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List of CFR Parts Affected

(Codification Guide)

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

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Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

This checklist, arranged in order of titles, shows the issuance date and price of current bound volumes and supplements of the Code of Federal Regulations. The rate for subscription service to all revised volumes and supplements issued as of January 1, 1966, is $100 domestic, $30 additional for foreign mailing. The subscription price for revised volumes and supplements issued as of January 1, 1967, will be at the same rate.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR Unit:	Price
1–3 (Rev. Jan. 1, 1966)	$1.75
3 1938–1943 (Compilation)	3.00
1943–1948 (Compilation)	7.00
1949–1953 (Compilation)	7.00
1954–1958 (Compilation)	4.00
1959–1963 (Compilation)	6.00
1964 (Supplement)	1.00
1965 (Supplement)	1.00
4 (Rev. Jan. 1, 1966)	.30
5 (Rev. Jan. 1, 1964)	4.75
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6 (Rev. Jan. 1, 1966)	1.00
7 Parts:	
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List of Sections Affected, 1949–1963 (Compilation)	6.75

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

National Conference on the Problems of Mexican-American and Puerto Rican Communities

Section 213.3192 is added to show that all positions on the staff of the National Conference on the Problems of Mexican-American and Purto Rican Communities are excepted under Schedule A until June 30, 1967. Effective on publication

in the FEDERAL REGISTER, § 213.3192 is added as set out below.

§ 213.3192 National Conference on the Problems of Mexican-American and Puerto Rican Communities.

(a) Until June 30, 1967, all positions on the Conference staff.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 66–11883; Filed, Oct. 31, 1966; 8:50 a.m.]

Title 7—AGRICULTURE

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

PART 61—COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES (INSPECTION, SAMPLING AND CERTIFICATION)

Subpart B—Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes Within the United States

LINTERS FACTOR

The amendment of § 61.102(b) of the Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes within United States (7 CFR Part 61), hereinafter set forth, is hereby promulgated to be effective upon publication in the FEDERAL REGISTER, pursuant to authority contained in the Agricultural Marketing Act of 1946, as amended (60 Stat. 1087; 7 U.S.C. 1621–1627.)

Statement of consideration leading to revision of linters factor. Both a quantity index and a quality index are used in determining the grade of cottonseed. The quantity index is a measure of the amount of oil, protein, and linters available from the seed. The table of premiums and discounts for total linters content of cottonseed contained in § 611.102(b) for determining the quantity index of cottonseed is being amended because of the change in the price relationship between linters and cottonseed oil, meal, and hulls.

The Department finds that it is impracticable, unnecessary, and contrary to the public interest to issue a notice of proposed rule making on this amendment or to postpone the effective date of the amendment until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that: (1) The marketing season for cottonseed for crushing purposes is underway and it is imperative that the revision be effective for grading purposes as soon as possible and (2) no hardship will be imposed on the industry by this amendment.

Paragraph (b) of § 61.102 is revised to read as follows:

§ 61.102 Determination of quantity index.

* * * * *

(b) The premium or discount for total linters content of cottonseed to be used in paragraph (a) of this section will be according to the following table:

Total linters content of cottonseed (percent) [1]	*Premium or discount (quantity index units)* [2]
20.0	+14.25
19.0	+12.75
18.0	+11.25
17.0	+9.75
16.0	+8.25
15.0	+6.75
14.0	+5.25
13.0	+3.75
12.0	+2.25
11.0	+.75
10.5	0
10.0	−.75
9.0	−2.25
8.0	−4.75
7.0	−7.25
6.0	−9.75
5.0	−12.25
4.0	−14.75
3.0	−17.75
2.0	−20.75
1.0	−23.75

[1] Total linters content to the nearest 0.1 percent will be used in calculating premiums and discounts.

[2] Premiums and discounts are calculated on the basis of the following formulas:

Percent linters on cottonseed	*Premium or discount factor*
10.6 and over	Premium = (percent linters minus 10.5) x 1.5.
10.5	None.
10.4–9.0	Discount = (10.5 minus percent linters) x 1.5.
8.9–4.0	Discount = (9.0 minus percent linters) x 2.5 +2.25.
3.9–0	Discount = (4.0 minus percent linters) x 3.0 +14.75.

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624)

Effective date. This revision shall become effective upon publication in the FEDERAL REGISTER.

Dated: October 26, 1966.

G. R. GRANGE,
Deputy Administrator, Marketing Services.

[F.R. Doc. 66–11816; Filed, Oct. 31, 1966; 8:45 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1967 Crop of Extra Long Staple Cotton; Acreage Allotments and Marketing Quotas

STATE RESERVE AND COUNTY ALLOTMENT

Section 722.554 Is Issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended, 7 U.S.C. 1281 et seq.). This section establishes the State reserve and its allocation among uses for the 1967 crop of extra long staple cotton. It also establishes the county allotment. Such determinations were made initially by the respective State committees and are hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (19 F.R. 74, 21 F.R. 1665, 25 F.R. 3925, 28 F.R. 4368).

Notice that the Secretary was preparing to establish State and county allotments was published in the FEDERAL REGISTER on July 2, 1966 (31 F.R. 9138), in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003). No written submissions were received in response to such notice.

Since the allocations under this section require immediate action by the Agricultural Stabilization and Conservation State and county committees, it is essential that § 722.554 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest, and § 722.554 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.554 State reserve and county allotment for the 1967 crop of extra long staple cotton.

(a) *State reserve.* The State reserve for each State shall be established and allocated among uses as shown in the following table for the 1967 crop of extra long staple cotton pursuant to § 722.508 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton (31 F.R. 6247, as amended). It is hereby determined that no State reserve for trends, abnormal conditions, small farms or new farms is required. The allocation of State reserve for inequity and hardship cases to counties in New Mexico is required primarily to adjust allotments for certain farms in order that they may receive allotments that are equitable as compared with those for other farms.

State	Total State reserve	Allocations from State reserve for	
		Inequity and hardship cases	Set-aside for errors
Arizona	10		10
California			
Florida	20		20
Georgia			
New Mexico	150	140	10
Texas			
Puerto Rico	4		4

(b) *County allotment.* The county allotment is established for the 1967 crop of extra long staple cotton in accordance with § 722.509 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra Long Staple Cotton (31 F.R. 6247, as amended). The following table sets forth the county al-

lotment and allocations from the State reserve:

ARIZONA

County	County allotment (1)	Allocations from State reserve for inequity and hardship cases (2)
	Acres	*Acres*
Cochise	175	0
Gila	11	0
Graham	8,599	0
Maricopa	12,795	0
Pima	2,397	0
Pinal	6,327	0
Santa Cruz	19	0
Yuma	298	0
State	30,581	0

CALIFORNIA

Imperial	95	0
Riverside	377.0	0
State	472.0	0

FLORIDA

Alachua	36	0
Bradford	1	0
Hamilton	4	0
Jefferson	1	0
Lake	16	0
Madison	20	0
Marion	48	0
Putnam	1	0
Sumter	18	0
Suwannee	1	0
Union	32	0
State	178	0

GEORGIA

Berrien	78	0
Cook	20	0
State	98	0

NEW MEXICO

Chaves	20	19
Dona Ana	13,682	63
Eddy	110	5
Hidalgo	12	9
Luna	77	31
Otero	28	3
Sierra	170	10
State	14,099	140

TEXAS

Brewster	10	0
Culberson	216	0
El Paso	17,416	0
Hudspeth	2,168	0
Loving	8	0
Pecos	457	0
Presidio	88	0
Reeves	4,358	0
Ward	125	0
State	24,846	0

PUERTO RICO

North	42	0
State	42	0

(Secs. 344, 347, 375, 63 Stat. 670, as amended, 675, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1347, 1375)

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

Signed at Washington, D.C., on October 27, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-11854; Filed, Oct. 31, 1966; 8:47 a.m.]

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

SUBCHAPTER H—DETERMINATION OF WAGE RATES

[Sugar Determination 863.18]

PART 863—SUGARCANE; FLORIDA

Fair and Reasonable Wage Rates

Pursuant to the provisions of section 301(c)(1) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation and consideration of the evidence obtained at the public hearing held in Belle Glade, Fla., on June 17, 1966, the following determination is hereby issued:

§ 863.18 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Florida.

(a) *Requirements.* A producer of sugarcane in Florida shall be deemed to have complied with the wage provisions of the act if all persons employed on the farm in production, cultivation, or harvesting work shall have been paid in accordance with the following:

(1) *Wage rates.* All such persons shall have been paid in full for all such work and shall have been paid wages in cash therefor, at rates required by existing legal obligations, regardless of whether those obligations resulted from an agreement (such as a labor union agreement) or were created by State or Federal legislative action, or at rates as agreed upon between the producer and the worker, whichever is higher but not less than the following, which shall become effective on November 14, 1966, and shall remain in effect until amended, superseded, or terminated:

(i) *For work performed on a time basis.*

	Rate per hour
(a) Tractor drivers and principal operators of mechanical harvesting or loading equipment	$1.55
(b) All other workers including those employed to assist in the operation of mechanical harvesting and loading equipment, such as, harvester cutter blade operators	1.35

(ii) *Workers between 14 and 16 years of age and handicapped workers when employed on a time basis.* For workers between 14 and 16 years of age (the act does not permit the employment of such workers for more than 8 hours per day without deduction from Sugar Act payments to the producer) and for workers certified by the Florida State Employment Service to be handicapped because of age or physical or mental deficiency or injury, and whose productive capacity is thereby impaired, the wage rate per hour shall be not less than 75 percent of the applicable hourly wage rate prescribed in subdivision (i) of this subparagraph.

(iii) *For work performed on a piecework basis.* The piecework rate for any operation shall be as agreed upon between the producer and the worker: *Provided*, That the hourly rate of earnings of each worker employed on piecework during each pay period (such pay period not to be in excess of 2 weeks) shall average for the time worked at piecework rates during such pay period not less than the applicable hourly rate prescribed in subdivision (i) or (ii) of this subparagraph.

(2) *Compensable working time.* For work performed under subparagraph (1) of this paragraph, compensable working time includes all time which the worker spends in the performance of his duties except time taken out for meals during the work day. Compensable working time commences at the time the worker is required to start work and ends upon completion of work in the field. However, if the producer requires the operator of mechanical equipment, driver of animals or any other class of worker to report to a place other than the field, such as an assembly point or tractor shed located on the farm, the time spent in transit from such place to the field and from the field to such place is compensable working time. Any time spent in performing work directly related to the principal work performed by the workers, such as servicing equipment, is compensable working time. Time of the worker while being transported from a central recruiting point or labor camp to the farm is not compensable working time.

(3) *Equipment necessary to perform work assignment.* The producer shall furnish without cost to the worker any equipment required in the performance of any work assignment. However, the worker may be charged for the cost of such equipment in the event of its loss or destruction through negligence of the worker. Equipment includes, but is not limited to, hand and mechanical tools and special wearing apparel, such as boots and raincoats, required to discharge the work assignment.

(b) *Workers not covered.* The requirements of this section are not applicable to persons who voluntarily perform work without pay in the production, cultivation, or harvesting of sugarcane on the farm for a religious or charitable institution or organization; inmates of a prison who work on a farm operated by the prison; truck drivers employed by a contractor engaged only in hauling sugarcane; members of a cooperative arrangement for exchange of labor; or to workers performing services which are indirectly connected with the production, cultivation, or harvesting of sugarcane, including but not limited to mechanics, welders, and other maintenance workers and repairmen.

(c) *Evidence of compliance.* Each producer subject to the provisions of this section shall keep and preserve, for a period of 2 years following the date on which his application for a Sugar Act payment is filed, such wage records as will fully demonstrate that each worker has been paid in full in accordance with the requirements of this section. The producer shall furnish upon request to the appropriate Agricultural Stabilization and Conservation County Committee such records or other evidence as may satisfy such Committee that the requirements of this section have been met.

(d) *Subterfuge.* The producer shall not reduce the wage rates to workers below those determined in accordance with the requirements of this section through any subterfuge or device whatsoever.

(e) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the local County Agricultural Stabilization and Conservation Committee against the producer on whose farm the work was performed. Such claim must be filed within 2 years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at the local County ASCS Office. Upon receipt of a wage claim the County Office shall thereupon notify the producer against whom the claim is made concerning the representation made by the worker. The County ASC Committee shall arrange for such investigation as it deems necessary and the producer and worker shall be notified in writing of its recommendation for settlement of the claim. If either party is not satisfied with the recommended settlement, an appeal may be made to the State Agricultural Stabilization and Conservation Committee, 401 Southeast First Avenue, Gainesville, Fla. 32601, which shall likewise consider the facts and notify the producer and worker in writing of its recommendation for settlement of the claim. If the recommendation of the State ASC Committee is not acceptable, either party may file an appeal with the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. All such appeals shall be filed within 15 days after receipt of the recommended settlement from the respective committee, otherwise such recommended settlement will be applied in making payments under the act. If a claim is appealed to the Deputy Administrator, State and County Operations, his decision shall be binding on all parties insofar as payments under the act are concerned. Appeals procedures are set forth and explained fully in Part 780 of this title (29 F.R. 8200).

(f) *Failure to pay all wages in full.* Notwithstanding the provisions of this section requiring that all persons employed on the farm in the production, cultivation, or harvesting of sugarcane be paid in full for all such work as one of the conditions to be met by a producer for payment under the act, if the producer has failed to meet this condition but has met all other conditions, a portion of such payment representing the remainder after deducting from the payment the amount of accrued unpaid wages, may be disbursed to producer(s), upon a determination by the County Committee (1) that the producer has made a full disclosure to the County Committee or its representative of any known failure to pay all workers on the farm wages in full as a condition for payment under the Sugar Act; and (2) that either (i) the failure to pay all workers their wages in full was caused by the financial inability of the producer; or (ii) the failure to pay all workers in full was caused by an inadvertent error or was not the fault of the producer or his agent, and the producer has used reasonable diligence to locate and to pay in full the wages due all such workers. If the County Committee makes the determination as heretofore provided in this paragraph, such Committee shall cause to be deducted from the payment for the farm the full amount of the unpaid wages which shall be paid promptly to each worker involved if he can be located, otherwise the amount due shall be held for his account, and the remainder of the payment for the farm, if any, shall be made to the producer. Except as provided above in this paragraph, the entire Sugar Act payment with respect to a farm shall be withheld from the producer, if upon investigation the County Committee determines that all workers on the farm have not been paid in full the wages required to be paid for all work in the production, cultivation, or harvesting of sugarcane on the farm, until such time as evidence required by the County ASC Committee has been furnished to the Committee establishing that all workers employed on the farm have been paid in full the wages earned by them. If payment has been made to the producer prior to the County Committee's determination that all workers on the farm have not been paid in full, the producer shall be placed on the debt record for the total payment made until the County Committee determines that all workers on the farm have been paid in full: *Provided,* That if the County Committee determines that the producer did not pay all workers in full because of inadvertent error that was not discovered until after he signed the application for payment, the producer shall be placed on the debt record only for the total amount of the unpaid wages.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination provides fair and reasonable wage rates to be paid for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in Florida as one of the conditions with which producers must comply to be eligible for payments under the act.

(b) *Requirements of the act and standards employed.* Section 301(c)(1) of the act requires that all persons employed on the farm in the production, cultivation, or harvesting of sugarcane with respect to which an application for payment is made, shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing, and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended (i.e., cost of living, prices of sugar and byproducts, income from sugarcane, and cost of production), and the differences in conditions among various sugar-producing areas.

(c) *Wage determination.* This determination differs from the prior determination in that the minimum time wage rates are increased 10 cents per hour—to $1.55 per hour for tractor drivers and operators of mechanical harvesting or loading equipment, and to $1.35 per hour for all other workers. All other provisions of the determination are unchanged.

At the public hearing held in Belle Glade, Fla., on June 17, 1966, interested persons were afforded the opportunity to testify with respect to whether the wage rates established for Florida sugarcane fieldworkers in the wage determination which became effective December 1, 1965, continue to be fair and reasonable under existing circumstances, or whether such determination should be amended.

Testimony was offered by producer-processors, independent, and cooperative producers of sugarcane and representatives of workers. Representatives of producers generally recommended no increase in wage rates. One producer representative recommended that the minimum rate be reduced to $1 per hour. Another producer witness recommended that three categories of workers be established: (a) Equipment operators at $1.25 per hour; (b) hand cutters at $1 per hour; and (c) scrappers and common laborers at $0.80 per hour. Producer witnesses based their recommendations on low raw sugar prices, increased production costs, and a general decline in individual worker efficiency. Labor representatives recommended wage mihimums ranging from $1.50 to $2 per hour. Several of these representatives recommended a minimum harvest wage of $2 per hour, stating that such a wage would more nearly provide the annual income needed to bring farm workers up from a state of poverty to a fair level of living. One worker representative stated that he would support higher prices for sugar if such is necessary in order for workers to receive a better wage rate.

Consideration has been given to the testimony presented at the public hearing, to the standards generally consid-

ered in wage determinations, to the returns, costs, and profits of producing sugarcane obtained by survey for a recent crop and recast in terms of conditions likely to prevail for the 1966–67 crop, and to other pertinent factors.

The labor force in Florida sugarcane fields is composed primarily of workers imported from the British West Indies. These workers are unskilled and are used primarily as hand cutters for sugarcane. Skilled and semiskilled workers reside on the farms or are recruited locally. Increases in the minimum determination rates for Florida in recent years have not attracted domestic workers who are willing to work in the unskilled cane cutting operations in the cane fields.

Most unskilled hand labor is performed on a piecework basis. Earnings of sugarcane cutters for the 1965–66 crop averaged about $1.44 per hour as compared to $1.35 per hour for the 1964–65 crop. Skilled and semiskilled workers, usually employed on an hourly basis, were paid at wage rates ranging from $1.35 to $2.25 per hour during 1965–66.

Although sugarcane production for some of the new independent producers, who for the most part are operating on land that is less productive and more susceptible to freeze damage, has not been profitable, sugarcane production remains profitable for the majority of producers. Prospects for continuing improvement in the yields of sugarcane and sugar indicate a favorable overall average profit position of producers.

