

US N214

ROOM

DETROIT PUBLIC LIBRARY JUL AUG 11 '70

SOCIOLOGY & ECONOMICS

FEDERAL REGISTER

VOLUME 35 • NUMBER 153

Friday, August 7, 1970 • Washington, D.C.

Pages 12593-12632

AUG 7, 1970

12593-12632

Agencies in this issue—

- Agency for International Development
- Agriculture Department
- Atomic Energy Commission
- Commodity Credit Corporation
- Consumer and Marketing Service
- Federal Aviation Administration
- Federal Insurance Administration
- Federal Power Commission
- Federal Reserve System
- Fish and Wildlife Service
- Food and Drug Administration
- Food and Nutrition Service
- General Services Administration
- Hazardous Materials Regulations Board
- Housing and Urban Development Department
- Internal Revenue Service
- Interstate Commerce Commission
- Land Management Bureau
- National Labor Relations Board
- Packers and Stockyards Administration
- Securities and Exchange Commission
- Small Business Administration
- Tariff Commission

Detailed list of Contents appears inside.



Current White House Releases

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

This unique service makes available transcripts of the President's news conferences; messages to Congress; public speeches, remarks, and statements; and other Presidential materials released by the White House.

The Weekly Compilation carries a Monday date-line and covers materials released during the preceding week. It includes an Index of Contents and a

system of cumulative indexes. Other finding aids include lists of laws approved by the President and of nominations submitted to the Senate, a checklist of White House releases, and a digest of other White House announcements.

This systematic publication of Presidential items provides users with up-to-date information and a permanent reference source concerning Presidential policies and pronouncements.

Subscription Price: \$9.00 per year

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

**Order from: Superintendent of Documents
U.S. Government Printing Office,
Washington, D.C. 20402**



Area Code 202

Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$2.50 per month or \$25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGENCY FOR INTERNATIONAL DEVELOPMENT

- Rules and Regulations**
 Rules and procedures applicable to commodity transactions financed by A.I.D.----- 12611

AGRICULTURE DEPARTMENT

- See also* Commodity Credit Corporation; Consumer and Marketing Service; Food and Nutrition Service; Packers and Stockyards Administration.
Rules and Regulations
 Procurement; miscellaneous amendments ----- 12602

ATOMIC ENERGY COMMISSION

- Notices**
 Carolina Power & Light Co.; issuance of facility operating license ----- 12621
 National Aeronautics and Space Administration; issuance of construction permit ----- 12622
 Northern States Power Co.; order extending construction completion date ----- 12622

COMMODITY CREDIT CORPORATION

- Rules and Regulations**
 Honey loan and purchase program; 1970 ----- 12597

CONSUMER AND MARKETING SERVICE

- Proposed Rule Making**
 Milk in Southeastern Minnesota-Northern Iowa (Dairyland) marketing area; handling ----- 12613

FEDERAL AVIATION ADMINISTRATION

- Rules and Regulations**
 Standard instrument approach procedures; miscellaneous amendments ----- 12598

FEDERAL INSURANCE ADMINISTRATION

- Rules and Regulations**
 Areas eligible for sale of insurance; list of designated areas (2 documents) ----- 12599, 12600
 Flood hazard areas; list (2 documents) ----- 12601, 12602

FEDERAL POWER COMMISSION

- Notices**
Hearings, etc.:
 Humble Oil & Refining Co., et al ----- 12625
 Marsalis, D. S., et al ----- 12624
 Rushing, J. S. Estate et al ----- 12623

FEDERAL RESERVE SYSTEM

- Notices**
 Bank Securities, Inc. (NSL); application for approval of acquisition of shares of bank ----- 12626
 Barnett Banks of Florida, Inc.; order approving acquisition of bank stock by bank holding company ----- 12626

FISH AND WILDLIFE SERVICE

- Rules and Regulations**
 Lacreek National Wildlife Refuge, S. Dak.; hunting ----- 12611

FOOD AND DRUG ADMINISTRATION

- Rules and Regulations**
 Isobutylene-butene copolymers; food additive ----- 12598

- Notices**
 Ciba Agrochemical Co.; petition regarding pesticide chemical ----- 12621

FOOD AND NUTRITION SERVICE

- Rules and Regulations**
 Food stamp program; participation of retail food stores, wholesale food concerns and banks ----- 12597

- Notices**
 National school lunch program and commodity only schools; income poverty guidelines for determining eligibility for free and reduced price lunches ----- 12620

GENERAL SERVICES ADMINISTRATION

- Rules and Regulations**
 Management of buildings and grounds; changes in parking priorities ----- 12608
 Motor equipment management; miscellaneous amendments ----- 12609
 Procurement by formal advertising; reporting of proposed substantial awards and minor miscellaneous changes ----- 12607

HAZARDOUS MATERIALS REGULATIONS BOARD

- Rules and Regulations**
 Cargo tanks in chlorine service -- 12610
 Matter incorporated by reference -- 12609

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

- See* Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

- See also* Federal Insurance Administration.

Notices

- Acting Assistant Secretary for Renewal and Housing Management; designation ----- 12621

INTERIOR DEPARTMENT

- See* Fish and Wildlife Service; Land Management Bureau.

INTERNAL REVENUE SERVICE

- Proposed Rule Making**
Income tax:
 Accounting for advance payments ----- 12612
 Accounting for redemption of trading stamps and coupons -- 12612

Notices

- Certain individuals; granting of relief (8 documents) ---- 12615-12617

INTERSTATE COMMERCE COMMISSION

- Notices**
 Motor carrier:
 Temporary authority applications ----- 12630

LAND MANAGEMENT BUREAU

- Notices**
 Idaho; proposed classification of public lands for multiple-use management ----- 12617
 New Mexico; classification of lands for multiple-use management -- 12619

NATIONAL LABOR RELATIONS BOARD

- Proposed Rule Making**
 Jurisdictional standards applicable to private colleges and universities; notice of extension of time to file responses ----- 12614

PACKERS AND STOCKYARDS ADMINISTRATION

- Notices**
 Galt Livestock Sales Yard et al.; deposting of stockyards ----- 12621

SECURITIES AND EXCHANGE COMMISSION

- Notices**
Hearings, etc.:
 Bank Fiduciary (Equity) Fund -- 12627
 Bank Fiduciary (Fixed Income) Fund ----- 12628
 Continental Vending Machine Corp ----- 12628
 Lexington Research Fund, Inc., and Piedmont Capital Corp -- 12628
 McMoran Exploration Co. ----- 12629

(Continued on next page)

**SMALL BUSINESS
ADMINISTRATION****Notices**

Regional Director, Region IV;
delegation of authority----- 12630

STATE DEPARTMENT

See Agency for International De-
velopment.

TARIFF COMMISSION**Notices**

Tuners from Japan; amendment
of notice of investigation----- 12622

TRANSPORTATION DEPARTMENT

See Federal Aviation Administra-
tion; Hazardous Materials Reg-
ulations Board.

TREASURY DEPARTMENT

See Internal Revenue Service.

List of CFR Parts Affected

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

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

7 CFR		24 CFR		41 CFR	
1434-----	12597	1914 (2 documents)-----	12599, 12600	4-3-----	12602
1602-----	12597	1915 (2 documents)-----	12601, 12602	4-7-----	12604
PROPOSED RULES:				4-16-----	12607
1061-----	12613	26 CFR		5A-2-----	12607
14 CFR		PROPOSED RULES:		101-19-----	12608
97-----	12598	1 (2 documents)-----	12612	101-38-----	12609
21 CFR		29 CFR		49 CFR	
121-----	12598	PROPOSED RULES:		171-----	12609
22 CFR		103-----	12614	173-----	12610
201-----	12611			178-----	12610
				50 CFR	
				32-----	12611

Rules and Regulations

Title 7—AGRICULTURE

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS PURCHASES, AND OTHER OPERATIONS

PART 1434—HONEY

Subpart—1970 Crop Honey Loan and Purchase Program

The Honey Price Support Regulations for 1970 and Subsequent Crops (35 F.R. 11773), issued by the Commodity Credit Corporation, which contain regulations of a general nature with respect to price support loan and purchase operations, are supplemented for the 1970 crop of honey as herein stated. This supplement supercedes the 1970 Crop Honey Loan and Purchase Program supplement published on April 28, 1970, in 35 F.R. 6702 with respect to loans and purchases made upon its publication in the FEDERAL REGISTER.

- 1434.40 Purpose.
- 1434.41 Availability.
- 1434.42 Maturity of loans.
- 1434.43 Support rates.
- 1434.44 Discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, 1054; 15 U.S.C. 714c, U.S.C. 1446, 1421.

§ 1434.40 Purpose.

This subpart contains program provisions which, together with (a) the Honey Price Support Regulations for 1970 and Subsequent Crops, (b) the Cooperative Marketing Association—Eligibility Requirements for Price Support in Part 1425 of this chapter, and (c) any amendments to such regulations, set forth the requirements with respect to price support for 1970 crop honey.

§ 1434.41 Availability.

(a) **Loans.** Producers must request a loan on 1970 crop eligible honey on or before March 31, 1971.

(b) **Purchases.** Producers desiring to offer eligible honey not under loan for purchase must complete a Purchase Agreement at the ASCS county office on or before April 30, 1971.

§ 1434.42 Maturity of loans.

Unless demand is made earlier, loans on honey will mature on April 30, 1971.

§ 1434.43 Support rates.

(a) **Table and nontable honey.** The support rate for the quantity of 1970 crop honey placed under loan or acquired under loan or purchase shall be the rate for the respective class and color set forth below:

Class and color	For Montana, Wyoming, Colorado, New Mexico, and States west thereof		All States east of Montana, Wyoming, Colorado, and New Mexico	
	Cent per pound		Cent per pound	
Table honey:				
1 White and lighter...	13.5		13.9	
2 Extra light amber...	12.5		12.9	
3 Light amber...	11.5		11.9	
4 Other table honey...	9.5		9.9	
Nontable honey.....	9.5		9.9	

(b) **Objectionable flavor, fermentation, or caramelization.** The settlement value for a lot of honey delivered under loan or for purchase which grades substandard on account of objectionable flavor, fermentation, or caramelization shall be the lower of its market value as determined by CCC or a value determined on the basis of the support rate for nontable honey.

(c) **Grade not certified.** The settlement value for a lot of honey, delivered under loan or for purchase, on which the grade cannot be certified shall be the lower of its market value as determined by CCC or a value as determined on the basis of the support rate for nontable honey.

(d) **Substandard.** The support rate for a lot of honey delivered under a loan or for purchase which grades substandard on account of defects or moisture or a combination of defects and moisture shall be adjusted by the discounts in § 1434.44.

§ 1434.44 Discounts.

(a) **Defects.** The support rate for a lot of honey delivered under a loan or for purchase which grades substandard on account of defects shall be adjusted by the following discount:

Substandard account of:	Discount (Cents per pound)
Defects	2

(b) **Moisture.** The support rate for a lot of honey delivered under a loan or for purchase which contains moisture in excess of 18.5 percent shall be adjusted by the following discounts which shall be in addition to the discount for defects:

Moisture (percent):	Discount (cents per pound)
18.5	0.0
19.0	0.5
19.5	1.0
20.0	1.5
20.5	2.0
21.0	2.5
21.5	3.0
22.0	3.5
22.5	4.0
23.0	4.5
23.5	5.0
24.0	5.5
24.5	6.0

(c) **Commingled storage.** The support rate for a lot of honey tendered for loan or purchase by CCC while stored com-

mingled in a warehouse, or delivered to a warehouse in bulk in satisfaction of a farm storage loan, shall be adjusted by the following discount:

	Discount (cents per pound)
Bulk commingled.....	1.5

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 3, 1970.

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

[F.R. Doc. 70-10266; Filed, Aug. 6, 1970; 8:46 a.m.]

Chapter XVI—Food and Nutrition Service (Food Stamp Program), Department of Agriculture

PART 1602—PARTICIPATION OF RETAIL FOOD STORES, WHOLESALE FOOD CONCERNS, AND BANKS

Section 1602.5, paragraph (c), 30 F.R. 6860, relating to the shipment of canceled coupons by banks is amended to delete the sentence requiring reports of loss, destruction, or damage be given to the Secret Service and the Secretary of the Treasury, Bureau of Accounts. As amended, § 1602.5, paragraph (c) reads as follows:

§ 1602.5 Participation of banks.

(c) While in the course of shipment, canceled coupons shall be considered to be at the risk of the Department, if the bank transmitting such coupons has exercised due diligence and taken ordinary care in making the shipment. Reports of loss, destruction, or damage shall be given promptly on discovery to the following: Food and Nutrition Service, and the Post Office or other carrier. Claim for replacement or credit in the event of loss, damage, or destruction of any shipment of coupons shall be filed in writing with Food and Nutrition Service and shall be supported by the Redemption Certificates received from the retail food stores or wholesale concerns, relating to the coupons included in the particular shipment involved in such claim.

The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

Effective date. This amendment shall become effective the date of its publication in the FEDERAL REGISTER.

RICHARD E. LYNG,
Assistant Secretary.

AUGUST 3, 1970.
[F.R. Doc. 70-10270; Filed, Aug. 6, 1970; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 10480; Amdt. No. 715]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 3260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (358 F.R. 5610).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20590. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20590, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$125 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by establishing, revising or canceling the following VOR-VOR/DME SIAPs, effective September 3, 1970.

Casper, Wyo.—Casper Air Terminal; VOR Runway 21, Amdt. 10; Revised.
 Charleston, S.C.—Charleston AFB/Municipal Airport; VOR Runway 15, Amdt. 5; Revised.
 Charleston, S.C.—Charleston AFB/Municipal Airport; VOR Runway 21, Amdt. 4; Revised.
 Laurel, Miss.—Laurel Municipal Airport; VOR Runway 13, Amdt. 5; Revised.
 Savannah, Ga.—Savannah Municipal Airport; VOR Runway 27, Amdt. 7; Revised.

Toccoa, Ga.—Toccoa Airport; VOR Runway 20, Amdt. 2; Revised.

Westfield, Mass.—Barnes Municipal Airport; VOR Runway 20, Amdt. 9; Revised.
 Opelousas, La.—St. Landry Parish Airport; VOR/DME-1, Orig.; Established.

2. Section 97.25 is amended by establishing, revising or canceling the following LOC-LDA SIAPs, effective September 3, 1970.

Casper, Wyo.—Casper Air Terminal; LOC (BC) Runway 25, Amdt. 9; Revised.

3. Section 97.27 is amended by establishing, revising or canceling the following NDB/ADF SIAPs, effective September 3, 1970.

Casper, Wyo.—Casper Air Terminal; NDB (ADF) Runway 7, Amdt. 6; Revised.

Charleston, S.C.—Charleston AFB/Municipal Airport; NDB (ADF) Runway 15, Amdt. 12; Revised.

Greenville, S.C.—Greenville Municipal Downtown Airport; NDB (ADF) Runway 36, Amdt. 11; Revised.

Miami, Fla.—New Tamiami Airport; NDB (ADF) Runway 9R, Amdt. 4; Revised.

Monterey, Calif.—Monterey Peninsula Airport; NDB (ADF) Runway 10, Amdt. 4; Revised.

Nashville, Tenn.—Nashville Metropolitan Airport; NDB (ADF) Runway 2L, Amdt. 18; Revised.

Pipestone, Minn.—Pipestone Municipal Airport; NDB (ADF) Runway 36, Amdt. 1; Revised.

Savannah, Ga.—Savannah Municipal Airport; NDB (ADF) Runway 9, Amdt. 11; Revised.

Tampa, Fla.—Tampa International Airport; NDB (ADF) Runway 18L, Amdt. 25; Revised.

Tampa, Fla.—Tampa International Airport; NDB (ADF) Runway 36L, Amdt. 7; Revised.
 Westfield, Mass.—Barnes Municipal Airport; NDB (ADF) Runway 20, Amdt. 7; Revised.

4. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAPs, effective September 3, 1970.

Casper, Wyo.—Casper Air Terminal; ILS Runway 7, Amdt. 15; Revised.

Charleston, S.C.—Charleston AFB/Municipal Airport; ILS Runway 15, Amdt. 13; Revised.
 Greenville, S.C.—Greenville Municipal Downtown Airport; ILS Runway 36, Amdt. 15; Revised.

Monterey, Calif.—Monterey Peninsula Airport; ILS Runway 10, Amdt. 16; Revised.

Nashville, Tenn.—Nashville Metropolitan Airport; ILS Runway 2L, Amdt. 19; Revised.

Savannah, Ga.—Savannah Municipal Airport; ILS Runway 9, Amdt. 13; Revised.

Tampa, Fla.—Tampa International Airport; ILS Runway 36L, Amdt. 1; Revised.

Tampa, Fla.—Tampa International Airport; ILS Runway 18L, Amdt. 26; Revised.

5. Section 97.31 is amended by establishing, revising, or canceling the following Radar SIAPs, effective September 3, 1970.

Greenwood Village, Colo.—Arapahoe County Airport; Radar-1, Amdt. 2; Revised.

Savannah, Ga.—Savannah Municipal Airport; Radar-1, Amdt. 4; Revised.

West Palm Beach, Fla.—Palm Beach International Airport; Radar-1, Amdt. 1; Revised.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on July 29, 1970.

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

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969 (35 F.R. 5610).

[F.R. Doc. 70-10197; Filed, Aug. 6, 1970; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

ISOBUTYLENE-BUTENE COPOLYMERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 9B2331) filed by Amoco Chemicals Corp., 130 East Randolph Drive, Chicago, Ill. 60601, and other relevant material, concludes that the food additive regulations should be amended to provide for additional safe use as specified below of isobutylene-butene copolymers as components of food-contact articles. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended by adding to Subpart F the following new section:

§ 121.2610 Isobutylene-butene copolymers.

Isobutylene-butene copolymers identified in this section may be safely used as components of articles intended for use in contact with food in accordance with the following prescribed conditions:

(a) For the purpose of this section, isobutylene-butene copolymers consist of basic copolymers produced by the copolymerization of isobutylene with mixtures of *n*-butenes such that the finished basic copolymers contain not less than 45 weight percent of polymer units derived from isobutylene and meet the following specifications:

(1) Average molecular weight is in the range 300-5,000 as determined by ASTM Method D 2503.

(2) Viscosity is in the range 40-20,000 seconds Saybolt at 200° F. as determined by ASTM Method D 445.

(3) Maximum bromine value is 40 as determined by ASTM Method D 1492.

(b) The isobutylene-butene basic copolymers are limited to use:

(1) As a release agent in petroleum wax complying with § 121.2586.

(2) As a plasticizer in polyethylene complying with § 121.2501 and in polystyrene complying with § 121.2510.

(3) As a component of nonfood articles complying with §§ 121.2514, 121.2519, 121.2526, 121.2535, 121.2536(d) (2), 121.2553 (provided that addition to food does not exceed 10 parts per million), or § 121.2571.

(c) The provisions of this section are not applicable to isobutylene-butene copolymers used as provided under § 121.2520.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER

file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto in triplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied

by a memorandum or brief in support thereof.

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

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

Dated: July 30, 1970.

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

[F.R. Doc. 70-10304; Filed, Aug. 6, 1970; 8:49 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of Designated Areas

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1914.4 List of designated areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
California	Contra Costa	Concord	E 06 013 0820 01	Department of Water Resources, Post Office Box 388, Sacramento, Calif. 95802.	City Hall, 1950 Parkside Ave., Concord, Calif. 94520.	July 24, 1970.
Florida	Collier	Naples	E 12 021 2150 03	California Insurance Department, 1407 Market St., San Francisco, Calif. 94103.	Office of the City Manager, 735 Eighth St. South, Naples, Fla. 33940.	Do.
Do.	Okaloosa	Okaloosa Island Beaches—Holiday Isle.	E 12 091 0000 03	Secretary of Community Affairs, State of Florida, 225 West Jefferson St., Tallahassee, Fla. 32302.	Clerk of the Circuit Court, Okaloosa County Courthouse, Crestview, Fla. 32536.	Do.
Do.	Pinellas	Gulfport	E 12 103 1250 01	Florida State Treasurer and Insurance Commissioner, The Capitol, Tallahassee, Fla. 32304.	Okaloosa Island Authority, 105 Santa Rosa Blvd., Okaloosa Island Beaches, Fort Walton Beach, Fla. 32548.	Do.
Do.	do.	Tarpon Springs	E 12 103 2960 01	do.	City Hall, 2401 53d St. South, Gulfport, Fla. 33707.	Do.
Louisiana	La Fourche	Unincorporated areas.	E 22 067 0000 01	State Department of Public Works, Post Office Box 44155, Capitol Station, Baton Rouge, La. 70604.	City Manager's Office, Post Office Box 715, Tarpon Springs, Fla. 33589.	Do.
New Jersey	Cape May	North Wildwood	E 34 009 2280 01	Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	La Fourche Parish Courthouse, Thibodaux, La. 70301.	Do.
New Mexico	Dona Ana	Las Cruces	E 35 013 0470 01	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1590, Trenton, N.J. 08625.	Office of the Tax Collector, City of North Wildwood, 901 Atlantic Ave., North Wildwood, N.J. 08260.	Do.
Texas	Dallas	Mesquite	E 48 113 4530 01	Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	City Hall, Planning Department, Post Office Box 760, Las Cruces, N. Mex. 88001.	Do.
Do.	Harris	Nassau Bay	E 48 201 4821 01	State Planning Officer, State Planning Office, Sante Fe, N. Mex. 87501.	Mesquite Department of Public Works, Mesquite Municipal Bldg., Municipal Way at Galloway, Box 137, Mesquite, Tex. 75149.	Do.
Virginia	Arlington		E 51 013 0000 02	State Engineer, State Engineer's Office, Sante Fe, N. Mex. 87501.	City Hall, 18065 Upper Bay Road, Suite 250, Houston, Tex. 77058.	Do.
				New Mexico Insurance Department, Post Office Drawer 1269, Sante Fe, N. Mex. 87501.	Department of Transportation, County Courthouse, Arlington, Va. 22201.	Do.
				Texas Water Development Board, 301 West Second St., Austin, Tex. 78711.		
				State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.		
				Division of Water Resources, 7th Floor, 911 East Broad St., Richmond, Va. 23219.		
				Virginia Insurance Department, 700 Blanton Bldg., Richmond, Va. 23209.		

RULES AND REGULATIONS

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Issued: August 6, 1970.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[F.R. Doc. 70-10249; Filed, Aug. 6, 1970; 8:45 a.m.]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of Designated Areas

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1914.4 List of designated areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
...
Florida	Pinellas	Largo	E 12 103 1770 01	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303.	Town Manager's Office, 225 First Ave. SW., Largo, Fla. 33540.	July 24, 1970.
Massachusetts	Norfolk	Holbrook	E 25 021 0488 01	State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	Office of the Planning Board, Town Hall, Holbrook, Mass. 02343.	Do.
New Jersey	Cape May	Wildwood Crest	E 34 009 3680 01	Division of Water Resources Commission, State Office Bldg., Government Center, 100 Cambridge St., Boston, Mass. 02202.	Borough Hall, 6101 Pacific Ave., Wildwood Crest, N.J. 08280.	Do.
Texas	Galveston	Clear Lake Shores	E 48 167 1366 01	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625.	Clear Lake Shores City Hall, Clear Lake Road at South Shore Drive and Cedar, Kemah, Tex. 77565.	Do.
Do.	Tarrant	Arlington	E 48 439 0260 01	Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Administrative Assistant, Post Office Box 231, Arlington, Tex. 76010.	Do.
Wisconsin	Pierce	Bay City	E 55 003 0350 01	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711.	Village Board Meeting Room, Village Hall, Village of Bay City, Bay City, Wis. 54723.	Do.
				State Board of Insurance, 11th and Jacinto, Austin, Tex. 78701.		
				Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701.		
				Wisconsin Insurance Department, 4802 Sheboygan Ave., Madison, Wis. 53061.		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Effective date. August 6, 1970.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[F.R. Doc. 70-10251; Filed, Aug. 6, 1970; 8:45 a.m.]

PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

List of Flood Hazards Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:
 § 1915.3 List of flood hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood insurance
California	Contra Costa	Concord	T 06 013 0620 01	Department of Water Resources, Post Office Box 388, Sacramento, Calif. 95802.	City Hall, 1950 Parkside Ave., Concord, Calif. 94520.	August 6, 1970.
Florida	Collier	Naples	H 12 021 2150 03	California Insurance Department, 1407 Market St., San Francisco, Calif. 94103.	Office of the City Manager, 735 Eighth St. South, Naples, Fla. 33940.	Do.
Do.	Okaloosa	Okaloosa Island Beaches—Holiday Isle.	H 12 091 0000 03	Secretary of Community Affairs, State of Florida, 225 West Jefferson St., Tallahassee, Fla. 32302. Florida State Treasurer and Insurance Commissioner, The Capitol, Tallahassee, Fla. 32304.	Clerk of the Circuit Court, Okaloosa County Courthouse, Crestview, Fla. 32536. Okaloosa Island Authority, 105 Santa Rosa Blvd., Okaloosa Island Beaches, Fort Walton Beach, Fla. 32548.	Do.
Do.	Pinellas	Gulfport	T 12 103 1250 01	do.	City Hall, 2401 53d St. South, Gulfport, Fla. 33707.	Do.
Do.	do.	Tarpon Springs	T 12 103 2960 01	do.	City Manager's Office, Post Office Box 715, Tarpon Springs, Fla. 33589.	Do.
Louisiana	La Fourche	Unincorporated areas.	T 22 057 0000 01	State Department of Public Works, Post Office Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 4214, Capitol Station, Baton Rouge, La. 70804.	La Fourche Parish Courthouse, Thibodaux, La. 70301.	Do.
Massachusetts	Norfolk	Norfolk	H 25 021 0677 01	Division of Water Resources Commission, State Office Bldg., Government Center, 100 Cambridge St., Boston, Mass. 02202. Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Office of the Town Clerk, Town Hall, Norfolk, Mass. 02056.	Do.
New Jersey	Cape May	Cape May City	H 34 009 0630 01 through H 34 009 0630 04	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Building Inspector, Cape May City Hall, Cape May, N.J. 08240.	Do.
Do.	do.	North Wildwood	T 34 009 2280 01	do.	Office of the Tax Collector, City of North Wildwood, 901 Atlantic Ave., North Wildwood, N.J. 08260.	Do.
New Mexico	Dona Ana	Las Cruces	T 35 013 0470 01	State Planning Officer, State Planning Office, Sante Fe, N. Mex. 87501. State Engineer, State Engineer's Office, Sante Fe, N. Mex. 87501. New Mexico Insurance Department, Post Office Drawer 1269, Sante Fe, N. Mex. 87501.	City Hall, Planning Department, Post Office Box 760, Las Cruces, N. Mex. 89001.	Do.
Texas	Dallas	Mesquite	T 48 113 4630 01	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Mesquite Department of Public Works, Mesquite Municipal Bldg., Municipal Way at Galloway, Box 137, Mesquite, Tex. 75149.	Do.
Do.	Harris	Nassau Bay	T 48 201 4621 01	do.	City Hall, 18065 Upper Bay Road, Suite 250, Houston, Tex. 77058.	Do.
Virginia	Arlington		T 51 013 0000 02	Division of Water Resources, 7th Floor, 911 East Broad St., Richmond, Va. 23219. Virginia Insurance Department, 700 Blanton Bldg., Richmond, Va. 23209.	Department of Transportation, County Courthouse, Arlington, Va. 22201.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Issued: August 6, 1970.

CHARLES W. WIECKING,
 Acting Federal Insurance Administrator.

[F.R. Doc. 70-10250; Filed, Aug. 6, 1970; 8:45 a.m.]

PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

List of Flood Hazards Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of flood hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Florida	Pinellas	Largo	T 12 103 1770 01	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303.	Town Manager's Office, 225 First Ave. SW., Largo, Fla. 33540.	August 6, 1970.
Massachusetts	Norfolk	Halbrook	T 25 021 0486 01	State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	Office of the Planning Board, Town Hall, Halbrook, Mass. 02343.	Do.
New Jersey	Cape May	Wildwood Crest	T 34 009 3060 01	Division of Water Resources Commission, State Office Bldg., Government Center, 100 Cambridge St., Boston, Mass. 02202.	Borough Hall, 6101 Pacific Ave., Wildwood Crest, N.J. 08260.	Do.
Texas	Galveston	Clear Lake Shores	T 48 167 1366 01	Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Clear Lake Shores City Hall, Clear Lake Road at South Shore Drive and Cedar, Kemah, Tex. 77565.	Do.
Do.	Tarrant	Arlington	T 48 439 0260 01	Department of Banking and Insurance, State House Annex, Trenton, N. J. 08625.	Office of the Administrative Assistant, Post Office Box 231, Arlington, Tex. 76010.	Do.
Wisconsin	Pierce	Bay City	T 55 098 0350 01	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711.	Village Board Meeting Room, Village Hall, Village of Bay City, Bay City, Wis. 54723.	Do.
				State Board of Insurance, 11th and Jacinto, Austin, Tex. 78701.		
				Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701.		
				Wisconsin Insurance Department, 4802 Sheboygan Ave., Madison, Wis. 53061.		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Effective date. August 6, 1970.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[F.R. Doc. 70-10252; Filed, Aug. 6, 1970; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 4—Department of Agriculture PROCUREMENT

Miscellaneous Amendments

The following miscellaneous amendments are made in the Agriculture Procurement Regulations:

PART 4-3—PROCUREMENT BY NEGOTIATION

1. The table of contents for Part 4-3—Procurement by Negotiation is amended as follows:

a. The title of Subpart 4-3.50 is revised to read as follows:

Subpart 4-3.50—Negotiated Contracts for Research and Marketing With Other Than Educational Institutions

b. The following new entries are added:

Subpart 4-3.51—Negotiated Research Agreements With Educational Institutions

Sec.
4-3.5100 Scope of subpart.
4-3.5101 Definitions.

Sec.
4-3.5102 Authorities.
4-3.5102-1 Contracts.
4-3.5102-2 Grants.
4-3.5102-3 Cooperative arrangements.
4-3.5103 Policy.
4-3.5104 Cost reimbursement policy.
4-3.5105 Negotiation procedures.
4-3.5106 Documenting the agreement.
4-3.5107 Nonexpendable property.
4-3.5108 Records and reports.
4-3.5109 Equal opportunity.

2. The title to Subpart 4-3.50 is revised to read as follows:

Subpart 4-3.50—Negotiated Contracts for Research and Marketing With Other Than Educational Institutions

3. The following new Subpart 4-3.51 is added:

Subpart 4-3.51—Negotiated Research Agreements With Educational Institutions

§ 4-3.5100 Scope of subpart.

This subpart sets forth policies and procedures for negotiated Research Agreements with Educational Institutions under the authorities cited in § 4-3.5102.

§ 4-3.5101 Definitions.

As used throughout this subpart, the following terms shall have the meanings set forth below:

(a) "Authorized Departmental Officer" means the person authorized to execute Research Agreements on behalf of the Department, and any other person who is properly designated as his representative.

(b) "Institution" or "Cooperator" means the Educational Institution with which the agreement is made.

(c) "Research Agreement" means Form AD-451 which is used to document contracts, grants, or cooperative arrangements with Educational Institutions.

(d) "Department" means the U.S. Department of Agriculture and any agency thereof.

(e) "Contract" means a Research Agreement negotiated pursuant to the authority cited at § 4-3.5102-1 and not involving cooperative arrangements or grants.

(f) "Grant" means a Research Agreement providing for sponsoring research projects of the institution and negotiated pursuant to authorities cited at § 4-3.5102-2.

(g) "Cooperative Arrangement" means a Research Agreement providing for joint research effort with the institution and entered into pursuant to the authorities cited at § 4-3.5102-3.

(h) "Nonexpendable Property" is that which (1) costs \$100 or more, (2) is complete in itself, (3) does not lose its identity or become a component part of another when put into use, and (4) is of a durable nature with an expected service life of over 1 year.

§ 4-3.5102 Authorities.

§ 4-3.5102-1 Contracts.

7 U.S.C. 427i(a) and 7 U.S.C. 1624 (Research and Marketing Act of 1946, as amended).

§ 4-3.5102-2 Grants.

42 U.S.C. 1891-1893 (Public Law 85-934, Sept. 6, 1958) and 7 U.S.C. 450i (Public Law 89-106, Aug. 4, 1965).

§ 4-3.5102-3 Cooperative arrangements.

7 U.S.C. 2201 (formerly 5 U.S.C. 511); 7 U.S.C. 450b (formerly 5 U.S.C. 563); 7 U.S.C. 2220 (formerly 5 U.S.C. 564); 7 U.S.C. 427 and 427i(b); 16 U.S.C. 581 and 581a-581i.

§ 4-3.5103 Policy.

(a) *Contracts.* The Department may negotiate a Research Agreement, under the authority cited at § 4-3.5102-1, with an Educational Institution to carry out research where such research can be carried out more effectively, more rapidly, or at less cost than if performed by the Department. Such research must be supplemental to, and coordinated with research now being conducted by the Department. The research project should have an end result and require departmental oversight.

(b) *Grants.* The Department may negotiate a Research Agreement, under the authorities cited at § 4-3.5102-2, with an Educational Institution to sponsor research projects proposed by the Institution when such a project is to aid or support research which is fully in keeping with the Institution's function and also will materially support a Department research program.

(c) *Cooperative arrangements.* The Department may enter into a Research Agreement, under the authorities cited at § 4-3.5102-3, with an Educational Institution to cooperatively undertake a research project for which general objectives are stated. In such research projects there must be a common interest in the project and end result as well as mutually and shared responsibility in the planning and conduct of the project with actual contribution to the research objective by the Institution. The contribution may be in any form capable of evaluation, such as funds, personnel, supplies, equipment, or space.

(d) *Research Agreement period.* The period for each Research Agreement shall be determined under the appropriate authority cited at § 4-3.5102 and shall be specified on the Form AD-451.

(e) *Applicability.* Except as otherwise provided the provisions of this subpart

shall be applicable to all Research Agreements negotiated or entered into with Educational Institutions under the authorities cited at § 4-3.5102. Deviations shall be made in accordance with the requirements of § 4-1.109 of this chapter.

§ 4-3.5104 Cost reimbursement policy.

(a) *Contracts.* Contracts shall provide for reimbursement of allowable costs incurred in the performance of the Research Agreement.

(b) *Grants.* Grants shall provide for cost participation by the grantee institution in accordance with Bureau of the Budget Circular No. A-74 (See 4-52.601).

(c) *Cooperative arrangements.* The Research Agreement documenting cooperative arrangements shall provide for reimbursement of the agreed upon portion of the allowable costs incurred. It shall be specific as to the contribution by either party of funds, personnel, supplies, equipment, space, or other thing of value to the undertaking. Reimbursement may be provided for through either an advance of funds which will be liquidated by the allowable costs incurred, or by reimbursement after the costs are incurred.

(d) *Allowable costs.* The allowable costs shall be determined in accordance with the cost principles in Subpart 1-15.3 of the Federal Procurement Regulations (41 CFR 1-15.3).

§ 4-3.5105 Negotiation procedures.

(a) *General.* Except as otherwise specifically provided, the negotiation of a Research Agreement with an Educational Institution shall be in accordance with the applicable procedures prescribed in Part 1-3 of the Federal Procurement Regulations and other subparts of this Part 4-3.

(b) *Board of awards.* A board of awards is required for negotiated contracts. (See § 4-3.150)

(c) *Special—conflict of interest.* The Research Agreement file shall contain the following:

(1) Data as to any present or former employee of the Department to be paid in any way with funds provided in the Research Agreement.

(2) Data as to any invention to be brought to perfection with Research Agreement funds that may constitute a conflict with the Institution's rights because of prior conception.

(3) Disclosure as to any Research Agreement funds to be used to purchase equipment, services or supplies from any firm, corporation or company in which an Institution staff member has a significant financial interest.

§ 4-3.5106 Documenting the agreement.

(a) *Forms.* Form AD-451, "Research Agreement," is prescribed for documenting Research Agreements with Educational Institutions. Form AD-452, "General Provisions for Research Agreements," is prescribed for use with Form AD-451 and is incorporated therein by reference.

(b) *Statement of work.* This is a statement of project responsibilities in sufficient detail to determine the intent of

the parties as to work to be performed, the funds to be contributed or paid, and what the parties to the agreement are to do either jointly or severally. Where a proposal has been received from the Educational Institution in adequate detail it may be included in lieu of this statement. While no standard specification headings are prescribed, the following is suggested as a guide for the preparation of the Statement of Work.

STATEMENT OF WORK

Agreement No. -----

1. *Purpose.* This can be stated as a general description of the scope of work or by use of the so-called "Whereas" clauses.

2. *The Educational Institution Agrees.*

3. *The Department Agency Agrees.*

4. *It Is Mutually Understood and Agreed.*

Clauses 2, 3, and 4 set forth the responsibilities each party is to assume and what services, facilities, funds, etc., each party is to provide. It sets forth common understandings that should be documented as to length of time funds are to be available, planning procedures, sharing of research data, etc.

In preparing the Statement of Work, this format may be followed or any other form of specifications which will clearly set forth the intent of the parties.

(c) *Other requirements—(1) Contracts.* Form AD-456, "Budget—Research Agreement", is provided for optional use in documenting the budget estimate for the Agreement. Form AD-453, "Claim for Payment Under Research Agreement", is provided for optional use in submitting claims for reimbursement.

(2) *Grants.* The guidelines for documenting grants are stated in Form AD-455, "Guidelines for Research Agreements, (Grant Authorities)". Form AD-454, "Fiscal Report and Payment Authorization (Grant Authorities)" is prescribed for optional use with Form AD-455.

(3) *Cooperative arrangements.* Arrangements entered into for cooperative understandings shall provide that Federal funds will be handled by Federal employees and that the Cooperator will handle its funds, each in accordance with its own requirements. Funds of a Cooperator shall not be expended by a Federal employee, even though the Cooperator has no representative stationed in the locality. Should an occasion arise where a Federal employee might receive funds belonging to a Cooperator, the funds, if in the form of cash or a negotiable instrument, shall be deposited in the Treasury pursuant to prescribed Government procedures. If an employee receives funds which are not capable of being deposited in the Treasury, such as checks payable to the Cooperator, the employee shall forward the collection to the Cooperator. Agency heads shall provide adequate controls whenever it is necessary to receive Cooperator's funds and the procedures for their disposition shall be included in the cooperative arrangement. Prior to the cooperative undertaking, a careful review should be made to determine the expenditures to be borne by each party. Joint payments of one item of expense should be avoided whenever possible. When feasible, the party paying the salary should also pay

RULES AND REGULATIONS

the traveling expenses of employees. If it should be necessary to have each party pay a part of a voucher, the voucher should be certified in the total amount of the expenses incurred, the amounts payable by the Cooperator should be deducted on the face of the voucher with appropriate notations, and the net amount, if otherwise proper, shall be paid from Federal funds. If the Cooperator has agreed to bear certain expenses, the cooperating party should be instructed not to send checks made payable to Federal employee, to "Cash," or to "Bearer" for payment of local expenses. Rather, if an invoice is received by a Federal employee and the expense is to be borne by the Cooperator, the invoice should be forwarded to the cooperating party for payment.

§ 4-3.5107 Nonexpendable property.

Ownership to nonexpendable property purchased or fabricated under a Grant to an Educational Institution shall be vested in the Institution at time of acquisition. Contracts and cooperative agreements shall contain appropriate provisions specifying ownership of property purchased or fabricated under the research agreement.

§ 4-3.5108 Records and reports.

With respect to records and reports required by the agreement, the Authorized Departmental Officer shall determine that the Department's requirements are compatible with the administrative and fiscal processes of the Institution.

§ 4-3.5109 Equal opportunity.

The rules, regulations, and relevant orders of the Secretary of Labor (41 CFR Ch. 60) shall be applicable to Research Agreements.

PART 4-7—CONTRACT CLAUSES

1. The table of contents for Part 4-7 is amended as follows:

a. The following entries are added:

Subpart 4-7.51—Research Agreements With Educational Institutions	
Sec.	
4-7.5100	Scope of subpart.
4-7.5101	Clauses.
4-7.5101-1	Definitions.
4-7.5101-2	Period of agreement.
4-7.5101-3	Period of performance.
4-7.5101-4	Key personnel.
4-7.5101-5	Research assistance.
4-7.5101-6	Travel.
4-7.5101-7	Questionnaires and survey plans.
4-7.5101-8	Advertising.
4-7.5101-9	Records and reports.
4-7.5101-10	Audit—records.
4-7.5101-11	Estimated costs.
4-7.5101-12	Reimbursements.
4-7.5101-13	Disbursing funds.
4-7.5101-14	Convict labor.
4-7.5101-15	Convenant against contingent fees.
4-7.5101-16	Officials not to benefit.
4-7.5101-17	Patent provisions and publication of results.
4-7.5101-18	Termination for convenience of the Government.
4-7.5101-19	Equal opportunity.
4-7.5101-20	Certification of nonsegregated facilities.
4-7.5101-21	Disputes.

2. A new Subpart 4-7.51 is added, as follows:

Subpart 4-7.51—Research Agreements With Educational Institutions

§ 4-7.5100 Scope of subpart.

This subpart sets forth clauses for use in Research Agreements negotiated or entered into with Educational Institutions as prescribed in Subpart 4-3.51.

§ 4-7.5101 Clauses.

Except as otherwise provided in this § 4-7.5101, the clauses set forth in this section shall be incorporated into all Research Agreements.

§ 4-7.5101-1 Definitions.

DEFINITIONS

As used throughout this agreement, the following terms shall have the meanings set forth below:

(a) "Authorized Departmental Officer" means the person authorized to execute Research Agreements on behalf of the Department, and any other person who is properly designated as his representative.

(b) "Institution" or "Cooperator" means the Educational Institution with which the agreement is made.

(c) "Research Agreement" means Form AD-451 which is used to document contracts, grants, or cooperative arrangements with Educational Institutions.

(d) "Department" means the U.S. Department of Agriculture and any agency thereof.

(e) "Contract" means a Research Agreement not involving cooperative arrangements or grants.

(f) "Grant" means a Research Agreement providing for sponsoring research projects of the Institution.

(g) "Cooperative Arrangement" means a Research Agreement providing for joint research effort with the Institution.

(h) "Nonexpendable Property" is that which (1) costs \$100 or more, (2) is complete in itself, (3) does not lose its identity or become a component part of another when put into use, and (4) is of a durable nature with an expected service life of over 1 year.

§ 4-7.5101-2 Period of agreement.

PERIOD OF AGREEMENT

Except where prohibited by statute, extension of time for performance of this agreement may be granted by the Authorized Departmental Officer for good cause.

§ 4-7.5101-3 Period of performance.

PERIOD OF PERFORMANCE

The Institution shall advise the Authorized Departmental Officer when it has reason to believe that this research project cannot be completed within the period of performance set forth in this agreement.

§ 4-7.5101-4 Key personnel.

KEY PERSONNEL

The authorized principal investigator(s), if any, shall not be changed without prior written approval of the Authorized Departmental Officer.

§ 4-7.5101-5 Research assistance.

RESEARCH ASSISTANCE

No contract, subcontract, grant, or other arrangement shall be made with any other party for performing all or any portion of this research project, except for service functions, without prior written approval of the Authorized Departmental Officer.

§ 4-7.5101-6 Travel.

TRAVEL

Less than first-class air accommodations shall be used where available for travel charged to this Research Agreement.

§ 4-7.5101-7 Questionnaire and survey plans.

QUESTIONNAIRE AND SURVEY PLANS

In the event this Research Agreement involves the collection of identical information from 10 or more persons other than Federal employees, the Institution shall submit to the Authorized Departmental Officer copies of all questionnaires and survey plans for transmittal to the Officer of Management and Budget for approval prior to their use, in accordance with the Federal Reports Act of 1942, 44 U.S.C. 3501 et seq.

§ 4-7.5101-8 Advertising.

ADVERTISING

Manufacturers, distributors, or other persons whose product has been approved by the Department for industry or other public use in connection with this agreement shall be prohibited from use of agency approval documents, or reference thereto, in their advertising literature or in any other way that indicates endorsement of the product by the Department.

§ 4-7.5101-9 Records and reports.

RECORDS AND REPORTS

(a) The Institution shall maintain records and shall furnish reports with respect to the status and progress of this research project as provided for herein or as may be required by the Authorized Departmental Officer.

(b) The Institution shall maintain such records of expenditures for this research project, and separate records of expenditures on this project made from funds provided by it and from other sources, as is necessary to facilitate an effective audit.

(c) Accounting records subject to audit shall be maintained to demonstrate when applicable the total actual cost-sharing from non-Federal sources to the planned research as proposed and approved.

(d) Fiscal reports shall accompany a program report as specified in this Research Agreement. A final fiscal accounting shall be rendered.

§ 4-7.5101-10 Audit—records.

AUDIT—RECORDS

The Comptroller General of the United States or his duly authorized representative, and accredited representatives of the Department of Agriculture or cognizant audit agency shall, until the expiration of 3 years after final payment under this agreement, have access to and the right to examine any directly pertinent books, documents, papers, and records of the Institution or any of its subcontractors engaged in the performance of and involving any transactions related to this Agreement.

§ 4-7.5101-11 Estimated costs.

ESTIMATED COSTS

The estimated costs set forth in the budget are for the purpose of estimating total cost only and may therefore differ from the actual costs incurred. Reimbursement shall be made only for allowable costs.

(a) Except as may be otherwise specifically provided in this agreement, the determination of allowable costs shall be in accordance with applicable subparts of Part 1-15 of the Federal Procurement Regulations (41 CFR Chapter 1) in effect at the date of this agreement.

(b) The Institution shall advise the Authorized Departmental Officer when it has reason to believe that this research project cannot be completed within the estimated cost.

(c) The Department shall not be obligated to reimburse the Institution for costs incurred in excess of the total estimated cost; and the Institution shall not be obligated to continue performance that will incur costs in excess of such total estimated cost.

(d) The Authorized Departmental Officer shall be kept informed of contemplated major changes of the cost estimates and the reasons therefor. Changes of cost estimates requiring prior approval in writing from the Authorized Departmental Officer are:

(1) Travel costs not provided for in the approved budget or to attend national scientific meetings or travel outside the Continental United States even though provided for in the approved budget.

(2) Purchase of nonexpendable property costing in excess of \$200 and not included in the budget.

(3) Payment of premium pay.

(4) Changes in the approved negotiated budget which are 25 percent or more of a single line item, except for line items under \$1,000.

§ 4-7.5101-12 Reimbursements.

REIMBURSEMENTS

Reimbursements will be made quarterly, unless otherwise provided, upon submission by the Institution and approval by the Authorized Departmental Officer of required progress reports and an invoice or public voucher supported by a statement of costs incurred by the Institution in the performance of this research project.

§ 4-7.5101-13 Disbursing funds.

DISBURSING FUNDS

Federal employees are prohibited from receiving funds of or disbursing funds of the Institution unless otherwise provided for in this agreement.

§ 4-7.5101-14 Convict labor.

CONVICT LABOR

In connection with the performance of the research work under this agreement the Institution agrees not to employ any person undergoing sentence of imprisonment at hard labor.

§ 4-7.5101-15 Covenant against contingent fees.

COVENANT AGAINST CONTINGENT FEES

The Institution warrants that no person or selling agency has been employed or retained to solicit or secure this agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Institution for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this agreement without liability, or in its discretion to deduct from the cost or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

§ 4-7.5101-16 Officials not to benefit.

OFFICIALS NOT TO BENEFIT

No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

§ 4-7.5101-17 Patent provisions and publication of results.

