of the Associate Commissioner, Federal Prison Industries, Incorporated.

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

[F.R. Doc. 70–123; Filed, Jan. 5, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make 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 Transportation to fill by noncareer executive assignment in the excepted service the position of Assistant Administrator for Development, Office of the Administrator, St. Lawrence Seaway Development Corporation.

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

[F.R. Doc. 70–124; Filed, Jan. 5, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under the authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Director, Office of International Transportation Policy and Programs, in the Office of the Assistant Secretary for Policy and International Affairs.

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

[F.R. Doc. 70–125; Filed, Jan. 5, 1970; 8:47 a.m.]

FBI CLERK AND FINGERPRINT CLERK

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on December 8, 1969, for positions of FBI Clerk, GS–2, and Fingerprint Clerk, GS–3, Federal Bureau of Investigation, Department of Justice, Washington, D.C.

Assuming other legal requirements are met, appointees to these positions 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. 70–126; Filed, Jan. 5, 1970; 8:47 a.m.]

STATISTICIAN (DEMOGRAPHY)

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found on December 11, 1969, a manpower shortage for the single position of Statistician (Demography), GS–1530–12, National Population Estimates and Projections Branch, Population Division, Bureau of the Census, Department of Commerce, Washington, D.C. This finding will terminate when the position is filled.

Assuming other legal requirements are met, the 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. 70–127; Filed, Jan. 5, 1970; 8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[23,674]

CERTIFICATE EVIDENCING OWNERSHIP OF SAVINGS ACCOUNTS OR DEPOSITS

Issuance

DECEMBER 30, 1969.

Whereas § 545.2 provides that a Federal association that has Charter N or Charter K (rev.) shall issue to each holder of its savings accounts an account book, or a separate certificate, in a form prescribed by the Board except as otherwise provided therein; and

Whereas Resolution No. 22,041, dated August 21, 1968, prescribes the wording of certificates evidencing savings accounts in Federal associations having Charter N or Charter K (rev.); and

Whereas the Board has determined to add to such prescribed forms the wording of certificates evidencing ownership of 6-month bonus savings accounts (or deposits) in Federal associations having Charter N or Charter K (rev.);

Be it resolved, that Resolution No. 22,041, dated August 21, 1968, be and hereby is amended by adding thereto the following immediately preceding the last paragraph of said resolution:

7. Form of certificate evidencing ownership of savings accounts (or deposits):

"This certifies that _____ holds a Savings Deposit with the balance as shown hereon in _____ Federal Savings and Loan Association, subject to its Charter and bylaws, the rules and regulations for the Federal Savings and Loan System, and to the laws of the United States of America.

"A bonus is distributable on the amount of this certificate as provided in, and subject to, paragraph (b) of § 545.3 of the rules and regulations for the Federal Savings and Loan System for which purpose the beginning of the qualifying period of 6 months is_____.

"If a withdrawal from this deposit is made during the qualifying period, interest on the funds withdrawn shall be adjusted from the beginning of the qualifying period to the date of such withdrawal, to the amount of interest the holder would have received on such funds had the funds been evidenced by a regular account during such period. The association may reduce the amount paid the holder on withdrawal in an amount necessary to effect such adjustment."

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 70–144; Filed, Jan. 5, 1970; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No RI70–875 etc.]

CITIES SERVICE OIL CO.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

DECEMBER 24, 1969.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, public hearings shall be held

[1] Does not consolidate for hearing or dispose of the several matters herein.

concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 6, 1970.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate
RI70-875	Cities Service Oil Co.	178	22	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Offshore Louisiana.	$56,250	11-28-69	12-29-69	[2] 12-30-69	19	19.5
RI70-876	Shell Oil Co.	379	1	Texas Eastern Transmission Corp., Offshore Louisiana.	98,550	12-5-69	1-5-70	[2] 1-6-70	18.5	20
RI70-877	Forest Oil Corp.	6	13	United Gas Pipe Line Co., Texas Railroad Commission District No. 2.		12-3-69	1-3-70	(1)		
	do.	6	14	do.	427	12-3-69	1-3-70	6-3-70	14.2156	18.34575
RI70-878	Lamar Hunt	10	4	South Texas Natural Gas Gathering Co., Texas Railroad Commission District No. 4.	2,760	12-4-69	1-4-70	6-4-70	16.06	17.3147
RI70-879	Mobil Oil Corp. (Operator) et al.	320	21	Natural Gas Pipeline Co. of America, Texas Railroad Commission District No. 4.	236,454	12-5-69	1-5-70	6-5-70	15.5698	16.7295

[1] Supplement No. 13 to Forest Oil Corp.'s FPC Gas Rate Schedule No. 6 is an amendatory agreement to said rate schedule which is accepted for filing to be effective upon expiration of the statutory suspension period.

[2] Cities Service Oil Co. and Shell Oil Co. have each filed a general undertaking, as provided for in Order No. 377 (40 FPC 1449) which has been accepted for filing. Consequently, no undertaking is required of them herein. Additionally, since the suspension period of their respective proposed rate increases is limited to 1 day, they need not file a motion to make such rates effective as of the dates set forth above.

Cities Service Oil Co.'s (Cities) proposed rate increase under its FPC Gas Rate Schedule No. 178 is from 19 cents to 19.5 cents per Mcf for second vintage gas-well gas sold from the Grand Isle Block 43 Field, West Delta Area, Offshore Louisiana (Disputed Zone). There is a dispute now pending in court as to whether this gas is produced from the Federal Domain or within the taxing jurisdiction of the State of Louisiana. The currently effective rate of 19 cents per Mcf is being collected subject to refund down to a floor of 18.5 cents under a temporary certificate.[3]

Cities' proposed rate of 19.5 cents is equal to the area rate established in Opinion No. 546 for second vintage gas-well gas produced from within the state taxing jurisdiction but exceeds the 18 cents rate established for second vintage gas-well gas produced from the Federal Domain. In these circumstances, we conclude that it would be in the public interest to suspend Cities' proposed increase for 1 day from December 29, 1969, the requested effective date, and thereafter to permit Cities to collect the increased rate subject to refund down to 18 cents per Mcf for all gas finally held to have been produced in the Federal Domain.

Shell Oil Co.'s proposed rate increase (Supplement No. 1 to its FPC Gas Rate Schedule No. 379), from 18.5 cents to 20 cents per Mcf, involves a sale of third vintage gas-well gas in Offshore Louisiana and was filed pursuant to ordering paragraph (A) of Opinion 546-A which lifted the indefinite moratorium imposed in Opinion No. 546 as to sales of offshore gas-well gas under contracts entitled to a third vintage price (18.5 cents as adjusted for quality) and permitted such producers to file for contractually authorized increases up to the 20-cent base rate established in Opinion No. 546 for onshore gas-well gas. Shell was issued a temporary certificate authorizing the collection of third vintage price established in Opinion No. 546 (18.5 cents for offshore gas-well gas and 17 cents for casinghead gas subject to quality adjustments).

Consistent with previous Commission action on similar rate filings, we conclude that Shell's proposed rate increase should be suspended for 1 day from the date of expiration of the statutory notice, or for 1 day from the date of initial delivery, whichever is later. Thereafter, Shell's proposed increased rate may be placed in effect subject to refund under the provisions of section 4(e) of the Natural Gas Act pending the outcome of the Area Rate Proceeding instituted in Docket No. AR69-1.

Lamar Hunt (Hunt) requests that its proposed rate increase be permitted to become effective as of January 4, 1970. Forest Oil Corp. (Forest) requests an effective date of June 19, 1969, for its renegotiated increased rate of 18.3 cents and October 1, 1969, for the tax reimbursement increase of 0.04575 cent relating thereto (which involves a total rate of 18.34575 cents). Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Hunt's and Forest's rate filings and such requests are denied.

[F.R. Doc. 70-59; Filed, Jan. 5, 1970; 8:45 a.m.]

[Docket No. RI70-874]

FOREST OIL CORP.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

DECEMBER 24, 1969.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural

[3] As of Oct. 1, 1968, Cities under Opinion No. 546 has a refund obligation down to 18 cents if the gas is finally held to have been produced in the Federal Domain.

Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.[2]

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 10, 1970.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[2] If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-874	Forest Oil Corp., 1360 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	52	1	United Fuel Gas Co., Block 255 Field, Vermillion Area, Offshore Louisiana.	$28,800	11-24-69	[3] 12-25-69	[4] 12-26-69	[7] [10] 18.5	[5] [7] [8] 20.0	

[3] The stated effective date is the first day after expiration of the statutory notice period, or the date of initial delivery, whichever is later.
[4] The suspension period is limited to 1 day.
[5] Rate increase filed pursuant to ordering paragraph (A) of Opinion No. 546-A.
[6] Pressure base is 15.025 p.s.i.a.
[7] Subject to quality adjustments.
[8] Pursuant to ordering paragraph (A) of Opinion No. 546-A.
[9] Initial rate as conditioned by temporary certificate issued Oct. 28, 1969, in Docket No. CI70-149 for sales of gas well gas only.
[10] Base area rate for the sale of gas well gas for gas sold under contracts dated after Oct. 1, 1968, as determined in Opinion No. 546.

Forest Oil Corp.'s (Forest) proposed rate increase from 18.5 cents to 20 cents per Mcf, involves a sale of third vintage gas well gas in Offshore Louisiana and was filed pursuant to ordering paragraph (A) of Opinion No. 546-A which lifted the indefinite moratorium imposed in Opinion No. 546 as to sales of offshore gas well gas under contracts entitled to a third vintage price (18.5 cents as adjusted for quality) and permitted such producers to file for contractually authorized increases up to the 20-cent base rate established in Opinion No. 546 for onshore gas well gas. Forest was issued a conditioned temporary certificate in Docket No. CI70-149 authorizing the collection of the third vintage price established in Opinion No. 546 (18.5 cents for offshore gas well gas and 17 cents for casinghead gas subject to quality adjustments).