It is estimated that the wage increase provided in this determination will increase labor costs for the 1966–67 crop by less than 4 percent. If producers continue to pay wage premiums as in the past the increase will provide full-time workers about $200 more in annual income.

Although this determination is issued on a continuing basis and will be effective until amended or terminated, the Department will keep the wage situation under review and will conduct such investigations and hold such hearings as may be necessary.

Accordingly, I find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153. Interprets or applies sec. 301, 61 Stat. 929, as amended, 7 U.S.C. 1132)

The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping requirements will be subject to approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This determination shall become effective on November 14, 1966.

Signed at Washington, D.C., on October 26, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66–11855; Filed, Oct. 31, 1966; 8:47 a.m.]

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

PART 909—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Expenses, Rate of Assessment, and Carryover of Unexpended Funds

Notice was published in the October 12, 1966, issue of the FEDERAL REGISTER (31 F.R. 13174) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the fiscal period ending July 31, 1967, and carryover of unexpended funds, under the marketing agreement, as amended, and Order No. 909, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif.; and in that part of Riverside County, Calif., situated south and east of White Water, Calif., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to the said amended marketing agreement and order), it is hereby found and determined that:

§ 909.205 Expenses, rate of assessment, and carryover of unexpended funds.

(a) *Expenses.* The expenses that are reasonable and necessary to be incurred by the Administrative Committee during the period August 1, 1966, through July 31, 1967, will amount to $138,000.

(b) *Rate of assessment.* The rate of assessment for such period, payable by each handler in accordance with § 909.41, is hereby fixed at three cents ($0.03) per carton, or equivalent quantity of grapefruit.

(c) *Operating reserve.* Unexpended assessment funds, in excess of expenses incurred during such period, shall be carried over as a reserve in accordance with the applicable provisions of § 909.42.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable grapefruit from the beginning of such year; and (2) the current fiscal period began on August 1, 1966, and the rate of assessment herein fixed will automatically apply to all assessable grapefruit beginning with such date.

Terms used in said amended marketing agreement and order, shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

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

Dated: October 27, 1966.

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

[F.R. Doc. 66–11882; Filed, Oct. 31, 1966; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Administrative Instructions Prescribing Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Animal Health Division by § 97.1 of the regulations concerning overtime services relating to imports and exports, effective August 18, 1964 (9 CFR 97.1), administrative instructions (9 CFR 97.2) effective July 30, 1963, as amended May 18, 1964 (29 F.R. 6318), December 7, 1964 (29 F.R. 16316), April 12, 1965 (30 F.R. 4609), June 21, 1965 (30 F.R. 7893), June 7, 1966 (31 F.R. 10314), and October 11, 1966 (31 F.R. 13114), prescribing the commuted travel time that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective "lists" therein, as follows:

OUTSIDE METROPOLITAN AREA

ONE HOUR

Add: Coos Bay, Oreg. (served from Portland, Oreg.).

Add: North Bend, Oreg. (served from Portland, Oreg.).

FIVE HOURS

Add: Newport, Oreg. (served from Portland, Oreg.).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal Health Division.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238), it is found upon good cause that notice and public procedure on these instructions are impracticable,

unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561)

These revised administrative instructions shall be effective upon publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 26th day of October 1966.

G. H. WISE,
Acting Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 66-11853; Filed, Oct. 31, 1966; 8:47 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter V—Consumer and Marketing Service, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS AND POLICIES

[Amdt. 1]

PART 503—DONATION OF FOOD COMMODITIES FOR USE IN UNITED STATES FOR SCHOOL LUNCH PROGRAMS, TRAINING STUDENTS IN HOME ECONOMICS, SUMMER CAMPS FOR CHILDREN, AND RELIEF PURPOSES, AND IN STATE CORRECTIONAL INSTITUTIONS FOR MINORS

Obligations of Distributing Agencies

The purpose of this amendment is to provide authority for disregarding small claims, and certain inventory shortages which occur while commodities are in the possession of the distributing, subdistributing or recipient agency. Authority for the administration of this part is in the Consumer and Marketing Service and its agencies. See 30 F.R. 2160.

Paragraphs (b) and (l) of § 503.6 are hereby amended to read as follows:

§ 503.6 Obligations of distributing agencies.

* * * * *

(b) *Agreements.* Distributing agencies shall enter into agreements with subdistributing agencies, recipient agencies, warehousemen, carriers, or other persons to whom commodities are delivered under their distribution program. Agreements with subdistributing agencies and recipient agencies shall be in writing, except in those instances where subdistributing agencies are acting as agents for the distributing agencies. All agreements shall contain such terms and conditions as the distributing agency deems necessary to insure that (1) the distribution and use of commodities is in accordance with this part, (2) subdistributing agencies, recipient agencies, warehousemen, carriers, or other persons to whom commodities are delivered by the distributing agency are responsible to the distributing agency for any improper distribution or use of commodities, and for any loss of or damage to commodities caused by their fault or negligence, (3) subdistributing agencies and recipient agencies have and preserve a right to assert claims against other persons to whom commodities are delivered for care, handling or distribution, and (4) subdistributing agencies and recipient agencies will take action to obtain restitution in connection with claims arising in their favor for improper distribution, use or loss of, or damage to, commodities. To the extent that bills of lading and warehouse receipts afford adequate protection, the distributing agency may consider such documents as appropriate agreements.

* * * * *

(l) *Improper distribution or loss of or damage to commodities.* If a distributing agency improperly distributes or uses any commodity, or causes loss of or damage to a commodity through its failure to provide proper storage, care, or handling, the distributing agency shall, at the Department's option, (1) replace the commodity in its distribution program in kind, or, in the case of section 6 commodities, where replacement in kind may not be practicable, with other similar foods, or (2) pay to the Department the value of the commodity as determined by the Department. Upon the happening of any event creating a claim in favor of a distributing agency against a subdistributing agency, recipient agency, warehouseman, carrier, or other person, for the improper distribution, use, or loss of, or damage to, a commodity, the distributing agency shall take action to obtain restitution. All amounts collected by such action shall, at the Department's option, be used in accordance with the provisions of subparagraph (1) or (2) of this paragraph, or, except for amounts collected on claims involving section 6 commodities, shall be expended for program purposes in accordance with the provisions of paragraph (j) of this section. Determinations by a distributing agency that a claim has or has not arisen in favor of the distributing agency against a subdistributing agency, recipient agency, warehouseman, carrier, or other person, shall, at the option of the Department, be approved by the Department prior to the distributing agency's taking action thereon. Where prior approval has not been given by the Department, a distributing agency's claim determinations shall be subject to review by the Department. In the case of an inventory shortage, when the loss of any one commodity does not exceed 1 percent of the total quantity of the commodity distributed or utilized from any single storage facility during the Federal fiscal year in which the loss occurred, or during the period for which an audit was conducted by representatives of the Department, or, if approved by C&MS, during the period for which an audit was conducted by the distributing agency, if the distributing agency finds that (i) the cause of the shortage cannot be established, (ii) the lost commodities were held in noncommercial storage or other facilities owned or operated by the distributing agency, a subdistributing agency, or a recipient agency, and (iii) there is no indication that the loss was the result of negligence or continued inefficiency in operations, the distributing agency need not take any further claims action, but the factual basis for not taking further claims action shall be subject to review by the Department. Furthermore, distributing agencies shall not be required to file or pursue a claim for a loss which does not exceed an amount established by State law, regulations, or procedure as a minimum amount for which a claim will be made for State losses generally, but no such claim shall be disregarded where there is evidence of violation of Federal or State statutes. Distributing agencies which fail to pursue claims arising in their favor, or fail to provide for the right to assert such claims, or fail to require their subdistributing agencies and recipient agencies to provide for such rights, shall be responsible to the Department for replacing the commodity or paying the value thereof in accordance with the provisions of subparagraph (1) or (2) of this paragraph. Distributing agencies which pursue claims arising in their favor, but fail to obtain full restitution shall not be liable to the Department for any deficiency unless the Department determines that the distributing agency fraudulently or negligently failed to take reasonable action to obtain restitution. The Department may, at its option, require assignment to it of any claim arising from the distribution of commodities.

* * * * *

Effective date. This amendment shall be effective as of date of publication.

Dated: October 26 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-11856; Filed, Oct. 31, 1966; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-WA-35]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Federal Airways, Jet Routes and Control Areas; Alteration, Designation and Revocation

On July 9, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 9423) stating that the Federal Aviation Agency was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would accomplish the following:

1. Designate Control 1487 southwest of Key West, Fla.
2. Revoke Control 1228.
3. Realign J–43 from Key West to St. Petersburg, Fla., and designate associated control area for the portion outside the United States.
4. Make editorial changes in the description of Control 1408.
5. Make editorial changes in the description of the Fort Myers, Fla., control area.
6. Make editorial changes in the description of V–51, 157, and 225.

As a matter of public information the Agency stated that the following nonregulatory actions also would be considered.

1. Revoke W–173.
2. Alter the lateral description of W–174 and W–465.
3. Establish an oceanic route from "India 2 Intersection" to Nassau, Bahamas via Key West and Marathon, Fla.
4. Disestablish Sierra oceanic route north of "I–S Intersection".

On August 23, 1966, a supplemental notice was published in the FEDERAL REGISTER (31 F.R. 11154) extending the time for which comments would be received from August 23, 1966, to September 2, 1966.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. No adverse comments were received regarding the rule making proposals. However, several comments were received objecting to that portion of the nonregulatory proposals which dealt with the enlargement of W–174. Because the nonregulatory and regulatory proposals are so closely related and in view of the fact that the objections appear to be valid, the Federal Aviation Agency, on September 27, 1966, published a supplemental notice in the FEDERAL REGISTER (31 F.R. 12646) stating that consideration was being given to a further alteration of W–174 that would relocate the northern boundary farther south between Key West and Marathon, Fla. This action would provide additional operating area south of the Florida Keys for aviation and other interests.

The State of Florida Aviation Division and the Air Transport Association of America offered no objection in response to the supplemental notice. The Monroe County Director of Airports and a representative of Island Flying Service, Key West, Fla., objected to the enlargement of W–174 as, in their opinion, it would restrict private flying and adversely affect the economy of Key West by discouraging transient pilots.

Warning Areas impose no restriction to the operation of aircraft. They are depicted on aeronautical charts to alert pilots to activities that might be a potential hazard to air navigation. The Department of Defense is conducting such activities off the coast of southern Florida. These activities are in the interest of national defense and are such that they cannot be confined within the present boundaries of W–174. The reduction of W–174 as proposed in the supplemental notice reasonably satisfies the military requirements. With normal access routes from the north, northeast and east, together with the increased area south of Key West, available for public use, and the opening of a new route from Central/South America, the economy of Key West should suffer no adverse effects from the actions considered herein. Accordingly, the Agency is proceeding concurrently with the regulatory and nonregulatory actions. The latter will be processed separately.

Subsequent to publication of the notice, the designator "Control 1487" was assigned to another offshore control area. Accordingly, the designator "Control 1488" is assigned to the Key West offshore control area considered herein. In addition, the proposal to delete reference to W–173 in the description of V–51 will not be considered herein as it was processed in a previous airspace action (31 F.R. 7556).

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provision of Executive Order 10854.

In consideration of the foregoing, Part 71 and Part 75 of the Federal Aviation Regulations are amended effective 0001 e.s.t., December 8, 1966, as hereinafter set forth.

1. Section 71.123 (31 F.R. 1009, 7279, 7610, 10516) is amended as follows:

a. In V–157 "The airspace within W–173 is excluded." is deleted.

b. In V–225 all after "Vero Beach, Fla." is deleted and "The portion of V–225 E alternate outside the United States has no upper limit." is substituted therefor.

2. In § 71.161 (31 F.R. 2049) the following is added:

J–43 From Key West, Fla., to St. Petersburg, Fla.

3. In § 71.163 (31 F.R. 2050) the following changes are made:

a. Control 1488 is added as follows:

CONTROL 1488

That airspace extending upward from 5,500 feet MSL to flight level 410 within 4 nautical miles each side of the Key West, Fla., VOR 244° radial and within 5 statute miles each side of the Key West radio beacon 245° bearing, including the additional airspace between lines diverging at 4.5° from the centerline at the VOR and 5° at the RBN, extending from the VOR/RBN to the Miami Oceanic Area boundary and latitude 24°00'00" N.

b. Control 1228 is revoked.

c. Control 1408 is amended to read as follows:

CONTROL 1408

The area SW of Miami, Fla., bounded on the E by longitude 80°25'00" W., on the S by a line 4 nautical miles N of and parallel to the Key West, Fla., VORTAC 086° radial, on the W by a line 4 nautical miles E of and parallel to the Key West VORTAC 013° and the Fort Myers, Fla., VORTAC 163° radials, on the N by the southern boundary of Control 1230, a line 4 nautical miles SW of and parallel to the Fort Myers 137° radial and a line 4 nautical miles S of and parallel to the Biscayne Bay, Fla., VOR 262° radial, excluding the airspace within R–2916 and the airspace below 2,000 feet MSL outside the United States.

4. Section 71.165 (31 F.R. 2055) is amended as follows:

Fort Myers, Fla., Control Area Extension is amended to read as follows:

FORT MYERS, FLA.

That airspace bounded on the NE by a line 4 nautical miles SW of and parallel to the Fort Myers, Fla., VORTAC 331° radial, on the E by a line 4 nautical miles W of and parallel to the Fort Myers VORTAC 178° radial, on the S by the N boundary of Control 1230 and on the W by a line 4 nautical miles E of and parallel to the 169° bearing from latitude 27°53'18" N., longitude 82°29'29" W., excluding the portion below 2,000 feet MSL outside the United States.

5. Section 75.100 (31 F.R. 2346, 5287) is amended as follows: In J–43 all before "Tallahassee, Fla.;" is deleted and "From Key West, Fla., via INT of Key West 358° and St. Petersburg, Fla., 151° radials; St. Petersburg;" is substituted therefor.

(Sec. 307(a), 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510, E.O. 10854 (24 F.R. 9565))

Issued in Washington, D.C. on October 27, 1966.

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

[F.R. Doc. 66–11884; Filed, Oct. 31, 1966; 8:50 a.m.]

[Reg. Docket No. 7700; Amdt. 99–6]

PART 99—SECURITY CONTROL OF AIR TRAFFIC

Alteration of Alaskan Distant Early Warning Identification Zone

The purpose of this amendment to Part 99 of the Federal Aviation Regulations is to alter the description of the western boundary of the Alaskan Distant Early Warning Identification Zone (DEWIZ), thereby reducing requirements for flight-progress reporting and estimating in that area.

Oceanic position reporting procedures in the Anchorage control area require aircraft to make position reports when passing each 5° or 10° of longitude extending east and west of the 180° meridian.

High performance flights are required to report only every 10° of longitude.

The western boundary of the Alaskan DEWIZ is presently located at 175° west longitude. Pilots of aircraft planning to penetrate this DEWIZ must file a flight plan containing the estimated point and time of penetration. For high speed aircraft, this is an extra estimate that is not needed for air traffic control (ATC) purposes.

Flight planning and air traffic control procedures are simplified and communications reduced where DEWIZ or ADIZ penetration points and reporting points coincide. Therefore this rule relocates the western boundary of the Alaskan DEWIZ from its present position at 175° west longitude to the 180° meridian.

Since this action involves airspace outside the United States, the Agency has consulted with the Secretary of State and the Secretary of Defense, in accordance with the provisions of Executive Order 10854.

Inasmuch as this amendment relates to defense requirements, I find it contrary to the public interest to comply with the notice and public procedure requirements of the Administrative Procedure Act.

In consideration of the foregoing, § 99.47 of Part 99 is amended, effective December 8, 1966, by striking out the words "50°00′ N., 175°00′ W.; 60°00′ N., 175°00′ W.; 61°45′ N., 177°00′ W.," and inserting the words "50°00′ N., 180°00′; 60°00′ N., 180°00′ " in place thereof.

(Secs. 307, 1110, 1202, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510, 1522, E.O. 10854 (24 F.R. 9565))

Issued in Washington, D.C., on October 25, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-11836; Filed, Oct. 31, 1966; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. PR-100]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of October 1966.

This regulation effects miscellaneous changes in the Board's rules of practice. The changes are as follows:

A new subsection, § 302.18(a-2), provides that subsidized air carriers must include a full economic analysis of subsidy impact in motions to expedite hearing on applications for new or modified route authority.

A proviso to § 302.303(b) except petitions for equalization of service mail rates and for ad hoc adjustments permitted by a class subsidy rate order from the general rule that petitions to fix mail rates must challenge the final mail rate for the entire rate-making unit.

Page-size specifications for briefs before the Board and petitions for discretionary review have been deleted from § 302.31(c) and incorporated in § 302.3 (b), which contains specifications generally applicable to all documents filed with the Board. Petitions for discretionary review may now be filed on paper as large as 8½ x 14 inches, rather than being limited to the smaller size for briefs before the Board, 8½ x 11 inches.

Procedures for discretionary review are clarified by transferring those provisions applicable to petitions for discretionary review from § 302.31 to § 302.28; and by expressly providing that requests for oral argument on such petitions will not be entertained, and that briefs shall be filed only where the Board orders further review proceedings and only upon the issues specified in such order. The "Note" at the end of §§ 302.31 and 302.32 is thereby made unnecessary and is deleted.

Section 302.15 has been clarified by expressly stating that petitions for leave to intervene will be entertained only in hearing cases and that leave is not required to file responsive documents authorized by the rules in nonhearing matters, such as applications for exemptions under section 416(b) or for temporary suspension of service under section 401 (j) of the Act. A clarifying "note" to this effect is also added to § 302.6.

Changes in other sections merely correct references to sections of the regulations that have been renumbered or remove ambiguities.

Since this regulation relates solely to agency practice and procedure, notice and public procedure hereon are not required, and the amendment may be made effective 30 days after publication in the FEDERAL REGISTER.

Accordingly, the Board hereby amends Part 302 of the Procedural Regulations (14 CFR Part 302), effective December 1, 1966, as follows:

1. Amend the Table of Contents by revising the titles of §§ 302.15, 302.28, and 302.31 as follows:

Sec.
302.15 Formal intervention in hearing cases.
302.28 Petitions for discretionary review of initial decisions; review proceedings.
302.31 Briefs before the Board.