PATENT PROVISIONS AND PUBLICATION OF RESULTS

(a) General. With respect to the publication of any results of the research conducted under this agreement, it is agreed that the results may be made known to the public by either party after due notice and submission of the proposed manuscript to the other, with such credit or recognition as may be mutually agreed upon: *Provided*, That full responsibility is assumed by such party for any statements on which there is a difference of opinion: *And provided further*, That no copyrights shall subsist in any such publication.

(b) For agreements documenting cooperative arrangements with Public Institutions. Any invention resulting from this cooperative work and made jointly by an employee or employees of the U.S. Department of Agriculture and the Cooperator or an employee or employees of the Cooperator shall be fully disclosed, either by publication or by patenting in the United States, and any such U.S. patent shall either be dedicated to the free use of the people in the territory of the United States or be assigned to the United States of America or be assigned to the Cooperator, as may be mutually agreed upon by the parties hereto: *Provided*, That in the event of assignment to the Cooperator, the Government shall receive an irrevocable, nonexclusive, royalty-free license under the patent, throughout the world, to practice the invention for all governmental purposes: *And provided further*, That nonexclusive, royalty-free licenses shall be issued by the Cooperator to any and all applicants technically competent to make use of the patent: *Provided*, That where the assignment is to the Government, it shall be of the domestic patent rights. Where the domestic patent rights are so assigned, the U.S. Department of Agriculture shall have an option to acquire the foreign patent rights in the invention on which an application for a U.S. patent is filed, for any particular foreign country, said option to expire in the event that the Government fails to cause an application to be filed in any such country on behalf of the Government or determines not to seek a patent in such country within 6 months after the filing of the application for a U.S. patent on the invention. Where the domestic patent rights are assigned to the Government, but the foreign patent rights are retained by an employee, the employee shall grant to the Government a nonexclusive, irrevocable, royalty-free license in any patent which may issue thereon in any foreign country, including the power to issue sublicenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government, and said license shall also include the power to sublicense American licensees under Government-owned U.S. patents to practice the invention without payment of royalty or other restriction in any foreign country wherein a corresponding patent may issue to the employee or his foreign assignee. Any invention made independently by an employee or employees of the U.S. Department of Agriculture or by the Cooperator or an employee or employees of the Cooperator shall be disposed of in accordance with the policy of the U.S. Department of Agriculture or the Cooperator, respectively: *Provided*, That in the event the invention is made solely by an employee or employees of the Cooperator, the Cooperator shall grant or shall obtain from the assignee of any patent issued on said invention an irrevocable, nonexclusive, worldwide, royalty-free license for the Government, for all governmental purposes: *And provided further*, In the event the invention is made solely by

an employee or employees of the Cooperator, that unless the Cooperator or his assignee has taken effective steps within 3 years after a patent issues on the invention to bring the invention to the point of practical application or has made the invention available for licensing royalty-free or on terms that are reasonable in the circumstances, or can show cause why he should retain the principal or exclusive rights for a further period of time, the Government shall have the right to require the granting of a license to an applicant on a nonexclusive, royalty-free basis.

(c) For agreements documenting cooperative arrangements with Private Institutions. Any invention resulting from this cooperative work and made jointly by an employee or employees of the U.S. Department of Agriculture and a Cooperator or an employee or employees of a Cooperator shall be fully disclosed, either by publication or by patenting in the United States. The domestic patent rights in any such U.S. patent shall either be dedicated to the free use of the people in the territory of the United States or be assigned to the Government of the United States of America, as represented by the Secretary of Agriculture. Where the domestic patent rights are assigned to the Government, the U.S. Department of Agriculture shall have an option to acquire the foreign patent rights in the invention on which an application for a U.S. patent is filed, for any particular foreign country, said option to expire in the event that the Government fails to cause an application to be filed in any such country on behalf of the Government or determines not to seek a patent in such country within 6 months after the filing of the application for a U.S. patent on the invention. Where the domestic patent rights are assigned to the Government, but the foreign patent rights are retained by an employee, the employee shall grant to the Government a nonexclusive, irrevocable, royalty-free license in any patent which may issue thereon in any foreign country, including the power to issue sublicenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government, and said license shall also include the power to sublicense American licensees under Government-owned U.S. patents to practice the invention without payment of royalty or other restriction in any foreign country wherein a corresponding patent may issue to the employee or his foreign assignee. Any invention made independently by an employee or employees of the U.S. Department of Agriculture or by a Cooperator or an employee or employees of a Cooperator shall be disposed of in accordance with the policy of the U.S. Department of Agriculture or the Cooperator, respectively: *Provided*, That in the event the invention is made solely by an employee or employees of the Cooperator, the Cooperator shall grant or shall obtain from the assignee of any patent issued on said invention an irrevocable, nonexclusive, worldwide, royalty-free license for the Government, for all governmental purposes: *And provided further*, In the event the invention is made solely by an employee or employees of the Cooperator, that unless the Cooperator or his assignee has taken effective steps within 3 years after a patent issues on the invention to bring the invention to the point of practical application or has made the invention available for licensing royalty-free or on terms that are reasonable in the circumstances, or can show cause why he should retain the principal or exclusive rights for a further period of time, the Government shall have the right to require the granting of a license to an applicant on a nonexclusive, royalty-free basis.

(d) For agreements documenting grants or contracts. The public shall be granted all

benefits of any patentable results of all research and investigations conducted and all information, data, and findings developed under this agreement, through dedication, assignment to the Secretary, publication, or such other means as may be determined by the Authorized Departmental Officer.

(1) With respect to patentable results and in accordance with this clause the Institution agrees:

(i) To cooperate in the preparation and prosecution of any domestic and foreign patent application which the Department may decide to undertake covering the subject.

(ii) To execute all papers requisite in the prosecution of such patent application including assignment to the United States and dedications.

(iii) To secure the cooperation of its employees in the preparation and the execution of all such papers as may be required in the prosecution of such patent applications or in order to vest title in the subject matter involved in the United States, or to secure the right of free use in public. It is understood, however, that the making of prior art searches, the preparation, filing, and prosecution of patent applications, the determination of questions of novelty, patentability, and inventorship, as well as other functions of a patent attorney, are excluded from these duties.

(2) With respect to nonpatentable results of research and investigations and information concerning the research work, which the Authorized Departmental Officer determines will not form a basis of a patent application, it is agreed that results may be made known to the public by either party after due notice and submission of the proposed manuscript to the other, with such credit or recognition as may be mutually agreed upon: *Provided*, That full responsibility is assumed by such party for any statements on which there is a difference of opinion; *And provided further*, That no copyrights shall subsist in any such publication.

§ 4-7.5101-18 Termination for convenience of the Government.

TERMINATION FOR CONVENIENCE OF THE GOVERNMENT

(a) The performance of the research work under this Agreement may be terminated, in whole or from time to time in part, by the Government whenever for any reason the Authorized Departmental Officer shall determine that such termination is in the best interest of the Government. Termination of the research work hereunder shall be effected by delivery to the Institution of a Notice of Termination specifying the extent to which performance under this Agreement is terminated and the date upon which such termination becomes effective.

(b) After receipt of the Notice of Termination the Institution shall cancel its outstanding commitments hereunder covering the procurement of materials, supplies, equipment, and miscellaneous items. In addition, the Institution shall exercise all reasonable diligence to accomplish the cancellation or diversion of its outstanding commitments covering personal services and extending beyond the date of such termination to the extent that they relate to the performance of any work terminated by the notice. With respect to such canceled commitments the Institution agrees to (1) settle all outstanding liabilities and all claims arising out of such cancellation of commitments, with the approval or ratification of the Authorized Departmental Officer, to the extent he may require, which approval or ratification shall be final for all purposes of this clause, and (2) assign to the Government, in the manner, at the time, and to the extent directed by the Authorized Depart-

mental Officer, all of the rights, title, and interest of the Institution under the orders and subcontracts so terminated, in which case the Government shall have the right, in its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts.

(c) The Institution shall submit its termination claim to the Authorized Departmental Officer promptly after receipt of a Notice of Termination, but in no event later than 1 year from the effective date thereof, unless one or more extensions in writing are granted by the Authorized Departmental Officer upon written request of the Institution within such 1-year period or authorized extension thereof. Upon failure of the Institution to submit its termination claim within the time required by the Department's procedures in effect as of the date of execution of this agreement, the Department shall determine on the basis of information available to it, the amount, if any, due the Institution by reason of the termination, and shall thereupon pay to the Institution the amount so determined.

(d) Any determination of costs under paragraph (c) shall be governed by the cost principles set forth in Subpart 1-15.3 of the Federal Procurement Regulations (41 CFR 1-15.3), in effect on the date of this agreement.

(e) Subject to the provisions of paragraph (c) above, and subject to any review required by the Department's procedures in effect on the date of execution of this agreement, the Institution and the Authorized Departmental Officer may agree upon the whole or any part of the amount or amounts to be paid to the Institution by reason of the termination under this clause, which amount or amounts may include any reasonable cancellation charges thereby incurred by the Institution and any reasonable loss upon outstanding commitments for personal services which it is unable to cancel: *Provided, however*, That in connection with any outstanding commitments for personal services which the Institution is unable to cancel, the Institution shall have exercised reasonable diligence to divert such commitments to its other activities and operations. Any such agreement shall be embodied in an amendment to this agreement and the Institution shall be paid the agreed amount.

(f) The Government may from time to time, under such terms and conditions as it may prescribe, make partial payments against costs incurred by the Institution in connection with the terminated portion of this agreement, whenever, in the opinion of the Authorized Departmental Officer, the aggregate of such payments is within the amount to which the Institution will be entitled hereunder. If the total of such payments is in excess of the amount finally agreed upon or determined to be due under this clause, such excess shall be payable by the Institution to the Government upon demand: *Provided*, That if such excess is not so paid upon demand, interest thereon shall be payable by the Institution to the Government at the rate of 6 percent per annum, beginning 30 days from the date of such demand.

(g) The Institution agrees to transfer title to the Government and deliver in the manner, at the times, and to the extent, if any, directed by the Authorized Departmental Officer, such information and items which, if this agreement had been completed, would have been required to be furnished to the Government, including:

(1) Completed or partially completed plans, drawings, and information; and

(2) Material or equipment produced or in process or acquired in connection with the performance of the work terminated by the notice. Other than the above, any termina-

tion inventory resulting from the termination of this agreement may, with the written approval of the Authorized Departmental Officer, be sold or acquired by the Institution under the conditions prescribed by and at a price or prices approved by the Authorized Departmental Officer. The proceeds of any such disposition shall be applied in reduction of any payments to be made by the Government to the Institution under this agreement or shall otherwise be credited to the cost of the research work covered by this agreement or paid in such other manner as the Authorized Departmental Officer may direct. Pending final disposition of property arising from the termination, the Institution agrees to take such action as may be necessary, or as the Authorized Departmental Officer may direct, for the protection and preservation of the property related to this agreement which is in the possession of the Institution and in which the Government has or may acquire an interest.

(h) Any disputes as to questions of fact which may arise hereunder shall be subject to the "Disputes" clause of this agreement.

§ 4-7.5101-19 Equal opportunity.

EQUAL OPPORTUNITY

This clause shall be applicable as required by rules, regulations, and relevant orders of the Secretary of Labor (41 CFR, ch. 60).

(a) The Institution will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Institution will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Institution agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Authorized Departmental Officer setting forth the provisions of this Equal Opportunity clause.

(b) The Institution will, in all solicitations or advertisements for employees placed by or on behalf of the Institution, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(c) The Institution will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Authorized Departmental Officer, advising the labor union or workers' representative of the Institution's commitments under this Equal Opportunity clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Institution will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Institution will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the Department and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Institution's non-compliance with the Equal Opportunity clause of this agreement or with any of the

said rules, regulations, or orders, this agreement may be canceled, terminated, or suspended, in whole or in part, and the Institution may be declared ineligible for further Government research projects in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The Institution will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Institution will take such action with respect to any subcontract or purchase order as the Department may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however*, That in the event the Institution becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Department, the Institution may request the United States to enter into such litigation to protect the interests of the United States.

§ 4-7.5101-20 Certification of nonsegregated facilities.

CERTIFICATION OF NONSEGREGATED FACILITIES

This clause shall be applicable as required by rules, regulations, and relevant orders of the Secretary of Labor (41 CFR, ch. 60).

By the execution of this agreement, the Institution certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. It certifies further that it will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it will not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. The Institution agrees that a breach of this certification is a violation of the Equal Opportunity clause in this agreement. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. It further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) it will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NON-SEGREGATED FACILITIES

A Certification of Nonsegregated Facilities, as required by the May 9, 1967 order (32 F.R. 7439, May 19, 1967), on Elimination of Segre-

gated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

§ 4-7.5101-21 Disputes.

DISPUTES

The Disputes clause as set forth at 41 CFR 1-7.101-12 is incorporated herein by reference. This clause provides an appeal procedure for any dispute concerning a question of fact arising hereunder which is not disposed of by agreement with the Contracting Officer.

PART 4-16—PROCUREMENT FORMS

1. The table of contents for Part 4-16 is amended as follows:

a. The following entries are added to Subpart 4-16.9 Illustration of Forms:

- Sec.
- 4-16.950-451 Form AD-451: Research Agreement.
- 4-16.950-452 Form AD-452: General Provisions for Research Agreements.
- 4-16.950-453 Form AD-453: Claim for Payment Under Research Agreement.
- 4-16.950-454 Form AD-454: Fiscal Report and Payment Authorization.
- 4-16.950-455 Form AD-455: Guidelines for Research Agreements (Grant Authorities).
- 4-16.950-456 Form AD-456: Budget-Research Agreements.

b. The title for Subpart 4-16.51 is amended to read as follows:

Subpart 4-16.51—Forms for Negotiated Research and Marketing Contracts With Other Than Educational Institutions.

2. The title for Subpart 4-16.51 is amended to read as follows:

Subpart 4-16.51—Forms for Negotiated Research and Marketing Contracts With Other Than Educational Institutions

3. The following new Subpart 4-16.52 is added:

Subpart 4-16.52—Forms for Research Agreements With Educational Institutions

§ 4-16.5200 Research Agreement forms.

(a) *Use.* The forms listed below shall be used as indicated:

- (1) *Mandatory use.*
 - Form AD-451 Research Agreement.
 - Form AD-452 General Provisions for Research Agreements.
 - Form AD-455 Guidelines for Research Agreements (Grant Authorities).
- (2) *Optional use.*
 - Form AD-453 Claim for Payment Under Research Agreement.
 - Form AD-454 Fiscal Report and Payment Authorization (Grant Authorities).
 - Form AD-456 Budget-Research Agreement.

(b) *Orders for forms.* The forms listed are available from Central Supply Serv-

ice, Service Operations Divisions, Office of Plant and Operations.

Done at Washington, D.C., this 4th day of August 1970.

ELMER MOSTOW,
Director, Office of
Plant and Operations.

[F.R. Doc. 70-10268; Filed, Aug. 6, 1970; 8:46 a.m.]

Chapter 5A—Federal Supply Service, General Services Administration

PART 5A-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 5A-2.4—Opening of Bids and Award of Contract

REPORTING OF PROPOSED SUBSTANTIAL AWARDS AND MINOR MISCELLANEOUS CHANGES

Section 5A-2.407-84 is amended to modify the notification procedure for proposed substantial awards and § 5A-2.407-85 is revised to reflect a minor procedural change.

§ 5A-2.407-84 Notification of proposed substantial awards.

(a) *Applicability.* This § 5A-2.407-84 applies to proposed substantial awards (exceeding or estimated to exceed \$100,000). It is not applicable to proposed substantial awards for products whose points of origin are not readily identifiable (as in the case of most gasoline and fuel oil contracts), or which involve foreign production points.

(b) *Notification requirements.* Prior to release of a substantial award, or disclosure of any information pertinent thereto, the following information shall be furnished to the Office of the Assistant Administrator (AL) in accordance with paragraphs (d), (e), or (g) of this section, as applicable:

- (1) IFB number, type of contract (definite quantity, Federal Supply Schedule, term contract other than Federal Supply Schedule), and period of contract (for Schedule and other term contracts);
- (2) Name and address of contractor, and whether contractor is a small business concern or other than small business;
- (3) Commodity name, and where feasible, the quantity;
- (4) Point of production;
- (5) Labor area classification of production point; and
- (6) Actual or estimated value.

(d) *Notification by Regional Offices.* (1) Regional Directors, FSS, shall be responsible for submission of the data pertinent to each proposed substantial regional award which does not require Central Office approval under GSA Delegations of Authority Manual, 7-67 f and g (ADM P 5450.39).

(2) The information shall be furnished to the Office of the Assistant Administrator (AL) by teletype, except that Region 3 shall furnish the required data by memorandum. However, in the case of exigency or emergency substantial

awards, the data shall be furnished by telephone to the Director, Procurement Operations Division; the Director, Special Programs Division; or the Assistant Commissioner for Automated Data Management Services, as applicable, in accordance with paragraph (g) of this section. The information shall be furnished in the sequence and identified by the numbers set forth in paragraph (b) of this § 5A-2.407-84. The following codes shall be used in teletypes:

- (i) DQ for definite quantity contract;
- (ii) FSS for Federal Supply Schedule contract;
- (iii) TC for term contract other than Federal Supply Schedule;
- (iv) S for small business concern;
- (v) O for other than a small business concern;
- (vi) NLS for not labor surplus area;
- (vii) SLS for substantial labor surplus area;
- (viii) PLS for persistent labor surplus area, and
- (ix) CEC for certified-eligible concern.

(e) *Notification by Central Office procurement divisions.* The Directors, Procurement Operations Division, or Special Programs Division, shall submit data on proposed substantial Central Office awards and such regional awards which have been submitted for Central Office approval on a form which may be designed locally for that purpose. Submissions by the Director, ADP Procurement Division shall be made through the Assistant Commissioner for Automated Data Management Services. The method of submitting this data to the Office of the Assistant Administrator (AL) shall be in accordance with special arrangements between the offices concerned. (See paragraph (f) (2) of this section.)

(f) *Release of substantial awards.* (1) Unless notified to the contrary, Regional Directors, FSS, may release substantial awards or information pertinent thereto upon the expiration of 2 full workdays after the time of transmission of the teletype or forwarding of the memorandum (in the case of Region 3), furnishing the required data regarding the proposed award. (See paragraph (f) (3) of this section with regard to Region 10 substantial awards for plywood.)

(2) Central Office awards and regional awards requiring Central Office approval or information pertinent thereto, may be released by the Directors, Procurement Operations Division, Special Programs Division, or ADP Procurement Division (through the Assistant Commissioner for Automated Data Management Services), in accordance with special arrangements between the Office of the Assistant Administrator (AL) and the other offices concerned.

(3) In the case of substantial awards for plywood, the Region 10 Director, FSS, is authorized to release awards or information pertinent thereto on the Monday following the teletype notification (on the previous Thursday) to the Office of the Assistant Administrator (AL).

(g) *Proposed exigency or emergency substantial awards.* This category includes cases where the acceptance time in an offer is about to expire.

(1) Regional exigency or emergency substantial award cases shall be called in by telephone with the request for expedited clearance, an explanation of how the urgency developed, and the information set forth in paragraph (b) of this section. The call shall be made to the Director, Procurement Operations Division; the Director, Special Programs Division; or the Assistant Commissioner for Automated Data Management Services, as applicable. The receiver of the call will contact the Office of the Assistant Administrator (AL) and advise the region of the decision on release.

(2) Central Office exigency or emergency award cases (including regional cases submitted to the Central Office because of limitations on regional authority) shall be reported to the appropriate Division Director (Procurement Operations or Special Programs) or the Assistant Commissioner for Automated Data Management Services, as appropriate, with the request to coordinate with the Office of the Assistant Administrator (AL). The appropriate Division Director or the Assistant Commissioner for Automated Data Management Services will advise of the decision on release.

§ 5A-2.407-85 Erroneous award to higher bidder.

(a) *If no deliveries have been made.* If, through error, award is made to other than the lowest responsible bidder and no delivery has been made prior to the discovery of the error, the vendor should be advised of the error and should be requested to consent to a cancellation of the award. In all cases, the contracting officer shall secure advice from the Office of the General Counsel or Regional Counsel, as appropriate, before requesting cancellation. If, in the case of a regional award approved by the Central Office, a vendor refuses to consent to cancellation, complete details of the case shall be submitted to the appropriate Division Director (Procurement Operations Division, Special Programs Division, or ADP Procurement Division) for a decision and the vendor shall be advised to suspend action pending the receipt of such decision.

(b) *If partial delivery has been made.* If, through error, award is made to other than the lowest responsible bidder and partial delivery has been made prior to discovery of the error, the vendor shall be advised immediately of such error and instructed to make no further deliveries. In all cases, the contracting officer shall secure advice from the Office of General Counsel or Regional Counsel, as appropriate, before taking any other action. Depending on the final decision and if it changes the contractual relationship the appropriate Finance Division shall be advised accordingly in writing. A copy of the document containing the decision on the case shall also be forwarded to the Director, Procurement Operations Division; the Director, Special Programs Division; or the Director, ADP Procurement Division; as appropriate, for information.

(c) *If delivery has been completed.* If, through error, award is made to other

than the lowest responsible bidder and delivery has been completed prior to discovery of the error, all pertinent details of the case shall be submitted in writing to the appropriate Finance Division and to the Office of General Counsel or Regional Counsel, as appropriate, for advice on necessary action.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c); 41 CFR 5-1.101(c))

Effective date. These regulations are effective 30 days after the date shown below.

Dated: July 28, 1970.

H. A. ABERSFELLER,
Commissioner,
Federal Supply Service.

[F.R. Doc. 70-10277; Filed, Aug. 6, 1970; 8:47 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE

PART 101-19—MANAGEMENT OF BUILDINGS AND GROUNDS

Subpart 101-19.1—Operation and Maintenance

CHANGES IN PARKING PRIORITIES

Section 101-19.111-2 is amended to revise the parking priorities. The amendment provides for an increase in the part-time use of parking areas assigned for Government-owned vehicles and establishes priorities for such part-time use. Minor editorial changes are also made.

Section 101-19.111-2 is amended by revising §§ 101-19.111-2(a)(1) through 101-19.111-2(a)(6) and §§ 101-19.111-2(c) through 101-19.111-2(j) as follows:

§ 101-19.111-2 Policy.

(a) * * *

(1) Postal maneuvering area and official postal vehicle parking (including contract mail hauling vehicles and private vehicles of rural carriers);

(2) Government-owned vehicles used for criminal apprehension law enforcement activities;

(3) Privately owned vehicles of Federal judges, Members of Congress, and heads of occupant agencies (priority is limited to the individuals and does not include members of their staffs);

(4) Official parking other than subparagraphs (1) and (2) of this paragraph:

(i) Net requirements for Government-owned vehicles other than subparagraphs (1) and (2) of this paragraph, including motor pool dispatch service vehicles and vehicles assigned directly to occupant agencies, shall be an amount less than the total number of vehicles assigned to the pool, depending on the nature of the pool operations;

(ii) Areas assigned for Government-owned vehicles, including postal and motor pool areas, shall also be used during other than early morning or late afternoon hours for visitors, service vehicles, privately owned vehicles regularly used

for official business, physically handicapped employees of occupant agencies, and occupant agency employees not otherwise accommodated (with preference given to carpool drivers), in the order named. In connection with part-time use of these areas, street parking, municipal lots, and commercial parking facilities may be used during early and late hours when Government-owned vehicles are occupying assigned spaces;

(5) Vehicles of patrons and visitors and service vehicles not accommodated under subparagraph (4) (ii) of this paragraph; and,

(6) Privately owned vehicles of employees of occupant agencies not otherwise accommodated.

(c) GSA will coordinate agency vehicle parking requirements within the urban centers listed in § 101-18.104 of this chapter to the end that agencies are made aware of the availability of parking space within each urban center.