Consistent with previous Commission action on similar rate filings, we conclude that Forest's proposed rate increase should be suspended for 1 day from the date of expiration of the statutory notice, or for 1 day from the date of initial delivery, whichever is later. Thereafter, Forest's proposed increased rate may be placed in effect subject to refund under the provisions of section 4(e) of the Natural Gas Act pending the outcome of the Area Rate Proceeding instituted in Docket No. AR69-1.

[F.R. Doc. 70-60; Filed, Jan. 5, 1970; 8:45 a.m.]

[Docket No. RI70-887 etc.]

KEWANEE OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 24, 1969.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by respondents, as set forth herein shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.[1]

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 16, 1970.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

[1] If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration date of the suspension period without any further action by the producer.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf [2] Rate in effect	Cents per Mcf [2] Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-887	Kewanee Oil Co., Post Office Box 2239, Tulsa, Okla. 74101.	(1)	(1)	El Paso Natural Gas Co. (Levelland Plant, Hockley County, Tex.).[3]	$45	11-4-69	11-4-69	11-5-69	14.5	14.55	
		(1)	(1)	Transwestern Pipeline Co. (Kermit Field, Winkler County, Tex.).[4]	4	10-1-69	10-1-69	10-2-69	14.5	14.55	
		(1)	(1)	do	79	11-4-69	11-4-69	11-5-69	14.5	14.55	
RI70-888	Miles Kimball Co., d.b.a. Kimball Production Co. (Operator) et al., 2300 First City National Bank Bldg.	----	(5)	Northern Natural Gas Co. (Lockridge Field, Ward County, Tex.).[6]	485	11-13-69	11-13-69	11-14-69	16.5	16.5619	
RI70-889	do	----	(5)	Northern Natural Gas Co. (Coyahosa Ltd., Pecos County, Tex.).[7]	5,514	11-12-69	11-12-69	11-13-69	16.5	16.5619	

[1] No rate schedule on file. Kewanee has been issued a small producer certificate in Docket No. C566-12.
[2] Pressure base is 14.65 p.s.i.a.
[3] Relates to a gas purchase contract dated Oct. 1, 1949.
[4] Relates to a gas sales contract dated Mar. 16, 1959.
[5] No rate schedule on file. Kimball has been issued a small producer certificate in Docket No. CS66-85.
[6] Relates to a contract dated Oct. 25, 1967.
[7] Relates to a contract dated Sept. 15, 1965.

The proposed increased rates herein reflect the 0.5-percent increase in the production tax from 7 percent to 7.5 percent enacted by the State of Texas on September 9, 1969, to be effective as of October 1, 1969. Respondents are holders of small producer certificates.

Section 157.40(d) of the Commission's regulations prohibits the collection of any rate in excess of the applicable area base ceiling rate determined in Opinion No. 468.

The Commission, however, has recognized the inequity of treatment involved in that section, and, in an effort to solve this problem, issued on November 4, 1969, a notice of proposed rulemaking in Docket No. R-374 proposing to permit small producers to file above ceiling rate increases without requiring the filing of rate schedules or obtaining new certificate authorizations. Final action has not yet been taken in that rulemaking proceeding. However, since the proposed increases involved here relate solely to reimbursement for the increase in the State production tax, we believe that the equities here call for waiver of the statutory notice requirement and waiver of § 157.40(d). In these circumstances, we shall suspend the said increased rates for 1 day from the dates of filing where the filings were made after October 31, 1969, and 1 day from October 1, 1969, where the filing was made on or before October 31, 1969.

[F.R. Doc. 70-62; Filed, Jan. 5, 1970; 8:45 a.m.]

[Docket No. RI70-880 etc.]

SUPERIOR OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

DECEMBER 24, 1969.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 14, 1970.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate
RI70-880..	The Superior Oil Co., Post Office Box 1521, Houston, Tex. 77001.	91	2	Mountain Fuel Supply Co. (Trail Unit, Sweetwater County, Wyo.).	$698	12- 3-69	[1a] 1- 3-70	6- 3-70	13.0	[2] [4] 14.07
		95	1 to 3	Mountain Fuel Supply Co. (Pioneer Field, Sweetwater County, Wyo.).	65	12- 3-69	[2] 12-93-69	[9] Accepted	14.0	[3] [5] 14.07
		118	1 to 1	Kansas-Nebraska Natural Gas Co., Inc. (Flat Top Field, Converse County, Wyo.).	5	12- 3-69	[2] 12- 3-69	[9] Accepted	16.0	[3] [6] 16.08
RI70-881..	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	359	1 to 3	Kansas-Nebraska Natural Gas Co., Inc. (Frenchie Draw Field, Fremont and Natrona Counties, Wyo.).	4,723	12- 8-69	[7] 4- 1-70	[9] Accepted	16.0	[9] [10] 16.16
RI70-882..	Union Oil Co. of California (Operator) et al., Union Oil Center, Los Angeles, Calif. 90017.	90	1 to 3	Colorado Interstate Gas Co. (Patrick Draw Area, Sweetwater County, Wyo.).	281	12- 8-69	[2] 12- 8-69	[11] Accepted	17.0	[9] [10] 17.255
		91	1 to 4		465	12- 8-69	[2] 12- 8-69	[11] Accepted	15.50	[9] [10] 15.7325
RI70-883..	Union Oil Co. of California.....	150	1 to 2	Colorado Interstate Gas Co. (Desert Springs Field, Sweetwater County, Wyo.).	22,088	12- 8-69	[2] 12- 8-69	[12] Accepted	15.50	[9] [10] 15.7325
RI70-884..	Marathon Oil Co., 539 South Main Street, Findley, Ohio 45840.	7	7	El Paso Natural Gas Co. (Denton Field Gas Plant, Pecos County, Tex.) (Permian Basin).	188	11-24-69	[13] 12-25-69	5-25-70	14.51	[9] [14] 19.0
					483	11-24-69	[13] 12-25-69	5-25-70	14.51	[9] [15] 19.4368
RI70-885..	Marathon Oil Co. agent (Operator) et al., 539 South Main Street, Findley, Ohio, 45840.	82	6	Northern Natural Gas Co. (Yates Casinghead Gas Plant, Pecos County, Tex.) (Permian Basin).	2,188	11-24-69	[13] 12-25-69	5-25-70	[16] 14.5203	[9] 15.0210
RI70-886..	Robert F. White (Operator) et al., 714 Union Building, Wichita, Kans. 67202.	6	4	Cities Service Gas Co. (Barber County, Kans.).	400	11-24-69	[17] 12-25-69	5-25-70	[18] 13.0	[9] [19] 15.0

[1a] The stated effective date is the first day after expiration of the statutory notice.
[2] Respondents request waiver of the statutory notice requirements.
[3] Pressure base is 15.025 p.s.i.a.
[4] A periodic plus a Wyoming tax reimbursement increase.
[5] Accepted for filing subject to the rate suspension proceeding in Docket No. RI69-619.
[6] Wyoming tax reimbursement increase.
[7] Date of termination of the suspension period in Docket No. RI70-364.
[8] Accepted for filing subject to the rate suspension proceeding in Docket No. RI70-364.
[9] Pressure base is 14.65 p.s.i.a.
[10] Reflects a double amount of the contractually entitled tax reimbursement for future and past production back to Jan. 1, 1968, in regard to State of Wyoming severance tax.
[11] Accepted for filing subject to the rate suspesion proceeding in Docket No. RI68-279.
[12] Accepted for filing subject to the rate suspension proceeding in Docket No. RI68-277.
[13] The stated effective date is the effective date requested by respondent.
[14] Applicable to plant portion of the sales.
[15] Applicable to lease portion of the sales. Also includes partial reimbursement for full 2.55 percent of New Mexico School Tax.
[16] Rate in effect subject to refund in Docket No. R170-394.
[17] The stated effective date is the first day after expiration of the statutory notice.
[18] Rate in effect subject to refund in Docket No. RI60-289.
[19] Two-step periodic increase.

Certain respondents requested waiver of the statutory notice to permit an effective date as of the date of filing its proposed increased rates. Good cause has been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit such requested effective dates for filings relating solely to Wyoming tax reimbursement.

Union Oil Company of California (Union) and The Superior Oil Co. (Superior) have proposed rate increases which reflect partial reimbursement of a severance tax recently enacted by the State of Wyoming. Union's filings, unlike Superior's filings, reflect a double amount of the contractually entitled tax reimbursement of taxes applicable to future production as well as reimbursement for taxes applicable to past production back to January 1, 1968. After the amounts of tax reimbursement applicable to past production have been recovered, Union shall file appropriate rate decreases under its FPC Gas Rate Schedule Nos. 90, 91, 150, and 153 to reduce the rates therein so as to provide for tax reimbursement for future production only. Union and Superior will also be required to refund any reimbursement relating to the Wyoming tax collected in these proceedings in the event the tax is for any reason invalidated upon judicial review.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, § 2.56).

[F.R. Doc. 70-63; Filed, Jan. 5, 1970; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. P-153-1]

PICKER CORP.

Order Postponing Hearing

Upon inquiry, the representatives of the parties to the proceeding have agreed that the hearing in this matter be postponed to a date later to be determined.

Picker Corp. agreed to a postponement no later than May 4, 1970: *Provided*, That the date of reconvening be considered by the parties on or about April 1, 1970.

Wherefore, it is ordered, In accordance with the Atomic Energy Act, as amended, and the Rules of Practice of the Commission, the evidentiary hearing in this proceeding now scheduled to reconvene on February 16, 1970, is postponed and will reconvene at a date to be later determined by a subsequent order after a consultation with the parties hereto on or about April 1, 1970.

Issued: December 24, 1969, Germantown, Md.

SAMUEL W. JENSCH,
Presiding Officer.

[F.R. Doc. 70-86; Filed, Jan. 5, 1970; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[ADM 2800.10]

FEDERAL PROCUREMENT REGULATIONS

Interim Deviations From Provisions

DECEMBER 24, 1969.