2. Amend § 302.3 by revising paragraphs (b) and (c) to read as follows:

§ 302.3 Filing of documents.

* * * * *

(b) *Formal specifications of documents.*—(1) *Typewritten documents.* All typewritten documents, except briefs before the Board, filed under this part shall be on strong, durable paper not larger than 8½ by 14 inches, except that tables, charts and other documents may be larger if folded to the size of the document to which they are physically attached. Typewritten briefs before the Board shall be on paper not larger than 8½ by 11 inches except that tables, charts, and maps physically attached to the brief may be on paper not larger than 8½ by 14 inches and folded to the size of the brief. Requirements as to contents and style of briefs are contained in § 302.31. Text shall be double-spaced, except for footnotes and long quotations which may be single-spaced. Type not smaller than elite shall be used. The left margin shall be at least 1½ inches; all other margins shall be at least 1 inch. If the document is bound, it shall be bound on the left side.

(2) *Printed documents.* Printed (typeset) documents that are limited as to number of pages under these rules shall be on paper not larger than 6⅛ inches by 9¼ inches, with all margins of at least 1 inch. The text, footnotes, and all physical attachments to any printed document shall be printed in clear and readable type, not smaller than 11 point, adequately leaded.

(3) *Reproduction of documents.* Papers may be reproduced by any duplicating process, provided all copies are clear and legible. Appropriate notes or other indications shall be used, so that the existence of any matters shown in color on the original will be accurately indicated on all copies.

(c) *Number of copies.* Unless otherwise specified, an executed original and nineteen (19) true copies of each document required or permitted to be filed under these rules shall be filed with the Docket Section. The copies need not be signed but the name of the person signing the document, as distinguished from the firm or organization he represents, shall also be typed or printed on all copies below the space provided for signature.

* * * * *

3. Amend § 302.6 by adding a "Note" at the end of paragraph (a) to read:

§ 302.6 Responsive documents.

(a) * * *

NOTE: The Board does not grant formal intervention in nonhearing matters, such as applications for exemption or temporary suspension of service under section 416(b) or 401(j) of the Act, and any interested person may file documents authorized under this part without first obtaining leave.

* * * * *

4. Amend § 302.15 by revising the title and paragraph (a) to read as follows:

§ 302.15 Formal intervention in hearing cases.

(a) *Who may intervene.* Petitions for leave to intervene as a party will be entertained only in those cases that are to be decided upon an evidentiary record after notice and hearing. Any person who has a statutory right to be made a party to such proceeding shall be permitted to intervene. Any person whose intervention will be conducive to the ends of justice and will not unduly delay the conduct of such proceeding may be permitted to intervene. The Board does not grant formal intervention, as such, in nonhearing matters, and any interested person may file documents authorized under this part without first obtaining leave.

* * * * *

5. Amend § 302.18 by adding a new paragraph (a-2) to read as follows:

§ 302.18 Motions.

* * * * *

(a-2) *Motions to expedite route applications involving subsidy.* Motions for expedited hearing on applications for new or modified route authority by subsidized air carriers shall be accompanied by a preliminary analysis of the anticipated profit or subsidy obligation that would result from grant of the application, together with any service or public interest benefits to be derived. Forecasts of traffic, revenues, and costs shall indicate the service assumptions on which they are based.

* * * * *

6. Amend § 302.24(m) by adding item 43 at the end thereof, to read as follows:

§ 302.24 Hearings.

• • • • • •

(m) *Official notice of facts contained in certain documents.* • • •

43. Handbook of Airline Statistics from 1961, prepared by the Bureau of Accounts and Statistics, Civil Aeronautics Board.

• • • • • •

7. Amend § 302.28 by revising the title and paragraphs (a), (b), and (d)(2)(i) to read as follows:

§ 302.28 Petitions for discretionary review of initial decisions; review proceedings.

(a) *Petitions for discretionary review.* (1) Review by the Board pursuant to this section is not a matter of right but of the sound discretion of the Board. Any party may file and serve a petition for discretionary review by the Board of an initial decision within 25 days after service thereof. Such petitions shall be accompanied by proof of service on all parties.

(2) Petitions for discretionary review shall be filed only upon one or more of the following grounds:

(i) A finding of a material fact is erroneous;

(ii) A necessary legal conclusion is without governing precedent or is a departure from or contrary to law, Board rules, or precedent;

(iii) A substantial and important question of law, policy or discretion is involved; or

(iv) A prejudicial procedural error has occured.

(3) Each issue shall be separately numbered and plainly and concisely stated. Petitioners shall not restate the same point in repetitive discussions of an issue. Each issue shall be supported by detailed citations of the record when objections are based on the record, and by statutes, regulations or principal authorities relied upon. Any matters of fact or law not argued before the examiner, but which the petitioner proposes to argue on brief to the Board, shall be stated.

(4) Petitions for discretionary review shall be self-contained and shall not incorporate by reference any part of another document. Except by permission of the Board or the Chief Examiner, petitions shall not exceed 20 pages including appendices and other papers physically attached to the petition. Petitions of more than 10 pages shall contain a subject index with page references.

(5) Requests for oral argument on petitions for discretionary review will not be entertained by the Board.

(b) *Answer.* Within 15 days after service of a petition for discretionary review, any party may file and serve an answer of not more than 15 pages in support of or in opposition to the petition. If any party desires to answer more than one petition for discretionary review in the same proceeding, he shall do so in a single document of not more than 20 pages.

• • • • • •

(d) *Review proceedings.* • • •

(2) Where the Board desires further proceedings, the Board will issue an order for review which will:

(i) Specify the issues to which review will be limited. Such issues shall constitute one or more of the issues raised in a petition for discretionary review and/or matters which the Board desires to review on its own initiative. Only those issues specified in the order shall be argued on brief to the Board, pursuant to § 302.31, and considered by the Board.

• • • • • •

8. Amend § 302.31 to read as follows:

§ 302.31 Briefs before the Board.

(a) *Time for filing.* Within such period after the date of service of any recommended decision of an examiner or tentative decision by the Board as may be fixed therein, any party may file a brief addressed to the Board, in support of his exceptions to such decision or in opposition to the exceptions filed by any other party. Briefs to the Board on initial decisions of examiners shall be filed only in those cases where the Board grants discretionary review and orders further proceedings, pursuant to § 302.28(d)(2), and only upon those issues specified in the order. Such briefs shall be filed within 30 days after date of the order granting discretionary review. In cases where, because of the limited number of parties and the nature of the issues, the filing of opening, answering and reply briefs will not unduly delay the proceeding and will assist in its proper disposition, the Board or the examiner (where the examiner's decision was not made under delegated authority) may direct that the parties file briefs at different times rather than at the same time.

(b) *Effect of failure to restate objections in briefs.* In determining the merits of an appeal, the Board will not consider the exceptions or the petition for discretionary review but will consider only the brief. Each objection contained in the exceptions or each issue specified in the Board's order exercising discretionary review must be restated and supported by a statement and adequate discussion of all matters relied upon, in a brief filed pursuant to and in compliance with the requirements of this section.

(c) *Formal specifications of briefs.*—(1) *Contents.* Each brief shall discuss every point of law and fact which the party submitting it is entitled to raise pursuant to this part and any pertinent order of the Board, and which he desires the Board to consider. Support and justification for every such point shall include itemized references to the pages of the transcript of hearing, exhibit or other matter of record, and citations of the statutes, regulations or principal authorities relied upon. If a brief or any point discussed therein is not in substantial conformity with the requirement for such support and justification, no motion to strike or dismiss such document shall be made but the Board may disregard the points involved.

(2) *Incorporation by reference.* Briefs to the Board shall be completely self-contained and shall not incorporate by reference any portion of any other brief or pleading: *Provided, however,* That in lieu of submitting a brief to the Board a party may adopt by reference specifically identified pages or the whole of his prior brief to the examiner. In such cases, the party may file with the Docket Section a letter exercising this privilege and serve all parties in the same manner as a brief to the Board.

(3) *Length and index.* Briefs shall comply with the formal specifications set forth in § 302.3(b). Except by permission or direction of the Board or the Chief Examiner, briefs shall not exceed 50 pages including those pages contained in any appendix, table, chart, or other document physically attached to the brief, except maps. In this case "map" means only those pictorial representations of routes, flight paths, mileage, and similar ancillary data that are superimposed on geographic drawings and contain only such text as is needed to explain the pictorial representation. Any brief that exceeds 10 pages shall contain a subject index of its contents, including page references.

9. Amend § 302.32 by deleting the "note" at the end of the section, and revising the section to read as follows:

§ 302.32 Oral argument before the Board.

(a) If any party desires to argue a case orally before the Board, he shall request leave to make such argument in his exceptions or brief. Such request shall be filed no later than the date when briefs before the Board are due in the proceeding. The Board will rule on such request, and if oral argument is to be allowed, all parties to the proceeding will be advised of the date and hour set for such argument and the amount of time allowed to each party. Requests for oral argument on petitions for discretionary review will not be entertained.

(b) Pamphlets, charts, and other written data may be presented to the Board at oral argument only in accordance with the following rules: All such material shall be limited to facts in the record of the case being argued. All such material shall be served on all parties to the proceeding and eight copies transmitted to the Docket Section of the Board at least five (5) calendar days in advance of the argument. As used herein "material" includes, but is not limited to, maps, charts included in briefs, and exhibits which are enlarged and used for demonstration purposes at the argument, but does not include the enlargements of such exhibits.

10. Amend § 302.303 by adding a proviso to the first sentence of paragraph (b) and the words "or certified" to the first sentence of paragraph (c), so that the paragraphs read as follows:

§ 302.303 Institution of proceedings.

• • • • • •

(b) In any case where a carrier is operating under a final mail rate uniformly applicable to an entire rate-making unit as established by the Board, a petition

must clearly and unequivocally challenge the rate for such entire rate-making unit and not only a part of such unit: *Provided, however,* That this rule shall not apply (1) to petitions seeking equalization of service mail rates to a lower competitive level in order to participate in the carriage of mail between specific points or (2) to petitions by local service air carriers for ad hoc adjustments pursuant to provisions therefor in local service class subsidy rates. Unless a petition clearly and unequivocally requests review of the rate for the entire rate-making unit, it shall be dismissed. No amendment intended to cure the omission shall be given retroactive effect.

(c) All petitions, amended petitions, and documents relating thereto shall be served upon the Postmaster General by sending a copy to him by registered or certified mail, postpaid, prior to the filing thereof with the Board. Proof of service on the Postmaster General shall consist of a statement in the document that the person filing it has served a copy on the Postmaster General as required by this section. The petition need not be accompanied by any further proof of service, but, upon setting any petition down for public hearing, the Board will cause notice of such hearing to be given to such interested persons as it deems appropriate in the particular case.

11. Amend § 302.400 by correcting the citation of § 399.42 to § 399.18, as follows:

§ 302.400 Applicability of this subpart.

This subpart sets forth the special rules applicable to proceedings on applications for exemption orders pursuant to section 101(3) or section 416(b)(1) of the Act. It further provides for the granting of exemptions upon the Board's own initiative and for the granting of emergency exemptions. As far as is consistent with this subpart, the provisions of Subpart A of this part also apply to such proceedings. Proceedings for the issuance of exemptions by regulation shall remain subject to the provisions governing rule making. Additional requirements for applications for interim extension of fixed-term temporary route authorizations granted by exemption are set out in § 302.909. See also §§ 377.10(c) and 399.18 of this chapter.

12. Amend § 302.909 by correcting the citation of § 399.42 to § 399.18 in paragraph (a) as follows:

§ 302.909 Renewal of fixed-term route authorizations granted by exemption.

(a) *Form of application.* An application for certificate authority to replace a fixed-term route authorization granted by exemption, filed pursuant to § 399.18 of this chapter, shall in all respects comply with the requirements of this part and of Part 201 of the Economic Regulations, except that the applicant shall additionally submit therewith exhibits which, in its judgment, establish a prima facie case for the relief requested, including a summary of the results of operations under the exemption and a forecast for the year immediately following its expiration.

* * * * *

13. Amend § 302.915 by adding the word "exclusively" to the proviso at the end of paragraph (c) so that the paragraph reads:

§ 302.915 Initiation of route proceedings by Board order.

* * * * *

(c) *Pleadings in response to Board order instituting proceedings.* Any person having a substantial interest may respond to the Board's order instituting a proceeding by filing with the Board a written answer, or a motion pursuant to § 302.12 of this part, or both, within the period of time specified in said order. Such answer or motion shall set forth all objections and proposals which such persons may have with respect to the geographic scope of the proceeding or the scope of the issues, as respectively defined in such order. Such answer or motion shall be in lieu of petitions for reconsideration of said order under § 302.37. Any such objection or proposal which is not set forth in such answer or motion shall be deemed to have been waived. Any person who fails to file a timely answer or motion in response to the Board's order shall also be deemed to have waived his right to have his own application consolidated or contemporaneously considered with those falling within the geographic scope of the proceeding or the scope of the issues therein, as respectively defined in said order: *Provided, however,* That where any further order of the Board adds to the geographic scope of a proceeding or the scope of the issues therein beyond that defined in the Board's order instituting such proceeding, failure to file an answer or motion addressed to the Board's first order shall not preclude the filing of a petition under § 302.37, or of a motion under § 302.12, addressed exclusively to the additional scope or issues.

* * * * *

(Sec. 204(a), Federal Aviation Act, 72 Stat. 743; 49 U.S.C. 1324, sec. 3(a), Administrative Procedure Act, 60 Stat. 238; 5 U.S.C. 1002)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-11867; Filed, Oct. 31, 1966; 8:48 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-237]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Special Tonnage Tax and Light Money; Republic of Singapore

OCTOBER 24, 1966.

The Secretary of State has advised the Secretary of the Treasury that the Department of State has obtained satisfactory proof from the Government of the Republic of Singapore that no discriminating duties of tonnage or imposts are imposed or levied in ports of the Republic of Singapore upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported into the Republic of Singapore in such vessels from the United States or from any foreign country. The above assurances were received by the Department of State on August 29, 1966.

Therefore, by virtue of the authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951, as amended by Executive Order No. 10882, July 18, 1960 (3 CFR Ch. II), and pursuant to the authorization given to me by Treasury Department Order No. 190, Rev. 4, December 15, 1965 (30 F.R. 15769), I declare that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of the Republic of Singapore, and the produce, manufactures, or merchandise imported into the United States in such vessels from the Republic of Singapore or from any other foreign country. This suspension and discontinuance shall take effect from August 29, 1966, and shall continue for so long as the reciprocal exemption of vessels wholly belonging to citizens of the United States and their cargoes shall be continued and no longer.

In accordance with this declaration, § 4.22, Customs Regulations, is amended by the insertion of "Singapore, Republic of" immediately after "Saudi Arabia" in the list of countries exempt from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money.

(R.S. 161, as amended, 4219, as amended, 4225, as amended, 4228, as amended, sec. 3, 23 Stat. 119, as amended; 5 U.S.C. 22, 46 U.S.C. 3, 121, 128, 141)

[SEAL] TRUE DAVIS, *Assistant Secretary of the Treasury.*

[F.R. Doc. 66-11859; Filed, Oct. 31, 1966; 8:47 a.m.]

Title 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

Reply by Applicant to Office Action

Effective on the date of publication of this notice in the FEDERAL REGISTER, § 1.111(b) is amended to read as indicated below. This amendment provides that objections or requirements as to form not necessary to further consideration of the claims may be held in abeyance only until patentable subject matter in the application is indicated, rather

than until a claim is actually allowed, as was heretofore the case. Since the amendment is procedural only, and makes no substantive change, notice and public hearings are deemed unnecessary.

In § 1.111, paragraph (b) is amended by striking out "a claim is allowed" at the end of the parenthetical matter and inserting in lieu "allowable subject matter is indicated", so that the paragraph, as amended, reads as follows:

§ 1.111 Reply by applicant.

* * * * *

(b) In order to be entitled to reexamination or reconsideration, the applicant must make request therefor in writing, and he must distinctly and specifically point out the supposed errors in the examiner's action; the applicant must respond to every ground of objection and rejection in the prior office action (except that request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated), and the applicant's action must appear throughout to be a bona fide attempt to advance the case to final action. A general allegation that the claims define invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

* * * * *

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6, 131, 132)

Dated: October 24, 1966.

EDWIN L. REYNOLDS,
Acting Commissioner.

Approved:

J. HERBERT HOLLOMAN,
Assistant Secretary for Science and Technology.

[F.R. Doc. 66-11834; Filed, Oct. 31, 1966; 8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Importation of Jade Articles, Chinese Type

A determination has been made that jade band rings are jade articles of Chinese type within the meaning of this term in § 500.204(a)(2)(ii). Accordingly, the following item is added to the Definitions and Interpretations in the Appendix to this section:

(28) Jade articles, Chinese type includes jade band rings.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 66-11860; Filed, Oct. 31, 1966; 8:47 a.m.]

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Authorized Trade Territory; Singapore

In view of the separation of Singapore from Malaysia, paragraph (a) of § 500.322 is being amended to add Singapore to the list of countries included in the term "authorized trade territory." As amended § 500.322 reads as follows:

§ 500.322 Authorized trade territory; member of the authorized trade territory.

(a) The term "authorized trade territory" shall include:

(1) North, South, and Central America, including the Caribbean region, except Cuba;

(2) Africa;

(3) Oceania, including Indonesia and the Philippines;

(4) Andorra, Austria, Belgium, Denmark, Ireland, the Federal Republic of Germany and the Western Sector of Berlin, Finland, France (including Monaco), Greece, Iceland, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and Yugoslavia;

(5) Afghanistan, Bhutan, Burma, Cambodia, Ceylon, Hong Kong, India, Iran, Iraq, Israel, Japan, Jordan, Kuwait, Laos, Lebanon, Macao, Malaysia, Muscat and Oman, Nepal, Pakistan, Saudi Arabia, Singapore, South Korea, South Viet-Nam, Syrian Arab Republic, Taiwan, Thailand, and Yemen;

(6) Any colony, territory, possession, or protectorate of any country included within this paragraph; but the term shall not include the United States.