(d) See §§ 101-18.107(c) and 101-20-102(b) of this chapter for instructions concerning the procurement of commercial parking space by executive agencies.

(e) GSA or agencies, as appropriate, will employ commercial practices of parking management concerns by parking vehicles bumper-to-bumper with a minimum of access aisles. In those instances, allocations will be made by block assignments rather than to individual spaces, thus enabling overallocation to compensate for employees on leave or otherwise absent. In instances where allocation of parking spaces is made on the basis of individual spaces rather than block areas, poor utilization usually results. Therefore, adequate justification must be documented showing economic or other significant reasons for individual space allocation rather than block allocation. Paid attendants may be used in some instances under arrangements with a parking management contractor (concessionaire). In those instances, charges shall be made for parking to compensate the concessionaire. In other instances, self-parking on a bumper-to-bumper basis without the use of attendants may be arranged through agency cooperation, with no charges made for parking.

(f) In the process of laying out parking spaces for maximum utilization, GSA safety specialists will review the proposed arrangements to ensure compliance with sound safety and fire prevention practices.

(g) Heads of agencies, in assigning spaces to Government employees, shall promote the use of carpools so that maximum use is made of parking facilities.

(h) Motor pool vehicles and vehicles on indefinite assignment to agencies shall be subject to the same parking procedures (such as bumper-to-bumper parking) as employee vehicles.

(i) The provision of facilities for storing vehicles which have been impounded by law enforcement agencies shall be limited to outlying locations where spaces are not at a premium.

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

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: July 30, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-10276; Filed, Aug. 6, 1970; 8:47 a.m.]

SUBCHAPTER G—TRANSPORTATION AND MOTOR VEHICLES

PART 101-38—MOTOR EQUIPMENT MANAGEMENT

Miscellaneous Amendments

This amendment adds the agency code designation for the Executive Protective Service and deletes regulations relative to the procurement and use of Standard Form 149, U.S. Government National Credit Card. Regulations relative to the procurement and use of Standard Form 149 deleted by this amendment are contained in § 101-26-406.

The table of contents for Part 101-38 is amended as follows:

Subpart 101-38.0—Definition of terms	
Sec.	
101-38.001	Definitions.
101-38.001-1	Acquired for official purposes.
101-38.001-2	Commercial design motor vehicles.
101-38.001-3	Military design motor vehicles.
101-38.001-4	Identification.
101-38.001-5	Metropolitan area of Washington, D.C.
101-38.001-6	Holding agency.
101-38.001-7	Reporting agency.
101-38.001-8	Tag.

Subpart 101-38.8 [Reserved]

Subpart 101-38.49—Forms and Reports

101-38.4900	Scope of subpart.
101-38.4901	Standard Form 82, Annual Motor Vehicle Report.
101-38.4902	GSA Form 1020, U.S. Government Certificate of Ownership of a Motor Vehicle.
101-38.4903	Examples of agency identification.
101-38.4904	Standard Form 97, Certificate Release of a Motor Vehicle.
101-38.4905	Standard Form 97A, Agency Record Copy of Certificate of Release of a Motor Vehicle.

Section 101-38.000 is revised to read as follows:

§ 101-38.000 Scope of part.

The provisions of this part prescribe policies and methods governing the economical and efficient management and control of Government-owned motor vehicles and motor vehicles rented or leased to the Government, including reporting, registration, inspection, and identification.

Subpart 101-38.0—Definition of Terms

§§ 101-38.001-9—101-38.001-16 [Deleted]

Sections 101-38.001-9 through 101-38.001-16 are deleted.

Subpart 101-38.3—Official Government Tags

Section 101-38.304-1 is amended by the addition of the following agency code designation in alphabetical order:

§ 101-38.304-1	Code designations.
*	*
Executive Protective Service	----- EPS
*	*

Subpart 101-38.8 [Reserved]

The text in Subpart 101-38.8 is deleted and the subpart is reserved.

Subpart 101-38.49—Forms and Reports

§§ 101-38.4906 — 101-38.4909 [Deleted]

Sections 101-38.4906 through 101-38-4909 are deleted.

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

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: July 31, 1970.

JOHN W. CHAPMAN, Jr.,
Acting Administrator
of General Services.

[F.R. Doc. 70-10275; Filed, Aug. 6, 1970; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-48; Amendment No. 171-5]

PART 171—GENERAL INFORMATION AND REGULATIONS

Matter Incorporated by Reference

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to provide an updated reference for addenda to sections VIII (Division I) and IX of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

On May 29, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-48; Notice No. 70-9 (35 F.R. 8450), which proposed the amendment of § 171.7(d)(1) to update the above reference.

Interested persons were afforded an opportunity to participate in this rule making. The one comment received supported the proposal.

Accordingly, 49 CFR Part 171 is amended as follows:

In § 171.7 paragraph (d)(1) is amended to read as follows:

§ 171.7 Matter incorporated by reference.

(d) * * *

(1) ASME Code means sections VIII (Division I) and IX of the 1968 edition of

the "American Society of Mechanical Engineers Boiler and Pressure Vessel Code," and addenda thereto through December 31, 1969.

This amendment is effective October 30, 1970. However, compliance with the regulations as amended herein is authorized immediately.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on August 3, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard
Commandant.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

ROBERT A. KAYE,
Director, Bureau of Motor Car-
rier Safety, Federal Highway
Administration.

SAM SCHNEIDER,
Board Member, For the
Federal Aviation Administration.

[F.R. Doc. 70-10264; Filed, Aug. 6, 1970;
8:46 a.m.]

[Docket No. HM-40; Amendment Nos. 173-
32, 178-13]

PART 173—SHIPPERS

PART 178—SHIPPING CONTAINER SPECIFICATIONS

MC 330 and MC 331 Cargo Tanks in Chlorine Service

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to (1) extend the frequency of testing angle valves on chlorine cargo tanks, (2) adopt latest drawings of The Chlorine Institute pertinent to excess-flow valves and safety relief valves and (3) to prescribe the use of an additional type of insulation material on cargo tanks.

On January 30, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-40; Notice No. 70-1 (35 F.R. 1241), which proposed amendments to 49 CFR sections 173.33, 173.315 and 178.337 to accommodate the provisions stated above.

Interested persons were invited to give their views on the proposals. Of the comments received, most commenters favored the changes as proposed. One commenter contended that the requirements limiting the overall thermal conductance for polyurethane foam as an insulation material for chlorine cargo tanks were too restrictive and alleged that this factor and the minimum thickness requirement would preclude newer and more efficient insulation materials. The commenter failed to support his statement with factual data and did not

show cause that the present thermal conductance factor and minimum insulation thickness requirement, which remained unchanged in the notice, are inadequate. Accordingly, the Board does not believe this comment supports modification of the proposal.

One commenter requested retention of the present last sentence in section 173.33(g) (10) which reads as follows: "Leaks which are detected shall be corrected before the cargo tank motor vehicle is shipped." As proposed, this sentence would be deleted and substituted therefor would be the requirement to inspect the chlorine tanks at each loading and, at the same time, to examine and test the angle valves to determine that they are not leaking and are in proper condition for transportation. The Board believes it is axiomatic that a leaking cargo tank must not begin its journey in a need of repair but realizes the benefit of retaining the positive requirement that some responsible person must correct any leaks that are detected during the course of the examination and test. Accordingly, the amendment of section 173.33 subparagraph (g) (10) is modified to make specific the intent of the rule.

In consideration of the foregoing, 49 CFR Parts 173 and 178 are amended as follows:

I. Part 173 is amended as follows:

(A) In § 173.33 paragraphs (g) (10), (i) (4), and paragraph (j) are amended to read as follows:

§ 173.33 Cargo tank use authorization.

(g)

(10) Chlorine cargo tank angle valves must be tested before installation to be leak free at not less than 225 p.s.i.g. using dry air or inert gas. The angle valves must also be tested as above once every five loadings or once a week whichever occurs first. At each loading, tanks must be inspected and the angle valves and gasketed joints must be examined and tested at a pressure of not less than 50 p.s.i.g. to determine that they are not leaking and are in proper condition for transportation. Leaks which are detected must be corrected before the cargo tank motor vehicle is shipped.

(i)

(4) Angle valves and excess-flow valves on chlorine tank motor vehicles must conform to the standards of The Chlorine Institute, Inc. Angle valves must conform with Dwg. 104-4 dated May 5, 1958. Excess-flow valves conforming with Dwg. 101-4, dated May 16, 1969, must be installed under each liquid angle valve; and the excess-flow valves conforming with Dwg. 106-3 dated May 16, 1969, must be installed under each gas angle valve.

(j) Each tank for chlorine, carbon dioxide, and nitrous oxide must be insulated with a suitable insulation material of such thickness that the overall thermal conductance is not more than 0.08 B.t.u. per square foot per degree F. differential in temperature per hour. The

conductance must be determined at 60° F. Insulation material used on tanks for nitrous oxide must be noncombustible. Insulation material used on tanks for chlorine must be corkboard or self-extinguishing polyurethane foam with minimum thickness of 4 inches.

(B) In § 173.315 subparagraph (i) (11) is amended to read as follows:

§ 173.315 Compressed gases in cargo tanks and portable tank containers.

(i)

(11) Safety relief valve on chlorine tank motor vehicles must conform with the standard of The Chlorine Institute, Inc., Type 1½ JQ225 Dwg. H51970 dated October 7, 1968.

II. Part 178 is amended as follows:

(A) In § 178.337-1 paragraph (e) is amended; in § 178.337-8 paragraph (b) is amended; in § 178.337-9 subparagraph (a) (1) is amended; in § 178.337-11 subparagraph (a) (4) is amended to read as follows:

§ 178.337 Specification MC 331; cargo tanks constructed of steel, primarily for transportation of compressed gases as defined in the Compressed Gas Section.

§ 178.337-1 General requirements.

(e) *Insulation for carbon dioxide, chlorine, and nitrous oxide tanks.* Each tank for chlorine, carbon dioxide, and nitrous oxide must be insulated with a suitable insulation material of such thickness that the overall thermal conductance at 60° F. is not more than 0.08 B.t.u. per square foot per degree F. differential in temperature per hour. Insulation material on tanks for nitrous oxide must be noncombustible. Insulation material on tanks for chlorine must be corkboard or self-extinguishing polyurethane foam with minimum thickness of 4 inches.

§ 178.337-3 Outlets.

(b) *Chlorine tank valves.* Chlorine tank angle valves must conform with The Chlorine Institute, Inc., Dwg. 104-4, dated May 5, 1958. The angle valves must be tested before installation to be leak-free at not less than 225 p.s.i.g. using dry air or inert gas. Regarding chlorine tank outlets, see also § 178.337-1(c) (2).

§ 178.337-9 Safety relief devices, valves and connections.

(a)

(1) Each tank must be provided with one or more safety relief devices which, unless otherwise specified in Part 173, must be safety relief valves of the spring-loaded type. Valves must be arranged to discharge upward and unobstructed to the outside of the protective housing in such a manner as to prevent any impingement of escaping gas upon the

tank. For chlorine tanks the protective housing must be as required in § 178.337-10(c) and the safety relief valve must conform with the standard of The Chlorine Institute, Inc., Type 1½ JQ225 Dwg. H51970, dated October 7, 1968.

§ 178.337-11 Emergency discharge control.

(a) * * *

(4) For chlorine tanks, an excess-flow valve conforming with The Chlorine Institute, Inc., Dwg. 101-4, dated May 16, 1969, must be installed under each liquid angle valve; and an excess-flow valve conforming with Dwg. 106-3, dated May 16, 1969, must be installed under each gas angle valve.

This amendment is effective October 30, 1970. However, compliance with the regulations, as amended herein, is authorized immediately.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on August 3, 1970.

C. R. BENDER,
*Admiral, U.S. Coast Guard
Commandant.*

ROBERT A. KAYE,
*Director, Bureau of Motor Car-
rier Safety, Federal Highway
Administration.*

[F.R. Doc. 70-10265; Filed, Aug. 6, 1970;
8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Lacreek National Wildlife Refuge, S. Dak.

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

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

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Public hunting of deer with firearms on the Lacreek National Wildlife Refuge, S. Dak., is permitted from November 14 through November 22, 1970, but only on the area designated by signs as open to hunting. This open area comprising 310 acres is delineated on a map available at the refuge headquarters, Martin, S. Dak. 57551, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this regulation supplement the regulations which govern hunting on wildlife refuge areas generally which set forth in Title 50, Code of

Federal Regulations, Part 32 and are effective through November 22, 1970.

ALFRED L. RADTKE, Jr.,
*Acting Refuge Manager, Lacreek
National Wildlife Refuge,
Martin, S. Dak.*

JULY 31, 1970.

[F.R. Doc. 70-10279; Filed, Aug. 6, 1970;
8:47 a.m.]

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State

[A.I.D. Reg. 1]

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

Eligibility of Incidental Services

Part 202 of Chapter II, Title 22 (A.I.D. Reg. 1) is amended as follows:

Section 201.13(b)(3)(i) is amended by adding the phrase "Unless otherwise authorized," at the beginning of the sentence and by deleting the comma and adding the word "only" between the words "commodities" and "if".

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: July 29, 1970.

JOHN A. HANNAH,
Administrator.

[F.R. Doc. 70-10295; Filed, Aug. 6, 1970;
8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

ACCOUNTING FOR REDEMPTION OF TRADING STAMPS AND COUPONS

Notice of Proposed Rule Making

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

[SEAL]

WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

In order to clarify the Income Tax Regulations (26 CFR Part 1) under section 451 of the Internal Revenue Code of 1954, such regulations are amended as follows:

Paragraph (a) of § 1.451-4 is amended to read as follows:

§ 1.451-4 Accounting for redemption of trading stamps and coupons.

(a) If a taxpayer issues trading stamps or premium coupons with sales, or if a taxpayer is engaged in the business of selling such trading stamps or premium coupons, and such stamps or coupons are redeemable by such taxpayer in merchandise or cash, the taxpayer should in computing the income from such sales, subtract only the amount which will be required for the redemption of such part of the total issue of trading stamps or premium coupons issued during the taxable year as will eventually be presented

for redemption. In general, this amount will be determined in the light of the taxpayer's own experience in his particular business for the 5 preceding years. If, however, the taxpayer does not have 5 preceding years of his own experience, or if because of a change in his mode of operation or other relevant factors, the 5 preceding years are not useful in making this determination, the taxpayer must use, to the extent necessary, the experiences of similarly situated taxpayers in similar businesses to establish an experience factor. The taxpayer shall file a statement with his return showing with respect to each of the 5 preceding years the following:

(1) The total stamps or coupons issued or sold during each year;

(2) The total stamps or coupons redeemed in each year;

(3) Such other information as is necessary to establish the correctness of the amount subtracted from sales in each of such years, including the experiences of similarly situated taxpayers in similar businesses utilized in the manner prescribed in this paragraph in making this determination; and

(4) In the case of a taxpayer engaged in the business of selling trading stamps or premium coupons, the average period that elapses between the taxpayers receipt of payment for stamps or coupons and the date of redemption of such stamps or coupons.

(b) For purposes of paragraph (a) of this section:

(1) A taxpayer will be considered as having as his business the sale of trading stamps or premium coupons if, the trading stamps or premium coupons sold are issued by purchasers to promote the sale of their merchandise or services, the taxpayer's principal activity is the sale of such stamps or coupons, and the average period between the taxpayer's issuance of the stamps or coupons and the date of redemption is at least 6 months; and

(2) Costs such as advertising, catalogues, and operation of redemption centers should not be included as amounts required for the redemption of trading stamps or premium coupons, but rather are deductible as incurred.

[F.R. Doc. 70-10258; Filed, Aug. 6, 1970; 8:45 a.m.]

[26 CFR Part 1]

ACCOUNTING FOR ADVANCE PAYMENTS

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the

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

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

In order to revise the Income Tax Regulations (26 CFR Part 1) under section 451 of the Internal Revenue Code of 1954, such regulations are amended as follows:

There is inserted immediately after § 1.451-4 the following new section:

§ 1.451-5 Advance payments.

(a) *Advance payment defined.* (1) The term "advance payment" means any amount which is received in a taxable year by a taxpayer using an accrual method of accounting for purchases and sales, pursuant to, and to be applied against, an agreement for the sale in a future taxable year of goods held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

(2) For purposes of subparagraph (1) of this paragraph:

(i) The term "agreement" includes gift certificates that can be redeemed for goods; and

(ii) Amounts due and payable are considered "received".

(b) *Taxable year of inclusion.* Advance payments may be included in income:

(1) In the taxable year of receipt; or

(2) When properly accruable under the taxpayer's method of accounting, except as provided in paragraph (c) of this section.

For example, if a taxpayer in the business of selling goods normally would account for his sales under his accrual method of accounting when goods are

shipped, the advance payments received with respect to such goods may be included in income in the taxable year of such shipment, except as provided in paragraph (c) of this section. See subdivision (ii) of § 1.446-1(c) (1).

(c) *Exception.* (1) If on the last day of a taxable year in which advance payments are received with respect to an agreement, a taxpayer (i) is using the method prescribed in paragraph (b) (2) of this section, (ii) has received "substantial advance payments" (as defined in subparagraph (3) of this paragraph), and (iii) has on hand (or available to him in such year through his normal source of supply) goods of substantially similar kind and in sufficient quantity to satisfy the agreement in such year, then all advance payments received by the last day of the second taxable year following the year in which such substantial advance payments are received, and not previously included in income in accordance with the taxpayer's accrual method of accounting, must be included in income in such second taxable year. In such case, the taxpayer must deduct in such second taxable year the costs and expenditures included in inventory with respect to such goods (or substantially similar goods) on hand or, if no such goods are on hand by the last day of such second taxable year, the estimated inventoriable cost of goods necessary to satisfy the contract.

(2) If subparagraph (1) of this paragraph is applicable to advance payments received with respect to an agreement, any advance payments received with respect to such agreement subsequent to such second taxable year must be included in gross income in the taxable year of their receipt.

(3) For purposes of subparagraph (1) of this paragraph, a taxpayer will be considered to have received "substantial advance payments" by the last day of a taxable year if the advance payments received with respect to an agreement during such taxable year plus the advance payments received prior to such taxable year pursuant to such agreement, equal or exceed the total costs and expenditures reasonably estimated as includible in inventory with respect to such agreement.

(4) The application of this paragraph is illustrated by the following example:

Example. In 1971, X enters into a contract for the sale of goods with a total contract price of \$100. X estimates that his total inventoriable costs and expenditures for the goods will be \$50. X receives the following advance payments with respect to the contract:

1971	-----	\$35
1972	-----	20
1973	-----	15
1974	-----	10
1975	-----	10
1976	-----	10

The goods are delivered pursuant to the customer's request in 1977. X's closing inventory for 1972 of the type of goods involved in the contract is sufficient to satisfy the contract.

Since advance payments received by 1972 exceed the inventoriable costs X estimates that he will incur, such payments constitute "substantial advance payments". Accordingly, all payments received by 1974, the second taxable year following the taxable year by which "substantial advance payments" are received, are includible in gross income for that year. Therefore, for taxable year 1974 X must include \$80 in his gross income. X must include in his cost of goods for 1974 the cost of such goods (or similar goods) on hand or, if no such goods are on hand, the estimated inventoriable costs necessary to satisfy the contract. Since no further deferral is allowable for such contract, X must include in his gross income for the remaining years of the contract, the advance payment received each year.

(d) *Information schedule.* If a taxpayer uses the accounting method for advance payments prescribed in paragraph (b) (2) of this section, he must attach to his income tax return for each taxable year an annual information schedule reflecting the total amount of advance payments received in the taxable year, the total amount of advance payments received in prior taxable years which has not been included in gross income before the current taxable year, and the total amount of such payments received in prior taxable years which has been included in gross income for the current taxable year.

(e) *Adoption of method.* (1) For taxable years ending on or after December 31, 1969, and before January 1, 1971, a taxpayer (even if he has already filed an income tax return for a taxable year within such period) may secure the consent of the Commissioner to change his method of accounting to the method prescribed in paragraph (b) (2) of this section in the manner prescribed in section 446 and the regulations thereunder, notwithstanding the 90-day period prescribed in § 1.446-1(e) (3), if an application to secure such consent is filed on Form 3115 within 180 days after the date these regulations become final.

(2) A taxpayer who is already reporting his income in accordance with the method prescribed in paragraph (b) (2) of this section need not secure the consent of the Commissioner to continue to utilize this method. However, such a taxpayer, for all taxable years ending after the date these regulations become final, must comply with the requirements of paragraph (d) of this section, relating to an annual information schedule.

(f) *Cessation of taxpayer's liability.* If a taxpayer has adopted a method prescribed by this section, and if in a taxable year the taxpayer dies, ceases to exist in a transaction other than one to which section 381(a) applies, or his liability to furnish the goods otherwise ends, then so much of the advance payment as was not includible in his gross income in preceding taxable years shall be included in his gross income for such taxable year.

[F.R. Doc. 70-10257; Filed, Aug. 6, 1970; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1061]

[Docket No. AO-367-A2]

MILK IN SOUTHEASTERN MINNESOTA-NORTHERN IOWA (DAIRYLAND) MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Notice is hereby given of a public hearing to be held at the Holiday Inn, Conference Room C, 1630 South Broadway, Rochester, Minn., beginning at 9:30 a.m., local time, on August 19, 1970, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Southeastern Minnesota-Northern Iowa (Dairyland) marketing area.

The hearing is called pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

The purpose of the hearing is to receive evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Associated Milk Producers, Inc.:

Proposal No. 1. Amend § 1061.10 "Supply plant", by adding the word "pool" between the words "another" and "plant".

Proposal No. 2. Amend § 1061.11 to read as follows:

§ 1061.11 Pool plant.

"Pool plant" means any plant meeting the conditions of paragraph (a) or (b) of this section, except an exempt governmental plant, the plant of a handler exempt pursuant to § 1061.60, or the plant of a producer-handler: *Provided*, That if a portion of a plant is operated separately from the Grade A portion of such plant and is not approved by any health authority for the receiving, processing, or packaging of any fluid milk product for Grade A disposition, it shall not be considered as a part of a pool plant pursuant to this section; *And provided further*, That facilities used only as a reload point for transferring bulk milk from one tank truck to another shall not be a pool plant or part of a pool plant pursuant to this section.

(a) A distributing plant from which route disposition during the month is not

PROPOSED RULE MAKING

less than the percentages set forth in subparagraphs (1) and (2) of this paragraph of the total Grade A fluid milk products received during the month at such plant, including producer milk diverted under § 1061.17(b), but excluding receipts of packaged fluid milk products from other pool distributing plants and receipts from unregulated supply plants and other order plants which are assigned pursuant to § 1061.46(a)(5) (i) (a) and (ii) and the corresponding step of § 1061.46(b);

(1) Route disposition from such plant in the marketing area plus packaged fluid milk products moved to other plants for route disposition in the marketing area is not less than 10 percent of such receipts. Such route disposition is to be exclusive of receipts of packaged fluid milk products from other pool plants; and

(2) Route disposition from such plant plus packaged fluid milk products moved to other plants is not less than one-fourth of such receipts disposed of as Class I during each of the months of February through August and one-third during each of the months of September through January of such receipts. Such route disposition is to be exclusive of receipts of packaged fluid milk products from other pool plants.

(b) A supply plant from which not less than one-third of its total Grade A milk receipts from dairy farmers during the month is delivered as fluid milk products to pool plants pursuant to paragraph (a) of this section, subject to subparagraphs (1) and (2) of this paragraph:

(1) Any plant which qualified pursuant to this paragraph in each of the immediately preceding months of September through January shall be a pool plant for the months of February through August, unless written application is filed by the plant operator with the market administrator on or before the first day of any such month requesting the plant be designated a nonpool plant for such month and each subsequent month through August during which it would not otherwise qualify as a pool plant; and

(2) In determining the pool plant qualifications of a cooperative association's plant, member producer milk of such association which is delivered directly to plants described in paragraph (a) of this section may be considered for purposes of this paragraph as having been first received at the cooperative's plant;

Proposal No. 3. Amend § 1061.18(b) by adding after the last word "month" the words "and any disappearance of products other than fluid milk products which are in a form which they may be converted into fluid milk products and which are not otherwise accounted for pursuant to § 1061.32".