1. *Purpose.* This order provides interim procedures with respect to a determination that a small business concern submitting an otherwise acceptable bid or proposal on a GSA procurement contract is not responsible for reasons other than deficiencies in capacity or credit.

2. *Application.* The provisions of this order apply to contracting officers and other officials of GSA having procurement responsibilities.

3. *Background.* FPR 1-1.708-2(a) (5) and (6) involve procedures to be followed by contracting officers in connection with determinations that small business concerns submitting otherwise acceptable bids or proposals are not responsible for reasons other than deficiencies in capacity or credit, e.g., lack of integrity, business ethics, or persistent failure to apply necessary tenacity or perseverance to do an acceptable job. FPR procedures in this regard are now being revised, and new

procedures are being coordinated with Federal agencies before issuance on a Government-wide basis. However, it is considered appropriate for the new procedures to be made effective with respect to GSA procurement actions pending the FPR revision. This will ensure that the advantages involved, i.e., procedural improvements benefiting small business concerns and the Small Business Administration (SBA) assistance to GSA contracting officials, will be made immediately available under GSA procurements.

4. *Deviations.* Until formal cancellation of this order, contracting officers and other officials of GSA having procurement responsibilities shall adhere to the deviations from FPR provisions as prescribed in a and b, below.

a. The procedures set forth in paragraph 5, below, shall be followed in lieu of the procedures set forth in FPR 1–1.708–2(a)(5) in all instances where a small business concern submits an otherwise acceptable bid or proposal with respect to a GSA procurement contract but the contracting officer determines that such concern is not responsible for reasons other than deficiencies in capacity or credit.

b. The provisions of FPR 1–1.708–2(a)(6) shall be disregarded because the procedures set forth in paragraph 5, below, obviate their necessity. In each instance involving nonresponsibility within the purview of FPR 1–1.708–2, contracting officers will now be obliged to make a documented determination of nonresponsibility either for lack of capacity or credit or for reasons other than deficiencies in capacity or credit prior to SBA referral. Since all such determinations will be submitted to SBA for review (except in instances where award must be made without delay), any problems inherent in the basis for a particular determination will be resolved through the operation of the SBA referral procedures.

5. *Interim procedures.* A determination by the contracting officer that a small business concern is not responsible for reasons other than deficiencies in capacity or credit (e.g., lack of integrity, business ethics, or persistent failure to apply necessary tenacity or perseverance to do an acceptable job—not whether the bidder can perform but whether he will perform) must be supported by substantial evidence documented in the contract file. These factors of responsibility are not covered by the certificate of competency procedure, but are for determination by the contracting officer and approval by the head of the procuring activity or his designee.

a. Prior to submission of the contracting officer's determination of nonresponsibility to the head of the procuring activity or his designee for approval, the contracting officer shall transmit a copy of the documentation supporting the determination that a small business concern is not responsible, for reasons other than deficiencies in capacity or credit, to the assigned SBA representative or to the nearest SBA regional office, as appropriate.

b. The SBA office receiving the documentation will, within 5 workdays, notify the contracting officer in writing whether SBA desires to submit contrary views concerning the determination.

c. If the contracting officer is not so notified, he may conclude that SBA has no objection to the determination, and he may then submit it for approval to the head of the procuring activity or his designee.

d. If SBA notifies the contracting officer of an intent to submit contrary views, that agency will within 10 workdays from the date of notification furnish the contracting officer with such contrary views and the reasons therefor, together with any additional factors considered which were not included in the contracting officer's determination. (If the SBA response is not received at the expiration of the 10-day period, the contracting officer may forward the determination for approval with advice that such was the case.)

e. If, after consideration of SBA views, the contracting officer agrees with the SBA position, the determination shall be rescinded. If the contracting officer does not agree with the SBA position, he shall then forward the determination to the head of the procuring activity or his designee for resolution, with an explicit indication of his views and the contrary SBA position. The decision of such higher authority shall be final.

f. The procedures of § 1–1.708–2(a)(1) apply if the award must be made without delay. In such instance, after complying with these procedures, the determination shall be submitted to higher authority for approval immediately.

6. *Effect on other issuances.* Application of the provisions of GSPR 5–1.708 and 5A–1.708 shall be consistent with the provisions of paragraphs 4 and 5, above.

7. *Effective date.* This order is effective January 10, 1970.

ROD KREGER,
Acting Administrator.

[F.R. Doc. 70–93; Filed, Jan. 5, 1970; 8:46 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN BRAZIL

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 30, 1969.

On October 31, 1969, the U.S. Government requested the Government of Brazil to enter into consultations concerning exports to the United States of cotton texile products in Category 26 (other than duck), produced or manufactured in Brazil. In that request the U.S. Government indicated the specific level at which it considered that exports in this category from Brazil should be restrained for the 12-month period beginning October 31, 1969, and extending through October 30, 1970. Since no solution has been mutually agreed upon the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3 and Article 6(c) which relates to nonparticipants, is establishing restraint at the level indicated in that request for the 12-month period beginning October 31, 1969, and extending through October 30, 1970. This restraint does not apply to cotton textile products in Category 26 (other than duck), produced or manufactured in Brazil and exported to the United States prior to the beginning of the designated 12-month period.

There is published below a letter of December 24, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs directing that the amount of cotton textile products in Category 26 (other than duck), produced or manufactured in Brazil, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning October 31, 1969, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 24, 1969

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning October 31, 1969 and extending through October 30, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 26 (other than duck)[1] produced or manufactured in Brazil in excess of a level of restraint for the period of 2,300,000 square yards.[2]

In carrying out this directive, entries of cotton textile products in Category 26 (other than duck), produced or manufactured in Brazil which have been exported to the United States from Brazil prior to October 31, 1969, shall not be subject to this directive.

Cotton textile products which have been released from the custody of the Bureau of

[1] The T.S.U.S.A. Nos. for duck fabric not covered by this directive are:

320.--01 through 04, 06, 08
321.--01 through 04, 06, 08
322.--01 through 04, 06, 08
326.--01 through 04, 06, 08
327.--01 through 04, 06, 08
328.--01 through 04, 06, 08

[2] This level has not been adjusted to reflect any entries made on or after Oct. 31, 1969.

Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 26 (other than duck), in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Brazil and with respect to imports of cotton textiles and cotton textile products from Brazil have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965–68). This letter will be published in the FEDERAL REGISTER.

Sincerely,

K. N. DAVIS,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70–77; Filed, Jan. 5, 1970; 8:45 a.m.]

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN INDIA

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 29, 1969.

On August 8, 1969, the U.S. Government prohibited further entry of cotton textiles and cotton textile products in Categories 18 and 19, produced or manufactured in India and exported during the period beginning July 1, 1969, and extending through September 30, 1969, to the United States from India because shipments in those categories to the United States from India during the period beginning October 1, 1968, and extending through September 30, 1969, exceeded the level specified in the bilateral cotton agreement of August 31, 1967. On September 4, 1969, the U.S. Government prohibited further entry of cotton textiles and cotton textile products in Category 31, produced or manufactured in India and exported during the period beginning October 1, 1968, and extending through September 30, 1969, to the United States from India because shipments in that category to the United States from India during that period exceeded the level specified in the bilateral cotton agreement of August 31, 1967. Consultations with the Government of India are being held on this matter and it has been determined that these directives should be terminated. Overshipments in these categories will be counted against the levels applicable to the current agreement year which began on October 1, 1969.

Accordingly, there is published below a letter of December 29, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, terminating, as soon as possible, the directives of August 8, 1969, and September 4, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs. This letter and the actions pursuant thereto are not designated to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 29, 1969.

DEAR MR. COMMISSIONER: On August 8, 1969, the Chairman of the President's Cabinet Textile Advisory Committee directed you, effective as soon as possible, and until further notice, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 18 and 19, produced or manufactured in India and exported to the United States from India during the period beginning July 1, 1969, and extending through September 30, 1969. On September 4, 1969, the Chairman of the President's Cabinet Textile Advisory Committee directed you effective as soon as possible, and until further notice, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Category 31, produced or manufactured in India and exported to the United States from India during the period beginning October 1, 1968, and extending through September 30, 1969.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of August 31, 1967, between the Governments of the United States and India, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, the abovementioned directives of August 8, 1969, and September 4, 1969, are hereby terminated, to be effective as soon as possible.

To facilitate the administration of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, and the bilateral cotton textile agreement of August 31, 1967, between the governments of the United States and India, it would be appreciated if you would undertake, commencing as soon as possible and continuing until advised otherwise by letter from the Chairman of the Interagency Textile Administrative Committee, to obtain reports on cotton textiles in Categories 18 and 19, produced or manufactured in India and exported to the United States from India during the period beginning July 1, 1969, and extending through September 30, 1969, and on cotton textile products in Category 31, produced or manufactured in India and exported to the United States from India during the period beginning October 1, 1968, and extending through September 30, 1969. These reports should show quantities by entry number and ports of entry and should be submitted weekly. Your cooperation in this matter will be appreciated.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of India and with respect to imports of cotton textiles and cotton textile products from India have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV 1965–68). This letter will be published in the FEDERAL REGISTER.

Sincerely,

HAROLD C. PASSER,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70–78; Filed, Jan. 5, 1970; 8:45 a.m.]

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MALAYSIA

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 29, 1969.

On October 22, 1969, the U.S. Government requested the Government of Malaysia to enter into consultations concerning exports to the United States of cotton textile products in Category 46 produced or manufactured in Malaysia. In that request, the U.S. Government indicated the specific level at which it considered that exports in this category from Malaysia should be restrained for the 12-month perior beginning October 22, 1969, and extending through October 21, 1970. Since no solution has been mutually agreed upon the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3 and Article 6(c) which relates to nonparticipants, is establishing restraint at the level indicated in that request for the 12-month period beginning October 22, 1969, and extending through October 21, 1970. This restraint does not apply to cotton textile products in Category 46 produced or manufactured in Malaysia and exported to the United States prior to the beginning of the designated 12-month period.