(b) The term "member of the authorized trade territory" shall mean any of the foreign countries or political subdivisions comprising the authorized trade territory.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 66-11861; Filed, Oct. 31, 1966; 8:48 a.m.]

PART 515—CUBAN ASSETS CONTROL REGULATIONS

Authorized Trade Territory; Singapore

In view of the separation of Singapore from Malaysia (formerly the Federation of Malaya), paragraph (a) of § 515.322 is being amended to add Singapore to the list of countries included in the term "authorized trade territory." As amended § 515.322 reads as follows:

§ 515.322 Authorized trade territory; member of the authorized trade territory.

(a) The term "authorized trade territory" shall include:

(1) North, South, and Central America, including the Caribbean region, except Cuba;

(2) Africa;

(3) Oceania, including Indonesia and the Philippines;

(4) Andorra, Austria, Belgium, Denmark, Ireland, the Federal Republic of Germany, and the Western Sector of Berlin, Finland, France (including Monaco), Greece, Iceland, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey, the United Kingdom and Yugoslavia;

(5) Afghanistan, Bhutan, Burma, Cambodia, Ceylon, Hong Kong, India, Iran, Iraq, Israel, Japan, Jordan, Kuwait, Laos, Lebanon, Macao, Malaysia, Muscat and Oman, Nepal, Pakistan, Saudi Arabia, Singapore, South Korea, South Viet-Nam, Syrian Arab Republic, Taiwan, Thailand, and Yemen;

(6) Any colony, territory, possession, or protectorate of any country included within this paragraph; but the term shall not include the United States.

(b) The term "member of the authorized trade territory" shall mean any of the foreign countries or political subdivisions comprising the authorized trade territory.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 66-11862; Filed, Oct. 31, 1966; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

Operation and Maintenance Charges

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Acts of August 1, 1914 (38 Stat. 583), March 7, 1928 (45 Stat. 210), and September 26, 1961 (75 Stat. 680), it is proposed to amend § 221.86 of Part 221 of Title 25 of the Code of Federal Regulations by adding a subsection as set forth below. The purpose of the amendment is to provide for an additional assessment of 20¢ (twenty cents) per acre per year for a period of 10 years, beginning with the calendar year 1967, to make available funds for replacement of a wooden pipeline serving the Wapato-Satus Unit.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Indian Affairs, Washington, D.C. 20242, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 221.86 *Charges,* under the center head Wapato Indian Irrigation Project, Wash., is amended by the redesignation and revision of the existing paragraph and the addition of a new paragraph designated paragraph (b). The amended § 221.86 reads as follows:

§ 221.86 Charges.

The operation and maintenance charges on assessable lands under the Wapato Indian Irrigation Project, Yakima Indian Reservation, Wash., are hereby fixed as follows:

(a) Pursuant to the provisions of the acts of August 1, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the basic operation and maintenance assessment rates for the calendar year 1964 and subsequent years until further notice are:

(1) Minimum charges for all tracts in noncontiguous single ownership	$8.00
(2) Flat rate upon all farm units or tracts for each assessable acre	8.00
(3) Storage operation and maintenance. For all lands with a storage water right, known as "B" lands, in addition to other charges per acre	.50

(b) Pursuant to the provisions of the act of September 26, 1961 (75 Stat. 680), there shall be assessed and collected, beginning with the calendar year 1967 and until further notice but not to exceed a period of 10 years, an annual per acre charge of 20 cents to defray the cost of replacing a wooden pipeline.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 25, 1966.

[F.R. Doc. 66-11847; Filed, Oct. 31, 1966; 8:46 a.m.]

NATIONAL MEDIATION BOARD

[29 CFR Part 1207]

ESTABLISHMENT OF SPECIAL ADJUSTMENT BOARDS

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the Railway Labor Act, as amended (45 U.S.C. 151–163), it is proposed to add a new Part 1207 to Title 29, Chapter X, of the Code of Federal Regulations, to read as set forth below.

The proposed regulations define responsibilities and prescribe related procedures of the National Mediation Board under Public Law 89–456 (80 Stat. 208), which amended the Railway Labor Act to provide for establishment of special adjustment boards upon the request of either the representatives of employees or of carriers to resolve disputes otherwise referrable to the National Railroad Adjustment Board.

If further hearings are deemed necessary, they shall be held within ten (10) days in the offices of the National Mediation Board.

By direction of the National Mediation Board.

THOMAS A. TRACY,
Executive Secretary.

Sec.

AUTHORITY: The provisions of this Part 1207 issued under the Railway Labor Act, as amended (45 U.S.C. 151–163).

§ 1207.1 Establishment of special adjustment boards (PL Boards).

Public Law 89–456 (80 Stat. 208) governs procedures to be followed by carriers and representatives of employees in the establishment and functioning of special adjustment boards, hereinafter referred to as PL Boards. Public Law 89–456 requires action by the National Mediation Board in the following circumstances:

(a) *Designation of party member of PL Board.* Public Law 89–456 provides that within thirty (30) days from the date a written request is made by an employee representative upon a carrier, or by a carrier upon an employee representative, for the establishment of a PL Board, an agreement establishing such a Board shall be made. If, however, one party fails to designate a member of the Board, the party making the request may ask the Mediation Board to designate a member on behalf of the other party. Upon receipt of such request, the Mediation Board will notify the party which failed to designate a partisan member for the establishment of a PL Board of the receipt of the request. The Mediation Board will then designate a representative on behalf of the party upon whom the request was made. This representative will be an individual associated in interest with the party he is to represent. The designee, together with the member appointed by the party requesting the establishment of the PL Board, shall constitute the Board.

(b) *Appointment of a procedural neutral to determine matters concerning the establishment and/or jurisdiction of a PL Board.* (1) When the members of a PL Board constituted in accordance with paragraph (a) of this section, for the purpose of resolving questions concerning the establishment of the Board and/or its jurisdiction, are unable to resolve these matters, then and in that event, either party may ten (10) days thereafter request the Mediation Board to appoint a neutral member to determine these procedural issues.

(2) Upon receipt of this request, the Mediation Board will notify the other party to the PL Board. The Mediation Board will then designate a neutral member to sit with the PL Board and resolve the procedural issues in dispute. When the neutral has determined the procedural issues in dispute, he shall cease to be a member of the PL Board.

(c) *Appointment of neutral to sit with PL Boards and dispose of disputes.* (1) When the members of a PL Board constituted by agreement of the parties, or by the appointment of a party member by the Mediation Board, as described in paragraph (a) of this section, are unable within ten (10) days after their failure to agree upon an award to agree upon the selection of a neutral person, either member of the Board may request the Mediation Board to appoint such neutral person and upon receipt of such request, the Mediation Board shall promptly make such appointment.

(2) A request for the appointment of a neutral under paragraph (b) of this section or this paragraph (c) shall:

(i) Show the authority for the request—Public Law 89–456, and

(ii) Define and list the proposed specific issues or disputes to be heard.

§ 1207.2 Requests for Mediation Board action.

(a) Requests for the National Mediation Board to appoint neutrals or party representatives should be made on NMB Form 5.

(b) Those authorized to sign request on behalf of parties:

(1) The "representative of any craft or class of employees of a carrier," as referred to in Public Law 89–456, making request for Mediation Board action, shall be either the General Chairman, Grand Lodge Officer (or corresponding officer of equivalent rank), or the Chief Executive of the representative involved. A request signed by a General Chairman or Grand Lodge Officer (or corresponding officer of equivalent rank) shall bear the approval of the Chief Executive of the employee representative.

(2) The "carrier representative" making such a request for the Mediation Board's action shall be the highest carrier officer designated to handle matters arising under the Railway Labor Act.

(c) Docketing of PL Board agreements: The National Mediation Board will docket agreements establishing PL Board, which agreements meet the requirements of coverage as specified in Public Law 89–456. No neutral will be appointed under § 1207.1(c) until the agreement establishing the PL Board has been docketed by the Mediation Board.

§ 1207.3 Compensation of neutrals.

(a) *Neutrals appointed by the National Mediation Board.* All neutral persons appointed by the National Mediation Board under the provisions of § 1207.1 (b) and (c) will be compensated by the Mediation Board in accordance with legislative authority. Certificates of appointment will be issued by the Mediation Board in each instance.

(b) *Neutrals selected by the parties.* (1) In cases where the party members of a PL Board created under Public Law 89–456 mutually agree upon a neutral person to be a member of the Board, the party members will jointly so notify the Mediation Board, which Board will then issue a certificate of appointment to the neutral and arrange to compensate him as under paragraph (a) of this section.

(2) The same procedure will apply in cases where carrier and employee representatives are unable to agree upon the establishment and jurisdiction of a PL Board, and mutually agree upon a procedural neutral person to sit with them as a member and determine such issues.

§ 1207.4 Designation of PL Boards, filing of agreements, and disposition of records.

(a) *Designation of PL Boards.* All special adjustment boards created under Public Law 89–456 will be designated PL Boards, and will be numbered serially, commencing with No. 1, in the order of their docketing by the National Mediation Board.

(b) *Filing of agreements.* The original agreement creating the PL Board under Public Law 89–456 shall be filed with the National Mediation Board at the time it is executed by the parties. A copy of such agreement shall be filed by the parties with the Administrative Officer of the National Railroad Adjustment Board, Chicago, Ill.

(c) *Disposition of records.* Since the provisions of section 2(a) of Public Law 89–456 apply also to the awards of PL Boards created under this Act, two copies of all awards made by the PL Boards, together with the record of proceedings upon which such awards are based, shall be forwarded by the neutrals who are members of such Boards, or by the parties in case of disposition of disputes by PL Boards without participation of neutrals, to the Administrative Officer of the National Railroad Adjustment Board, Chicago, Ill., for filing, safekeeping, and handling under the provisions of section 2(q), as may be required.

[F.R. Doc. 66–11831, Filed, Oct. 31, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

CROCKER-ANGLO NATIONAL BANK AND CITIZENS NATIONAL BANK

Notice of Hearing

Notice is hereby given that the hearing in the subject merger case, previously noticed and published on Friday, October 14, 1966, in the FEDERAL REGISTER, Vol. 31, No. 200, page 13354, will take place in Room 284, U.S. Court of Appeals and Post Office Building, 7th and Mission Streets, San Francisco, Calif., on November 14, 1966, at 10 a.m.

For the Comptroller of the Currency, Treasury Department.

Dated: October 27, 1966.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 66-11911; Filed, Oct. 31, 1966; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

AREA MANAGERS, NEW MEXICO

Redelegation of Authority

OCTOBER 21, 1966.

In accordance with Bureau Order No. 701 of July 23, 1964 (F.R. Doc. 64-7492; 29 F.R. 10526), as amended, the Area Managers of the Alamogordo, Las Cruces, and Lordsburg Resource Areas of the Las Cruces District, N. Mex., are authorized to perform in their respective areas of responsibility, in accordance with existing policies and regulations of this Department and under the direct supervision of the district manager, the functions listed below, subject to the limitation set forth in Bureau Order No. 701, as amended (including redelegations made by the State Director in accordance with Part I, section 1.1(a), together with any limitations specified below).

(1) SEC. 3.3(d)—Trespass: Determine liability and accept damages for trespass on the public land and dispose of resources in trespass cases for not less than the appraised value thereof when the amount involved does not exceed $500.

(2) SEC. 3.7(a): Licenses to graze or trail livestock.

(3) SEC. 3.7(a)(3): Permits or cooperative agreements to construct and/or maintain range improvements and determine the value of such improvements.

(4) SEC. 3.7(b): Grazing leases.

(5) SEC. 3.7(d): Soil and moisture conservation.

(6) SEC. 3.7(e): Controlled brush burning in accordance with plans and specifications approved by the State Director.

(7) SEC. 3.8(a): Dispose of or permit the free use of forest products when authorized by law on lands under the jurisdiction of the Bureau of Land Management under applicable portions of 43 CFR, Subpart 5400. This authority does not include the approval of any sale of forest products exceeding $100 in value.

(8) SEC. 3.9(g): Material other than forest products not exceeding $100 in value.

(9) SEC. 3.9(o)(1): Special land use permits for public lands within the area, under 43 CFR Subpart 2236.

The district manager may at any time temporarily reserve, restrict or withhold any portion of the above delegated authority through the use of Form 1213-1, District Office Authority and Responsibility Guides.

This redelegation will become effective upon publication in the FEDERAL REGISTER.

JAMES W. YOUNG,
District Manager.

Approved: October 21, 1966.

W. J. ANDERSON,
State Director.

[F.R. Doc. 66-11845; Filed, Oct. 31, 1966; 8:46 a.m.]

CHIEF, DIVISION OF ADMINISTRATION; LAS CRUCES DISTRICT, N. MEX.

Redelegation of Authority

In accordance with section 3.1 of Bureau Order No. 701 of July 23, 1964 (F.R. Doc. 64-7492; 29 F.R. 10526), as amended, the Chief, Division of Administration of the Las Cruces District, N. Mex., is authorized to perform in accordance with existing policies and regulations of this Department and under the direct supervision of the district manager, the functions listed below, subject to the limitations set forth in Bureau Order No. 701, as amended.

(1) SEC. 3.2(c): Copies of records.

(2) SEC. 3.3(b): Contributions, donations, and refunds.

(3) SEC. 3.3(c): Repayments.

This order will become effective upon publication in the FEDERAL REGISTER.

JAMES W. YOUNG,
District Manager.

Approved: October 21, 1966.

W. J. ANDERSON
State Director.

[F.R. Doc. 66-11846; Filed, Oct. 31, 1966; 8:46 a.m.]

Office of the Secretary

SWINOMISH INDIAN RESERVATION, WASH.

Ordinance Legalizing Introduction, Sale or Possession of Intoxicants

Pursuant to the Act of August 15, 1953 (Public Law 277, 83d Congress, 1st session; 67 Stat. 586), I certify that the following ordinance relating to the application of the Federal Indian liquor laws on the Swinomish Indian Reservation was duly enacted by the Swinomish Indian Senate which has jurisdiction over the area of Indian country included in the ordinance:

An ordinance authorizing the introduction, sale, or possession of intoxicating beverages within the Swinomish Indian Reservation in conformity with the laws of the State of Washington and upon approval by the Swinomish Indian Senate.

Whereas, Public Law 277, 83rd Congress, approved August 15, 1953, provided that sections 1154, 1156, 3113, 3488, and 3618 of Title 18, United States Code, commonly referred to as Federal Indian Liquor Laws, shall not apply to any act or transaction within any area of Indian country, provided such act or transaction is in conformity with both the laws of the State in which such act or transaction occurs, and with an ordinance duly adopted by the tribe having jurisdiction over such area of Indian country, certified by the Secretary of the Interior, and published in the FEDERAL REGISTER; and

Whereas, the Swinomish Indian Senate, the governing body of the Swinomish Indian Tribal Community, which has jurisdiction over the Swinomish Indian Reservation, now believes that the introduction, sale or possession of intoxicating beverages upon and within the Swinomish Indian Reservation should be allowed, provided the same is in conformity with the laws of the State of Washington and only by such persons or corporations as are approved by the Swinomish Indian Senate; now, therefore,

Be it enacted by the Senate of the Swinomish Reservation that the introduction, sale, or possession of intoxicating beverages shall be lawful within the Indian country under the jurisdiction of the Swinomish Indian Tribal Community, provided that such introduction, sale, or possession is in conformity with the laws of the State of Washington and only by person, persons, or corporations as are approved by the Swinomish Indian Senate; and

Be it further enacted by the Senate of the Swinomish Reservation that any tribal laws, resolutions, or ordinances heretofore enacted which prohibit the sale, introduction, or possession of intoxicating beverages are hereby repealed; and

Be it further enacted by the Senate of the Swinomish Reservation that this ordinance shall become effective after it has been submitted to the Secretary of the Interior for his certification and published in the FEDERAL REGISTER.

Enacted by the Swinomish Indian Senate this 7th day of June 1966, pursuant to the provisions of Article VI, section 1(1) of the Constitution and By-Laws for the Swinomish Indians of the Swinomish Reservation.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

OCTOBER 25, 1966.

[F.R. Doc. 66-11848; Filed, Oct. 31, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

VETERINARIANS IN CHARGE ET AL.

Delegation of Authority To Stop and Inspect Means of Conveyance and Persons and To Execute Warrants

Pursuant to the authority vested in the Director, Animal Health Division, Agricultural Research Service, U.S. De-

partment of Agriculture (30 F.R. 5799; 29 F.R. 16210, as amended, 30 F.R. 5801), authority to perform the following functions under section 5 of the Act of July 2, 1962 (Public Law 87-518; 21 U.S.C. 134d) is hereby delegated to the Veterinarians in Charge, Veterinary Livestock Inspectors, Livestock Inspectors, Port Veterinarians, Quarantine Enforcement Inspectors, Quarantine Livestock Inspectors, and Import Animal Byproduct Inspectors, employed by the Animal Health Division, during such periods as they bear cards issued by the Director of the Animal Health Division identifying them and showing that they have been designated for the purpose of exercising such authority:

(1) To stop and inspect, without a warrant, any person or means of conveyance, moving into the United States from a foreign country, to determine whether such person or means of conveyance is carrying any animal, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the U.S. Department of Agriculture for prevention of the introduction or dissemination of any communicable animal disease;

(2) To stop and inspect, without a warrant, any means of conveyance moving interstate upon probable cause to believe that such means of conveyance is carrying any animal, carcass, product, or article regulated or subject to disposal under any law or regulation administered by the U.S. Department of Agriculture for prevention of the introduction or dissemination of any communicable animal disease; and

(3) To execute warrants issued under section 5 of the Act for the entry upon premises and for inspections and seizures necessary under such laws and regulations.

Done at Washington, D.C., this 19th day of September 1966.

E. J. WILSON,
Acting Director, Animal Health Division, Agricultural Research Service.

Approved:

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

[F.R. Doc. 66-11880; Filed, Oct. 31, 1966; 8:49 a.m.]