Proposal No. 4. Add a new section to read as follows:

§ 1061.19 Payments.

All payments required pursuant to the terms of this order shall be made in the

form of cash, checks, or money orders.

Proposal No. 5. Amend § 1061.22(i) by adding after "§ 1061.71" the words "and the producer butterfat differential pursuant to § 1061.81".

Proposal No. 6. Add a new paragraph to read as follows:

§ 1061.22 Duties.

(m) On or before the 20th day of each month, report to each cooperative association that so requests the class utilization of milk received during the preceding month by each handler from producers who are members of such association, prorating to such receipts the class utilization of all producer receipts of such handler.

Proposal No. 7. Amend § 1061.31(d) by changing "25th" to "20th".

Proposal No. 8. Amend § 1061.42(b) by adding after "§ 1061.41(b)(6)" the words "or received in the form of packaged fluid milk products".

Proposal No. 9. Amend § 1061.44(d) (3) (ii) by adding the words "or diversions" after the first "receipts".

Proposal No. 10. Amend § 1061.46(a) (9) (i) by changing the letter "(i)" after § 1061.22 to "(j)".

Proposal No. 11. Amend § 1061.51 to read:

§ 1061.51 Class prices.

Consider the appropriate level of the Class I price to be effective on and after November 1, 1970.

Proposal No. 12. Amend § 1061.61 by changing "§ 1061.31(c)" in the introductory paragraph to read "§ 1061.31 (c) and (d)".

Proposal No. 13. Amend § 1061.61(a) (1) (ii) by changing the first "report" to "reports"; after "§ 1061.31 (c)" add "and (d)"; strike the word "a"; and change the second "report" to "reports".

Proposal No. 14. Amend § 1061.80(c) by adding after the word "prices" the words "plus the current rate per hundredweight for administration expenses".

Proposal No. 15. Amend § 1061.92 to read as follows:

§ 1061.92 Adjustment of overdue accounts.

"Any unpaid obligations of a handler pursuant to §§ 1061.80, 1061.83, 1061.85, and this section, for which remittance has not been made by the close of business on the next day following the date specified for such payment shall be increased 1 percent, and any remaining amount due shall be increased at a similar rate on the corresponding day of each month thereafter until paid.

Proposed by the Dairy Division Consumer and Marketing Service:

Proposal No. 16. Consider the appropriate application of the Southeastern Minnesota-Northern Iowa order in a circumstance where Class I milk is moved from a pool plant or an other order plant to a nonpool plant that in turn is an unregulated supply plant source of Class I milk at a pool plant.

Proposal No. 17. Consider the appropriate criterion for including a handler's milk in the computation of the uniform

price pursuant to § 1061.71(a) of the order.

Proposal No. 18. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, John B. Rosenbury, 909 Sixth Street NW., Rochester, Minn. 55901, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on August 3, 1970.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 70-10287; Filed, Aug. 6, 1970;
8:46 a.m.]

NATIONAL LABOR RELATIONS BOARD

[29 CFR Part 103]

JURISDICTIONAL STANDARDS APPLICABLE TO PRIVATE COLLEGES AND UNIVERSITIES

Extension of Time To File Responses

In Volume 35 of the FEDERAL REGISTER dated July 14, 1970, there appeared at page 11270 a notice of proposed rule making with respect to adoption of a proposed rule to prescribe standards which the Board will apply in determining whether to exercise its jurisdiction in proceedings involving private colleges and universities arising under sections 8, 9, and 10 of the National Labor Relations Act, as amended (61 Stat. 140, 143, 146, 29 U.S.C. secs. 158, 159, and 160). The purposes of the proposed rule and the data deemed relevant thereto were set forth in the explanatory statement attached to said notice. The said notice further provided that all persons who desired to submit written data, views, or arguments for consideration in connection with the proposed rule should file 25 copies of same, not later than 30 days after publication thereof in the FEDERAL REGISTER, with the Executive Secretary, National Labor Relations Board, Washington, D.C. 20570.

It has come to the attention of the Board that further time is required for the submission of such data, views, or arguments. Accordingly, the time for the filing of such submissions is hereby extended to August 31, 1970.

Dated, Washington, D.C., August 5, 1970.

By direction of the Board.

OGDEN W. FIELDS,
Executive Secretary.

[F.R. Doc. 70-10368; Filed, Aug. 6, 1970;
8:49 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

JOHN P. BAKER

Notice of Granting of Relief

Notice is hereby given that John P. Baker, 278 Wyandotte Road, Fairless Hills, Pa., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on April 14, 1967, in the Bucks County, Pa., Court of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for John P. Baker because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for John P. Baker to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered John P. Baker's application and:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That John P. Baker 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 27th day of July 1970.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-10281; Filed, Aug. 6, 1970; 8:47 a.m.]

JOSEPH DERREL BLEA, SR.

Notice of Granting of Relief

Notice is hereby given that Joseph Derrel Blea, Sr., 1106 East Wyatt Earp Street, Dodge City, Kans., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on July 14, 1942, at Fort Riley, Kans.; December 18, 1944, in the District Court of Cloud County, Kans.; February 24, 1950, in the District Court of Ford County, Kans., of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Joseph Derrel Blea, Sr., 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 Joseph Derrel Blea, Sr., to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Joseph Derrel Blea, Sr.'s application and:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Joseph Derrel Blea, Sr., 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 24th day of July, 1970.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-10282; Filed, Aug. 6, 1970; 8:47 a.m.]

CHAN FRED BLISS

Notice of Granting of Relief

Notice is hereby given that Chan Fred Bliss, 10155 South Amaryllis, Sandy, Utah, 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 or about September 10, 1954, in the U.S. District Court for the Western District of Tennessee at Memphis, Tenn., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Chan Fred Bliss 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 Mr. Bliss to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Chan Fred Bliss' 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 Chan Fred Bliss 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 28th day of July, 1970.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-10283; Filed, Aug. 6, 1970; 8:47 a.m.]

KENNETH MORRIS GUILLOTTE**Notice of Granting of Relief**

Notice is hereby given that Kenneth Morris Guillotte, 1104½ Main Street, Franklin, 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 convictions on December 23, 1959, in the Criminal Court of Record, Key West, Monroe County, Fla., and on September 7 and 12, 1962, in the Louisiana 16th Judicial District Court in and for the Parishes of St. Mary and Iberia at Franklin, La., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Kenneth Morris Guillotte because of such convictions, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Kenneth Morris Guillotte to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Kenneth Morris Guillotte's application and:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Kenneth Morris Guillotte 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 28th day of July 1970.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-10284; Filed, Aug. 6, 1970;
8:47 a.m.]

HARRY BUFORD INGRAM**Notice of Granting of Relief**

Notice is hereby given that Harry Buford Ingram, Route 3, Ferrum, Va. 24088, has applied for relief from disabilities

imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions in July 1949 and May 1958 in the U.S. District Court, Western District of Virginia, Roanoke Division, of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Harry Buford Ingram 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 Harry Buford Ingram to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Harry Buford Ingram's application and:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144: *It is ordered*, That Harry Buford Ingram 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 24th day of July 1970.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-10285; Filed, Aug. 6, 1970;
8:47 a.m.]

JEROME HAROLD PETSCHÉ**Notice of Granting of Relief**

Notice is hereby given that Jerome Harold Petsche, 922 16th Avenue SW., Cedar Rapids, Iowa, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on February 20, 1968, in the Linn County District Court, Iowa, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Jerome H. Petsche 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 Jerome H. Petsche to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Jerome H. Petsche'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 Jerome H. Petsche 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 24th day of July 1970.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner
of Internal Revenue.

[F.R. Doc. 70-10286; Filed, Aug. 6, 1970;
8:48 a.m.]

HUGH L. SNYDER**Notice of Granting of Relief**

Notice is hereby given that Hugh L. Snyder, 1954 California Avenue, Butte, Mont., 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 December 3, 1931, Duchesne County Court, Utah, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Snyder 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 Mr. Snyder to receive,

possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Hugh L. Snyder'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 Hugh L. 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 conviction hereinabove described.

Signed at Washington, D.C., this 28th day of July 1970.

[SEAL] WILLIAM H. SMITH,
*Acting Commissioner
of Internal Revenue.*

[F.R. Doc. 70-10288; Filed, Aug. 6, 1970;
8:48 a.m.]

RICHARD M. STODDARD

Notice of Granting of Relief

Notice is hereby given that Richard M. Stoddard, 20455, Pinecrest, Taylor, Mich. 48180, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on April 18, 1941, Circuit Court, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Stoddard 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 Mr. Stoddard to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Stoddard'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 Richard M. Stoddard 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 28th day of July 1970.

[SEAL] WILLIAM H. SMITH,
*Acting Commissioner
of Internal Revenue.*

[F.R. Doc. 70-10287; Filed, Aug. 6, 1970;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-3651]

IDAHO

Notice of Proposed Classification of Public Lands in Southeastern Idaho for Multiple-Use Management

JULY 30, 1970.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR, Part 2460, it is proposed to classify for multiple-use management the public lands within the area described in paragraph No. 2. Publication of this notice (a) segregates all the public lands described in this notice from appropriation under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C. sec. 334), and from sale under section 2455 of the revised statutes (43 U.S.C. 1171), and (b) further segregates the lands described in paragraph No. 3 of this notice from the operation of the general mining laws (30 U.S.C., Chapter 2). Except as provided in (a) and (b) above, the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

As used herein "public lands" mean any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Public lands proposed for classification are as follows, and are part of Power, Bannock, Caribou, Franklin, and Bear Lake Counties. They are shown on maps on file in the Burley District Office, Bureau of Land Management, 200 South Oakley Highway, Burley, Idaho 83318,

and in the Land Office, Bureau of Land Management, 550 West Fort Street, Room 334, Federal Building, Boise, Idaho 83702:

BOISE MERIDIAN, IDAHO

POWER COUNTY

T. 6 S., R. 34 E.,
Secs. 18, 19, 30, and 31.
T. 8 S., R. 34 E.,
All.
T. 9 S., R. 34 E.,
Secs. 1, 2, 11 through 14 inclusive, and 24.
T. 10 S., R. 34 E.,
Sec. 2.
T. 9 S., R. 35 E.,
Sec. 18;
Sec. 29, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30;
Sec. 32, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The public lands within the area described in Power County aggregate approximately 9,200 acres.

BOISE MERIDIAN, IDAHO

BANNOCK COUNTY

T. 6 S., R. 34 E.,
Secs. 17, 20, 29, 32, and 33.
T. 7 S., R. 34 E.,
All.
T. 5 S., R. 35 E.,
All.
T. 6 S., R. 35 E.,
All.
T. 7 S., R. 35 E.,
All.
T. 9 S., R. 35 E.,
Secs. 15, 22, 27, and 28;
Sec. 29, E $\frac{1}{2}$;
Sec. 32, E $\frac{1}{2}$;
Secs. 33 and 35.
T. 10 S., R. 35 E.,
Secs. 1, 12 through 14 inclusive, 17, 19, 23 through 26 inclusive, 28 through 33 inclusive, and 35.
T. 6 S., R. 36 E.,
Secs. 17 through 20 inclusive, 30, and 31.
T. 7 S., R. 36 E.,
Secs. 2, 3, 5 through 11 inclusive, 17 through 20 inclusive, 30, and 31.
T. 8 S., R. 36 E.,
Secs. 7, 12, and 13;
Sec. 17, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Secs. 18, 20, 24, 25, 29, and 32.
T. 9 S., R. 36 E.,
Secs. 5, 7, 8, 17 through 20 inclusive, 30, and 31.
T. 10 S., R. 36 E.,
Secs. 6, 19, and 30.
T. 11 S., R. 36 E.,
Sec. 12;
Sec. 13, N $\frac{1}{2}$ N $\frac{1}{2}$.
T. 8 S., R. 37 E.,
Secs. 7, 18, 19, and 30.
T. 9 S., R. 37 E.,
Secs. 3 through 5 inclusive, 9, 10, 13, and 24.
T. 10 S., R. 37 E.,
Secs. 1, 2, 12, 13, and 24.
T. 11 S., R. 37 E.,
Secs. 1 and 12.
T. 8 S., R. 38 E.,
All within the county.
T. 9 S., R. 38 E.,
Secs. 1 through 4 inclusive, 8, 10 through 14 inclusive, 18 through 20 inclusive, 23, and 24.
T. 10 S., R. 38 E.,
Secs. 6, 7, 18, 19, and 30.
T. 11 S., R. 38 E.,
Secs. 4 through 9 inclusive, 17 through 21 inclusive, and 28;
Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 12 S., R. 38 E.,
Sec. 13.
T. 13 S., R. 38 E.,
Sec. 15.

T. 9 S., R. 39 E.,
All within the county.
T. 13 S., R. 39 E.,
Sec. 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

The public lands within the area described in Bannock County aggregate approximately 62,600 acres.

BOISE MERIDIAN, IDAHO
CARIBOU COUNTY

T. 5 S., R. 38 E.,
All within the county.
T. 6 S., R. 38 E.,
All.
T. 7 S., R. 38 E.,
All.
T. 8 S., R. 38 E.,
All within the county.
T. 5 S., R. 39 E.,
All.
T. 6 S., R. 39 E.,
All.
T. 8 S., R. 39 E.,
All.
T. 9 S., R. 39 E.,
All within the county.
T. 10 S., R. 39 E.,
All within the county.
T. 11 S., R. 39 E.,
Secs. 11, 13, 14, and 23 through 25 inclusive.
T. 5 S., R. 40 E.,
Sec. 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 6, lots 3 and 4, S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$;
Secs. 7, 8, 11, 14, 15, 17, and 22.
T. 6 S., R. 40 E.,
All.
T. 7 S., R. 40 E.,
All.
T. 8 S., R. 40 E.,
All.
T. 10 S., R. 40 E.,
Secs. 19 and 30.
T. 11 S., R. 40 E.,
Secs. 28 through 32 inclusive.
T. 5 S., R. 41 E.,
All.
T. 7 S., R. 41 E.,
All.
T. 8 S., R. 41 E.,
All.
T. 9 S., R. 41 E.,
Secs. 3 through 7 inclusive, 10, 13, 17
through 22 inclusive, and 24;
Sec. 31, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 11 S., R. 41 E.,
Secs. 3, 10, 15, and 22.
T. 5 S., R. 42 E.,
All.
T. 6 S., R. 42 E.,
All.
T. 7 S., R. 42 E.,
All.
T. 8 S., R. 42 E.,
All.
T. 9 S., R. 42 E.,
Secs. 1, 2, 11, 12, 28, and 35.
T. 5 S., R. 43 E.,
All.
T. 6 S., R. 43 E.,
All.
T. 7 S., R. 43 E.,
All.
T. 8 S., R. 43 E.,
All.
T. 5 S., R. 44 E.,
All.
T. 6 S., R. 44 E.,
All.
T. 7 S., R. 44 E.,
All.
T. 8 S., R. 44 E.,
All.
T. 9 S., R. 44 E.,
All.
T. 7 S., R. 46 E.,
All.
T. 8 S., R. 46 E.,
All.

T. 9 S., R. 46 E.,
All.

The public lands within the area described in Caribou County aggregate approximately 74,400 acres.

BOISE MERIDIAN, IDAHO
FRANKLIN COUNTY

T. 13 S., R. 38 E.,
Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 14 S., R. 38 E.,
Sec. 13, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 12 S., R. 40 E.,
Secs. 6, 7, 17 through 21 inclusive, and 28
through 33 inclusive.
T. 13 S., R. 40 E.,
Secs. 5, 6, 12 through 14 inclusive, 22
through 24 inclusive, 26, 27, 34, and 35.
T. 14 S., R. 40 E.,
Secs. 2, 3, 9, 10, and 15.
T. 12 S., R. 41 E.,
Secs. 4, 5, 8, 9, 15, 20, and 21.
T. 13 S., R. 41 E.,
Secs. 6, 7, and 18.

The public lands within the area described in Franklin County aggregate approximately 9,900 acres.

BOISE MERIDIAN, IDAHO
BEAR LAKE COUNTY

T. 13 S., R. 42 E.,
Sec. 12.
T. 14 S., R. 42 E.,
Secs. 1 and 12.
T. 11 S., R. 43 E.,
Secs. 18 through 20 inclusive and 30.
T. 13 S., R. 43 E.,
All.
T. 14 S., R. 43 E.,
Secs. 5 through 7 inclusive.
T. 15 S., R. 43 E.,
Secs. 20, 21, and 33.
T. 16 S., R. 43 E.,
Secs. 3, 4, 9, 10, and 16.
T. 11 S., R. 44 E.,
Sec. 4.
T. 13 S., R. 44 E.,
Sec. 1.
T. 14 S., R. 44 E.,
Sec. 25.
T. 15 S., R. 44 E.,
Secs. 1, 12, 13, and 24.
T. 13 S., R. 45 E.,
All.
T. 14 S., R. 45 E.,
All.
T. 15 S., R. 45 E.,
All.
T. 16 S., R. 45 E.,
All.
T. 12 S., R. 46 E.,
Secs. 17 and 19;
Sec. 20, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Secs. 30 and 31.
T. 13 S., R. 46 E.,
Secs. 6, 7, and 17 through 20 inclusive;
Sec. 29, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Secs. 30 and 31;
Sec. 32, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 14 S., R. 46 E.,
Secs. 5 through 8 inclusive, 17 through 20
inclusive, and 29 through 31 inclusive.
T. 15 S., R. 46 E.,
Secs. 18 and 19;
Sec. 20, SW $\frac{1}{4}$;
Sec. 29, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Secs. 30 and 31.
T. 16 S., R. 46 E.,
Sec. 5, SW $\frac{1}{4}$;
Secs. 6 and 7;
Sec. 8, NW $\frac{1}{4}$;
Sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The public lands within the area described in Bear Lake County aggregate approximately 41,100 acres.

The total area described in paragraph No. 2 contains approximately 197,400 acres.

3. As provided for in paragraph No. 1 above, the following lands are further segregated from appropriation under the general mining laws:

BOISE MERIDIAN, IDAHO

T. 6 S., R. 35 E.,
Sec. 22, SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Camelback Picnic Area);
Sec. 26, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Caribou Ski Area);
Sec. 35, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Black Rock Canyon Campground).
T. 10 S., R. 35 E.,
Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Garden Gap Campground);
Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$ (Hawkin's Reservoir Camp Area).
T. 9 S., R. 36 E.,
Sec. 7, W $\frac{1}{2}$ SE $\frac{1}{4}$ (Goodenough Creek Campground).
T. 11 S., R. 36 E.,
Sec. 12, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ (Wiregrass Reservoir Camp Area).
T. 6 S., R. 38 E.,
Sec. 14, SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Portneuf Reservoir Camp Area).
T. 8 S., R. 38 E.,
Sec. 24, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 25, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ (North Canyon Camp).
T. 9 S., R. 38 E.,
Sec. 20, lot 4 (Lava Campground).
T. 11 S., R. 38 E.,
Sec. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Nine-Mile Campground);
Sec. 21, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (North Fork Campground).
T. 13 S., R. 38 E.,
Sec. 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Swan Lake Campground).
T. 14 S., R. 38 E.,
Sec. 13, NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Twin Lakes Park).
T. 13 S., R. 39 E.,
Sec. 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Stockton Creek Campground).
T. 5 S., R. 40 E.,
Sec. 12, NW $\frac{1}{4}$ (Blackfoot Reservoir Dam Campground).
T. 13 S., R. 40 E.,
Sec. 13, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Narrows Reservoir Boat Docks);
Sec. 24, NW $\frac{1}{4}$ (Narrows Reservoir Campground).
T. 14 S., R. 40 E.,
Sec. 2, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 3, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Red Point Campground);
Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Pigeon Cave Campground).
T. 7 S., R. 41 E.,
Sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Southend-Middle Cone Campground).
T. 9 S., R. 41 E.,
Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$ (Soda Point Reservoir Campground);
Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ (Soda Springs Campground);
Sec. 31, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Grace Campground).
T. 9 S., R. 42 E.,
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Railroad Bridge Camp Site).
T. 16 S., R. 43 E.,
Sec. 16, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ (Saw Mill Camp Site).
T. 11 S., R. 44 E.,
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Georgetown Canyon Campground).
T. 13 S., R. 45 E.,
Sec. 6, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Montpellier Canyon Campground).
T. 14 S., R. 45 E.,
Sec. 14, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Bear River Camp).

T. 7 S., R. 46 E.,
Sec. 26, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Stump
Creek Camp).
T. 14 S., R. 46 E.,
Sec. 8, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Overlook).

The area contained in paragraph No. 3 contains approximately 2,590 acres.

4. For a period of sixty (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 Burley District Manager, Bureau of Land Management, Post Office Box 489, Burley, Idaho 83318.

5. Two public hearings on this proposed classification will be held at 2 p.m. on August 25, 1970, in the courtroom of the Bannock County Courthouse, Pocatello, Idaho; and at 10 a.m. on August 26, 1970, in the courtroom of the Caribou County Courthouse, Soda Springs, Idaho.

CLAIR M. WHITLOCK,
Acting State Director.

[F.R. Doc. 70-10230; Filed, Aug. 6, 1970;
8:45 a.m.]

[New Mexico 1239; Amdt. 1]

NEW MEXICO

Notice of Classification of Public Lands for Multiple-Use Management

July 31, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and the regulations in 43 CFR Parts 2400 and 2460, the public lands within the areas described below are hereby classified for multiple use management. Publication of this notice has the effect of segregating 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) and the lands shall remain open to all other forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. No adverse comments were received following publication of a notice of proposed classification (35 F.R. 6156-6157), or at the public hearing at Socorro, N. Mex., which was held on May 5, 1970. The record showing the comments received and other information is on file and can be examined in the Socorro District Office, Socorro, N. Mex. The public lands affected by this classification are located within the following described areas and are shown on maps designated 30-02-01, on file in the Socorro District Office and at the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501:

NEW MEXICO PRINCIPAL MERIDIAN

UNIT 2-01

T. 1 N., R. 20 W.,
Sec. 36.
T. 2 N., R. 20 W.,
Sec. 36, E $\frac{1}{2}$.
T. 1 S., R. 20 W.,
Sec. 2, lots 1 to 16, inclusive and S $\frac{1}{2}$;
Sec. 16.

UNIT 2-02

T. 1 S., R. 19 W.,
Sec. 2, lots 1 to 12, inclusive and NW $\frac{1}{4}$
SW $\frac{1}{4}$.
T. 1 N., R. 18 W.,
Sec. 2;
Sec. 16, N $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32.
T. 2 N., R. 18 W.,
Sec. 1, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$
SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2;
Sec. 4, lots 2, 3, and 4;
Sec. 5, lot 1 and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, and
SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 7, lots 1, 2, 3, E $\frac{1}{2}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 9, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$;
Sec. 16, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
SW $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 21;
Sec. 22, W $\frac{1}{2}$;
Sec. 26, SE $\frac{1}{4}$;
Sec. 27, W $\frac{1}{2}$;
Sec. 28, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 32;
Sec. 33, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 34, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 36.
T. 3 N., R. 18 W.,
Sec. 29, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 31, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 32.
T. 1 N., R. 19 W.,
Sec. 2;
Sec. 16, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36.
T. 2 N., R. 19 W.,
Sec. 1, lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
and S $\frac{1}{2}$;
Sec. 11, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and
SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 13, NE $\frac{1}{4}$;
Sec. 14, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$;
Secs. 15, 16, 17, 32, and 36.
T. 3 N., R. 19 W.,
Sec. 24, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$, and
SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$.