There is published below a letter of December 23, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 46 produced or manufactured in Malaysia,

which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning October 22, 1969, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 23, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning October 22, 1969, and extending through October 21, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 46 produced or manufactured in Malaysia, in excess of a level of restraint for the period of 18,900 dozen.[1]

In carrying out this directive, entries of cotton textile products in Category 46 produced or manufactured in Malaysia and which have been exported to the United States from Malaysia prior to October 22, 1969, shall not be subject to this directive.

Cotton textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 46 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965-68). This letter will be published in the FEDERAL REGISTER.

Sincerely,

KEN DAVIS,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70-79; Filed, Jan. 5, 1970; 8:45 a.m.]

[1] This level has not been adjusted to reflect any entries made on or after Oct. 22, 1969.

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MALAYSIA

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 29, 1969.

On December 26, 1969, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, informed the Government of Malaysia that it was renewing for an additional 12-month period beginning December 27, 1969, and extending through December 26, 1970, the restraints on imports to the United States of cotton textiles and cotton textile products in Categories 19, 26 (duck only), and 60, produced or manufactured in Malaysia. Pursuant to Annex B, paragraph 3, of the Long-Term Arrangement the levels of restraint for this 12-month period are 5 percent greater than the levels of restraint applicable to these categories for the preceding 12-month period.

There is published below a letter of December 24, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textiles and cotton textile products in Categories 19, 26 (duck only), and 60 produced or manufactured in Malaysia which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning December 27, 1969, be limited to the designated levels.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 24, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective December 27, 1969, and for the 12-month period extending through December 26, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products in Categories 19, 26 (duck only[1]), and 60, produced or manufactured in Malaysia, in excess of the following designated levels of restraint:

Category		12-Month level of restraint
19	square yards	2,604,656
26 (duck only[1])	do	1,736,438
60	dozen	27,089

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 19, 26(duck only[1]), and 60, produced or manufactured in Malaysia, which have been exported to the United States from Malaysia prior to December 27, 1969, shall to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period December 27, 1968, through December 26, 1969. In the event that the above levels of restraint have been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965-68). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

KEN DAVIS,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70-80; Filed, Jan. 5, 1970; 8:45 a.m.]

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN ROMANIA

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 30, 1969.

On October 31, 1969, the U.S. Government requested the Government of the Socialist Republic of Romania to enter into consultations concerning exports to the United States of cotton textile products in Category 63 produced or manufactured in the Socialist Republic of

[1] T.S.U.S.A. Nos.:
320...01 through 04, 06, 08
321...01 through 04, 06, 08
322...01 through 04, 06, 08
326...01 through 04, 06, 08
327...01 through 04, 06, 08
328...01 through 04, 06, 08

Romania. In that request the U.S. Government indicated the specific level at which it considered that exports in this category from the Socialist Republic of Romania should be restrained for the 12-month period beginning October 31, 1969, and extending through October 30, 1970. Since no solution has been mutually agreed upon the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3 and Article 6(c) which relates to nonparticipants, is establishing restraint at the level indicated in that request for the 12-month period beginning October 31, 1969, and extending through October 30, 1970. This restraint does not apply to cotton textile products in Category 63, produced or manufactured in the Socialist Republic of Romania exported to the United States prior to the beginning of the designated 12-month period.

There is published below a letter of December 23, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 63, produced or manufactured in the Socialist Republic of Romania, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning October 31, 1969, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee and Deputy Assistant Secretary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 23, 1968.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning October 31, 1969, and extending through October 30, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 63 produced or manufactured in the Socialist Republic of Romania, in excess of a level of restraint for the period of 200,000 pounds.[1]

In carrying out this directive, entries of cotton textile products in Category 63, produced or manufactured in the Socialist Republic of Romania and which have been exported to the United States from the Socialist Republic of Romania prior to October 31, 1969, shall not be subject to this directive.

Cotton textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Category 63, in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Socialist Republic of Romania and with respect to imports of cotton textiles and cotton textile products from the Socialist Republic of Romania have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965–68). This letter will be published in the FEDERAL REGISTER.

Sincerely,

KEN DAVIS,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70–81; Filed, Jan. 5, 1970; 8:45 a.m.]

[1] This level has not been adjusted to reflect any entries made on or after Oct. 31, 1969.

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN TRINIDAD AND TOBAGO

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 29, 1969.

On December 16, 1969, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, informed the Government of Trinidad and Tobago that it was renewing for an additional 12-month period beginning December 24, 1969, and extending through December 23, 1970, the restraint on imports into the United States of cotton textile products in Category 52, produced or manufactured in Trinidad and Tobago. Pursuant to Annex B, paragraph 2, of the Long-Term Arrangement the level of restraint for this 12-month period is 5 percent greater than the level of restraint applicable to this category for the preceding 12-month period.

There is published below a letter of December 23, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 52, produced or manufactured in Trinidad and Tobago, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning December 24, 1969, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 23, 1969.

DEAR MR. COMMISSIONER:

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective December 24, 1969, and for the 12-month period extending through December 23, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 52 produced or manufactured in Trinidad and Tobago, in excess of a level of restraint for the period of 21,000 dozen.

In carrying out this directive, entries of cotton textile products in Category 52, produced or manufactured in Trinidad and Tobago, which have been exported to the United States from Trinidad and Tobago prior to December 24, 1969, shall, to the extent of any unfilled balance, be charged against the level of restraint established for such goods during the period December 24, 1968, through December 23, 1969. In the event that the above level of restraint has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of Category 52 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Trinidad and Tobago and with respect to imports of cotton textiles and cotton textile products from Trinidad and Tobago have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965–68). This letter will be published in the FEDERAL REGISTER.

Sincerely,

KEN DAVIS,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70–82; Filed, Jan. 5, 1970; 8:45 a.m.]

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN TRINIDAD AND TOBAGO

Entry or Withdrawal From Warehouse for Consumption

DECEMBER 29, 1969.

On December 16, 1969, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, informed the Government of Trinidad and Tobago that it was renewing for an additional 12-month period beginning December 29, 1969, and extending through December 28, 1970, the restraint on imports into the United States of cotton textile products in Category 61, produced or manufactured in Trinidad and Tobago. Pursuant to Annex B, paragraph 3, of the Long-Term Arrangement the level of restraint for this 12-month period is 5 percent greater than the level of restraint applicable to this category for the preceding 12-month period.

There is published below a letter of December 23, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 61, produced or manufactured in Trinidad and Tobago, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning December 29, 1969, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 23, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective December 29, 1969, and for the 12-month period extending through December 28, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Category 61 produced or manufactured in Trinidad and Tobago, in excess of a level of restraint for the period of 64,358 dozen.

In carrying out this directive, entries of cotton textile products in Category 61, produced or manufactured in Trinidad and Tobago, which have been exported to the United States from Trinidad and Tobago prior to December 29, 1969, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period December 29, 1968, through December 28, 1969. In the event that the above level of restraint has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of Category 61 in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Trinidad and Tobago and with respect to imports of cotton textiles and cotton textile products from Trinidad and Tobago have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965–68). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

KEN DAVIS,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 70–83; Filed, Jan. 5, 1970; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812–2645]

FIRST FUND OF VIRGINIA, INC., AND FIRST VIRGINIA MANAGEMENT AND RESEARCH CORP.

Notice of Filing of Application for Order of Exemption

DECEMBER 29, 1969.

Notice is hereby given that First Fund of Virginia, Inc. ("Fund"), 910 Capitol Street, Richmond, Va. 23209, a Virginia corporation which is registered as an open-end, diversified, management investment company under the Investment Company Act of 1940 ("Act"), and First Virginia Management and Research Corp. ("First Virginia"), a Virginia corporation which is the principal underwriter for the Fund and the sponsor of, and principal underwriter for, FFV Accumulation Plan, a unit investment trust registered as such under the Act, have filed an application pursuant to section 6(c) of the Act for an order of exemption from the provisions of section 22(d) of the Act to permit the shares of the Fund and the Certificates of the FFV Accumulation Plan to be sold to certain persons without any sales charges. The Fund and First Virginia are sometimes hereafter referred to as "Applicants." All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Shares of the Fund are ordinarily offered to the general public at a public offering price which is the net asset value per share at the time of purchase plus a maximum sales charge of 8½ percent of the public offering price, reduced on a graduated scale for sales involving amounts of $12,500 or more. Certificates of the FFV Accumulation Plan are sold at a sales charge of 8.9 percent of the total payments. There is an additional maintenance fee of $0.75 for each monthly payment which would still be charged if this application for exemption is granted.

Section 22(d) of the Act provides that registered investment companies issuing redeemable securities may sell their shares only at a current offering price described in the prospectus. Section 6(c) permits the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection or investors and the purposes fairly intended by the policy and provisions of the Act.

Richmond Corp. is a holding company which currently has four majority-owned subsidiary corporations engaged in various businesses: The Life Insurance Company of Virginia (life, health, and accident insurance, annuities), Lawyers Title Insurance Corp. (real estate title insurance), Cooke & Bieler, Inc. (investment advisory services) and Insurance Management Corp. (holding company for general insurance agencies). First Virginia is a wholly owned subsidiary of The Life Insurance Company of Virginia. Applicants seek an exemption from section 22(d) to permit the shares of the Fund and the certificates of the FFV Accumulation Plan to be offered without sales charge to the directors, officers, and full-time employees, who have acted as such for not less than 90 days, of Richmond Corp. and its present and future majority owned subsidiaries; to any trust, pension, profit-sharing, deferred compensation, stock purchase and thrift, or other benefit plan for such persons; and to Richmond Corporation Foundation. Such sales will be made pursuant to a uniform offer described in the prospectus of the Fund and will be made only upon the written assurance of the purchaser that the purchase is made for investment purposes and that the securities will not be resold except through redemption or repurchase by or on behalf of the issuer. At present approximately 5,100 persons would be eligible to purchase shares in such offering.

First Virginia sells shares of the Fund through its own salesmen and through selected securities dealers. Certificates of the FFV Accumulation Plan are currently sold by First Virginia through its own salesmen only.