Forest Service

WASHAKIE WILDERNESS

Proposal and Hearing Announcement

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1131, 1132) that a public hearing will be held beginning at 9 a.m. on Thursday, December 8, 1966, in Eagle's Hall, 404 East Fremont Street, Riverton, Wyo., on a proposal for a recommendation to be made to the President of the United States by the Secretary of Agriculture, that a recommendation be submitted to Congress that approximately 193,126 acres within and contiguous to the Stratified Primitive Area, Shoshone National Forest, should be added to the National Wilderness Preservation System. The proposal further recommends that these lands be combined with the existing 483,130-acre South Absaroka Wilderness, the whole to be identified as the Washakie Wilderness.

The proposed addition to the National Wilderness Preservation System is located within the Shoshone National Forest, in Fremont, Hot Springs, and Park Counties, State of Wyoming.

A brochure containing a map and information about the area under consideration may be obtained from the Forest Supervisor, Shoshone National Forest, 1731 Sheridan Avenue, Cody, Wyo. 82414, or the Regional Forester, Building 85, Denver Federal Center, Denver, Colo. 80225.

Individuals or organizations may express their views by appearing at this hearing, or they may submit written comments for inclusion in the official record to the Regional Forester at the above address by January 8, 1967.

A. W. GREELEY,
Associate Chief, Forest Service.

OCTOBER 27, 1966.

[F.R. Doc. 66-11857; Filed, Oct. 31, 1966; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case 361]

TETALON

Default Order Denying Export Privileges

In the matter of Ilmari Kokkonen, doing business as Tetalon, Hjulbrinken 13, Tammelund, Helsinki, Finland, Respondent; Case No. 361.

By charging letter dated May 25, 1966, the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, charged the above respondent with violations of the Export Control Act of 1949 and the regulations thereunder. It was alleged, in substance, that the respondent ordered from a U.S. supplier 300 kilos of tantalum powder; that said supplier exported said commodity to respondent in Finland; and that without authorization respondent reexported the powder from Finland. It was further alleged that the respondent knew or had reason to know that the powder was of U.S.-origin and that U.S. law prohibited its exportation from Finland without authorization from the U.S. Government. It was charged that this conduct violated the U.S. Export Regulations.

The charging letter was duly served on respondent and he did not reply or file an answer and he was held to be in default. In accordance with the usual practice the case was referred to the Compliance Commissioner and he held an informal hearing at which evidence in support of the charges was presented.

The Compliance Commissioner has reported the findings of fact and findings that violations had occurred and he has recommended that the respondent be denied export privileges for the duration of export controls.

After considering the record in the case and the recommendation of the Compliance Commissioner, I hereby make the following:

Findings of fact. 1. The respondent Ilmari Kokkonen is a resident of Helsinki, Finland, and does business under the firm name and style of Tetalon. He is engaged in trading in chemicals and metals.

2. On December 5, 1963, the respondent ordered from a U.S. supplier 300 kilos of tantalum powder. Before the exportation was made, the U.S. Government sought to ascertain the end use of the tantalum powder. Inquiry was made of respondent and he represented that the powder would be used in the fabrication of nozzles for use in textile mills in Finland.

3. Pursuant to respondent's order the U.S. supplier, on or about September 18, 1964, exported to respondent in Helsinki, Finland, 300 kilos of tantalum powder valued at approximately $19,000.

4. On arrival of the goods in Helsinki, respondent, without authorization from the U.S. Government, directed that the tantalum powder be reexported to Vienna, Austria, and pursuant to said direction such reexportation was made.

5. The respondent knew that the tantalum powder had been exported from the United States and he also knew that its reexportation from Finland was contrary to the representations he had made as to the proposed end use of the commodity.

6. Before all of the facts regarding this transaction were ascertained by the Office of Export Control, written interrogatories were served on respondent pursuant to § 382.15 of the Export Regulations. The respondent failed to respond to said interrogatories or to show cause for such failure. Pursuant to said section, an order denying export privileges for an indefinite period was entered against the respondent on May 7, 1965 (30 F.R. 6661), and said order is still in full force and effect.

Based on the foregoing, I have concluded that the respondent violated § 381.6 of the U.S. Export Regulations in that, without obtaining authorization from the U.S. Department of Commerce, he knowingly reexported a commodity received from the United States contrary to prior representations made by him and contrary to the conditions under which the exportation from the United States was permitted.

Now after considering the record in the case and the recommendation of the Compliance Commissioner, and being of the opinion that his recommendation as to the sanction that should be imposed is fair and just and calculated to achieve effective enforcement of the law: *It is hereby ordered:*

I. This order supersedes the order denying export privileges for an indefinite period which was entered against the respondent on May 7, 1965 (30 F.R. 6661), but all of the prohibitions and restrictions in said order are continued in full force and effect.

II. So long as export controls are in effect the respondent is hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction either in the United States or abroad shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

On application of the respondent consideration will be given to modifying the terms of this order if he furnishes responsive answers to the written interrogatories heretofore served on him, and also furnishes to the Office of Export Control such other information as it considers desirable and appropriate regarding his dealings in U.S.-origin commodities and technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to his agents, employees, representatives, and partners, and to any person, firm, corporation, or other business organization with which he now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly; in any manner or capacity, on behalf of or in any association with said respondent or other person denied export privileges within the scope of this order, or whereby such respondent or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

Dated: October 24, 1966.

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

[F.R. Doc. 66-11863; Filed, Oct. 31, 1966; 8:48 a.m.]

[Case 362]

ROYAL ZENITH CORP. AND JEROME L. REINITZ

Consent Probation Order for Export Control Act Violations

In the matter of Royal Zenith Corp. and Jerome L. Reinitz, 180 Varick Street, New York, N.Y., 10014, Respondents; Case No. 362.

By charging letter dated June 28, 1966, the respondents were charged by the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, with violations of the U.S. Export Control Act and regulations thereunder. The respondents were served with the charging letter and appeared in the proceedings. Pursuant to the provisions of § 382.10 of the Export Regulations, with agreement of the Director of the Investigations Division, the respondents submitted to the Compliance Commissioner a proposal for the issuance of a consent order substantially in the form hereinafter set forth. In said consent proposal the respondents, for the purpose of this compliance proceeding, admitted the charges set forth in the charging letter. They waived all right to an oral hearing before the Compliance Commissioner, and consented to the issuance of an order. They also waived all right of administrative appeal from, and judicial review of, such order.

The Compliance Commissioner has reviewed the facts in the case and the respondents' proposal. He has approved the proposal and has recommended that it be accepted.

Having considered the Compliance Commissioner's report and the consent proposal, I hereby make the following:

Findings of fact. 1. The respondent Royal Zenith Corp. is an importer and wholesaler of lithographic and other equipment and has a place of business in New York City. The respondent Jerome L. Reinitz is the president of the corporation and acted for the corporation in the transaction hereinafter set forth.

2. On May 14, 1965 the respondent Reinitz, acting on behalf of Royal Zenith Corp., attempted to export from the United States to Czechoslovakia in the guise of excess baggage a number of items of U.S.-origin lithographic equipment valued at approximately $2,800.

3. The respondents knew or had reason to know when they attempted to export the said lithographic equipment from the United States to Czechoslovakia that to make such exportation the U.S. Export Regulations required that a validated export license be applied for and obtained from the Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce.

4. The respondents did not apply for or obtain the requisite validated export license from the Office of Export Control.

5. The attempted exportation of the aforesaid commodities in violation of the U.S. Export Regulations was discovered before exportation was made and the goods were seized by agents of the U.S. Bureau of Customs.

Based on the foregoing I have concluded that the respondents violated §§ 381.3(a) and 381.4 of the U.S. Export Regulations in that they attempted to export from the United States to Czechoslovakia certain lithographic equipment without first applying for and obtaining a validated export license which they knew or had reason to know was required by the Export Regulations.

On consideration of the record in the case, including factors which warrant acceptance of the consent proposal, I do hereby accept the consent proposal. *Accordingly, it is hereby ordered:*

I. For a period of 1 year from the effective date of this order the respondents Royal Zenith Corp. and Jerome L. Reinitz are placed on probation on condition that they do not knowingly violate the Export Control Act of 1949, as amended, or any regulations or order issued thereunder. While the respondents are on probation they shall be permitted all export privileges as though this order had not been entered. If the respondents do not violate the condition of probation, this order without further action shall terminate at the expiration of 1 year from its effective date.

II. In the event that it is found by the Director, Office of Export Control, or such other official as may at that time be exercising his duties, after full investigation, that the respondents have failed during the 1-year period of probation, to comply in any respect with the condition set forth in Part I hereof, such official may summarily and without notice to the respondents enter and publish an order against them which in substance shall provide as follows:

(a) Revoke all outstanding validated export licenses to which respondents are parties.

(b) For a period up to 2 years deny to the respondents and all persons and firms related to them, all privileges of participating directly or indirectly in any manner or capacity in any exportation of any commodity or technical data from the United States to any foreign destination including Canada. Without limitation of the generality of this provision, participation in any exportation is deemed to include and prohibit participation by the respondents or any related party, directly or indirectly, in any manner or capacity, (1) as a party or as a representative of a party to any validated export license application, or documents to be submitted therewith, (2) in the preparation or filing of any export license application or of any documents to be submitted therewith, (3) in the obtaining or using of any validated or general export license or other export control

documents, (4) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities or technical data, in whole or in part, exported or to be exported, from the United States, and (5) in storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

(c) No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondents or any related party, or whereby the respondents or any related party may obtain any benefits therefrom or have any interest or participation therein, directly or indirectly: (1) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control documents relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for the respondents or any related party denied export privileges; or (2) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

(d) The entry of an order under this part shall not limit the Bureau of International Commerce from taking other action based on the violation for which probation was revoked as said Bureau shall deem warranted.

This order shall become effective October 28, 1966.

Dated: October 24, 1966.

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

[F.R. Doc. 66-11864; Filed, Oct. 31, 1966; 8:48 a.m.]

[File 23(65)-48]

JOHN M. SOOKIAS

Order Denying Export Privileges for an Indefinite Period

In the matter of John M. Sookias, 6 Upper Thames Street, London E.C. 4, England, and 25 Oakwood Avenue, Purley, Surrey, England, Respondent; File 23(65)-48.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying the above-named respondent all export privileges for an indefinite period because the said respondent failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application for an indefinite denial order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent, John M. Sookias, is in the business of importing and exporting; that he has a business address at the above location in London, England, and he has at times given his address as the above-mentioned location in Purley, Surrey, England; that the respondent has at times used the name of the Bengal Behar Construction Company Private Ltd., a firm located in Calcutta, India, for his own purposes without authorization from said firm; that the respondent purchased, and received in London, England, certain U.S.-origin textile machinery spare parts which had been exported by a supplier from the United States. The aforesaid Investigations Division is conducting an investigation into the dispositon by said respondent of said commodities to ascertain whether said commodities have been reexported in violation of the U.S. Export Regulations. It is impracticable to subpoena the respondent, and relevant and material interrogatories and request to furnish certain specific documents relating to his disposition of said commodities were served on him pursuant to § 382.15 of the Export Regulations. Said respondent has failed to furnish answers to said interrogatories or to furnish the documents requested, as required by said section and has not shown good cause for such failure.

I find that an order denying export privileges to said respondent for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended. This order shall also apply to the respondent doing business as Bengal Behar Construction Company Private Limited, London or Purley, Surrey, England. The said company is not connected with and is not to be confused with the firm of the same name in Calcutta, India.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, his representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to his agents, employees, and partners, and to any person, firm, corporation, or business organization with which the respondent now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondent provides responsive answers, written information and documents in response to the interrogatories heretofore served upon him or gives adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly; (a) apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondent.

VII. In accordance with the provisions of § 382.15 of the Export Regulations, the respondent may move at any time to vacate or modify this indefinite denial order by filing with the Compliance Com-

missioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C. 20230, an appropriate motion for relief, supported by substantial evidence and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner, at Washington, D.C., at the earliest convenient date.

This order shall become effective October 26, 1966.

Dated: October 24, 1966.

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

[F.R. Doc. 66-11865; Filed, Oct. 31, 1966; 8:48 a.m.]

Maritime Administration

MARINE MIDLAND GRACE TRUST COMPANY OF NEW YORK

Notice of Approval of Applicant as Trustee

Notice is hereby given that the Marine Midland Grace Trust Co., a New York corporation, with offices at 120 Broadway, New York, N.Y., has been approved as a trustee pursuant to Public Law 89-346 and 46 CFR 221.21-221.30.

Dated: October 25, 1966.

M. I. GOODMAN,
Chief, Office of Ship Operations.

[F.R. Doc. 66-11858; Filed, Oct. 31, 1966; 8:47 a.m.]

Office of the Secretary

WILLIAM M. FIRSHING

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past 6 months:

A. Deletions: Tenneco Inc.
B. Additions: Purex Corp., Migh Voltage Eng., Flintkote, Perfect Fit Ind., E. F. McDonald.

This statement is made as of October 6, 1966.

WILLIAM M. FIRSHING.

OCTOBER 14, 1966.

[F.R. Doc. 66-11832; Filed, Oct. 31, 1966; 8:45 a.m.]

[Dept. Order 10-A]

UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION

Delegation of Authority

The following order was issued by the Secretary of Commerce on October 20, 1966.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to the Under Secretary of Commerce for Transportation.

SEC. 2. *Delegation of Authority.* .01 Pursuant to the authority vested in the Secretary of Commerce by law, and subject to such policies and directives as the Secretary of Commerce may prescribe, the Under Secretary of Commerce for Transportation is hereby delegated authority to perform all the functions and exercise all the authorities of the Secretary under the National Traffic and Motor Vehicle Safety Act of 1966 (P.L. 89-563) and the Highway Safety Act of 1966 (P.L. 89-564), with the exception of the authority conferred to establish the National Motor Vehicle Safety Advisory Council and to appoint its members.

.02 The Under Secretary of Commerce for Transportation may redelegate any authority conferred on him by this order to any officer or employee of the Department, subject to such conditions in the exercise of such authority as the Under Secretary for Transportation may prescribe.

Effective date: October 20, 1966.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 66-11868; Filed, Oct. 31, 1966; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Order No. E-24334]

AIR TRANSPORT ASSOCIATION OF AMERICA AND INTERNATIONAL AIR TRANSPORT ASSOCIATION

Transportation of Unaccompanied Minors

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of October 1966.

An agreement adopted by the Air Traffic Conference of the Air Transport Association of America relating to the transportation of unaccompanied minors, Agreement CAB No. 11914-A176; an agreement adopted by the Traffic Conference of the International Air Transport Association relating to transportation of unaccompanied minors, Agreement CAB No. 19074-R11.

Pursuant to section 412(a) of the Federal Aviation Act of 1958, as amended, agreements have been filed with the Board by the Air Traffic Conference of the Air Transport Association of America (ATC), and the Traffic Conference of the International Air Transport Association (IATA). These agreements relate to the carriage of unaccompanied minors.

In the case of ATC, the agreement constitutes revisions to "Standard Interline Passenger Procedures" (SIPP) Resolution 120.25, governing the transportation of unaccompanied minors 8 through 11 years of age, which the Board has previously approved. Resolution 120.25 presently requires a confirmed itinerary for the child; certain information relative to the persons responsible for the child at city of origin and city of destination; handling instructions at point of transfer; and procedures to be followed in instances of schedule irregularity.

There are only two basic revisions to the present ATC Resolution. First, the word "child" wherever used has been changed to "minor". This change presents no problem. Secondly, the revised agreement has a new provision which provides that a form card entitled "Request for Airline Carriage of Unaccompanied Minor" may be used. The face of this form card provides spaces for helpful information relative to the minor and the persons escorting the minor to and from the airport. However, at the bottom of the card is the statement, "I accept the conditions of carriage set forth on the reverse side of this form." This is followed by a place for signature. The reverse side of the form card contains three provisions which are thereby accepted when the card is signed. Our difficulty lies only with the first provision.[1]

The language of the first provision states that the person signing the card agrees—

I. To indemnify and hold harmless the carrier(s), their personnel and agents for and against loss or damage sustained and cost and expense incurred by them in connection with the minor's travel or resulting therefrom and to release them from all liability other than set forth in their general conditions of carriage or tariffs.

The IATA agreement provides a recommended but not a required practice which is totally new but conforms in principle with the ATC agreement. The procedures recommended for IATA carrier use would apply to all unaccompanied minors under 12, and at the request of the parents to unaccompanied minors over 12. As to the latter there is a "Request for Airline Carriage of Unaccompanied Minor" form identical to the ATC form previously discussed. Another form is utilized in the case of minors under 12. The front of this card has spaces for information concerning the minor and escorts. The reverse side of the form, marked optional, contains a paragraph providing for indemnification to the carrier and a release of liability which is almost identical to the exculpatory clause previously quoted.

Under the proposed agreement the carrier could hold the signer responsible for whatever sums it might spend regardless of the reasonableness of such expenditures. More importantly the agreement could release the carrier from all liability without regard for its own negligence. We believe that these limitations go beyond what is reasonable and therefore must be disapproved as adverse to

[1] The second and third provisions (1) authorize the carrier to take whatever action may be necessary to insure the minor's safe custody and (2) require that the minor have the necessary documents for international travel.

the public interest. Accordingly, we will approve the instant agreements subject to the deletion of the exculpatory provisions from the form cards.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find Agreement CAB No. 11914–A176 and Agreement CAB No. 19074–R11 to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

1. Agreement CAB No. 11914–A176 is approved provided that Provision 1. on the reverse side of the "Request for Airline Carriage of Unaccompanied Minor" form is deleted.

2. Agreement CAB No. 19074–R11 is approved provided that: (1) The entire third sentence on the reverse side of Attachment "A", beginning with the words "I furthermore declare * * *" be deleted, and (2) Provision 1. on the reverse side of Attachment "B" be deleted.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66–11866; Filed, Oct. 31, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 66–940]

CATV REPORT FORM

Extension of Time for Filing

OCTOBER 28, 1966.

On September 30, 1966, the Commission issued its CATV Report Form (FCC Form 325) designed to identify the ownership and operational details of CATV systems. Copies of the form were mailed to known CATV systems with the instruction that the form was to be filed by November 1, 1966.

The Commission has been advised by a number of law firms representing CATV clients and by the National Community Television Association in behalf of its members that the initial 30-day period for the filing of the form is inadequate and that an additional period of time within which to respond is necessary. The representatives of the systems have set forth several reasons which impel the requested extension of time.