UNIT 2-03

T. 4 N., R. 8 W.,
Sec. 6, lots 3, 4, 6, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 7, lots 1, 2, 3, 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, N $\frac{1}{2}$
SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 4 N., R. 9 W.,
Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$;
Secs. 2 and 5;
Sec. 6, lots 1, 2, 4, and 5;
Sec. 7, lots 1, 2, 3, 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, N $\frac{1}{2}$
SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
SW $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$
SE $\frac{1}{4}$;
Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 13, N $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$
SE $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Secs. 15, 16, and 17.

T. 5 N., R. 9 W.,
Secs. 1 and 2;
Sec. 3, lots 1, 2, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
and SE $\frac{1}{4}$;
Sec. 5;
Sec. 6, lot 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 7 and 9;
Sec. 10, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 11;
Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$
SE $\frac{1}{4}$;
Sec. 13;
Sec. 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 15;
Sec. 16, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and
SE $\frac{1}{4}$;
Sec. 17;
Sec. 19, lots 1, 2, 3, 4, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and
S $\frac{1}{2}$;
Sec. 23;
Sec. 24, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 25, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, and
SW $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and
SE $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and
SE $\frac{1}{4}$;
Sec. 28;
Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, and
S $\frac{1}{2}$;
Sec. 30, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 31, 32, 33, 35, and 36.

T. 4 N., R. 10 W.,
Secs. 1, 3, and 5.

T. 5 N., R. 10 W.,
Sec. 33;
Sec. 34, SW $\frac{1}{4}$;
Sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and
S $\frac{1}{2}$.

T. 7 N., R. 10 W.,
Sec. 22, NW $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$
NW $\frac{1}{4}$;
Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 4 N., R. 11 W.,
Secs. 3, 10, and 13;
Sec. 14, NE $\frac{1}{4}$ and S $\frac{1}{2}$;
Secs. 15 and 16;
Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and
S $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 23 and 25;
Sec. 26, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
S $\frac{1}{2}$;
Secs. 27, 32 and 33;
Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
Secs. 35 and 36.

T. 5 N., R. 12 W.,
Secs. 5 and 6;
Sec. 7, lots 1, 2, 3, 4, NE $\frac{1}{4}$, and E $\frac{1}{2}$ W $\frac{1}{2}$.

T. 6 N., R. 11 W.,
Sec. 32.

T. 6 N., R. 12 W.,
Sec. 35.

T. 7 N., R. 12 W.,
Sec. 19, lot 1;
Sec. 29.

UNIT 2-06

T. 2 N., R. 1 E.,
Sec. 5, lots 1, 2, 3, and 4;
Sec. 6, lots 1, 2, 3, 4, and N $\frac{1}{2}$.
T. 3 N., R. 1 E.,
Sec. 6, lots 1, 4, 5, 6, and 7;
Sec. 7, lots 1, 2, and 3;
Sec. 18, lots 1, 2, and 3;
Sec. 19, lots 1, 2, 3, 4, and W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 30, lots 1, 2, 3, 4, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 31, lots 1, 2, 3, 4, 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$
NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 3 N., R. 1 W.,
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 8, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 12, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 13, lots 3, 4, 6, 7, and SW $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 16;
 Sec. 24, lots 1 to 6, inclusive, W $\frac{1}{2}$ E $\frac{1}{2}$,
 and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 25, lots 1, 2, 3, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, N $\frac{1}{2}$
 SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36.
 T. 1 N., R. 3 W.,
 Sec. 4, lots 1, 2, 3, and 4;
 Sec. 5, lots 2, 3, 4, 6, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
 W $\frac{1}{2}$ SW $\frac{1}{4}$.
 T. 2 N., R. 3 W.,
 Sec. 32, lots 1 to 7, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
 NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$
 SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 3 N., R. 3 W.,
 Sec. 2.
 T. 2 N., R. 4 W.,
 Sec. 2;
 Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$
 SE $\frac{1}{4}$.
 UNIT 2-08
 T. 1 S., R. 1 W.,
 Sec. 7, lots 1, 2, and 4;
 Sec. 16, lots 1, 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$.
 T. 1 S., R. 2 W.,
 Sec. 12, lots 1, 2, 3, and SE $\frac{1}{4}$ NE $\frac{1}{4}$.
 UNIT 2-09
 T. 2 S., R. 1 E.,
 Sec. 16.
 T. 4 S., R. 1 E.,
 Sec. 36.
 UNIT 2-10
 T. 5 S., R. 1 E.,
 Sec. 2.
 UNIT 2-11
 T. 1 S., R. 4 E.,
 Sec. 20, NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 21, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 25, E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 26, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
 and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, S $\frac{1}{2}$;
 Sec. 28, S $\frac{1}{2}$;
 Secs. 29 and 33;
 Sec. 34, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 * T. 2 S., R. 4 E.,
 Sec. 1, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 3, S $\frac{1}{2}$;
 Sec. 4;
 Sec. 5, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$;
 Sec. 11, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 12;
 Sec. 13, E $\frac{1}{2}$ and SW $\frac{1}{4}$;
 Sec. 24, E $\frac{1}{2}$.
 T. 1 S., R. 5 E.,
 Sec. 28, W $\frac{1}{2}$;
 Secs. 30 and 31.
 T. 2 S., R. 5 E.,
 Sec. 4, N $\frac{1}{2}$;
 Sec. 5, N $\frac{1}{2}$;
 Secs. 6 and 19;
 Sec. 30, lot 1, NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 3 S., R. 5 E.,
 Sec. 3;
 Sec. 4, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$;
 Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 4 S., R. 5 E.,
 Sec. 10, NE $\frac{1}{4}$;
 Sec. 11, E $\frac{1}{2}$, NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 12, E $\frac{1}{2}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 13, E $\frac{1}{2}$;
 Sec. 14, E $\frac{1}{2}$.
 T. 3 S., R. 6 E.,
 Secs. 4, 5, and 6;
 Sec. 7, lots 1, 2, 3, 4, and E $\frac{1}{2}$ W $\frac{1}{2}$;

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

The areas described aggregate 101,-
 960.29 acres in Catron, Socorro, and
 Valencia Counties.

3. For a period of 30 days from date of
 publication in the FEDERAL REGISTER, this
 classification shall be subject to the exer-
 cise of administrative review and modifi-
 cation by the Secretary of the Interior
 as provided for in 43 CFR 2461.3. For a
 period of 30 days, interested parties may
 submit comments to the Secretary of the
 Interior, LLM, 721, Washington, D.C.
 20240.

B. BUFFINGTON,
 Acting State Director.

[F.R. Doc. 70-10280; Filed, Aug. 6, 1970;
 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

NATIONAL SCHOOL LUNCH PRO- GRAM AND COMMODITY ONLY SCHOOLS

Income Poverty Guidelines for Deter- mining Eligibility for Free and Re- duced Price Lunches

Pursuant to section 9 of the National
 School Lunch Act, as amended (42 U.S.C.
 1758, Public Law 91-248), the income
 poverty guidelines for determining eligi-
 bility for free and reduced price lunches
 in National School Lunch Program and
 commodity only schools are prescribed,
 as of July 1, 1970, as follows:

Family size	48 States, D.C. and outlying areas ¹	Hawaii	Alaska
One.....	\$1,920	\$2,210	\$2,400
Two.....	2,520	2,900	3,150
Three.....	3,120	3,590	3,900
Four.....	3,720	4,280	4,650
Five.....	4,270	4,910	5,340
Six.....	4,820	5,540	6,025
Seven.....	5,320	6,115	6,650
Eight.....	5,820	6,690	7,275
Each additional family member....	450	520	560

¹ "Outlying Areas" include the Commonwealth of
 Puerto Rico, Guam, Virgin Islands, American Samoa,
 and the Trust Territory of the Pacific Islands.

Beginning January 1, 1971, the income
 poverty guidelines set forth above are
 the minimum family size annual income
 levels to be used by local school food
 authorities in establishing eligibility for
 free and reduced price lunches in
 schools.

The income poverty guidelines are
 based on the latest statistics, as of July 1,
 1970, on poverty levels reported by the
 Census Bureau's Current Population Re-
 ports, as directed by Circular No. A-46
 of the Bureau of the Budget dated
 June 17, 1970. Variations for Hawaii and
 Alaska are consistent with such varia-
 tions established by the Office of Econ-
 omic Opportunity in its Income Poverty
 Guidelines (34 F.R. 20431, December 31,
 1969; 35 F.R. 5948, April 10, 1970).

"Income," as the term is used in this
 Notice, is similar to that defined in the
 Bureau of Census report, "Poverty in the
 United States," 1959-68., Consumer In-
 come, Current Population Reports, Series
 P-60, No. 68, December 31, 1969. "In-
 come" means income before deductions
 for income taxes, employees' social secu-
 rity taxes, insurance premiums, bonds,
 etc. It includes the following: (1) Mon-
 etary compensation for services, including
 wages, salary, commissions, or fees; (2)
 net income from nonfarm self employ-
 ment; (3) net income from farm self
 employment; (4) social security; (5)
 dividends or interest on savings or bonds,
 income from estates or trusts or net
 rental income; (6) public assistance or
 welfare payments; (7) unemployment
 compensation; (8) Government civilian
 employee or military retirement, or pen-
 sions, or veterans' payments; (9) private
 pensions or annuities; (10) alimony or
 child support payments; (11) regular
 contributions from persons not living in
 the household; (12) net royalties; and
 (13) other cash income.

In applying these guidelines, school
 food authorities may consider both the
 income of the family during the past 12
 months and family's current rate of in-
 come to determine which is the better
 indicator of the need for free and re-
 duced price lunches.

Effective date. This notice shall be
 effective upon publication in the FEDERAL
 REGISTER. Its use shall be mandatory on
 and after January 1, 1971.

Dated: August 3, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-10269; Filed, Aug. 6, 1970;
8:46 a.m.]

**Packers and Stockyards
Administration**

GALT LIVESTOCK SALES YARD ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Name, location of stockyard, and date of posting

Galt Livestock Sales Yard, Galt, Calif., Oct. 1, 1959.
Ashland Sales Company, Inc., Ashland, Kans., June 1, 1959.
Wellington Sales Co., Wellington, Kans., May 29, 1959.
Adrian Livestock Co., Adrian, Mich., June 2, 1959.
Golden Valley Auction Company, Clinton, Mo., Apr. 4, 1963.
Steuben County Livestock Market, Bath, N.Y., Aug. 30, 1960.
N. Johncox Sons, Palmyra, N.Y., Aug. 1, 1960.
Gallerani's Commission Sale, Inc., Bradford, Vt., Jan. 3, 1960.
Wisconsin Dairy Herd Replacement and Livestock Marketing Cooperative, Division of Wisconsin Feeder Pig Marketing Cooperative, Dorchester, Wisc., Nov. 23, 1964.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not deposting promptly a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 3d day of August 1970.

G. H. HOPPER,
Chief Registrations, Bonds, and
Reports Branch, Livestock
Marketing Division.

[F.R. Doc. 70-10271; Filed, Aug. 6, 1970;
8:46 a.m.]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Food and Drug Administration
CIBA AGROCHEMICAL CO.

**Notice of Filing of Petition Regarding
Pesticide Chemical**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 0F0993) has been filed by CIBA Agrochemical Co., Post Office Box 1105, Vero Beach, Fla. 32960, proposing the establishment of tolerances (21 CFR Part 120) for negligible residues of the herbicide 3-(4-bromo-3-chlorophenyl)-1-methoxy-1-methylurea in or on the raw agricultural commodities soybeans, soybean forage, and potatoes at 0.2 part per million.

The analytical method proposed in the petition for determining residues of the herbicide is a colorimetric procedure in which the residue is hydrolyzed to 4-bromo-3-chloroaniline. After steam distillation, the aniline is diazotized and coupled with N-1-naphthylethylenediamine to produce a color that is measured spectrophotometrically at 550 millimicrons.

Dated: July 30, 1970.

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

[F.R. Doc. 70-10303; Filed, Aug. 6, 1970;
8:49 a.m.]

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

**ACTING ASSISTANT SECRETARY FOR
RENEWAL AND HOUSING MAN-
AGEMENT**

Designation

The Deputy Assistant Secretary for Renewal and Housing Management, Department of Housing and Urban Development, is hereby designated to serve as Acting Assistant Secretary for Renewal and Housing Management during the present vacancy in the office of Assistant Secretary for Renewal and Housing Management with all the powers, functions, and duties delegated or assigned to the Assistant Secretary for Renewal and Housing Management.

(Sec. 7(d) of the Department of HUD Act, 42 U.S.C. 3535(d), and 5 U.S.C. 3346)

Effective date. This designation shall be effective as of July 25, 1970.

RICHARD C. VAN DUSEN,
Under Secretary of Housing
and Urban Development.

[F.R. Doc. 70-10298; Filed, Aug. 6, 1970;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-261]

CAROLINA POWER & LIGHT CO.

**Notice of Issuance of Facility
Operating License**

Notice is hereby given that no request for a hearing by the applicant or petition for leave to intervene by any interested person having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission (the Commission) has issued Facility Operating License No. DPR-23 to the Carolina Power & Light Co. authorizing the licensee to possess, use, and operate the H. B. Robinson Unit No. 2, a closed cycle, pressurized water nuclear reactor, on the licensee's site in Darlington County, about 4.5 miles west northwest of Hartsville, S.C.

The notice of proposed action, as published in the FEDERAL REGISTER on May 16, 1970, 35 F.R. 7669, provided that although the H. B. Robinson Unit No. 2 is designed to operate at approximately 2,200 megawatts thermal, initial operation would be restricted to 5 megawatts thermal pending completion of the Commission's review of the seismic analysis of certain Class I piping and equipment to be furnished by the Carolina Power & Light Co. The notice further provided that in the event other construction matters were not completed to permit full power operation, the Commission would issue a facility license consistent with the level of construction completed to permit initial fuel loading and low power testing prior to the issuance of a full power license.

With letters dated June 5, 1970, July 1, 1970, and July 3, 1970, Carolina Power & Light Co. provided reports containing additional information concerning the (a) seismic analysis of Class I piping and equipment, (b) likelihood and consequences of turbine overspeed, (c) containment tendon analysis, and (d) incident report on the failure of a safety valve connecting pipe. The Commission has reviewed the information contained in these reports and has determined that additional modifications to the facility to implement certain actions regarding the results of these analyses will be necessary before the Commission will authorize full power operation.

The Commission has inspected the facility and has determined that there are certain construction matters, described in a letter from Carolina Power & Light Co. dated July 16, 1970, which have not been completed to permit full power operation. These are the (a) completion of the facility Hot Laboratory, (b) installation of additional seismic pipe restraints, (c) installation and testing of secondary plant safety and power operated relief valves, (d) installation of additional turbine protective features to the facility, and (e) installation of permanent nitrogen storage system racks. Additional analyses were provided

in the July 16, 1970, letter regarding the adequacy of the electrical cable tray loading of the "as-built" facility. Based on our review of the results of these analyses, we conclude that the "as-built" loading is acceptable.

Accordingly, the Commission has issued a license which provides that the reactor shall not be made critical until the Hot Laboratory and installation and testing of the secondary system, as described in Carolina Power & Light Co.'s letter dated July 16, 1970, are completed, and which restricts steady state operation of the H. B. Robinson Unit No. 2 to 5 megawatts thermal until satisfactory completion of the other three items described in the applicant's letter dated July 16, 1970, and referred to above. In addition, the license provides that, although operation of the facility at steady state power levels up to 2,200 megawatts thermal may be authorized without satisfactory completion of the auxiliary safety device on the crane for handling irradiated fuel with the cask, described in the applicant's letter dated July 16, 1970, satisfactory completion of the device is required prior to handling irradiated fuel with the cask.

The Commission has determined that, for initial fuel loading, the facility has been constructed in accordance with the application, as amended, and the provisions of Provisional Construction Permit No. CPPR-26. The Commission has made the findings which are set forth in the license, and has concluded that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public.

The license was issued as proposed except for the revision of (1) paragraphs a and d of the findings to reflect (a) the applicant's letters dated June 5, 1970, July 1, 1970, July 3, 1970, and July 16, 1970, and (b) the necessary completion of certain construction items, respectively, (2) paragraph 1 to reflect the reports filed with the applicant's letters dated June 5, 1970, and July 1, 1970, (3) subparagraph 2B to authorize receipt, possession, and use of 1 gram of uranium-235 contained in neutron detectors and 0.3 gram of plutonium contained in a sealed Pu-Be neutron source, previously licensed by Amendment No. 1 to special nuclear material License No. SNM-1160, (4) subparagraph 2C to reflect additional byproduct material previously licensed by Amendment No. 1 to byproduct material License No. 32-06938-02, (5) subparagraph 3A to permit 5-megawatt thermal operation only after the Hot Laboratory and installation and testing of the secondary system, as described in Carolina Power & Light Co.'s letter dated July 16, 1970, are completed, (6) paragraph 4 to reflect language consistent with Appendix D of 10 CFR Part 50 of the Commission's regulations, and (7) to clarify three items of the Technical Specifications, as set forth in the errata sheet attached to the Technical Specifications appended to Operating License No. DPR-23.

For further information concerning this license, see (1) copies of Carolina Power & Light Co.'s letters dated June 5, 1970, July 1, 1970, July 3, 1970, and

July 16, 1970, with enclosures, and (2) the license, complete with Technical Specifications, all of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of the license may be obtained upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 31st day of July 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[F.R. Doc. 70-10301; Filed, Aug. 6, 1970;
8:49 a.m.]

[Docket No. 50-75]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notice of Issuance of Construction Permit

No request for a hearing or petition to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on July 14, 1970 (35 F.R. 11274), the Atomic Energy Commission has issued Construction Permit No. CPCX-30 (as proposed in that notice) to the National Aeronautics and Space Administration (NASA). The construction permit authorizes NASA to make alterations to its Zero Power Reactor I located on NASA's Lewis Research Center site in Cleveland, Ohio.

The Commission has found that the application for the construction permit complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR, Chapter I, and that the issuance of the Permit will not be inimical to the common defense and security or to the health and safety of the public.

A copy of the construction permit is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of the construction permit may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 30th day of July 1970.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[F.R. Doc. 70-10272; Filed, Aug. 6, 1970;
8:46 a.m.]

[Docket No. 50-263]

NORTHERN STATES POWER CO.

Order Extending Construction Completion Date

By application dated July 21, 1970, Northern States Power Co. requested an

extension of the latest completion date specified in Provisional Construction Permit No. CPPR-31, as amended. The permit authorizes Northern States Power Co. to construct a boiling water nuclear reactor, known as Monticello Nuclear Generating Plant Unit 1, at the applicant's site, approximately 3 miles northwest of Monticello in Wright County, Minn.

Good cause having been shown for this extension pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55(b) of 10 CFR Part 50 of the Commission's regulations, *It is hereby ordered*, That the latest completion date specified in the amendment to Provisional Construction Permit No. CPPR-31 is extended from August 1, 1970 to February 1, 1971.

Dated at Bethesda, Md., this 31st day of July 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,

Division of Reactor Licensing.

[F.R. Doc. 70-10302; Filed, Aug. 6, 1970;
8:49 a.m.]

TARIFF COMMISSION

[AA1921-64]

TUNERS FROM JAPAN

Notice of Investigation

The Tariff Commission issued a notice on July 17, 1970, which was published in the FEDERAL REGISTER of July 22, 1970 (35 F.R. 11729), that it was initiating Investigation No. AA1921-64 under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of "tuners of the type used in consumer electronic products, except stereophonic tuners, from Japan", sold at less than fair value within the meaning of the Antidumping Act.

Having received advice from the Assistant Secretary of the Treasury on August 3, 1970, of an amendment of the scope of his original determination in this case, the above-quoted description of the imported articles under consideration is amended to read: "tuners of the type used in consumer electronic products from Japan". The investigation now includes all modular-type tuners from Japan which are used as components in electronic consumer products. However, complete tuners consisting of the consumer electric product in which such modular type tuners are used (e.g., an encased radio tuner commonly bought and used in conjunction with a complete amplifier in the home assembly of a high-fidelity sound system) are not covered by the investigation.

Interested parties are referred to the notice of July 17, 1970, regarding the place and date of the public hearing and the procedures for participating in the investigation.

Issued: August 3, 1970.

[SEAL] **KENNETH R. MASON,**
Secretary.

[F.R. Doc. 70-10296; Filed, Aug. 6, 1970;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-6085 etc.]

J. S. RUSHING ESTATE ET AL.

**Notice of Applications for Certificates,
Abandonment of Service and Petitions
To Amend Certificates¹**

JULY 30, 1970.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before August 26, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given. All certificates of public convenience and necessity granting applications for sales from the Permian Basin area will be issued at rates not exceeding the applicable area ceiling rates established in Opinions Nos. 468 and 468-A, 34 FPC 159 and 1068, or the contractually authorized

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

rates, whichever are less, unless at the time of filing of such certificate applications or within the time fixed for filing protests and petitions to intervene Applicants indicate in writing that they are unwilling to accept such certificates.

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

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-6085 C 7-8-70	J. S. Rushing Estate, 310 Armstrong Bldg., Eldorado, Ark. 71730.	Arkansas Louisiana Gas Co., Ada Field, Webster Parish, La.	14.3533	15.025
G-9396 D 7-2-70 as supplement 7-16-70	Skelly Oil Co., Post Office Box 1630, Tulsa, Okla. 74102 (partial abandonment).	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	(*)	.....
G-10706 D 7-1-70	Sun Oil Co., 1608 Walnut St., Philadelphia, Pa. 19103 (partial abandonment).	Cities Service Gas Co., Eureka Field, Grant and Alfalfa Counties, Okla.	Depleted	.....
G-12260 C 7-8-70 ¹	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla.	* 18.632	14.65
G-12513 D 7-1-70	Sun Oil Co. (partial abandonment).	Cities Service Gas Co., Eureka Field, Grant and Alfalfa Counties, Okla.	Depleted	.....
G-13956 D 7-6-70	Murphy H. Baxter (Operator) et al., 1402 Southwest Tower, Houston, Tex. 77002 (partial abandonment).	Phillips Petroleum Co., Azalea Field, Midland County, Tex.	(*)	.....
G-15488 C 6-24-70 ¹	Union Oil Co. of California (Operator) et al., Union Oil Center, Los Angeles, Calif. 90017.	West Lake Natural Gasoline Co., Lake Trammell and Nena Lucia Fields, Nolan County, Tex.	* 9.5	14.65
G-15912 C 7-2-70 as supplement 7-16-70	Skelly Oil Co.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	* 13.0	15.025
G-20261 ¹ (C171-34) E 7-13-70	PetroDynamics, Inc. (Operator) et al. (successor to Smith Development Co. (Operator) et al.), Post Office Box 1006, Amarillo, Tex. 79106.	Natural Gas Pipeline Co. of America West Panhandle Field, Carson County, Tex.	13.2	14.65
CI61-1405 D 7-16-70	Mobil Oil Corp., Post Office Box 1774 Houston, Tex. 77001.	Cities Service Gas Co., Hugoton (Deep) Field, Finney, and other counties, Kansas.	Assigned	.....
CI63-489 C 7-10-70	Ashland Oil, Inc., Post Office Box 18695, Oklahoma City, Okla. 73118.	Michigan Wisconsin Pipe Line Co., South Lonewolf and Northwest Cedardale Fields, Major and Woodward Counties, Okla.	* 15.0 * 17.0	14.65
CI66-748 E 7-6-70	A. A. Pursley (successor to Hadson Ohio Oil Co.), Leroy, W. Va. 25232.	Consolidated Gas Supply Corp., Spring Creek District, Wirt County, W. Va.	26.0	15.325
CI67-298 C 7-16-70	Monsanto Co. (Operator), et al., 1300 Post Oak Tower, 5051 Westheimer, Houston, Tex. 77027.	Arkansas Louisiana Gas Co., Arkoma Area, Pittsburg County, Okla.	* 15.0	14.65
CI68-27 ¹² E 6-25-70 ¹³	American Trading & Production Corp. (Operator) et al. (successor to Whitestone Petroleum Corp. (Operator) et al.) Post Office Drawer 992, Midland, Tex. 79701.	Southern Natural Gas Co., Diamond Field, Plaquemines Parish, La.	19.5	15.065
CI68-165 D 7-15-70	Mobil Oil Corp.	El Paso Natural Gas Co., Tocho Dome Field, San Juan County, N. Mex.	Assigned	.....
CI69-491 ¹³ D 6-29-70	Pan American Petroleum Corp., Post Office Box 501, Tulsa, Okla. 74102 (partial abandonment).	United Gas Pipe Line Co., South Jennings Field, Jefferson Davis Parish, La.	Uneconomical	.....
CI70-397 (G-4579) C 7-13-70 ¹⁴	Prairie Producing Co. (Operator) et al., 573 The Main Bldg., Houston, Tex. 77002.	Trunkline Gas Co., Ramsey Field, Colorado County, Tex.	15.0	14.65
CI70-932 C 7-2-70	Monsanto Co.	Michigan Wisconsin Pipe Line Co., Cedardale Field, Woodward, County, Okla.	* 19.5	14.65
CI70-1120 B 6-12-70	Clarence A. Russell et al., Post Office Box 61307, Houston, Tex. 77061.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Cecil Noble Field, Colorado County, Tex.	Depleted	.....
CI71-20 B 7-6-70	NI-GAS Supply, Inc., Post Office Box 190, Aurora, Ill. 60507.	Cities Service Gas Co., A yard Area, Woods County, Okla.	Uneconomical	.....
CI71-21 A 7-9-70	George W. Marthens, agent, 5021 Baltan Rd., Washington, D.C. 20016.	Equitable Gas Co., Troy District, Gilmer County, W. Va.	27.0	15.325
CI71-22 (C867-76) F 6-29-70	Terra Resources, Inc. (successor to CRA, Inc.), 1410 Fourth National Bank Bldg., Tulsa, Okla. 74119.	El Paso Natural Gas Co., Langille-Mattix Field, Lea County, N. Mex.	14.3275	14.65
CI71-23 A 7-10-70	Amarex, Inc., 2000 Claessen Center Bldg., Oklahoma City, Okla.	Kansas-Nebraska Natural Gas Co., Inc., Buffalo Wallow Field, Hemphill County, Tex.	* 19.0	14.65
CI71-24 (C168-677) F 7-2-70	B. J. Brown (successor to Mobil Oil Corp.), 710 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	Arkansas Louisiana Gas Co., Chismville Field, Logan County, Ark.	15.0	14.65
CI71-25 B 7-13-70	Associated Programs, Inc., Suite 501, 299 Alhambra Circle, Coral Gables, Fla. 33134.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., New Talton Field, Wharton, County, Tex.	Depleted	.....