No sales expense will be incurred in the sales of shares of the Fund and certificates of the FFV Accumulation Plan

for which exemption from the provisions of section 22(d) is sought. There will be no personal contact by a sales representative in connection with such sales. Announcement of the availability of these securities will be made by internal memoranda, house publications, or on bulletin boards of the various companies. First Virginia will not bear the expense of the announcements.

Notice is further given that any interested person may, not later than January 12, 1970 at 12:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS
Secretary.

[F.R. Doc. 70–129; Filed, Jan. 5, 1970; 8:47 a.m.]

[Files Nos. 811–903, 811–1622]

GREATER WASHINGTON INVESTORS, INC., AND GREATER WASHINGTON INDUSTRIAL INVESTMENTS, INC.

Certificate Pursuant to the Internal Revenue Code of 1954

DECEMBER 29, 1969.

Greater Washington Investors, Inc. ("GWII"), and Greater Washington Industrial Investments, Inc. ("Greater Washington"), 1725 K Street NW., Washington, D.C. 20006, each a closed-end, nondiversified management investment company registered under the Investment Company Act of 1940 ("Act"), have filed applications for an order of this Commission certifying to the Secretary of the Treasury, pursuant to section 851(e) of the Internal Revenue Code of 1954 ("Code"), that GWII and Greater Washington are principally engaged in the furnishing of capital to other corporations which are principally engaged in the development or exploitation of inventions, technological improvements, new processes or products not previously generally available ("development corporations").

GWII and Greater Washington each propose to qualify as a "regulated investment company" under section 851(a) of the Code for the year ended December 31, 1968. Pursuant to the provisions of section 851(e) of the Code, the certifications requested are a prerequisite to qualification as a "regulated investment company" under section 851(a).

Greater Washington was organized on July 1, 1968, as a wholly owned subsidiary of GWII and succeeded to GWII's license as a small business investment company. By order dated July 1, 1968, this Commission granted exemptions from the Act which, in effect, permitted Greater Washington to operate as GWII's wholly owned subsidiary.

In support of the applications GWII and Greater Washington have submitted a detailed description of each of the companies whose securities are held in their portfolios and have specified those investments which are considered to be development corporations. The following table shows the composition of the total assets of GWII as of each of the calendar quarters ended March 31, 1968, June 30, 1968, September 30, 1968, and December 31, 1968.

GWII

Assets	Mar. 31, 1968	June 30, 1968	Sept. 30, 1968	Dec. 31, 1968
Investments representing capital furnished to corporations believed to be development corporations	$11,675,970	$16,540,464	$13,078,468	$13,142,361
Investments in corporations believed not so engaged	950,990	1,009,832	642,575	654,770
Total Investments (at value)	12,626,960	17,550,296	13,721,043	13,797,131
Cash awaiting permanent investment or temporarily invested in U.S. Government securities	2,090,034	1,794,298	481,080	438,920
Other assets (at cost)	31,248	57,596	53,197	83,234
Investment in subsidiary (not classified between investment in development and other corporations)			5,380,875	7,208,806
Total assets before reserves	14,748,242	19,402,190	19,636,195	21,528,100
Reserve for possible losses	445,667	445,667	433,087	
Total assets	14,302,575	18,956,523	19,203,108	21,528,100

The following table shows the composition of the total assets of Greater Washington as of each of the calendar quarters ended September 30, 1968, and December 31, 1968.

GREATER WASHINGTON

Assets	Sept. 30, 1968	Dec. 31, 1968
Investments representing capital furnished to corporations believed to be development corporations	$6,381,661	$8,384,322
Investments in corporations believed not so engaged	702,952	702,952
Total investments (at value)	7,084,613	9,087,274
Cash awaiting permanent investment or temporarily invested in U.S. Government securities	741,357	576,724
Other assets (at cost)	141	
Total assets before reserves	7,826,111	9,663,998
Reserve for possible losses	12,580	
Total assets	7,813,531	9,663,998

On the basis of an examination of the reports and information filed by GWII and Greater Washington with the Commission pursuant to the provisions of the Investment Company Act and rules and regulations promulgated thereunder, as well as the data and information set forth in the instant applications, it appears to the Commission that GWII and Greater Washington are each principally engaged in the furnishing of capital to other corporations which are principally engaged in the development or exploitation of inventions, technological improvements, new processes or products not previously generally available within the intent of section 851(e) of the Code.

It is therefore certified to the Secretary of the Treasury, or his delegate, pursuant to section 851(e) of the Code, that Greater Washington Investors, Inc., and Greater Washington Industrial Investments, Inc., each a closed-end, nondiversified management investment company registered under the Investment Company Act of 1940, are principally engaged in the furnishing of capital to other corporations which are principally engaged in the development or exploitation of inventions, technological improvements, new processes or products not previously generally available.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 70–130; Filed, Jan. 5, 1970; 8:48 a.m.]

[812–2677]

NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS AND NATIONAL HOUSING PARTNERSHIP

Notice of Filing of Application for Exemption

DECEMBER 29, 1969.

Notice is hereby given that National Corporation for Housing Partnerships (the "Corporation"), 1625 L Street NW.,

Washington, D.C. 20036, a District of Columbia corporation, on its own behalf and on behalf of The National Housing Partnership (the "Partnership"), a limited partnership to be formed under the District of Columbia Uniform Limited Partnership Act, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting the Corporation and the Partnership from all the provisions of the Act and the rules and regulations promulgated thereunder. All interested persons are referred to the application, which is on file with the Commission, for a statement of the representations therein, which are summarized below.

The Corporation and the Partnership, collectively referred to hereinafter as the "Venture", derive from title IX of the Housing and Urban Development Act of 1968 (the "1968 Housing Act"). The application states that in section 901 of that Act, Congress found that "the volume of housing being produced for families and individuals of low or moderate income must be increased to meet the national goal of a decent home and suitable living environment for every American family" and declared that "it is the policy of the United States to encourage the widest possible participation by private enterprise in the provision of housing for low or moderate income families." Congress therefore determined that "one or more private organizations should be created to encourage maximum participation by private investors in programs and projects to provide low and moderate income housing." The Venture is the first such private organization to be created pursuant to title IX of the 1968 Housing Act.

The incorporators were appointed by the President of the United States and have been confirmed by the Senate. The Articles of Incorporation were approved by the President of the United States on December 6, 1968. As authorized by section 903(a) of the 1968 Housing Act, the incorporators are presently serving as the initial board of directors of the Corporation and will continue in that capacity until the first annual shareholders meeting to be held upon completion of the public offering referred to below. Thereafter, the board of directors will consist of 12 members elected by the shareholders and three members appointed by the President of the United States and approved by the Senate.

The Corporation has filed a registration statement pursuant to the securities Act of 1933 with respect to a proposed initial public offering of 249,500 shares of common stock of the Corporation and 998 limited Partnership interests. Shares of stock of the Corporation and the Partnership interests will be offered only in units each consisting of 250 shares of common stock and one Partnership interest. Subscriptions will be accepted only from business organizations, labor organizations, financial institutions, and other organizations, domiciled in the United States and having substantial assets, whose primary interest in subscribing is promoting the construction of low and moderate income housing rather than return on investment. The minimum subscription will be $100,000 for two units at $50,000 each. Subscriptions will be payable 25 percent upon completion of the offering and the remaining 75 percent upon call by the Corporation, on not less than 60 days' notice, on or before December 31, 1974. Of the $25,000 initial payment on each minimum $100,000 subscription, $5,000 will be applied to the purchase of the 500 shares of common stock of the Corporation at $10 a share and $20,000 will be the initial contribution of the subscriber as a limited partner in the Partnership. The balance of $75,000 will be subject to call, as noted above, for additional contributions to the Partnership. The shares of common stock and Partnership interests will not be transferable separately and the Partnership agreement provides that no portion of a limited partner's interest may be transferred without the prior consent of the Corporation and unless certain additionally stated conditions are met.

The Corporation, as required by section 907(d) of the 1968 Housing Act will be the sole General Partner of the Partnership; and will be entirely responsible for management and control of the business of the Venture. The Limited Partners in the Partnership will consist initially of all persons subscribing for shares of common stock of the Corporation and Partnership interests. The Partnership will be primarily engaged in investing in low and moderate income housing projects under one of the Federal subsidy programs described in the application. The bulk of the proceeds of the proposed public offering will be used for the organization and, through the Partnership, for investment in local limited partnerships. The Partnership is also authorized to serve as a general partner in local partnerships or as coventurer in local joint ventures.

The Corporation, in addition to its responsibility for management and control of the Venture, may provide a wide variety of services to or on behalf of a project in which the Partnership has invested or proposes to invest. The Corporation intends to charge the Partnership reasonable fees for its service to or on behalf of the Partnership; and the Corporation may realize income or incur losses in other transactions with the Partnership and other entities relating to the development of housing projects.

The Venture may also engage in State and local government housing programs for those of low and moderate income; and the Venture, and the Corporation on its own behalf, may also engage in certain other businesses related to low and moderate income housing described in the application.

The application states that the Venture does not involve an investment company. Nevertheless, it appears that an investment company as defined in section 3(a)(3) of the Act is involved since the Venture will be engaged in the business of investing in securities (limited partnership interests) and it proposes to acquire investment securities having a value exceeding 40 percent of its assets exclusive of Government securities and cash items.

Section 6(c) of the Act provides, as here pertinent, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

In support of the application, the Corporation states that an important function of the organization will be to serve as a major national source of equity capital to finance the construction of low and moderate income housing thereby advancing the National goal of a decent home and a suitable living environment for every American family. The initial offering of the stock of the Corporation and the Partnership interests will be to sophisticated investors and it is unlikely that resale would involve a different class of investors because of the noneconomic motivations of the investors. Further, substantial restrictions, contained in the Partnership and subscription agreements, have been imposed upon the transferability of Partnership, interests and stock of the Corporation. The Corporation undertakes on behalf of itself and the Partnership, to comply with the reporting and proxy solicitation requirements of the Securities Exchange Act of 1934 as long as an exemption from the Act is in effect, whether or not such compliance would otherwise be required. Both the Corporation and the Partnership under the 1968 Housing Act have a degree of public accountability as section 904 requires the President of the United States to appoint three members to the board of directors with the advice and consent of the Senate and section 908(a) requires annual reports to be made to the President and Congress.