The Commission is vitally interested in receiving full and complete information designed to be elicited by the CATV Report Form. Accordingly, and in compliance with the above request, the request for additional time in which to file this form is granted and the return will be due on December 1, 1966.

Adopted: October 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–11876; Filed, Oct. 31, 1966; 8:49 a.m.]

[Docket No. 16525; FCC 66M–1452]

JAMES L. HUTCHENS

Order Scheduling Hearing

In re application of James L. Hutchens, Central Point, Oreg., Docket No. 16525, File No. BP–16640; for construction permit.

Pursuant to agreement arrived at during prehearing conference in the above-styled proceeding held on this date: *It is ordered,* This 26th day of October, 1966, that the hearing in this proceeding will be held on January 9, 1967, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: October 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–11877; Filed, Oct. 31, 1966; 8:49 a.m.]

[Docket Nos. 16676, 16677; FCC 66M–1443]

ROYAL BROADCASTING CO., INC. (KHAI) AND RADIO KHAI, INC.

Order Continuing Hearing

In re applications of Royal Broadcasting Co., Inc. (KHAI), Honolulu, Hawaii, Docket No. 16676, File No. BR–4120; for renewal of license; Radio KHAI, Inc., Honolulu, Hawaii, Docket No. 16677, File No. BP–16294; for construction permit.

It is ordered, This 25th day of October 1966, that the hearing in the above-entitled proceeding shall be convened in San Francisco, Calif., on November 17, 1966, in lieu of November 15, 1966, as previously scheduled.

Released: October 26, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–11878; Filed, Oct. 31, 1966; 8:49 a.m.]

[1] Commissioners Lee and Wadsworth absent.

[Docket No. 16864; FCC 66M–1450]

ARTHUR POWELL WILLIAMS

Statement and Order After Prehearing Conference

In re application of Arthur Powell Williams, Docket No. 16864, File No. BR–1852; for renewal of license of Station KLAV, Las Vegas, Nev.

At today's prehearing conference, among other things it was directed that the hearing, now scheduled for November 28, 1966, be rescheduled for January 17, 1967, at 10 a.m., in Las Vegas, Nev.

So ordered, This 26th day of October, 1966.

Released: October 27, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–11879; Filed, Oct. 31, 1966; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66–57]

DELI/PACIFIC RATE AGREEMENT

Shippers' Requests and Complaints; Order To Show Cause

Agreement 192, originally approved November 29, 1932, among the member lines of the Deli/Pacific Rate Agreement, covers the trade from ports on the East Coast of Sumatra between Langsa and Indragiri, both inclusive, to ports situated on the West Coast of North America.

Section 15 of the Shipping Act, 1916, reads in pertinent part as follows:

> The Commission shall disapprove any such agreement, after notice and hearing, on a finding * * * of failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints.

General Order 14 was adopted to implement the above-quoted statute and it provides, in pertinent part as follows:

> § 527.3 *Filing of procedures.*
>
> Within 60 days from the effective date of this part, each rate-making group operating under an approved section 15 agreement shall file with the Commission a statement outlining in complete detail its procedures for the disposition of shippers' requests and complaints.
>
> § 527.4 *Reports.*
>
> By January 31, April 30, July 31, and October 31 of each year, each conference and each other body with rate-fixing authority under an approved agreement shall file with the Commission a report covering all shippers' requests and complaints received during the preceding calendar quarter or pending at the beginning of such calendar quarter. The first such report shall be filed by October 31, 1965. All such reports shall include the following information for each request or complaint:
>
> (a) Date request or complaint was received.
>
> (b) Identity of the person or firm submitting the request or complaint.

(c) Nature of request or complaint, i.e., rate reduction, rate establishment, classification, overcharge, undercharge, measurement, etc.

(d) If final action was taken, date, and nature thereof.

(e) If final action was not taken, an identification of the request or complaint as "pending."

(f) If denied, the reason.

§ 527.5 Resident representative.

Conference and other rate-making groups domiciled outside the United States shall designate a resident representative in the United States with whom shippers situated in the United States may lodge their requests and complaints. The resident representative shall maintain for a period of 2 years a complete record of requests and complaints filed with him by shippers and consignees situated in the United States and its territories. Conferences and other rate-making groups subject to this section may satisfy the reporting requirements of § 527.4 by reporting those requests and complaints filed with the resident agent appointed pursuant to the provisions of this section. Appointment of the resident representative shall be made by September 9, 1965.

§ 527.6 Tariff provision.

Tariffs issued by or on behalf of conferences and other rate-making groups shall contain full instructions as to where and by what method shippers may file their requests and complaints, together with a sample of the rate request form, if one is used, or, in lieu thereof, a statement as to what supporting information is considered necessary for processing the request or complaint through conference channels. Appropriate tariff provision shall be accomplished within 90 days from the effective date of these rules.

This conference has been repeatedly requested to take the actions required under the above general order, and to date it has not made any effort to comply. (Copies of the requests for compliance are attached as Appendix B).[1]

The issues raised herein do not involve any disputed issues of fact which necessitate an evidentiary hearing but are such as to require a prompt determination by the Commission.

Now therefore, pursuant to sections 15 and 22 of the Shipping Act, 1916,

It is ordered, That the Deli/Pacific Rate Agreement and the member lines thereof show cause why Agreement 192, as amended, should not be disapproved by the Commission pursuant to section 15 of the Shipping Act, 1916, because of the Conference's failure to comply with the requirements of section 15 of the Shipping Act, 1916, and the Conference's failure to comply with the Commission's General Order 14, issued June 8, 1965. This proceedings shall be limited to the submission of affidavits and memoranda and oral argument. The affidavits of fact and memoranda of law shall be filed by respondents no later than close of business November 21, 1966, replies thereto shall be filed by Hearing Counsel and interveners, if any, no later than close of business December 8, 1966. An original and 15 copies of affidavits of fact, memoranda of law, and replies to be filed with the Secretary, Federal Maritime Commission, Washington, D.C. 20573. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Oral argument will be heard at a date and time to be announced later.

It is further ordered, That the Deli/Pacific Rate Agreement and its member lines as indicated below, are hereby made respondents in this proceeding.

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent.

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with Rule 5(L) (46 CFR 502.72) of the Commission's rules of practice and procedure no later than close of business November 7, 1966, with copy to Respondent Conference.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

APPENDIX "A"

M. S. Slamet, Secretary, Deli Pacific Rate Agreement, 2 Djalan Gudang, Post Office Box 134, Medan, Indonesia.
American Mail Line, Ltd., 601 California Street, San Francisco, Calif. 94108.
American President Lines, Ltd., 601 California Street, San Francisco, Calif. 94108.
Djakarta Lloyd, P.N., c/o General Steamship Corp., Ltd., 1 Bush Street, San Francisco, Calif. 94104.
Hoegh Lines—Joint Service, c/o Kerr Steamship Co., Inc., 350 California Street, San Francisco, Calif. 94104.
Isthmian Lines, Inc., c/o States Marine Isthmian Agency, Inc., 100 Bush Street, San Francisco, Calif. 94104.
Klaveness Line—Joint Service, c/o Overseas Shipping Co., 615 South Flower, Los Angeles, Calif. 90017.

[F.R. Doc. 66-11827; Filed, Oct. 31, 1966; 8:45 a.m.]

[1] Filed as part of the original document.

[Docket No. 66-56]

JAVA/PACIFIC RATE AGREEMENT

Shippers' Requests and Complaints; Order To Show Cause

Agreement 191, originally approved November 29, 1932, among the member lines of the Java/Pacific Rate Agreement, covers the trade from Indonesia exclusive of the ports situated on the East Coast of Sumatra between Langsa and Indragiri, both inclusive, to ports situated on the Pacific Coast of North America.

Section 15 of the Shipping Act, 1916, reads in pertinent part as follows:

The Commission shall disapprove any such agreement, after notice and hearing, on a finding * * * of failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints.

General Order 14 was adopted to implement the above-quoted statute and it provides, in pertinent part as follows:

§ 527.3 Filing of procedures.

Within 60 days from the effective date of this part, each rate-making group operating under an approved section 15 agreement shall file with the Commission a statement outlining in complete detail its procedures for the disposition of shippers' requests and complaints.

§ 527.4 Reports.

By January 31, April 30, July 31, and October 31 of each year, each conference and each other body with rate-fixing authority under an approved agreement shall file with the Commission a report covering all shippers' requests and complaints received during the preceding calendar quarter or pending at the beginning of such calendar quarter. The first such report shall be filed by October 31, 1965. All such reports shall include the following information for each request or complaint:

(a) Date request or complaint was received.

(b) Identity of the person or firm submitting the request or complaint.

(c) Nature of request or complaint, i.e., rate reduction, rate establishment, classification, overcharge, undercharge, measurement, etc.

(d) If final action was taken, date and nature thereof.

(e) If final action was not taken, an identification of the request or complaint as "pending."

(f) If denied, the reason.

§ 527.5 Resident Representative.

Conferences and other rate-making groups domiciled outside the United States shall designate a resident representative in the United States with whom shippers situated in the United States may lodge their requests and complaints. The resident representative shall maintain for a period of 2 years a complete record of requests and complaints filed with him by shippers and consignees situated in the United States and its territories. Conferences and other ratemaking groups subject to this section may satisfy the reporting requirements of § 527.4 by reporting those requests and complaints filed with the resident agent appointed pursuant to the provisions of this section. Appointment of the resident representative shall be made by September 9, 1965.

§ 527.6 Tariff Provision.

Tariffs issued by or on behalf of conferences and other rate-making groups shall contain full instructions as to where and by what method shippers may file their requests and complaints, together with a sample of the rate request form, if one is used, or, in lieu thereof, a statement as to what supporting information is considered necessary for processing the request or complaint through conference channels. Appropriate tariff provision shall be accomplished within 90 days from the effective date of these rules.

This conference has been repeatedly requested to take the actions required under the above general order, and to date it has not made any effort to comply. (Copies of the requests for compliance are attached as Appendix B).[1]

The issues raised herein do not involve any disputed issues of fact which necessitate an evidentiary hearing but are such as to require a prompt determination by the Commission.

Now therefore, pursuant to sections 15 and 22 of the Shipping Act, 1916,

It is ordered, That the Java/Pacific Rate Agreement and the member lines thereof show cause why Agreement 191, as amended, should not be disapproved by the Commission pursuant to section

15 of the Shipping Act 1916, because of the Conference's failure to comply with the requirements of section 15 of the Shipping Act, 1916, and the Conference's failure to comply with the Commission's General Order 14, issued June 8, 1965. This proceeding shall be limited to the submission of affidavits and memoranda and oral argument. The affidavits of fact and memoranda of law shall be filed by respondents no later than close of business November 21, 1966, replies thereto shall be filed by Hearing Counsel and interveners, if any, no later than close of business December 8, 1966. An original and 15 copies of affidavits of fact, memoranda of law, and replies to be filed with the Secretary, Federal Maritime Commission, Washington, D.C. 20573. Copies of any papers filed with the Secretary should also be served upon all parties hereto. Oral argument will be heard at a date and time to be announced later.

It is further ordered, That the Java/Pacific Rate Agreement and its member lines as indicated below, are hereby made respondents in this proceeding.

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent.

Persons other than respondents and Hearing Counsel who desire to become a party to this proceeding shall file a petition for leave to intervene in accordance with Rule 5(L) (46 CFR 502.72) of the Commission's rules of practice and procedure no later than close of business November 7, 1966, with copy to Respondent Conference.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

APPENDIX "A"

Ong Tsing Boen, Secretary, Java Pacific Rate Agreement, Kali Besar Barut 50, Post Office Box 201, Djakarta Kota, Indonesia.
American Mail Line, Ltd., 601 California Street, San Francisco, Calif. 94108.
Isthmian Lines, Inc., c/o States Marine/Isthmian Agency Inc., 100 Bush Street, San Francisco, Calif. 94104.
Klaveness Lines Joint Service, c/o Overseas Shipping Co., 615 South Flower, Los Angeles, Calif. 90017.
Djakarta Lloyd, P.N., c/o General Steamship Corp., Ltd., 1 Bush Street, San Francisco, Calif. 94104.

[F.R. Doc. 66-11829; Filed, Oct. 31, 1966; 8:45 a.m.]

GRACE LINE, INC., AND TRANSPORTE MARITIMO ORIENTAL C.A.

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Edward Walker, Manager, Rates and Conference Department, Grace Line, Inc., 2 Pine Street, San Francisco, Calif. 94111.

Agreement 9588, between Grace Line, Inc., and Transporte Maritimo Oriental C.A., proposes the establishment of a through billing service for the movement of general cargo from United States Pacific Coast ports to Venezuelan ports with transshipment at Puerto Cabello or La Guaira, Venezuela, in accordance with the terms and conditions set forth in the agreement.

Dated: October 26, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-11828; Filed, Oct. 31, 1966; 8:45 a.m.]

LYKES BROS. STEAMSHIP CO. AND CHINA NAVIGATION CO., LTD.

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

A. E. Gilman, Lykes Bros. Steamship Co., New Orleans, La.

Agreement 9589 covers a through billing arrangement for the movement of cargo under through bills of lading from Port Moresby, Rabul, Madang, and Lae, ports of call of the China Navigation Co., Ltd., in the territory of New Guinea to United States ports of call of Lykes line on the Gulf of Mexico with transshipment at Hong Kong, British Colony or Kobe or Yokohama, Japan in accordance with the terms and conditions stated therein.

Dated: October 26, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-11830; Filed, Oct. 31, 1966; 8:45 a.m.]

[Independent Ocean Freight Forwarder License 1020]

PATRICK & GRAVES

Revocation of License

Whereas, L. H. Graves doing business as Patrick & Graves, 3611 Gulf Freeway, Post Office Box 578, Houston, Tex. 77001, has returned its Independent Ocean Freight Forwarder License No. 1020 to the Commission for cancellation:

It is ordered, That Independent Ocean Freight Forwarder License No. 1020, issued to L. H. Graves doing business as Patrick & Graves, on June 23, 1964, be and is hereby revoked, effective this date.

It is further ordered, That L. H. Graves doing business as Patrick & Graves henceforth cease operating as an independent ocean freight forwarder.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on licensee.

By order of the Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-11871; Filed, Oct. 31, 1966; 8:49 a.m.]

[Independent Ocean Freight Forwarder License 1019]

DIXIE FORWARDING CO., INC.

Revocation of License

Whereas, Dixie Forwarding Co., Inc., 3611 Gulf Freeway, Post Office Box 578, Houston, Tex. 77001, has returned its Independent Ocean Freight Forwarder License No. 1019 to the Commission for cancellation:

It is ordered, That Independent Ocean Freight Forwarder License No. 1019, issued to Dixie Forwarding Co., Inc., on June 26, 1964, be and is hereby revoked, effective this date.

It is further ordered, That Dixie Forwarding Co., Inc., henceforth cease operating as an independent ocean freight forwarder.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on licensee.

By order of the Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-11872; Filed, Oct. 31, 1966; 8:49 a.m.]

[Independent Ocean Freight Forwarder License 845]

MERCAL INTERNATIONAL, INC.

Notice of Compliance With Order To Show Cause

Notice is hereby given that Mercal International, Inc., 13A East 40th Street, New York, N.Y. 10016, has complied with the Commission's order to show cause dated October 6, 1966, and published in the FEDERAL REGISTER (31 F.R. 13255), by filing an effective surety bond with the Commission.

JOHN F. GILSON,
Deputy Director,
Bureau of Domestic Regulation.

[F.R. Doc. 66-11873; Filed, Oct. 31, 1966; 8:49 a.m.]

AMERICAN PRESIDENT LINES, LTD., AND SEATRAIN LINES, INC.

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street, NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Harvey M. Flitter, Assistant Traffic Manager, Seatrain Lines, Inc., 595 River Road, Edgewater, N.J. 07020.

Agreement 9590 covers a through billing arrangement for the movement of general cargo under through bills of lading from loading ports of the original carrier (Seatrain) in Puerto Rico to APL ports of call in South Viet Nam with transshipment at the Port of New York in accordance with the terms and conditions stated therein.

Dated: October 27, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-11874; Filed, Oct. 31, 1966; 8:49 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

COTTON TEXTILES PRODUCED OR MANUFACTURED IN BRAZIL

Entry or Withdrawal From Warehouse for Consumption

OCTOBER 27, 1966.

On October 26, 1966, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangements Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, informed the Government of Brazil that it was renewing for an additional 12-month period beginning October 28, 1966, and extending through October 27, 1967, the restraint on imports to the United States of cotton textiles in Category 9, produced or manufactured in Brazil.

There is published below a letter of October 26, 1966, from the Chairman, President's Cabinet Textile Advisory Committee, to the Commissioner of Customs, directing that amounts of cotton textiles in Category 9, produced or manufactured in Brazil, which may be entered or withdrawn from warehouse for consumption in the United States, for the 12-month period beginning October 28, 1966, and extending through October 27, 1967, be limited to a designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

WASHINGTON, D.C. 20230,
October 26, 1966.

COMMISSIONER OF CUSTOMS,
Department of the Treasury
Washington, D.C.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit effective October 28, 1966, and for the 12-month period extending through October 27, 1967, entry into the United States for consumption, and withdrawal from warehouse for consumption, of cotton textiles in Category 9, produced or manufactured in Brazil, in excess of a level of restraint for the period of 578,812 square yards.

In carrying out this directive, entries of cotton textiles in Category 9, produced or manufactured in Brazil, which have been exported to the United States from Brazil prior to October 28, 1966, shall, to the extent of any unfilled balances be charged against the level of restraint established for such goods for the period ending October 27, 1966. In the event that the level of restraint established for the period ending October 27, 1966 has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on July 7, 1966 (31 F.R. 9310).

In carrying out the above directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Brazil and with respect to imports of cotton textiles and cotton textile products from Brazil have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of section 4 of the Administrative Procedure Act. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

JOHN T. CONNOR,
Secretary of Commerce, and Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 66-11869; Filed, Oct. 31, 1966; 8:48 a.m.]

INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA

AIR POLLUTION IN BOUNDARY AREAS

Investigation

The International Joint Commission, pursuant to its rules of procedure, announces that by similar letters dated September 23, 1966, the Governments of Canada and the United States have referred to it the matter of air pollution in the vicinity of Detroit-Windsor and Port Huron-Sarnia and air pollution problems generally in other boundary areas.

Partial text of the Reference follows:

In view of the seriousness of the problem of air pollution in the vicinity of Port Huron-Sarnia and Detroit-Windsor, both Governments have agreed to refer this matter to the International Joint Commission, pursuant to Article IX of the Boundary Waters Treaty of 1909. The Commission is therefore requested to inquire into and report to the two Governments upon the following questions:

(1) Is the air over and in the vicinity of Port Huron-Sarnia and Detroit-Windsor being polluted on either side of the international boundary by quantities of air contaminants that are detrimental to the public health, safety, or general welfare of citizens or property on the other side of the international boundary?

(2) If the foregoing question or any part thereof is answered in the affirmative, what sources are contributing to this polution and to what extent?

(3) (a) If the Commission should find that any sources on either side of the boundary in the vicinity of Port Huron-

Sarnia and Detroit-Windsor contribute to air pollution on the other side of the boundary to an extent detrimental to the public health, safety or general welfare of citizens or property, what preventive or remedial measures would be most practical from economic, sanitary and other points of view?

(b) The Commission should give an indication of the probable total cost of implementing the measures recommended.

In the light of the findings contained in the Commission's report of May 1960, the Commission, in conducting its investigations under this Reference is requested to give initial attention to the Detroit-Windsor area and, to submit its report and recommendations on this problem to the two governments as soon as possible.

The Commission is also requested to take note of air pollution problems in boundary areas other than those referred to in Question 1 which may come to its attention from any source. If at any time the Commission considers it appropriate to do so, the Commission is invited to draw such problems to the attention of both Governments.

Persons or agencies interested in the subject matter of this Reference are invited to inform the Commission of the nature of their interest. At an appropriate time, the Commission will hold public hearings at which there will be convenient opportunity for all interests to be heard.

Copies of the Reference from the Governments are available on request at the offices of the Commission.

WILLIAM A. BULLARD,
Secretary, U.S. Section,
International Joint Commission.

D. G. CHANCE,
Secretary, Canadian Section,
International Joint Commission.

OCTOBER 26, 1966.

[F.R. Doc. 66-11870; Filed, Oct. 31, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1434]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 26, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69087. By order of October 19, 1966, the Transfer Board approved the transfer to Anthony F. Lisano, doing business as W. B. Howard Express Co., Boston, Mass., of the certificate in No. MC-41809 and the certificate of registration in No. MC-41809 (Sub-No. 2), issued June 3, 1941, and March 30, 1964, respectively, to Matthew N. Lisano and Anthony F. Lisano, a partnership, doing business as W. B. Howard Express Co., Boston, Mass., the former authorizing the transportation of general commodities, with usual exceptions, over irregular routes, between Boston, Mass., on the one hand, and, on the other, Brookline, Cambridge, Lynn, Malden, Medford, Somerville, and Watertown, Mass., and the latter evidencing a right of the holder to engage in transportation in interstate or foreign commerce within the limits of irregular route common carrier certificate No. 3437, dated March 22, 1950, issued by the Massachusetts Department of Public Utilities. J. Chester Webb, 397 Moody Street, Second Floor, Waltham, Mass. 02154, attorney for applicants.

No. MC-FC-69130. By order of October 19, 1966, the Transfer Board approved the transfer to Lewis Price, Des Moines, Iowa, of the operating rights in permit No. MC-80717, issued June 28, 1941, to H. G. Hypes, West Des Moines, Iowa, and authorizing the transportation of beer, ginger ale, empty beverage containers, and fancy groceries, over irregular routes, between Des Moines, Iowa, on the one hand, and, on the other, Minneapolis and Shakopee, Minn., Dubuque, Iowa, and Chicago, Ill. William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306, representative for applicants.

No. MC-FC-69131. By order of October 19, 1966, the Transfer Board approved the transfer to A. F. Express Co., Inc., Stockton, Calif., of the certificate of registration in No. MC-120859 (Sub-No. 1), issued February 24, 1964, to Rose J. Antonini, Virgil J. Antonini (administrator), a partnership, for the estate of Louis E. Antonini, and Virgil J. Antonini, doing business as Antonini Fruit Express, Stockton, Calif., and evidencing a right of the holder to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in certificate of public convenience and necessity in decision No. 61475, dated February 14, 1961, issued by the Public Utilities Commission of California. Frances X. Vieira, Harkins & Vieira, 22 North San Joaquin, Stockton, Calif. 95202, attorney for applicants.

No. MC-FC-69132. By order of October 19, 1966, the Transfer Board approved the transfer to Lawrence Tetz and Kenneth Tetz, a partnership, doing business as Tetz Oil Co., Ilwaco, Wash., of permit No. MC-110415 (Sub-No. 1), issued October 28, 1965, to William Tetz, Lawrence Tetz, and Kenneth Tetz, a partnership, doing business as Tetz Oil Co., Ilwaco, Wash., and authorizing the transportation of petroleum products in bulk, in tank vehicles, over irregular routes, from Astoria, Oreg., to Ilwaco, Wash. Earle V. White, White & Stouthwell, 2130 Southwest Fifth Avenue, Portland, Oreg. 97201, attorney for applicants.

No. MC-FC-69134. By order of October 19, 1966, the Transfer Board approved the transfer to A. Pare & Son Movers, Inc., Dracut, Mass., of the operating rights in certificate No. MC-51083 issued October 17, 1950, to Aurele Pare, doing business as A. Pare-Mover, Dracut, Mass., authorizing the transportation of: Household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, over irregular routes, between Lowell, Mass., and points in Massachusetts within 15 miles of Lowell, on the one hand, and, on the other, points in Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, Connecticut, New York, and New Jersey. John F. Curley, 33 Broad Street, Boston, Mass. 02109, attorney for applicants.

No. MC-FC-69150. By order of October 19, 1966, the Transfer Board approved the transfer to Tortorell Trucking, Inc., Ridgewood, N.Y., of permit No. MC-105968, issued August 13, 1964, to Samuel Tortorelli, doing business as Tortorell Trucking, 177 Woodward Avenue, Ridgewood, N.Y., and authorizing the transportation of: Iron and steel bars, plates, rods, sheets, and strips, which do not because of shape, size, or weight require specialized handling or the use of special equipment, over irregular routes, between New York, N.Y., on the one hand, and, on the other, Newark, N.J., and points in New Jersey within 25 miles of Newark.

No. MC-FC-69186. By order of October 25, 1966, the Transfer Board approved the transfer to Julius Perler, doing business as E. Perler & Son, Brooklyn, N.Y., of the operating rights in permit No. MC-108024, issued October 9, 1953, to Harry Perler and Julius Perler, doing business as E. Perler & Son, Brooklyn, N.Y., authorizing the transportation of: Tin cans, from New York, N.Y., to points in Connecticut, New Jersey, New York, and Pennsylvania within 100 miles of New York, N.Y.; and rejected shipments of tin cans, from the above-specified destination points to New York, N.Y. Scrap tin, from New York, N.Y., to Carteret, N.J., with no transportation for compensation on return except as otherwise authorized. William D. Traub, 10 East 40th Street, New York, N.Y. 10016, representative for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-11811; Filed, Oct. 28, 1966; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G–6210, etc.]

BURK GAS CORP. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

OCTOBER 20, 1966.

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 heretofore authorized 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.

Protests 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 or 1.10) on or before November 10, 1966.

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 protest or 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 protest or 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: *Provided, however,* That pursuant to § 2.56, Part 2, statement of general policy and interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G–6210 E 6–14–66	Burk Gas Corp. et al. (successor to Estate of M. G. Hansbro, Deceased), 800 Oil and Gas Bldg., Wichita Falls, Tex. 76301.	United Gas Pipe Line Co., Various Units, Bethany Field, Panola County, Tex.	[2] 10.8676	14.65
G–8552 E 9–14–66	Depco, Inc. (Operator), et al. (successor to International Oil & Gas Corp. (Operator), et al.), 825 Petroleum Club Bldg., Denver, Colo. 80202.	United Gas Pipe Line Co., Emma Haynes Field, Goliad County, Tex.	13.1664	14.65
G–11720 E 9–14–66	do	Texas Eastern Transmission Corp., Yoward Field, Bee County, Tex.	10.92096	14.65
G–14594 E 9–14–66	Depco, Inc., et al. (successor to International Oil & Gas Corp.).	do	10.92096	14.65
G–14833 E 9–14–66	Depco, Inc. (Operator), et al. (successor to International Oil & Gas Corp. (Operator), et al.).	El Paso Natural Gas Co., Blanco Field, Rio Arriba County, N. Mex.	[3] 14.0 [3] 12.05	15.025 15.025
G–18067 E 9–14–66	Depco, Inc., et al. (successor to International Oil & Gas Corp.).	El Paso Natural Gas Co., Aztec Field, San Juan County, N. Mex.	[4] 14.0	15.025
G–19187 E 9–14–66	do	Northern Natural Gas Co., Blinebry Field, Lea County, N. Mex.	[5] 11.84295	14.65
CI60–23 E 9–14–66	do	El Paso Natural Gas Co., Gallegos Gallup Field, San Juan County, N. Mex.	13.0	15.025
CI61–516 C 10–5–66	Pan American Petroleum Corp. (Operator), et al., Post Office Box 591, Tulsa, Okla. 74102.	Michigan Wisconsin Pipe Line Co., Putnam Field, Dewey County, Okla.	[6] 16.0	14.65
CI62–851 E 9–14–66	Depco, Inc. (Operator), et al. (successor to International Oil & Gas Corp. (Operator), et al.).	El Paso Natural Gas Co., Blanco Field, Rio Arriba County, N. Mex.	[7] 14.0 [8] 12.05	15.025 15.025
CI64–836 D 9–6–66	The Superior Oil Co., Post Office Box 1521, Houston, Tex. 77001.	Kansas-Nebraska Natural Gas Co., Inc., Bradshaw Field, Syracuse Area, Hamilton County, Kans.	(9)	
CI65–679 E 9–14–66	Depco, Inc., et al. (successor to International Oil & Gas Corp.).	Natural Gas Pipeline Co. of America, Indian Basin Field, Eddy County, N. Mex.	16.608	14.65
CI66–470 10–10–66 [10]	Sunray DX Oil Co. (Operator), et al. Post Office Box 2039, Tulsa, Okla. 74102.	Arkansas Louisiana Gas Co., Arkoma Area, Le Flore, Latimer, Pittsburg, and Haskell Counties, Okla.	15.0	14.65
CI66–721 D 10–11–66	Coastal States Gas Producing Co., Post Office Box 521, Corpus Christi, Tex. 78403.	Lone Star Gas Co., Nellie District North Field, Stephens County, Okla.	(11)	
CI66–1312 A 6–23–66	Pecos Growers Oil Co.,[12] 1605 National Bank of Tulsa Bldg., Tulsa, Okla. 74101.	El Paso Natural Gas Co., Fort Stockton Field, Pecos County, Tex.	16.5	14.65
CI67–49 A 7–15–66	Humble Oil & Refining Co.,[13] Post Office Box 2180, Houston, Tex. 77001.	El Paso Natural Gas Co., Wilshire (Devonian) Field, Upton County, Tex	[14] 16.5	14.65
CI67–248 A 8–25–66 [15]	Blackburn Gasoline Plant, Post Office Box 396, Minden, La.	Acreage in Bossier and Webster Parishes, Northern Louisiana.[16]	[14] 1.5 [17] 1.0	15.025
CI67–312 (G–6210) B 9–6–66 [15]	Burk Gas Corp., et al. (successor to M. G. Hansbro, Deceased).	United Gas Pipe Line Co., Bethany Field, Panola County, Tex.	(17)	
CI67–387 A 10–5–66	Jack E. Webber and Dorothea Webber, Route 1, Morgansville, W. Va. 26406.	Pennzoil Co., Grant District, Doddridge County, W. Va.	18.0	15.325
CI67–388 B 10–3–66	Union Producing Co., Post Office Box 1407, Shreveport, La. 71102.	United Gas Pipe Line Co., Monroe Field, Union Parish, La.	Depleted	
CI67–389 A10–3–66	Tidewater Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Southern Union Gathering Co., San Juan Basin-Dakota Field, San Juan County, N. Mex.	14.05775	15.025
CI67–391 (G–19960) F 10–5–66	Livingston Oil Co. (successor to New Era Royalties Co.), Post Office Box 1798, Tulsa, Okla. 74101.	Colorado Interstate Gas Co., Greenwood Field, Morton County, Kans.	16.0	14.4
CI67–392 A 10–6–66	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Florida Gas Transmission Co., South Manchester Field, Calcasieu Parish, La.	20.0	15.025
CI67–393 A 9–29–66	Taylor Properties, Inc., 1100 Oil and Gas Bldg., Wichita Falls, Tex. 76301.	Phillips Petroleum Co., West Panhandle Field, Gray County, Tex.	8.0	14.65
CI67–394 A 10–7–66	R. H. Worden, Post Office Box 57, Pikeville, Ky. 41501.	United Fuel Gas Co., Eastern Kentucky Field, Pike County, Ky.	17.0	15.325
CI67–395 B 10–7–66	Pan American Petroleum Corp.	Consolidated Gas Supply Corp., Union District, Tyler County, W. Va.	Depleted	
CI67–396 A10–10–66	Humble Oil & Refining Co.	Valley Gas Transmission, Inc., East Scott and Hopper Field Area, Brooks County, Tex.	15.0	14.65
CI67–397 A 10–10–66	Arnold Petroleum Co. (Operator), et al., 700 United Founders Tower, Oklahoma City, Okla. 73102.	Northern Natural Gas Co., Mocane-Laverne Field, Beaver County, Okla.	[14] 17.0	14.65
CI67–398 A 10–10–66	Roger M. Wheeler, 41st St. and Sheridan Rd., Post Office Box 1526, Tulsa, Okla. 74101.	Northern Natural Gas Co., Southeast Farnsworth Field, Ochiltree County, Tex.	17.0	14.65
CI67–399 F 10–3–66	James W. Harris (successor to Sun Oil Co.), 236 Bldg., 236 East Capitol St., Jackson, Miss. 39205.	Southern Natural Gas Co., Gwinville Field, Jefferson Davis County, Miss.	15.0256	15.025
CI67–400 A 10–10–66	C. F. Raymond, 1700 Broadway, Denver, Colo. 80208.	Kansas-Nebraska Natural Gas Co., Inc., Bonanza Field, Logan County, Colo.	16.0	16.4
CI67–401 A 10–10–66	Pan American Petroleum Corp.	Northern Natural Gas Co., Various Fields, Haskell County, Kans.	[20] 14.0 [21] 16.0	14.65
CI67–402 A 10–10–66	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	Cascade Natural Gas Corp., Winter Valley Field, Moffat County, Colo.	[22] 15.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendments 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
C167-448..... A 10-10-66	Warren American Oil Co., 915 First National Bank Bldg., Tulsa, Okla. 74103.	Texas Gas Transmission Corp., Block 40 Field, Ship Shoal Area, Terrevonne Parish, La.	21.25	15.025
C167-449..... A 10-10-66	Anadarko Production Co., et al., Post Office Box 9317, Fort Worth, Tex. 76107.	Northern Natural Gas Co., Northwest Perryton Field, Ochiltree County, Tex.	17.0	14.65
C167-450..... A 10-10-66	W. J. Coppinger (Operator), et al., 1207 Union National Bldg., Wichita, Kans. 67202.	Northern Natural Gas Co., Eubank Field, Haskell County, Kans.	14.0	14.65
CI67-451..... A 10-5-66	Ashworth Gas Co., c/o Clark Curry, agent, Post Office Box 23, Hamlin, W. Va. 25523.	United Fuel Gas Co., Curry District, Putnam County, W. Va.	16.0	15.325
C167-452..... B 10-10-66	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102.	Texas Gas Transmission Corp., Carlton Area, Ouachita Parish, La.	Depleted	.....
C167-453..... A 10-10-66	Edwin G. Bradley, et al., 826 Union Center Bldg., Wichita, Kans. 67202.	Panhandle Eastern Pipe Line Co., acreage in Meade County, Kans.	[14] 16.0	14.65
C167-455..... A 10-6-66	Burning Creek-Marrowbone Land Co., Box 1098, Williamson, W. Va. 25661.	United Fuel Gas Co., Kermit Field, Mingo County, W. Va.	16.0	15.325
CI67-456..... A 10-10-66	Burning Springs Land Co., 522 Dixie Terminal Bldg., Cincinnati, Ohio 45202.	.....do.....	16.0	15.325
C167-457..... B 10-10-66	Michel T. Halbouty (Operator), et al.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Eagle Lake Field, Colorado County, Tex.	Depleted	.....
CI67-458..... A 10-11-66	The Louisiana Land & Exploration Co., c/o H. H. Hillyer, Jr. and Marsden W. Miller, Jr., attorneys, 1122 Whitney Bldg., New Orleans, La. 70113.	Texas Gas Transmission Corp., Lake Pagie Field, Terrebonne Parish, La.	20.625	15.025
CI67-459..... A 10-11-66	Union Texas Petroleum, a division of Allied Chemical Corp., Post Office Box 2120, Houston, Tex. 77001.	Cities Service Gas Co., South Bishop Field, Ellis County, Okla.	17.0	14.65
CI67-460..... A 10-11-66	Coastal States Gas Producing Co., Post Office Drawer 521, Corpus Christi, Tex. 78403.	Lone Star Gas Co., Nellie District North Field, Stephens County, Okla.	15.0	14.65

[1] Includes 0.1376 cent per Mcf tax reimbursement.
[2] Effective rate under FPC GRS No. 6. Rate in effect subject to refund in Docket No. RI64-634.
[3] Effective rate under FPC GRS No. 7.
[4] Rate in effect subject to refund in Docket No. RI64-568.
[5] Rate in effect subject to refund in Docket No. RI66-581.
[6] Includes 1.0 cent upward B.t.u. adjustment.
[7] Effective rate under FPC GRS No. 4. Rate in effect subject to refund in Docket No. RI64-634.
[8] Effective rate under FPC GRS No. 5.
[9] Leases have been nonproductive and have been released to land-owners with Buyer's approval.
[10] Amendment to certificate filed to add interest of coowners.
[11] Deletes a portion of the acreage included in initial certificate application through error of Petitioner.
[12] Applicant states its willingness to accept permanent certificate containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.
[13] By letter filed Oct. 13, 1966, Applicant agreed to accept permanent certificate containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.
[14] Subject to upward and downward B.t.u. adjustment.
[15] Applicant requests authorization to gather, compress and deliver gas to pipeline purchasers thereof. The various independent producers which will use Applicant's services have heretofore been authorized to sell natural gas to the pipeline purchasers.
[16] Gathering charge. Charge to be reduced to 0.0025 cent per Mcf after cost of gathering facilities has been recovered or 5 years has elapsed from date of initial delivery.
[17] Compression charge per stage.
[18] Abandons service insofar as it relates to acreage covered under Supp. 1 to FPC GRS No. 9. Other sales covered under Docket No. G-6210.
[19] Well ceased producing in 1957.
[20] Production from formations deeper than the base of the Wolfcamp series of the Permian System and above the top of the Morrowan series of the Pennsylvanian System.
[21] Production below the top of the Morrowan series of the Pennsylvanian System.
[22] Less 1.25 cents per Mcf facility charge.