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI71-26 A 7-10-70	B. A. Wales, Operator, Post Office Box 639, Corpus Christi, Tex. 78411.	Transcontinental Gas Pipe Line Corp., West Washburn Ranch Area, La Salle County, Tex.	15.0	14.65
CI70-1131 (C170-366) F 6-24-70 ¹⁴	Imperial-American Management Co. (successor to Galaxy Oil Co.), The Main Bldg., Houston, Tex. 77002.	Arkansas Louisiana Gas Co., Arkoma Area, Le Flore and other counties, Okla.; and Franklin County, Ark.	15.0	14.65
CI71-2 B 7-9-70	Cities Service Oil Co., (Operator) et al., Post Office Box 300, Tulsa, Okla. 74102.	Lone Star Gas Co., Red Springs Field, Smith County, Tex.	(17)	-----
CI71-14 B 7-7-70	Sun Oil Co. (Operator) et al.	Lone Star Gas Co., Shamburger Lake Field, Smith County, Tex.	(17)	-----
CI71-15 B 7-8-70	The Superior Oil Co., (Operator) et al., Post Office Box 1521, Houston, Tex. 77001.	Transcontinental Gas Pipe Line Corp., Kaplan Field, Vermilion Parish, La.	Depleted	-----
CI71-16 A 7-6-70	The Superior Oil Co.	United Gas Pipe Line Co., Bayou Ramblo Field, Terrebonne Parish, La.	21.25	15.025
CI71-17 B 7-7-70	Sun Oil Co.	Texas Eastern Transmission Corp., East Meyersville Field, De Witt County, Tex.	Depleted	-----
CI71-19 B 7-9-70	Charles B. Gillespie, Jr., Post Office Box 1179, Midland, Tex. 79701.	El Paso Natural Gas Co., Dollar Hide Queen Field, Lea County, N. Mex.	Uneconomical	-----
CI71-27 A 7-10-70	King Resources Co. et al., 700 Houston Natural Gas Bldg., Houston, Tex. 77002.	Northern Natural Gas Co., Feerer Unit, Ellis County, Okla.	20.0	14.65
CI71-28 B 7-13-70	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	Lone Star Gas Co., Henderson Field, Rusk County, Tex.	(17)	-----
CI71-29 B 7-13-70	do.	Lone Star Gas Co., Danville Field, Gregg County, Tex.	(17)	-----
CI71-30 B 7-13-70	do.	Lone Star Gas Co., Manziel Field, Wood County, Tex.	(17)	-----
CI71-31 A 7-16-70	Bruce Anderson, 600 Southwest Tower, Houston, Tex. 77002.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Greenwood Field, Baca County, Colo.	15.0	15.025
CI71-32 B 7-16-70	American Natural Gas Production Co., 1 Woodward Ave., Detroit, Mich. 48226.	United Fuel Gas Co., Southwest Mermentau Field, Acadia Parish, La.	Depleted	-----
CI71-33 (C161-1406) F 7-13-70	Ashland Oil, Inc. (successor to Mobil Oil Corp.), Post Office Box 18695, Oklahoma City, Okla. 73118.	Cities Service Gas Co., Cutter Field, Stevens County, Kans.	20.0	14.65
CI71-35 A 7-9-70	Sidwell Oil & Gas, Inc. (Operator) et al., Post Office Box 2475, Pampa, Tex. 79065.	Northern Natural Gas Co., acreage in Texas County, Okla.	22.0	14.65
CI71-36 A 7-17-70	Secon Oil Co., Post Office Box 1246, Natchez, Miss. 39120.	Mid Louisiana Gas Co., Majorca Field, Adams County, Miss.	18.02	15.025
CI71-37 B 7-17-70	Hugh K. Spencer, et al., d.b.a. J. & S. Gas Co., c/o Furman O. Jarrett, Agent, 207 Neely Ave., West Union, W. Va. 26456.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	Uneconomical	-----
CI71-38 B 7-18-70	Sibert & Smith No. 8.	Consolidated Gas Supply Corp., West Union District, Doddridge County, W. Va.	Uneconomical	-----
CI71-39 B 7-17-70	Tenneco Oil Co., Post Office Box 2511, Houston, Tex. 77001.	Cities Service Gas Co., Southwest Wakita Field, Grant County, Okla.	Depleted	-----
CI71-40 (C163-1583) F 5-11-70	Glover & Hefner Petroleum Management Corp., Operator (successor to Shell Oil Co.), 1010 Kermac Bldg., Oklahoma City, Okla. 73102.	Arkansas Louisiana Gas Co., North Carter Field, Beckham County, Okla.	18.015	14.65

¹ Jicarilla C Nos. 1, 6, and 14 wells and Jicarilla B No. 3 well are no longer capable of delivering into Buyer's 500 p.s.i.g. system as required by contract; therefore, applicant is filing to delete said wells from subject contract to be added to contract dated July 29, 1958, providing for delivery of low-pressure gas (Docket No. G-15912).

² Adds casinghead gas.

³ Includes 1.632 cents per Mcf upward B.t.u. adjustment.

⁴ Service never commenced from subject acreage and such acreage has been released from contract.

⁵ Also adds interest of coowner, Texaco, Inc.

⁶ Rate in effect subject to refund in Docket No. R170-865.

⁷ Applicant states its willingness to accept certificate at 13 cents per Mcf in lieu of 13.9551 cents.

⁸ Application was erroneously assigned Docket No. CI71-34 as a partial succession. Docket No. CI71-34 is canceled and application will be processed as a petition to amend the certificate in Docket No. G-20261.

⁹ Production from acreage in Major County, Okla. Subject to upward and downward B.t.u. adjustment.

¹⁰ Production from acreage in Woodward County, Okla. Subject to upward and downward B.t.u. adjustment.

¹¹ Subject to reduction for compression and/or treating costs, if required.

¹² No permanent certificate issued—temporary authorization only granted.

¹³ Amendment filed to reflect change in operator.

¹⁴ Adds acreage acquired from Cities Service Oil Co., Docket No. G-4579.

¹⁵ Subject to upward and downward B.t.u. adjustment.

¹⁶ Application was previously noticed July 23, 1970, in Docket No. G-2661 et al., at a total initial rate of 16.015 cents per Mcf. By amendment filed July 17, 1970, applicant amended its application to reflect a total initial rate of 15 cents per Mcf in lieu of 16.015 cents.

¹⁷ Purchaser proposes to remove its pipeline from interstate commerce.

¹⁸ Contract provides for rate of 16 cents per Mcf at 14.65 p.s.i.g.; however, applicant states its willingness to accept certificate conditioned to 15 cents per Mcf at 15.025 p.s.i.g.

¹⁹ Includes 3 cents per Mcf gathering charge. Rate effective subject to refund in Docket No. R167-270.

²⁰ Includes 2 cents per Mcf upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.

²¹ Includes 1.02 cents per Mcf tax reimbursement.

²² Rate in effect subject to refund in Docket No. R160-642.

[F.R. Doc. 70-10227; Filed, Aug. 6, 1970; 8:45 a.m.]

[Docket No. RI71-85, etc.]

D. S. MARSALIS ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

JULY 29, 1970.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.²

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 September 14, 1970.

By the Commission.

[SEAL]

GORDEN M. GRANT,
Secretary.

¹ Does not consolidate for hearing or dispose of the several matters herein.

² Each of the proposed increases reflects the increase in the Texas Production Tax. See: Order No. 390, 42 FPC 836.

NOTICES

12625

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	Proposed increased rate
RI71-86	D. S. Marsalls, agent	1	2	Northern Natural Gas Co., Texas R.R. District No. 10.	\$22	7-6-70	7-6-70	7-7-70	16.5	14.561875
	do	2	4	do	20	7-6-70	7-6-70	7-7-70	15.5	15.558125
	do	2	4	do	98	7-6-70	7-6-70	7-7-70	15.5	15.558125
	do	7	10	Transwestern Pipeline Co., Texas R.R. District No. 10.	813	7-6-70	7-6-70	7-7-70	17.0	17.074375
RI71-86	Mesa Petroleum Co.	2	2	Natural Gas Pipeline Co. of America, Texas R.R. District No. 10.	12	7-6-70	7-6-70	7-7-70	12.0	12.043
RI71-87	Humble Oil & Refining Co.	471	2	Northern Natural Gas Co., Texas R.R. District No. 8.	4,617	6-29-70	6-29-70	6-30-70	13.67	13.7213

All of the above proposed rate increases exceed the applicable area increased rate ceilings. Each is suspended for 1 day from the date of filing in accordance with the Commission's Order No. 390, issued Oct. 10, 1969, 42 FPC 836.

All rates have been computed on a volumetric basis of 14.65 p.s.i.a.

¹ Humble Oil & Refining Co. requested that its proposed increased rate for tax reimbursement be made effective as of Mar. 23, 1970, because it could not file for the

increased production tax until an initial rate had been established by a quality statement. It states that Mar. 22, 1970, was the date of initial delivery and the effective date of the initial rate established by the quality statement. However, such facts do not establish good cause for departing from the provisions of Order No. 390, 42 FPC 836, that the proposed increase be suspended for 1 day from the date of filing thereof.

[F.R. Doc. 70-10215; Filed, Aug. 6, 1970; 8:45 a.m.]

[Docket No. RI71-63, etc.]

HUMBLE OIL & REFINING CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates ¹

JULY 29, 1970.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable,

¹ Does not consolidate for hearing or dispose of the several matters herein.

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 September 14, 1970.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and Producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until -	Cents per Mcf	
									Rate in effect	Proposed increased rate
RI71-63	Humble Oil & Refining Co.	373	4	Trunkline Gas Co., Texas R.R. District No. 4.	\$364,871	7-8-70	9-1-70	2-1-71	16.06	17.0638
RI71-64	Penzoll Producing Co.	81	17	Coastal States Gas Producing Co., Texas R.R. District No. 4.	3,655	7-9-70	10-2-70	10-3-70	14.19690	14.39421
RI71-65	Jack W. Grigsby	5	11	United Gas Pipe Line Co., North Louisiana.	30,194	7-2-70	8-2-70	1-2-71	21.75	23.0
RI71-66	Crystal Oil Co.	14	5	Texas Eastern Trans. Corp., North Louisiana.	1,260	7-2-70	8-2-70	1-2-71	18.75	19.0
RI71-67	J. C. Trahan Drilling Contractor, Inc.	9	5	United Gas Pipe Line Corp., North Louisiana.	3,271	7-6-70	8-6-70	1-6-71	21.5	23.0
RI71-68	Edwin L. Cox	60	2	Natural Gas Pipeline Co. of America, Oklahoma-Panhandle.	160	7-2-70	9-14-70	2-14-71	17.015	18.015
RI71-69	Oakmar Oil Co.	15	3	Arkansas Louisiana Gas Co., Oklahoma-Other Area.	480	7-6-70	8-6-70	8-7-70	13.5	14.5
RI71-70	D. S. Marsalls, agent	1	3	Northern Natural Gas Co., Texas R.R. District No. 10.	703	7-6-70	8-6-70	1-6-71	16.561875	18.56936
	do	2	5	do	703	7-6-70	8-6-70	1-6-71	15.598225	17.969623
	do	7	11	Transwestern Pipeline Co., Texas R.R. District No. 10.	98,800	7-6-70	8-6-70	1-6-71	17.074375	20.11375
	do	3	5	Northern Natural Gas Co., Texas R.R. District No. 10.	2,381	7-6-70	8-6-70	1-6-71	15.558126	17.805825
RI71-71	Mesa Petroleum Co.	36	19	Phillips Petroleum Co., Texas R.R. District No. 10.	10,860	7-6-70	8-6-70	8-7-70	12.0	13.5
	do	2	3	Natural Gas Pipeline Co. of America, Texas R.R. District No. 10.	438	7-6-70	8-6-70	1-6-71	12.043	13.548
	do	3	3	do	497	7-6-70	8-6-70	1-6-71	12.043	13.548
RI71-72	Union National Bank of Wichita, Executor of the Estate of W. F. Kuhn, Deceased.	23	1	Panhandle Eastern Pipeline Co., Hugoton Field, Kans.	3,000	7-6-70	8-15-70	1-15-71	11.0	13.0
	do	24	2	do	900	7-6-70	8-15-70	1-15-71	11.0	12.0
	do	25	3	do	300	7-6-70	8-15-70	1-15-71	11.0	12.0
RI71-73	Colline Oil Corp.	6	5	Northern Natural Gas Co., Texas R.R. District No. 10.	510	7-6-70	8-6-70	1-6-71	17.5	18.5
RI71-74	Oil Development Co. of Texas	2	2	Natural Gas Pipeline Co. of America, Texas R.R. District No. 10.	650	7-6-70	8-6-70	1-6-71	17.0	18.0
	do	3	2	do	2,250	7-6-70	8-6-70	1-6-71	17.5	18.5
	do	4	3	Panhandle Eastern Pipeline Co., Texas R.R. District No. 10.	600	7-6-70	8-6-70	1-6-71	17.0	18.0
RI71-75	Colline Oil Corp.	4	3	Northern Natural Gas Co., Texas R.R. District No. 10.	730	7-6-70	8-6-70	1-6-71	17.5	18.5

See footnote at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and Producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf	
									Rate in effect	Proposed increased rate
R171-76....	Mobil Oil Corp.....	99	8	Tennessee Gas Pipeline Co. Texas R.R. District No. 6.	38	7-6-70	8-6-70	1-6-71	14.4248	16.4864
.....do.....	.....do.....	317	5	Natural Gas Pipeline Co. of America, Texas R.R. District No. 6.	156	7-6-70	8-6-70	1-6-71	18.0	19.0725
R171-77....	Marathon Oil Co.....	83	11	Lone Star Gas Co., Oklahoma-Other.....	6,745	7-2-70	8-2-70	1-2-71	15.0	19.015
R171-78....	Wm. H. Chamberlain, d.b.a. Saturn Oil & Gas Co.	2	3	Panhandle Eastern Pipeline Co., Hugoton Field, Kans.	116,691	7-9-70	8-9-70	1-9-71	12.0	13.0025
R171-79....	PetroDynamics, Inc.....	27	2	Kansas-Nebraska Natural Gas Co., Oklahoma-Panhandle.	606	6-29-70	7-30-70	12-30-70	15.0	16.01
R171-80....	Phillips Petroleum Co.....	22	9	Mississippi River Trans. Corp., Texas R.R. District No. 6.	84	7-1-70	8-1-70	1-1-71	15.1440	15.7069
.....do.....	.....do.....	349	1	Texas Gas Trans. Corp., North Louisiana..	(9)	7-1-70	8-1-70	1-1-71	15.75	17.25
.....do.....	.....do.....	424	2	Arkansas Louisiana Gas Co., Oklahoma-Other.	17	7-1-70	8-1-70	1-1-71	15.0	16.0
.....do.....	.....do.....	460	6	Texas Gas Trans. Corp., North Louisiana..	4,335	7-1-70	8-1-70	1-1-71	18.25	19.75
.....do.....	.....do.....	337	7	El Paso Natural Gas Co., San Juan Basin, N. Mex.	187	7-1-70	8-1-70	1-1-71	13.24856	15.28688
.....do.....	.....do.....	374	8	Transwestern Pipeline Co., Permian Basin, N. Mex.	9,286	7-1-70	8-1-70	1-1-71	18.5	21.1011
R171-81....	Kerr-McGee Corporation.....	81	2	Baca Gas Gathering System, Inc., San Juan Basin, N. Mex.	1,800	7-6-70	8-6-70	1-6-71	12.0	13.0
R171-82....	Tamarack Petroleum Co., Inc.....	15	6	El Paso Natural Gas Co., Texas R.R. District No. 7c.	15,615	7-2-70	8-2-70	1-2-71	14.5	19.0
R171-83....	Aztec Oil & Gas Company.....	18	1	El Paso Natural Gas Co., San Juan Basin, N. Mex.	1,500	7-8-70	8-8-70	1-8-71	13.0	14.0
R171-84....	Shenandoah Oil Corp.....	3	2	Baca Gas Gathering System, Inc., Colo.....	1,749	7-8-70	8-8-70	1-8-71	12.0	13.0

¹ The purchaser, Coastal States resells the subject gas to Trunkline Gas Co. under Coastal's FPC Gas Rate Schedule No. 1. Coastal has filed a proposed rate increase which was suspended in Docket No. R170-1548 until Oct. 1, 1970. Consequently, Penroll's increase herein is suspended until 1 day after Coastal's proposed increased rate becomes effective subject to refund.

² Respondent has requested effective dates for which adequate notice was not given, or in some instances, respondent has requested waiver of notice requirements. In no instance did respondent show cause. Therefore, each request is denied.

³ Letter agreement, dated June 3, 1970, providing for the proposed increased rate was filed July 2, 1970, and accepted for filing and designated as Supplement No. 10 to Grigby's FPC Gas Rate Schedule No. 5.

⁴ The subject gas sales contract was executed after Sept. 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, and the proposed increased rate here does not exceed the applicable area initial service ceiling rate set forth in said statement. Accordingly, the proposed increased rate is suspended for 1 day only:

Provided, however, That within 20 days from the date of issuance of this order, Oakma shall execute and file its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, accompanied by a certificate of service upon the purchaser under the subject rate schedule. Unless advised to the contrary within 15 days of said filing, it shall be deemed accepted.

⁵ Phillips Petroleum Co., the purchaser, gathers and processes the subject gas and resells the residue gas to interstate pipeline companies at resale rates which are presently in effect subject to refund. Therefore, Mesa's proposed increased rate is suspended for 1 day only. Mesa has filed an acceptable general undertaking as provided in Order No. 377, consequently, the proposed increased rate shall become effective after the 1 day suspension period without further action of the respondent, or further order of the Commission.

⁶ There is no current production from the properties dedicated under the subject rate schedule.

[F.R. Doc. 70-10216; Filed, Aug. 6, 1970; 8:45 a.m.]

FEDERAL RESERVE SYSTEM BANK SECURITIES, INC. (NSL)

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Bank Securities, Inc. (NSL), which is a bank holding company located in Alamogordo, N. Mex., for prior approval by the Board of Governors of the acquisition by applicant of 62.5 percent or more of the voting shares of Security Bank, Ruidoso, N. Mex.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in

meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Dallas.

By order of the Board of Governors, July 31, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-10273; Filed, Aug. 6, 1970; 8:46 a.m.]

BARNETT BANKS OF FLORIDA, INC. Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Barnett Banks of Florida, Inc., Jacksonville, Fla., for approval of acquisition of 80 percent or more of the voting shares

of Barnett Bank of Orlando, Orlando, Fla., a proposed new bank.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), the application of Barnett Banks of Florida, Inc., Jacksonville, Fla. (applicant), a registered bank holding company, for the Board's prior approval of the acquisition of 80 percent or more of the voting shares of Barnett Bank of Orlando (Bank), Orlando, Fla., a proposed new bank.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Commissioner of Banking for the State of Florida and requested his views and recommendation. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on June 3, 1970 (35 F.R. 8616), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

The Board has considered the application in the light of the factors set forth in section 3(c) of the Act, including the effect of the proposed acquisition

on competition, the financial and managerial resources and future prospects of the Applicant and the banks concerned, and the convenience and needs of the communities to be served. Upon such consideration, the Board finds that:

Applicant is the third largest banking organization in Florida controlling 21 subsidiary banks which hold 5.3 percent of total bank deposits in the State of Florida (\$644 million in deposits). (All banking data are as of Dec. 31, 1969, adjusted to reflect holding company formations and acquisitions approved by the Board to date.) Since Bank is a proposed new bank, consummation of the proposal would not increase concentration in any market.

Bank would be located in the eastern fringe of Orlando, the principal city in Orange County. Applicant's only present subsidiary in Orange County is located at Winter Park, 5 miles north of the proposed bank, and has deposits of \$68 million representing 10 percent of deposits in the county. Because of the separation of the markets and the presence of several intervening banking alternatives, Applicant's Winter Park subsidiary does not compete to any significant extent in the area to be serviced by the proposed new bank. Banking in Orange County is dominated by one banking organization controlling 42 percent of county deposits. Applicant's expansion in the Orlando area would stimulate additional competition and lead to deconcentration in the area. Consummation of the proposed acquisition would neither eliminate existing competition, foreclose potential competition, nor have adverse effects on the viability or competitive effectiveness of any competing bank.

Based upon the foregoing, the Board concludes that consummation of the proposed acquisition would not have an adverse effect on competition in any relevant area, and would have a pro-competitive effect in Orange County. Considerations relating to the financial and managerial resources and future prospects of Bank and Applicant are consistent with approval of the application. Considerations relating to the convenience and needs of the communities to be served by Bank lend some additional weight in support of approval in that an additional source of banking services will be added to the community. It is the Board's judgment that the proposed transaction would be in the public interest, and that the application should be approved.

It is hereby ordered, For the reasons set forth in the findings summarized above, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, and provided further that (c) Barnett Bank of Orlando shall be open for business not later than 6 months after the date of this order. The periods described in (b) and (c) hereof may be extended for good cause by the Board or

by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors:
July 30, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-10274; Filed, Aug. 6, 1970;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2727]

BANK FIDUCIARY (EQUITY) FUND

Notice of Filing of Application for Order of Exemption

JULY 28, 1970.