Notice is further given that any interested person may, not later than January 12, 1970, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the Corporation and Partnership. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained

in said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

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

[F.R. Doc. 70-131; Filed, Jan. 5, 1970; 8:48 a.m.]

[54-245]

NEW ENGLAND ELECTRIC SYSTEM

Notice of Filing Plan

DECEMBER 23, 1969.

Notice is hereby given that New England Electric System ("NEES"), 441 Stuart Street, Boston, Mass. 02116, a registered holding company, has filed a Plan and an amendment thereto ("Plan") with this Commission pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act") for the purpose of facilitating compliance with section 11(b)(1). All interested persons are referred to the Plan, which is summarized below, for a complete statement of the proposed transactions.

In 1964, the Commission issued an order under section 11(b)(1) of the Act requiring NEES to dispose of all its interests, direct or indirect, in its gas-utility subsidiary companies (Holding Company Act Release No. 15035, Mar. 19, 1964). After several appellate reviews, the Supreme Court on March 5, 1968, directed the Court of Appeals for the First Circuit to enter an order affirming the Commission's order of March 19, 1964, which order was entered on April 3, 1968. By order of the Commission dated July 11, 1969 (Holding Company Act Release No. 16424), NEES was granted a 6-month extension until October 3, 1969, within which to comply with the Commission's divestment order. NEES has requested a further 6-month extension until April 3, 1970 (Holding Company Act Release No. 16494, Oct. 13, 1969), which request is currently pending before the Commission.

The Plan provides that NEES will transfer to Massachusetts Gas System ("Mass Gas"), a Massachusetts business trust organized by NEES for this purpose, the shares of capital stock of its eight gas-utility subsidiary companies and notes of the subsidiary companies which NEES may own at the time of consummation. In exchange for such securities, NEES will receive 1,466,275 common shares of Mass Gas, par value $10 per share.

The names of the gas-utility subsidiary companies, the number of shares of capital stock to be transferred by NEES and its percent of such capital stock ownership, as well as the respective net plant and operating revenues of these companies as of June 30, 1969 are as follows:

Company	Shares of capital stock owned by NEES	Percent capital stock ownership by NEES	Net plant	Operating revenues
Central Massachusetts Gas Co.	54,299	100.00	$3,633,629	$1,986,364
Lawrence Gas Co.	170,002	90.42	9,459,549	5,916,905
Lynn Gas Co.	115,196	93.77	8,863,641	6,580,805
Mystic Valley Gas Co.	377,165	99.41	28,272,848	16,791,482
North Shore Gas Co.	233,356	97.73	10,938,304	6,096,601
Northampton Gas Light Co.	24,233	100.00	2,554,006	1,508,051
Norwood Gas Co.	4,189	99.38	2,279,746	1,404,686
Wachusett Gas Co.	13,290	100.00	3,234,449	1,664,759
			69,236,172	41,949,653

It is proposed that Mass Gas will record its investments at $27,355,204 for the shares of capital stocks of the gas-utility companies, which amount reflects the carrying values of such stocks on the books of NEES. Mass Gas will credit to Paid-In Surplus the amount by which such carrying values and face amount of notes that may be transferred to Mass Gas exceed the aggregate par value of the common shares issued to NEES, and NEES will credit its investment accounts in the identical amounts credited by Mass Gas.

It is further proposed that Mass Gas, in order to provide funds for working capital, will issue notes to NEES, from time to time, in an aggregate amount of not more than $500,000 to be outstanding at any one time. The notes will mature not less than 1 year from the date of their issue, will provide for prior payment, in whole or in part, without premium, and will bear interest at a rate not in excess of the prime rate at the time of their issuance.

NEES states that the ultimate disposition of the gas properties by NEES will be the subject of a further plan or plans to be filed with the Commission, and that the organization of and transfer to Mass Gas is in no way indicative of the particular method or methods by which the divestment of NEES' interest in its gas-utility companies, will be carried out.

It is stated that no regulatory approval of the proposed transactions is required other than that of this Commission. It is also stated that certain services in connection with the proposal are to be performed at cost by the New England Power Service Co., which costs are estimated not to exceed $2,500 for NEES and $7,500 for Mass Gas.

Notice is further given that any interested person may, not later than January 15, 1970, request in writing that a hearing be held on the Plan of NEES, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said Plan which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon NEES and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, such Plan as amended or as it may be further amended, may be permitted to become effective in the manner provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 70-132; Filed, Jan. 5, 1970; 8:48 a.m.]

[812-2588]

VARIABLE ANNUITY FUND I OF SOUTHWESTERN LIFE AND SOUTHWESTERN LIFE INSURANCE CO.

Notice of Application for Exemption

DECEMBER 24, 1969.

Notice is hereby given that Variable Annuity Fund I of Southwestern Life ("Fund") and Southwestern Life Insurance Co. ("Southwestern"), Post Office Box 2699, Dallas, Tex. 75221 (hereinafter collectively "Applicants"), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act"), for an order exempting Applicants from the provisions of section 22(d) of the Act to the extent described below. Fund is an open-end diversified management investment company registered under the Act. Southwestern established Fund as the facility through which it will set aside and invest assets attributable to variable annuity contracts offered by Southwestern. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

In connection with the sale of variable annuity contracts, charges from payments are deducted to cover sales and administrative expenses. Applicants request an exemption from section 22(d)

to permit the elimination of the charges for sales and administrative expenses when death benefit payments, maturity values, and cash surrender values under Southwestern's life insurance policies or fixed-dollar annuity contracts are used to purchase Applicants' variable annuity contracts.

Applicants assert that such elimination of charges is in the interest of the investors and the public, that no unfair discrimination among the contract owners participating in the Fund would result therefrom, and that the proposed elimination of charges would be consistent with the policies of the Act. In all cases, a sales charge on the premiums under Southwestern's life insurance policies and annuity contracts will have been paid. The purpose of eliminating the sales charges as proposed is to avoid cumulating sales charges.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any persons or transactions from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 7, 1970 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service by affidavit (or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 70–133; Filed, Jan. 5, 1970; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30—Jackson, Miss. Disaster 3]

DELEGATION OF AUTHORITY FROM REGIONAL DIRECTOR TO BRANCH MANAGER OF DISASTER BRANCH OFFICE, PASCAGOULA, MISS.

Delegation of Authority Rescinded

Notice is hereby given that Delegation of Authority No. 30, Disaster 3, 34 F.R. 14629, is hereby rescinded in its entirety.

Effective date: November 13, 1969.

GEORGE A. FEILD,
Regional Director, Jackson, Miss.

[F.R. Doc. 70–135; Filed, Jan. 5, 1970; 8:48 a.m.]

[Delegation of Authority No. 30 (Rocky Mountain Area) Rev. 1]

AREA COORDINATORS ET AL.

Delegation of Authority To Conduct Program Activities in the Rocky Mountain Area

Pursuant to the Authority delegated to the Area Administrators by Delegation of Authority No. 30 (Rev. 12), 32 F.R. 179, dated January 7, 1967, as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, 34 F.R. 5134, 34 F.R. 11165, 34 F.R. 12651, 34 F.R. 14712, and 34 F.R. 17464), the following authority is hereby redelegated to the positions as indicated herein:

I. Area Coordinators—A. *Development Company Assistance Coordinator*—1. *Eligibility determinations (for financial assistance only).* To determine eligibility of applicants for assistance under the sections 501 and 502 programs of the Agency in accordance with Small Business Administration standards and policies.

2. *Size determinations (for financial assistance only).* To make initial size determinations in all sections 501 and 502 loans within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for sections 501 and 502 loans only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Liquidation and Disposal Coordinator.* 1. To take all necessary actions in connection with the liquidation and disposal of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain, and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. To take all necessary action in liquidating Economic Development Administration loans and acquired collateral when and as authorized by Economic Development Administration.

d. To advertise regarding the public sale of (1) collateral in connection with the liquidation of loans, and (2) acquired property.

e. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

C. *Supervisory Liquidation and Disposal Officer.* 1. To take all necessary actions in connection with the liquidation and disposal of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim

in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. To take all necessary action in liquidating Economic Development Administration loans and acquired collateral when and as authorized by Economic Development Administration.

d. To advertise regarding the public sale of (1) collateral in connection with the liquidation of loans and (2) acquired property.

e. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement; and (3) the cancellation of authority to liquidate.

D. *Area Claims Review Committee.* To consist of the liquidation and disposal coordinator, area counsel, and the area supervisory appraiser who will meet and consider reasonable and properly supported compromise proposals of indebtedness owed to the Agency and to take final action on such proposals provided such action represents the majority recommendation of the committee on claims not in excess of $5,000 (including CPC advances but excluding interest), or represents the unanimous recommendation of said committee on claims in excess of $5,000 but not exceeding $100,000 (including CPC advances but excluding interest).

E. *Financial Assistance Coordinator—1. Eligibility determinations (for financial assistance only).* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the non-applicability of eligibility limitations to a community emergency as set forth in § 120.2(e) of SBA Loan Policy Regulations.

2. *Size determinations (for financial assistance only).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans; and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

F. *Procurement and Management Assistance Coordinator—1. Eligibility determinations (for PMA activities only).* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

2. *Size determinations (for PMA activities only).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

G. *Area Administrative Officer.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

H. *Office Services Manager or Office Services Assistant.* 1. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

2. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. *Regional Directors—A. Financial assistance.* 1. To approve or decline business loans not exceeding $350,000 (SBA share) and economic opportunity loans not exceeding $25,000 (SBA share).

2. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000; and (b) $350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $500,000, and to decline them in any amount.

3. To close and disburse approved loans.

4. To enter into business, economic opportunity, and disaster loan participation agreements with banks.

5. To execute loan authorizations for Central and area approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator
By ----------
(Name)
Regional Director.
(City)

6. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

**10. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.

11. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim

for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

B. *Development company assistance.* **1. To approve or decline section 501 State Development Company loans and section 502 Local Development Company loans up to $350,000 (SBA share).

2. To close and disburse sections 501 and 502 loans.

3. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

4. To execute sections 501 and 502 loan authorizations for Central Office and area approved loans and for loans approved under delegated authority, said execution to read, as follows:

(Name), Administrator
By ----------
Regional Director.
(City)

5. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in hole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) to compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

7. To enter into section 502 loan participation agreements with banks.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

C. *Lease guarantee.* 1. To approve or decline applications for the direct guarantee of the payment of rent not to exceed $500,000.

2. To issue and modify commitment letters, said issuance to read as follows:

(Name), Administrator
By ----------
(Name)
Regional Director.
(City)

3. To service claims arising under all policies issued under delegated authority in region, including the payment, but not denial, of claims.

4. To take all actions necessary to mitigate losses.

D. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further to make product classification decisions for financial assistance purposes only. Product classification decisions for proceurement purposes are made by contracting officers.

E. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in § 120.2(e) of SBA Loan Policy Regulations.

F. *Administration.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse the General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

G. *Chiefs, Financial Assistance Divisions (and Assistant Chiefs, if assigned)*—1. *Size determinations for financial assistance only.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

2. *Eligibility determinations for financial assistance only.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and development company assistance programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in § 120.2(e) of SBA Loan Policy Regulations.

3. To approve or decline business loans not exceeding $350,000 (SBA share) and economic opportunity loans not exceeding $25,000 (SBA share).

4. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000; and (b) $350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $350,000, and to decline them in any amount.

5. To close and disburse approved business, economic opportunity, and disaster loans.

6. To enter into business, economic opportunity, and disaster loan participation agreements with banks.

7. To execute loan authorizations for Central Office, area, and regional approved loans and loans approved under the delegated authority, said execution to read as follows:

(Name), Administrator
By ----------
(Name)
Title of person signing.

8. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and deposit,

and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privileges under the loan guaranty plan.

d. Except: (1) to compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

H. *Supervisory Loan Officer and/or Assistance Team Leader.* 1. To close and disburse approved business, economic opportunity and disaster loans.

2. To enter into business, economic opportunity, and disaster loan participation agreements with banks.

3. To execute loan authorizations for Central Office, area, and regional approved loans, said execution to read as follows:

(Name), Administrator
By _____
(Name)
Title of person signing.

4. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity and disaster loans.

5. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

6. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

7. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

8. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privileges under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

9. *Size determinations for financial assistance only.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

10. *Eligibility determinations for financial assistance only.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in § 120.2 (e) of SBA Loan Policy Regulations.

I. *Loan Officer (Financial Assistance).* 1. To approve final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to application against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of $500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.

2. To close and disburse approved business, economic opportunity, and disaster loans.

J. *Chief, Development Company Assistance Division.* 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans, authorizations or undisbursed portions of sections 501 and 502 loans.

3. To execute sections 501 and 502 loan authorizations for Central Office, area, and regional approved loans, said execution to read, as follows:

(Name), Administrator
By _____
(Name)
Chief, Development Company
Assistance Division.

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses. certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank application for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

6. To enter into section 502 loan participation agreements with banks.

7. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

K. *Loan Officer (Development Company Assistance).* 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans.

3. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

4. To approve final actions concerning current direct, participation, and First Mortgage Plan 502 loans.

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to applications against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of $500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.

5. To enter into section 502 loan participation agreement with banks.

6. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

L. *Regional Counsel,* [*Reserved*]

M. *Chief, Accounting, Clerical and Training Division.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorney in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

**5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity and disaster loans.

**6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans, except sections 501 and 502 loans.

**7. To approval final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to application against premiums.

c. Minor modifications in the authorization.

d. Adjustment of interest payment dates.

e. Release of hazard insurance checks not in excess of $500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

f. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.

N. *Assistant Chief, Accounting, Clerical and Training Division.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorney in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

III. *Branch Manager.* [*Reserved*]

IV. The specific authority delegated herein, indicated by double asterisks (**) cannot be redelegated.

V. The authority delegated herein to a specific position may be exercised by an SBA employee designated as acting in that position.

VI. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: December 15, 1969.

GEORGE E. SAUNDERS,
Area Administrator,
Rocky Mountain Area.

[F.R. Doc. 70-136; Filed, Jan. 5, 1970; 8:48 a.m.]

[Delegation of Authority No. 30 (Middle Atlantic Area)]

AREA COORDINATORS ET AL.

Delegation of Authority To Conduct Program Activities in the Middle Atlantic Area

Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Rev. 12) 32 F.R. 179, dated January 7, 1967, as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, 34 F.R. 5134, 34 F.R. 11165, 34 F.R. 12651, 34 F.R. 14712, and 34 F.R. 17464), the following authority is hereby redelegated to the positions as indicated herein:

1. *Area Coordinators*—A. *Development Company Assistance Coordinator*—1. *Eligibility determinations (for financial assistance only).* To determine eligibility of applicants for assistance under the sections 501 and 502 programs of the Agency in accordance with Small Business Administration standards and policies.

2. *Size determinations (for financial assistance only).* To make initial size determinations in all sections 501 and 502 loans within the meaning of the Small Business Size Standards Regulations, as amended, and further to make product classification decisions for sections 501 and 502 loans only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Liquidation and Disposal Coordinator.* 1. To take all necessary actions in connection with the liquidation and disposal of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. To take all necessary action in liquidating Economic Development Administration loans and acquired collateral when and as authorized by Economic Development Administration.

d. To advertise regarding the public sale of (1) collateral in connection with the liquidation of loans, and (2) acquired property.

e. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a particular bank under any alleged violation of a participation or guaranty agreement.

C. *Supervisory Liquidation and Disposal Officer.* 1. To take all necessary actions in connection with the liquidation and disposal of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers,

including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trusts, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain, and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. To take all necessary action in liquidating Economic Development Administration loans and acquired collateral when and as authorized by Economic Development Administration.

d. To advertise regarding the public sale of (1) collateral in connection with the liquidation of loans and (2) acquired property.

e. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement; and (3) the cancellation of authority to liquidate.

D. *Area Claims Review Committee.* To consist of the liquidation and disposal coordinator, area counsel, and the area supervisory appraiser who will meet and consider reasonable and properly supported compromise proposals of indebtedness owed to the Agency and to take final action on such proposals provided such action represents the majority recommendation of the committee on claims not in excess of $5,000 (including CPC advances but excluding interest), or represents the unanimous recommendation of said committee on claims in excess of $5,000 but not exceeding $100,000 (including CPC advances but excluding interest).

E. *Financial Assistance Coordinator*—1. *Eligibility determinations (for financial assistance only).* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in § 120.2 (e) of SBA Loan Policy Regulations.

2. *Size determinations (for financial assistance only).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans; and further to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

F. *Procurement and Management Assistance Coordinator*—1. *Eligibility determinations (for PMA activities only).* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

2. *Size determinations (for PMA activities only).* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

G. *Area Administrative Officer.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to obligate Small Business Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

H. *Office Services Manager or Office Services Assistant.* 1. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

2. To rent motor vehicles from the General Service Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. *Regional Directors.*—A. *Financial assistance.* 1. To approve or decline business loans not exceeding $350,000 (SBA share) and economic opportunity loans not exceeding $25,000 (SBA share).

2. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000, and (b) $350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $500,000, and to decline them in any amount.

3. To close and disburse approved loans.

4. To enter into business, economic opportunity, and disaster loan participation agreements with banks.

5. To execute loan authorizations for Washington and area approved loans and for loans approved under delegated authority, said execution to read as follows:

(*Name*), *Administrator*

By ----------
(Name)
Regional Director.
(City)

6. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

10. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.**

11. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim

bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

B. *Development company assistance.* 1. To approve or decline section 501 State Development Company loans and section 502 Local Development Company loans up to $350,000 (SBA share).**

2. To close and disburse section 501 and 502 loans.

3. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

4. To execute sections 501 and 502 loan authorizations for Central Office and area approved loans and for loans approved under delegated authority, said execution to read, as follows:

(Name), Administrator
By ----------
(Name)
Regional Director.
(City)

5. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

6. To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

7. To enter into section 502 loan participation agreements with banks.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

C. *Lease guarantee.* 1. To approve or decline applications for the direct guarantee of the payment of rent not to exceed $500,000.

2. To issue and modify commitment letters, said issuance to read as follows:

(Name), Administrator
(Name)
By ----------
Region Director.
(City)

3. To service claims arising under all policies issued under delegated authority in region, including the payment, but not denial of claims.

4. To take all actions necessary to mitigate losses.

D. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

E. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in 120.2(e) of SBA Loan Policy Regulations.

F. *Administration.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to obligate Small Business Administration to reimburse the General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

G. *Chiefs, Financial Assistance Divisions (and Assistant Chiefs, if assigned)*— 1. *Size determinations for financial assistance only.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

2. *Eligibility determinations for financial assistance only.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in 120.2(e) of SBA Loan Policy Regulations.

3. To approve or decline business loans not exceeding $350,000 (SBA share) and economic opportunity loans not exceeding $25,000 (SBA share).

4. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000, and (b) $350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $350,000, and to decline them in any amount.

5. To close and disburse approved business, economic opportunity, and disaster loans.

6. To enter into business, economic opportunity, and disaster loan participation agreements with banks.

7. To execute loan authorizations for Central Office, area, and regional approved loans and loans approved under the delegated authority, said execution to read as follows:

(Name), Administrator
By ----------
(Name)
Title of person signing.

8. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privileges under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

H. *Supervisory Loan Officer and/or Assistance Team Leader.* 1. To close and disburse approved business economic opportunity, and disaster loans.