Notice is hereby given that Bank Fiduciary (Equity) Fund (Applicant), Room 820, Chrysler Building, 405 Lexington Avenue, New York, N.Y. 10017, a New York corporation which is registered as a diversified open-end management investment company under the Investment Company Act of 1940 (Act) has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting it from the provisions of Rule 22c-1 of the rules and regulations under the Act to permit it to value its assets for the purpose of investments in and redemptions of Applicant's shares on designated valuation dates. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicant is organized under a New York statute which authorizes the creation of mutual trust investment companies to serve as a medium for the common investment of trust funds held by small banks and trust companies in the State of New York. Its activities are subject to regulation by the Banking Board of the New York State Banking Department and are supervised by the Superintendent of Banks of that State.

Investment in and redemption of Applicant's shares by those qualified to hold the same is permitted only on designated valuation dates. The Banking Board of the State of New York has fixed the last business days of January, April, July, and October of each year as mandatory valuation dates. Applicant's Board of Directors has power to designate such other dates as it may deem desirable, if approval has been obtained from the New York Superintendent of Banks. The value of each share of Applicant's stock shall be determined on any designated valuation date on the basis of market value. An eligible bank or trust company desiring to invest in Applicant's shares or redeem them must submit a written request for investment or notification of intention to redeem at least 14 days prior

¹ Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, and Maisel. Absent and not voting: Governors Brimmer and Sherrill.

to the valuation date upon which it is to take effect. Applicant received an exemption from section 22(e) of the Act for such purposes on February 27, 1970. (Investment Company Act Release No. 5993.)

Rule 22c-1 provides, in part, that redeemable securities of registered investment companies must be sold, redeemed or repurchased at a price based on the current net asset value (computed on each day during which the New York Stock Exchange is open for trading, not less frequently than once daily as of the close of trading on such Exchange) which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Applicant points out that the decision to invest in its shares is made by experienced officers or directors of the banks, with access to whatever information about Applicant they deem relevant to an investment decision. Further, that despite the restrictions upon investment in and redemption of Applicant shares, of which they are well aware, these officials have chosen investment in Applicant's shares as the most economical means for commingling for investment purposes the assets of trust funds held by them.

Accordingly, Applicant contends that valuing its assets daily every day that the New York Stock Exchange is open as required by Rule 22c-1 would serve no useful purpose and would increase the operating expenses of Applicant to the detriment of the beneficiaries of the trust fund that use Applicant as an investment medium.

Applicant seeks an order permitting it to value its assets for purposes of investment in and redemption of its shares only on the designated valuation dates.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provision of the Act or of any rule or regulation under 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 policies and provisions of the Act.

Notice is further given that any interested person may, not later than August 18, 1970 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission 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 Applicant 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 this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[F.R. Doc. 70-10292; Filed, Aug. 6, 1970;
8:48 a.m.]

[812-2728]

BANK FIDUCIARY (FIXED INCOME) FUND

Notice of Filing of Application for Order of Exemption

JULY 28, 1970.

Notice is hereby given that Bank Fiduciary (Fixed Income) Fund (Applicant), Room 820, Chrysler Building, 405 Lexington Avenue, New York, N.Y. 10017, a New York corporation which is registered as a diversified open-end management investment company under the Investment Company Act of 1940 (Act) has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting it from the provisions of Rule 22c-1 of the rules and regulations under the Act to permit it to value its assets for the purpose of investments in and redemptions of Applicant's shares on designated valuation dates. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicant is organized under a New York statute which authorizes the creation of mutual trust investment companies to serve as a medium for the common investment of trust funds held by small banks and trust companies in the State of New York. Its activities are subject to regulation by the Banking Board of the New York State Banking Department and are supervised by the Superintendent of Banks of that State.

Investment in and redemption of Applicant's shares by those qualified to hold the same is permitted only on designated valuation dates. The Banking Board of the State of New York has fixed the last business days of January, April, July, and October of each year as mandatory valuation dates. Applicant's Board of Directors has power to designate such other dates as it may deem desirable, if approval has been obtained from the New York Superintendent of Banks. The value of each share of Applicant's stock shall be determined on any designated valuation

date on the basis of market value. An eligible bank or trust company desiring to invest in Applicant's shares or redeem them must submit a written request for investment or notification of intention to redeem at least 14 days prior to the valuation date upon which it is to take effect. Applicant received an exemption from section 22(e) of the Act for such purpose on February 27, 1970. (Investment Company Act Release No. 5994.)

Rule 22c-1 provided, in part, that redeemable securities of registered investment companies must be sold, redeemed or repurchased at a price based on the current net asset value (computed on each day during which the New York Stock Exchange is open for trading, not less frequently than once daily as of the close of trading on such Exchange) which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Applicant points out that the decision to invest in its shares is made by experienced officers or directors of the banks, with access to whatever information about Applicant they deem relevant to an investment decision. Further, that despite the restrictions upon investment in and redemption of Applicant shares, of which they are well aware, these officials have chosen investment in Applicant's shares as the most economical means for commingling for investment purposes the assets of trust funds held by them.

Accordingly, Applicant contends that valuing its assets daily every day that the New York Stock Exchange is open as required by Rule 22c-1 would serve no useful purpose and would increase the operating expenses of Applicant to the detriment of the beneficiaries of the trust fund that use Applicant as an investment medium.

Applicant seeks an order permitting it to value its assets for purposes of investment in and redemption of its shares only on the designated valuation dates.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provision of the Act or of any rule or regulation under 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 policies and provisions of the Act.

Notice is further given that any interested person may, not later than August 18, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission 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 Applicant 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 this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[F.R. Doc. 70-10291; Filed, Aug. 6, 1970;
8:48 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

AUGUST 3, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 4, 1970 through August 13, 1970, both dates inclusive.

By the Commission.

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[F.R. Doc. 70-10290; Filed, Aug. 6, 1970;
8:48 a.m.]

[812-2760]

LEXINGTON RESEARCH FUND, INC., AND PIEDMONT CAPITAL CORP.

Notice of Filing of Application for Order of Exemption

JULY 31, 1970.

In the matter of Lexington Research Fund, Inc. and Piedmont Capital Corp., formerly Renyx, Field & Co., Inc., 177 North Dean Street, Englewood, N.J. 07631.

Notice is hereby given that Lexington Research Fund, Inc. (Fund), a New

Jersey corporation registered as an open-end management investment company under the Investment Company Act of 1940 (Act) and Piedmont Capital Corp. (Distributor), a New York corporation (hereinafter collectively called Applicants), have filed an application pursuant to section 6(c) of the Act for an order exempting the transactions described below from the provisions of section 22(d) of the Act to the extent that said section requires investment company securities to be sold at the same public offering price to all persons unless specifically exempted by said Act, or Rule 22d-1 promulgated thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Fund shares are currently offered to the public in the United States and in foreign countries, on a continuous basis at net asset value plus varying sales charges depending upon the amount being purchased. Fund shares are also the underlying security for Lexington Research Investing Plans (LRIP), a unit investment trust registered under the Act. Distributor is the sponsor of LRIP, whose securities are registered under the Securities Act of 1933 and are sold by authorized securities dealers in the United States and foreign countries.

Shares of the Fund are made available to the Custodian of LRIP at their current net asset value. These shares are purchased by the Custodian with the net proceeds received from investors after deducting the applicable sales charges and any other authorized deductions. Since the initial offering of LRIP in 1960, the maximum amount deducted as sales charges from the first year's payments has been fifty percent (50%) of such payments.

Recently, the government of West Germany enacted a new "Law Concerning Distribution of Foreign Investment Shares", which, among other things, limits the amount of sales charges that can be deducted from the first year's payments under periodic payment plans to not more than one-third of each payment. In order to continue to sell LRIP's securities in Germany, Applicants propose to comply with the German law by reducing the sales charge on first year payments on all of LRIP's systematic capital accumulation programs to an amount that would not exceed one-third of the first year's payments. This type of program would be available only in West Germany to non-U.S. citizens or residents. However, the aggregate sales charges over the full period of the plans sold in Germany would continue to be the same as the aggregate sales charges over the full period of the plans sold in the United States. All sales of Fund shares in Germany will be made through Piedmont International, Ltd., an affiliate of Distributor.

Section 22(d) of the Act provides, as here pertinent, that no registered investment company shall sell any redeemable security issued by it to any person except either to a principal underwriter for distribution or at a current offering price described in the prospectus, and if

such class of security is being currently offered to the public by or through an underwriter, no principal underwriter of such security and no dealer shall sell such security to any person except a dealer, a principal underwriter or the issuer, except at a current public offering price described in the prospectus.

In support of the application, Applicants assert that the aggregate sales charges collected on securities sold in Germany will be the same as that on those sold in the United States; that it is necessary for an exemption to be granted in order to permit the sale of plans with a first year sales charge that complies with the German law, while such plans are being sold in the United States with a higher sales charge, permissible under American law; that if Applicants were to reduce the first year sales charge in the United States to coincide with the lower amount permitted in Germany, they would be at a disadvantage in competing for dealers with those periodic investment plans in the United States which allow the maximum first year sales charge permissible under American law.

Applicants also state that purchasers of LRIP Plans in Germany will be provided with a prospectus meeting the requirements of German law including a German translation of material portions of the U.S. prospectus and including detailed information on all charges and deductions applicable to the investor's purchases.

Applicants further assert that sales of LRIP plans in West Germany will help create a flow of cash into Fund that may allow it to meet redemption requests while, at the same time, maintaining the freedom and flexibility in making investment decisions without the necessity of liquidating portfolio securities that, in the opinion of Fund's management, may still be sound investments. As an additional consideration, Applicants state that the stimulation of foreign interest in Fund, as in any other U.S. company, ultimately benefits the United States since it results in a flow of foreign dollars into the economy of this country.

Section 6(c) of the Act provide that the Commission, by order upon application, may exempt any person, security, or transaction or any class or classes of persons, securities or transactions, from any provision or provisions of the Act, or any rule or regulation under 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 August 20, 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 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 therein 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 this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[F.R. Doc. 70-10293; Filed, Aug. 6, 1970;
8:48 a.m.]

[File No. 1-2]

McMORAN EXPLORATION CO.

Notice of Application To Withdraw From Listing and Registration

JULY 31, 1970.

The above-named issuer has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the Salt Lake Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The board of directors of the company believes it to be in the best interest of the company and its shareholders. The proposed delisting was approved by shareholders on June 12, 1970, in accordance with the rules of the Exchange.

Any interested person may, on or before August 17, 1970, submit by letter to the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

For the Commission (pursuant to delegated authority).

[SEAL] ROSALIE F. SCHNEIDER,
Recording Secretary.

[F.R. Doc. 70-10294; Filed, Aug. 6, 1970;
8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-G, Amdt. 1]

REGIONAL DIRECTOR, REGION IV

Delegation of Authority To Conduct Program Activities in the Field Offices

Delegation of Authority No. 30-G (35 F.R. 9955), published June 17, 1970, is hereby amended by adding Item I.I, to read as follows:

I. Regional Director, Region IV.

I. Section 8(a) Contracting. 1. To enter into contracts, not exceeding \$100,000, on behalf of the Small Business Administration with the U.S. Government and any department, agency, or officer thereof having procurement powers, obligating the Small Business Administration to furnish articles, equipment, supplies, or materials to the Government and agreeing as to the terms and conditions of such contracts;

2. To certify to any officer of the Government having procurement powers that the Small Business Administration is competent to perform any specific Government procurement contract, not exceeding \$100,000, to be let by any such officer; and

3. To arrange for the performance of such contracts by negotiating or otherwise letting subcontracts to small business concerns or others for the manufacture, supply, or assembly of such articles, equipment, supplies, or materials, or parts thereof, or servicing or processing in connection therewith, or such management services as may be necessary to enable the Small Business Administration to perform such contracts.

Effective Date: July 29, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-10289; Filed, Aug. 6, 1970;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 127]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 4, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication,

within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 267 TA), filed July 29, 1970. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Spent hydrofluoric acid*, in bulk, in tank vehicles, from Gore, Okla., to Baton Rouge, La., for 150 days. Note: Applicant does not intend to tack with existing authority. Supporting shipper: Allied Chemical Corp. (Mr. Raymond T. Martin, Distribution Analyst), 40 Rector Street, New York, N.Y. 10006. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 30092 (Sub-No. 18 TA), filed July 23, 1970. Applicant: HERRETT TRUCKING COMPANY, INC., Post Office Box 539, Sunnyside, Wash. 98944. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bananas, and bananas and commodities described in section 203(b) (6) of the I. C. C. Act when being simultaneously transported in the same vehicle*, from points in California and Washington to the international boundary line between the United States and Canada in the States of Washington, Idaho, and Montana, for 180 days. Supporting shippers: Slade & Stewart Ltd., 454 Priqr St., Vancouver 4, British Columbia, Canada; Macdonalds Consolidated Ltd., Medicine Hat, Alberta, Canada; Macdonalds Consolidated Ltd., Swift Current, Saskatchewan, Canada; Macdonalds Consolidated Ltd., Post Office Box 310, Lethbridge, Alberta, Canada; Standard Fruit & Steamship Co., 1450 Panorama Drive, Long Beach, Calif., 90902; Pacific Produce Co., Ltd., Vancouver, British Columbia, Canada. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Ore. 97204.

No. MC 32948 (Sub-No. 17 TA), filed July 16, 1970. Applicant: P.A.K. TRANSPORT, INC., Meadow Road, Newport, N.H. 03773. Applicant's representative:

William H. Aiken, Jr. (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated marinas, docks, floats, wharves, and launching ramps*, complete, knocked down or in sections; and in connection therewith, *component parts thereof and materials incidental to the manufacture, assembly, delivery, launching, completion, and maintenance of such marinas, docks, floats, wharves, and launching ramps*, between points in Windsor County, Vt., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania, for 180 days. Supporting shipper: Marine Engineering & Construction Associates, Inc., Rural Route No. 1, North Main Street, Windsor, Vt. 05089. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, 424 Federal Building, Concord, N.H. 03301.

No. MC 42487 (Sub-No. 756 TA), filed July 29, 1970. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fuel oil treating compounds*, in bulk, in tank vehicles, from Brea, Calif., to Pascagoula, Miss., for 150 days. Supporting shipper: Tretolite Division, 369 Marshall Avenue, St. Louis, Mo. 63119. Send protests to: Cluad W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 94102.

No. MC 82101 (Sub-No. 9 TA), filed July 17, 1970. Applicant: WESTWOOD CARTAGE, INC., 26 Everett Street, Westwood, Mass. 02090. Applicant's representative: Frank J. Weiner, 6 Beacon Street, Boston, Mass. 02108. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business (except commodities in bulk, in tank vehicles) from Dedham, Mass., to Cumberland and Providence, R.I., with no transportation for compensation on return except as otherwise authorized*. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with General Foods Corp., for 180 days. Supporting shipper: General Foods Corp., 250 North Street, White Plains, N.Y. 10602. Send protests to: District Supervisor Harold G. Danner, Interstate Commerce Commission, Bureau of Operations, John F. Kennedy Federal Building, Government Center, Boston, Mass. 02203.

No. MC 113267 (Sub-No. 242 TA), filed July 29, 1970. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. 62232.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery goods and frozen prepared foods*; from the plantsite of Kitchens of Sara Lee, Deerfield, Ill., to points in Pennsylvania, District of Columbia, Maryland, New Jersey, New York, Massachusetts, and Connecticut, for 180 days. Supporting shipper: Kitchens of Sara Lee, 500 Waukegan Road, Deerfield, Ill. 60015. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 115311 (Sub-No. 113 TA), filed July 23, 1970. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Alan E. Serby, Suite 1800, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire* from the plantsites of Bekaret Steel Wire Corp. at or near Rome, Ga., to Ardmore, Oklahoma City, and Miami, Okla.; West Helena, Ark.; Mayfield, Ky.; Salem and Danville, Va.; Charlotte and Fayetteville, N.C.; Opelika, Huntsville, Gadsden, and Tuscaloosa, Ala.; Union City, Memphis, and Nashville, Tenn.; Texarkana, Tyler, and Waco, Tex.; and Tupelo and Natchez, Miss., for 180 days. Supporting shipper: Bekaret Steel Wire Corp. Post Office Box 1589, Rome, Ga. 30161. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 118202 (Sub-No. 3 TA), filed July 23, 1970. Applicant: SCHULTZ TRANSIT, INC., 323 East Bridge Street, Post Office Box 503, Winona, Minn. 55987. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as set forth in section A and C, descriptions in *Motor Carrier Certificates*, 61 M.C.C. 209 and 766 and food stuffs except meat and meat products as described above when transported in mixed truckloads with meat and meat products, from the plantsite and warehouse facilities of Geo. A. Hormel & Co., Austin, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West

Virginia, and the District of Columbia, for 180 days. Supporting shipper: Geo. A. Hormel & Co., Post Office Box 800, Austin, Minn. 55912. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 124151 (Sub-No. 2 TA), filed July 23, 1970. Applicant: VANGUARD TRANSPORTATION INCORPORATED, Post Office Box 157, Avenel, N.J. 07001. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petro-chemicals), in bulk, in New York City Fire Department Specification tank vehicles, from Mobil Oil Corp. terminal in Brooklyn, N.Y., and from Port Mobil (Staten Island), N.Y., to Philadelphia, Pa., Baltimore, Md., and points in New York, Massachusetts, and Rhode Island, from Mobil Oil Corp. refinery at or near Paulsboro, N.J., to New York, N.Y., from Mobil Oil Corp. terminal in East Boston, Mass., to New York, N.Y., from Petty Island, N.J., and Philadelphia, Pa., to New York, N.Y., for 180 days. Supporting shipper: Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 129657 (Sub-No. 5 TA) (Correction), filed July 15, 1970, published in the FEDERAL REGISTER issue of July 25, 1970, and republished and corrected, this issue. Applicant: KEN McCARVILLE DISTRIBUTING COMPANY, INC., 436 Rainbow Road, Spring Freen, Wis. 53588. Applicant's representative: Michael J. Wyngaard, 125 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and carbonated beverages*, from Monroe, Wis., to Springfield, Ill., and points within its commercial zone; St. Louis, Mo., and East St. Louis, Ill., and points within the commercial zones of St. Louis, Mo., and East St. Louis, Ill.; Belleville, and Collinsville, Ill., for 180 days. NOTE: The purpose of this republication is to correctly set forth the authority sought. Supporting shipper: Frederick Huber, Vice President, Joseph Huber Brewing Co., 1208 14th Avenue, Monroe, Wis. 53566. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West

Main Street, Room 11, Madison, Wis. 53703.

No. MC 133038 (Sub-No. 6 TA) (Correction), filed July 16, 1970, published in the FEDERAL REGISTER issue July 29, 1970, and republished in part corrected, this issue. Applicant: FIRST SCOTT STREET CORPORATION, 3900 Orleans Street, Detroit, Mich. NOTE: The purpose of this partial republication is to include Connecticut as a destination point. The rest of this republication remains as previously published.

No. MC 134698 (Sub-No. 1 TA), filed July 16, 1970. Applicant: CHARLES GLEN SMELCER, doing business as SMELCER TRUCKING COMPANY, 232 Berkley Circle, Lewisburg, Tenn. 37091. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cloth*, cut for making shirts, from the plantsite of Lewisburg Sportswear, Inc., at Lewisburg, Tenn., to the plantsite of Rob Roy York, Inc., at York, Ala., and *shirts*, from the plantsite of Rob Roy York, Inc., at York, Ala., to the plantsite of Lewisburg Sportswear, Inc., of Lewisburg, Tenn. Restriction: Above transportation to be performed under a continuing contract between applicant and Lewisburg Sportswear, Inc., of Lewisburg, Tenn., for 150 days. Supporting shipper: David Lurer, Manager, Lewisburg Sportswear, Inc., Route No. 5, Higgs Road, Lewisburg, Tenn. 37091. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 803, 1808 West End Building, Nashville, Tenn. 37203.

No. MC 134786 (Sub-No. 1 TA), filed July 29, 1970. Applicant: ARCHIE ALFRED McCORMICK, 8 Gale Street, Ormstown, Province of Quebec, Canada. Applicant's representative: Adrien Paquette, 200, rue St-Jacques, Suite 1010, Montreal, Province of Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, hardwood and soft, from ports of entry on the international boundary line between the United States and Canada located in New York, Vermont, and New Hampshire to points in New York, Vermont, and New Hampshire, for 180 days. Supporting shipper: Trudeau Lumber Inc., St. Louis de Gonzague, Province of Quebec, Canada. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[F.R. Doc. 70-10299; Filed, Aug. 6, 1970;
8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—AUGUST

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during August.

3 CFR	Page	15 CFR	Page	33 CFR	Page
EXECUTIVE ORDERS:		377.....	12389	23.....	12541
11248 (amended by EO 11550).....	12315	16 CFR		92.....	12395
11550.....	12315	501.....	12461	117.....	12396
5 CFR		17 CFR		PROPOSED RULES:	
213.....	12341, 12387, 12531	240.....	12390	117.....	12554
550.....	12387	18 CFR		36 CFR	
7 CFR		154.....	12329	2.....	12542
26.....	12321	PROPOSED RULES:		5.....	12542
225.....	12391	154.....	12559	9.....	12542
855.....	12529	19 CFR		39 CFR	
908.....	12529	4.....	12391	113.....	12462
910.....	12322	20 CFR		41 CFR	
923.....	12392	405.....	12330	Ch. 2.....	12542
931.....	12392	602.....	12393	4-3.....	12602
947.....	12455	PROPOSED RULES:		4-7.....	12604
958.....	12529	405.....	12346, 12545	4-12.....	12338
980.....	12530	21 CFR		4-16.....	12607
993.....	12323	19.....	12461	5A-2.....	12607
1421.....	12393	121.....	12332, 12390, 12598	8-2.....	12340
1434.....	12597	135d.....	12332	8-6.....	12340
1443.....	12455	135e.....	12332	9-51.....	12396
1602.....	12597	135g.....	12332, 12333	101-19.....	12542, 12608
PROPOSED RULES:		320.....	12461	101-38.....	12609
362.....	12478	PROPOSED RULES:		45 CFR	
711.....	12404	3.....	12411, 12479	175.....	12543
919.....	12478	135.....	12479	901.....	12516
925.....	12478	144.....	12479	903.....	12517
932.....	12345	22 CFR		904.....	12521
958.....	12544	201.....	12611	905.....	12522
989.....	12544	24 CFR		907.....	12523
1030.....	12545	1914.....	12599, 12600	908.....	12524
1061.....	12613	1915.....	12601, 12602	PROPOSED RULES:	
9 CFR		26 CFR		250.....	12346
76.....	12388, 12460	Ch. II.....	12462	46 CFR	
10 CFR		PROPOSED RULES:		531.....	12399
PROPOSED RULES:		1.....	12342, 12343, 12400, 12467, 12477, 12544, 12612	47 CFR	
30.....	12412	31.....	12343	21.....	12462
40.....	12412	301.....	12343	87.....	12397
70.....	12412	29 CFR		89.....	12397
170.....	12412	1607.....	12333	91.....	12397
12 CFR		PROPOSED RULES:		93.....	12398
329.....	12460	103.....	12614	PROPOSED RULES:	
526.....	12388	30 CFR		73.....	12481, 12483
605.....	12461	300.....	12336	49 CFR	
13 CFR		302.....	12337	71.....	12317
122.....	12529	32 CFR		171.....	12610
14 CFR		870.....	12534	173.....	12610
39.....	12325, 12326, 12531, 12532	882.....	12395	178.....	12610
65.....	12326	1499.....	12338	235.....	12463
71.....	12327, 12328, 12533	33 CFR		236.....	12465
73.....	12328	PROPOSED RULES:		1048.....	12483
97.....	12328, 12598	36.....	12555	50 CFR	
245.....	12388	71.....	12348, 12349, 12556-12558	14.....	12391
298.....	12534	121.....	12479	32.....	12465, 12466, 12543, 12611