2. To enter into business, economic opportunity, and disaster loan participation agreements with banks.

3. To execute loan authorizations for Central Office, area, and regional approved loans, said execution to read as follows:

(Name), Administrator
By_____
(Name)
Title of person signing.

4. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

5. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

6. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

7. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

8. To take all necessary actions in connection with the administration, servicing, and collection, other than those accounts classified as "in liquidation"; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privileges under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

9. *Size determinations for financial assistance only.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, except sections 501 and 502 loans, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

10. *Eligibility determinations for financial assistance only.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

I. *Loan Officer (Financial Assistance).* 1. To approve final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to application against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of $500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.

2. To close and disburse approved business, economic opportunity, and disaster loans.

J. *Chief, Development Company Assistance Division.* 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans, authorizations or undisbursed portions of sections 501 and 502 loans.

3. To execute sections 501 and 502 loan authorizations for Central Office area, and regional approved loans, said execution to read, as follows:

(Name), Administrator
By_____
(Name)
Chief, Development Company Assistance Division.

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To take all necessary actions in connection with the administration, servicing, and collections; and to do and perform and to assent to the doing and performance of all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank application for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for

a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

6. To enter into section 502 loan participation agreements with banks.

7. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

K. *Loan Officer (Development Company Assistance).* 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans.

3. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

4. To approve final actions concerning current direct, participation, and First Mortgage Plan 502 loans.

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to applications against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of $500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.

5. To enter into section 502 loan participation agreement with banks.

6. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

L. *Regional Counsel.* [Reserved]

M. *Chief, Accounting, Clerical and Training Division.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorney in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity and disaster loans.**

6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans, except sections 501 and 502 loans.**

7. To approve final actions concerning current direct or participation loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.**

b. Release of dividends of life insurance or consent to application against premiums.**

c. Minor modifications in the authorization.**

d. Adjustment of interest payment dates.**

e. Release of hazard insurance checks not in excess of $500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.**

f. Release of equipment with or without consideration where the value of equipment being released does not exceed $500.**

N. *Assistant Chief, Accounting, Clerical and Training Division.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorney in foreclosure cases.

2. To (a) purchase office supplies and equipment including office machines, and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

III. Branch Manager. [Reserved]

IV. The specific authority delegated herein, indicated by double asterisks (**) cannot be redelegated.

V. The authority delegated herein to a specific position may be exercised by an SBA employee designated as acting to that position.

VI. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date: October 30, 1969.

EDWARD N. ROSA,
Area Administrator,
Middle Atlantic Area.

[F.R. Doc. 70-137; Filed, Jan. 5, 1970; 8:48 a.m.]

[Declaration of Disaster Loan Area 743]

CALIFORNIA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of December 1969, because of the effects of certain disasters, damage resulted to residences and business property located in Ventura County, Calif.;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid county, and areas adjacent thereto, suffered damage or destruction resulting from high tides and floods occurring on December 10, 1969, through December 14, 1969.

OFFICE

Small Business Administration District Office, 849 South Broadway, Los Angeles, Calif. 90014.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to June 30, 1970.

Dated: December 19, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-134; Filed, Jan. 5, 1970; 8:48 a.m.]

TARIFF COMMISSION

[TEA-I-16 and TEA-F-9]

BARBERS' CHAIRS

Notice of Joint Investigations and Hearings

Investigations instituted. Following the receipt of petitions under section 301(a)(1) and (2) of the Trade Expansion Act of 1962, filed by the Emil J. Paidar Co., Chicago, Ill., the U.S. Tariff Commission, on December 31, 1969, instituted joint investigations under section 301 (b)(1) and (c)(1) of the Act to determine whether:

barbers' chairs with mechanical elevating, rotating, or reclining movements and parts thereof, provided for in item 727.02 of the Tariff Schedules of the United States (19 U.S.C. sec. 1202, schedule 7)

are, as a result in major part of concessions granted thereon under trade agreements, being imported into the United

States in such increased quantities as to cause, or threaten to cause, serious injury to the petitioning firm or to the domestic industry or industries producing like or directly competitive products.

Public hearing ordered. A public hearing in connection with these investigations will be held beginning at 10 a.m., e.s.t., on February 3, 1970, in the Hearing Room, Tariff Commission Building, 8th and E Streets NW., Washington, D.C. Appearances at the hearing should be entered in accordance with section 201.13 of the Tariff Commission's rules of practice and procedure.

Inspection of petitions. The petitions filed in these cases are available for inspection by persons concerned at the office of the Secretary, U.S. Tariff Commission, 8th and E Streets NW., Washington, D.C., and at the New York office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: December 31, 1969.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[F.R. Doc. 70-115; Filed, Jan. 5, 1970; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

DECEMBER 31, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41840—*Roofing and building material to S.F.A. territory.* Filed by Southwestern Freight Bureau, agent (No. B-117), for interested rail carriers. Rates on roofing and building material, in carloads, as described in the application, from points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas, to points in S.F.A. territory.

Grounds for relief—Short line distance formula and grouping.

Tariff—Supplement 22 to Southwestern Freight Bureau, agent, tariff ICC 4791.

FSA No. 41841—*Newsprint paper from Boise-Southern, La.* Filed by Southwestern Freight Bureau, agent (No. B-124), for and on behalf of Kansas City Southern Railway Co. and other rail carriers. Rates on newsprint paper, in carloads, as described in the application, from Boise-Southern, La., to Fort Lauderdale, Miami, St. Petersburg, and Tampa, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 66 to Southwestern Freight Bureau, agent, tariff ICC 4725.

FSA No. 41842—*Lime from Fort Morgan, Colo.* Filed by Southwestern Freight Bureau, agent (No. B-112), for interested rail carriers. Rates on lime, common, in carloads, as described in the application, from Fort Morgan, Colo., to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Grounds for relief—Market competition.

Tariff—Supplement 48 to Southwestern Freight Bureau, agent, tariff ICC 4714.

FSA No. 41843—*Lime to points in southern territory.* Filed by Southwestern Freight Bureau, agent (No. B-119), for interested rail carriers. Rates on lime, in carloads, as described in the application, from Beckmann, Tex., to points in southern territory, including Mississippi River crossings Memphis, Tenn., and south.

Grounds for relief—Market competition.

Tariff—Supplement 14 to Southwestern Freight Bureau, agent, tariff ICC, 4852.

FSA No. 41844—*Plasticizers or solvents from Baton Rouge and North Baton Route, La.* Filed by O. W. South, Jr., agent (No. A-6146), for interested rail carriers. Rates on plasticizers or solvents, in tank cars, as described in the application, from Baton Rouge and North Baton Rouge, La., to Carteret, Elizabethport, Bayway, and Bayonne, N.J.

Grounds for relief—Private water carrier competition.

Tariff—Supplement 62 to Southern Freight Association, agent, tariff ICC, S-804.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 70-120; Filed, Jan. 5, 1970; 8:47 a.m.]

[Notice 471]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 31, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71445. By order of December 19, 1969, Division 3, acting as an Appellate Division, approved the transfer to Mutual Transportation Inc., Baltimore, Md., of the certificate in No. MC-62896, issued April 9, 1942 to Charles W. Poole and Brereton Poole, a partnership, doing business as Poole's Drayage Co., Washington, D.C., authorizing the transportation of general commodities, with exceptions between points in the Washington, D.C., commercial zone, as defined by the Commission. Walter T. Evans, 915 Pennsylvania Avenue NW., Washington, D.C. 20004, attorney for transferee. Dickson R. Loos, 888 17th Street NW., Washington, D.C. 20006, attorney for transferor.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 70-145; Filed, Jan. 5, 1970; 8:48 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President will appear in the daily FEDERAL REGISTER under Title 2—The Congress. A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 91st Congress, First Session.

Approved December 30, 1969

S.J. Res. 117 ..... Public Law 91-186
Joint Resolution to authorize appropriations for expenses of the Office of Intergovernmental Relations, and for other purposes.

S. 2325 ..... Public Law 91-187
An Act to amend title 5, United States Code, to provide for additional positions in grades GS-16, GS-17, and GS-18.

H.J. Res. 1040 ..... Public Law 91-188
Joint Resolution extending the time for filing the Economic Report and the report of the Joint Economic Committee.

H.R. 9233 ..... Public Law 91-189
An Act to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes.

Approved January 1, 1970

S. 1075 ..... Public Law 91-190
National Environmental Policy Act of 1969.

CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

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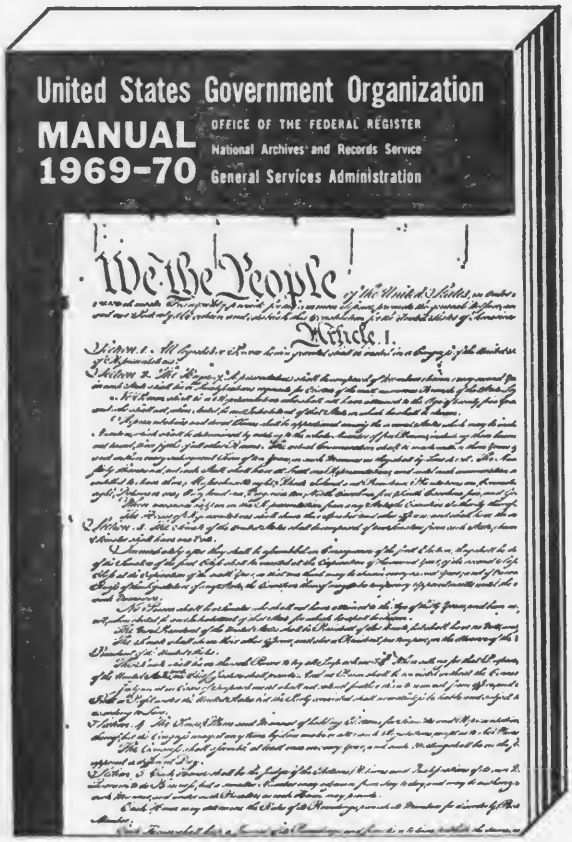

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