[F.R. Doc. 66-11788; Filed, Oct. 31, 1966; 8:45 a.m.]

[Docket No. CP67-102]

EL PASO NATURAL GAS CO.

Notice of Application

OCTOBER 25, 1966.

Take notice that on October 19, 1966, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain transmission facilities with necessary appurtenances and authorizing the sale for resale in interstate commerce of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate approximately 17.93 miles of 8⅝-inch O.D. pipeline looping a portion of its San Manuel-Hayden, Ariz., pipeline and to modify its existing measuring and regulating stations serving American Smelting & Refining Co. (AS&R) and Kennecott Copper Corp. (Kennecott) by adding one 6⅝-inch O.D. orifice-type meter run to each station. The application states that Applicant proposes to enter into Gas Sales Agreements with AS&R and Kennecott to increase the firm daily deliveries of natural gas by Applicant to such customers by 2,023 Mcf and 708.05 Mcf respectively. The above mentioned facilities are proposed to implement the increases of the direct deliveries near Hayden, Gila County, Ariz., to AS&R and Kennecott by Applicant when agreed upon.

Applicant is presently selling and delivering natural gas to Arizona Public Service Co. (Public Service) for resale and distribution in the community of Ehrenberg, Yuma County, Ariz., through a mainline tap located on its 26-inch O.D. California mainline. Public Service proposes to expand its present distribution system to serve additional consumers situated in its Ehrenberg service area. The estimated annual and maximum daily natural gas requirements of Public Service during the third full year of proposed service are 12,553 Mcf and 231 Mcf respectively. To provide for more efficient control over the volumes of gas sold and delivered to public Service, Applicant proposes to convert the foregoing mainline tap to a measuring and regulating station.

Southwest Gas Corp. (Southwest Gas) proposes to initiate natural gas service to consumers situated in the community of Sacaton, and other areas, within the Gila River Indian Reservation, Pinal County, Ariz., and to construct transmission and distribution facilities necessary therefor. The estimated annual and maximum daily natural gas requirements of Southwest Gas to provide service in such area during the third full year thereof are 22,460 Mcf and 190 Mcf, respectively. To implement such service, Applicant proposes to construct and operate a measuring and regulating station adjacent to its 10¾-inch O.D. Phoenix pipeline located in Pinal County, Ariz.

The sale and delivery of natural gas by Applicant to Public Service and Southwest Gas will be made in accordance with and at rates contained in Applicant's Rate Schedules A-1 and B-1, FPC Gas Tariff, Original Volume No. 1.

The total estimated cost of Applicant's proposed facilities is $469,854, inclusive of filing fees, which cost will be financed through the use of working funds.

Protests 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 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before November 21, 1966.

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

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-11837; Filed, Oct. 31, 1966; 8:45 a.m.]

[Docket No. CP67-104]

CITIES SERVICE GAS CO.

Notice of Application

OCTOBER 25, 1966.

Take notice that on October 20, 1966, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP67-104 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act and § 157.7(c) of the regulations under the Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1967 and operation of certain transmission facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate small field compressor units including, where necessary, the relocation of such units located on gathering laterals in various presently connected gas producing fields to enable Applicant to take into its certificated main pipeline system natural gas which it is authorized to purchase from producers thereof.

The total cost of the proposed facilities will not exceed a maximum of $500,000, and the cost of units for any single producing area will not exceed $200,000, which cost will be paid out of treasury funds.

Protests 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 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before November 21, 1966.

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

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-11838; Filed, Oct. 31, 1966; 8:45 a.m.]

[Docket No. CP67-103]

PENNSYLVANIA GAS AND WATER CO. AND TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

OCTOBER 24, 1966.

Take notice that on October 19, 1966, Pennsylvania Gas and Water Co. (Applicant), 30 North Franklin Street, Wilkes-Barre, Pa. 18701, filed in Docket No. CP67-103 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Transcontinental Gas Pipe Line Corp. (Respondent) to establish existing interconnections as additional points of delivery to Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks an order directing Respondent to establish the existing interconnections at Old Lycoming and Pennsdale-Muncy as sales delivery points under the existing service agreements between Applicant and Respondent and to sell and deliver natural gas to Applicant at such new delivery points for resale in Applicant's Susquehanna Division under Respondent's Rate Schedules CD3 and GSS.

Applicant seeks no increase in its existing contract quantities under its service agreement with Respondent for the 1966-67 winter heating season, and no new facilities required to permit deliveries by Respondent to Applicant at the Old Lycoming and Pennsdale-Muncy delivery points.

Estimated third year annual and peak day volumes of natural gas which Applicant would purchase from Respondent at the proposed delivery points under presently effective purchase and certificated arrangements, are 2,788.1 Mcf and 1,000 Mcf respectively.

Protests 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 or 1.10) on or before November 21, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-11839; Filed, Oct. 31, 1966; 8:46 a.m.]

[Docket No. RP66-25]

TENNESSEE VALLEY MUNICIPAL GAS ASSOCIATION, ET AL.

Order Providing for Investigation and Hearing and Denying Motions for Immediate Rate Reduction Pending Hearing and To Dismiss Complaint

OCTOBER 25, 1966.

Tennessee Valley Municipal Gas Association (Municipal Association) and its 10 individual members [1] (Municipalities), on June 7, 1966, filed a formal complaint against Alabama-Tennessee Natural Gas Co. (Alabama-Tennessee). Alabama-Tennessee filed an answer and a motion to dismiss on July 15, 1966. An answer in opposition to Defendant's motion to dismiss and motion of complainants for prompt hearing on complaint was filed by the Municipal Association and Municipalities on July 25, 1966.

The complaint alleges that the municipalities purchase all their gas requirements for resale from Alabama-Tennessee at the rates at issue, that Alabama-Tennessee's rates for the sale in interstate commerce of natural gas for resale are excessive, unjust, unreasonable, and otherwise unlawful, and that the jurisdictional revenues exceed the jurisdictional cost of service by $285,072 or 2.36 cents per Mcf, out of which 0.48 cents per Mcf or $58,500 is applicable to the excess of liberalized tax depreciation over straight-line tax depreciation. In support of the allegations, included with the complaint are various computations and schedules, all based on the 1965 Annual Report of Alabama-Tennessee on file with the Commission. The prayer for relief consists of a motion for immediate rate reduction pending hearing, in the amount of $226,000 a year or 1.88 cents per Mcf, and a request that the matter be set for hearing.

Alabama-Tennessee denies the allegation that its rates are unjust or unreasonable or otherwise unlawful. It contends: (1) "It is entitled to a respite from further rate proceedings * * *"; (2) a hearing "would necessarily entail very substantial but needless expenditures of time and money"; (3) "there is no mention in the complaint to the effect that any future rate reductions would be passed on to the ultimate consumers for whose benefit the Natural Gas Act was enacted." A further basis of the motion to dismiss is the statement that rates cannot be fixed upon the basis of unadjusted book figures without giving effect to the normalization of costs.

Upon analysis of the documents filed, it is our view that an investigation should be instituted into the reasonableness of Defendant's rates, and that a public hearing should be held, in order to afford all parties an opportunity to present evidence on the issues presented; and that all matters which can be resolved without a formal hearing should be settled by stipulation, to expedite the hearing. However, there is no basis in the complaint for an immediate reduction pending hearing and decision on complaint.

The Commission finds: It is necessary and appropriate for purposes of carrying out the provisions of section 5(a) of the Natural Gas Act that an investigation and hearing be instituted to deter-

[1] Athens, Decatur, Florence, Huntsville, Russellville, Sheffield, and Tuscumbia, Ala.; Corinth and Iuka, Miss.; and Selmer, Tenn.

mine the lawfulness of Alabama-Tennessee's jurisdictional rate.

The Commission orders:

(A) An investigation hereby is instituted to determine whether the Alabama-Tennessee jurisdictional rates are unjust and unreasonable and a hearing shall be held thereon. If, after hearing, the Commission finds that any rates, charges, classifications, rules, regulations, practices, or contracts are unjust, unreasonable, and unduly discriminatory or preferential, the Commission shall thereupon determine, fix and prescribe by appropriate order or orders, just, reasonable, nondiscriminatory, and nonpreferential rates, charges, classifications, rules, regulations, practices, or contracts.

(B) Pursuant to the authority contained in, and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 5, 14, 15, and 16 thereof, and to the Commission's rules of practice and procedure, a public hearing shall be held in a hearing room of the Commission at 441 G Street NW., Washington, D.C., concerning the matters specified in paragraph (A) above.

(C) Pursuant to the Commission's rules of practice and procedure, particularly §§ 1.27, 1.30(j), and 3.4(e)(6) thereof, the Chief Examiner shall designate a hearing officer to preside at the prehearing conference hereinafter provided for, and any subsequent prehearing conferences and hearings which he may deem appropriate in these proceedings and to render an initial decision on the issues.

(D) The following schedule for the service of testimony is hereby prescribed: November 22, 1966, service of direct testimony by the Complainants. December 22, 1966, service of direct testimony by Alabama-Tennessee. March 22, 1967, service of direct testimony by the Commission Staff and all Interveners.

(E) Pursuant to § 1.18 of the Commission's rules of practice and procedure, a prehearing conference before the Presiding Examiner shall commence at 10 a.m., e.s.t., on March 27, 1967, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for the purpose of defining the issues, reaching an agreement and stipulation thereon and on any facts relevant to this matter, and, if necessary, to prescribe procedure for hearing herein giving effect to the Commission's intent that this matter be expedited.

(F) Notices of intervention and petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the Commission's rules of practice and procedure, §§ 1.8 and 1.37(f) (18 CFR 1.8 and 1.37(f)), on or before November 15, 1966.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-11840; Filed, Oct. 31, 1966; 8:46 a.m.]

[Docket No. CP67-105]

TRANSWESTERN PIPELINE CO.

Notice of Application

OCTOBER 25, 1966.

Take notice that on October 20, 1966, Transwestern Pipeline Co. (Applicant), Post Office Box 1502, Houston, Tex. 77001, filed in Docket No. CP67-105 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act and § 157.7(c) of the regulations under the Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1967 and operation of certain gas purchase facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to construct, install, relocate, alter, and operate during the calendar year 1967, certain routine field facilities to enable Applicant to make, with a minimum daily, relatively minor alterations in and additions to its existing facilities and to permit the connection of wells from existing and new sources of supply.

The total estimated cost of the proposed facilities will not exceed $1,500,000, and no single project will exceed $375,000. The cost will be financed from funds made available from operations.

Protests 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 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before November 21, 1966.

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

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-11841; Filed, Oct. 31, 1966; 8:46 a.m.]

[Docket No. CP67-106]

TRANSWESTERN PIPELINE CO.

Notice of Application

OCTOBER 25, 1966.

Take notice that on October 20, 1966, Transwestern Pipeline Co. (Applicant), Post Office Box 1502, Houston, Tex. 77001, filed in Docket No. CP67-106 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities for the purchase, transportation and sale of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate approximately 13.9 miles of 16-inch pipeline, approximately 1.6 miles of smaller sized gathering lines for individual well connections and related pipeline facilities, all in the West Rojo Caballos Field in Pecos and Reeves Counties, Tex.

The total estimated cost of the proposed facilities is $748,000, which cost will be financed out of funds generated from company operations.

Protests 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 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before November 21, 1966.

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

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-11842; Filed, Oct. 31, 1966; 8:46 a.m.]

[Docket No. CS 66-77, etc.]

PAUL F. BARNHART, ET AL.

Findings and Order

OCTOBER 25, 1966.

Paul F. Barnhart, Docket No. CS66-77; J. Ray McDermott & Co., Inc., Docket Nos. G-7378, G-7379, G-7382, G-7383, G-7388, G-7389; J. Ray McDermott & Co., Inc. and Sohio Petroleum Co., et al., Docket No. RI61-359; Sohio Petroleum Co., et al., RI61-402.

Findings and order after statutory hearing issuing small producer certificate of public convenience and necessity, amending orders issuing certificates, serving and terminating proceedings,

and redesignating FPC gas rate schedules.

On November 30, 1965, Paul F. Barnhart (Applicant) filed in Docket No. CS66–77 an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a small producer certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the application.

Applicant has heretofore been authorized in Docket Nos. G–7378, G–7379, G–7382, G–7383, G–7388, and G–7389 to sell gas from the Permian Basin area pursuant to his FPC Gas Rate Schedule Nos. 1, 2, 5, 6, 11, and 12, respectively. Therefore, the certificate issued in Docket No. CS66–77 will be effective on the date of this order.

Applicant's aforementioned rate schedules cover a two-thirds working interest of J. Ray McDermott & Co., Inc. (McDermott), a large producer who is a signatory party to all contracts. Inasmuch as the Commission's regulations governing small producers do not permit small producers to cover large producers' interests exceeding 12.5 percent, the orders issuing certificates in the aforementioned dockets will be amended by deleting therefrom authorization for Applicant to sell natural gas as therein set forth and by redesignating said certificates in the name of McDermott. The related rate schedules will be redesignated as those of McDermott as set forth in the Appendix hereto, pursuant to a request by McDermott by letter dated August 25, 1966.

Applicant is involved in rate suspension proceedings in Docket Nos. RI61–359 [1] and RI61–402 [2] in which proceedings the Commission suspended proposed increased rates which are in excess of the applicable area base rate prescribed in Opinion No. 468. The increased rates, however, were not placed into effect insofar as Applicant's interests are concerned but were made effective by McDermott for its interests in Applicant's rate schedules involved in Docket No. RI61–359. The proceedings in Docket No. RI61–402 do not involve McDermott in any way as McDermott has no interest in the pertinent rate schedules of Applicant therein involved. Therefore, Applicant will be deleted as co-respondent in the proceeding in Docket No. RI61–402 and J. Ray McDermott & Co., Inc., will be substituted in lieu of Applicant as co-respondent in the proceeding in Docket No. RI61–359. McDermott will be bound by the refund requirements set forth in opinion No. 468.

The suspension proceedings in Docket Nos. G–13985,[3] G–14017,[3] and G–14018 [3] involve increased rates below the applicable area base rate, which rates were not made effective and are superseded by the increased rates involves in Docket Nos. RI61–359 and RI61–402. Therefore, the proceedings in Docket Nos. G–13985, G–14017, and G–14018 will be severed from the proceeding in Docket No. AR61–1, et al., and terminated.

After due notice no petition to intervene, notice of intervention or protest to the granting of the application has been received.

At a hearing held on October 20, 1966, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the application, submitted in support of the authorization sought herein, and upon consideration of the record,

The Commission finds:

(1) Applicant, Paul F. Barnhart, is engaged in the sale for resale of natural gas in interstate commerce subject to the jurisdiction of the Commission and is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission.

(2) The sales of natural gas hereinbefore described, as more fully described in the application herein, will be made in interstate commerce subject to the jurisdiction of the Commission, and such sales by Applicant, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicant is able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) Applicant is an independent producer of natural gas who is not affiliated with a natural gas pipeline company and whose total jurisdictional sales on a nationwide basis were not in excess of 10,000,000 Mcf at 14.65 p.s.i.a. during the preceding calendar year.

(5) The sales of natural gas by Applicant, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity, and a small producer certificate of public convenience and necessity therefor should be issued as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the orders issuing certificates in Docket Nos. G–7378, G–7379, G–7382, G–7383, G–7388, and G–7389 be amended by deleting therefrom authorization for Applicant to sell natural gas as therein set forth and by redesignating said certificates in the name of McDermott. The related rate schedules should be redesignated as those of McDermott as set forth in the Appendix hereto. McDermott should be required to submit, within 30 days of the order issuing a small producer certificate to Applicant, rate schedule quality statements for each of the rate schedules adopted by McDermott, all as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Applicant should be deleted as co-respondent in Docket No. RI61–402 and that McDermott should be substituted in lieu of Applicant as co-respondent in Docket No. RI61–359. McDermott should be bound by the refunding and reporting requirements set forth in Opinion No. 468, as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the proceedings pending in Docket Nos. G–13985, G–14017, and G–14018 should be severed from the proceeding in Docket No. AR61–1, et al., and terminated as hereinafter ordered.

The Commission orders:

(A) A small producer certificate of public convenience and necessity is issued upon the terms and conditions of this order authorizing the sale for resale and delivery of natural gas in interstate commerce by Applicant from the Permian Basin area of Texas and New Mexico, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the application in this proceeding.

(B) The certificate granted in paragraph (A) above is not transferable and shall be effective only so long as Applicant continues the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission, and particularly,

(a) The subject certificate shall be applicable only to those "small producer sales", as defined in § 157.40 of the regulations under the Natural Gas Act, from the Permian Basin area,

(b) Sales shall not be at rates in excess of those set forth in § 157.40(b)(1) of the regulations under the Natural Gas Act, and

(c) Applicant shall file annual statements pursuant to § 154.104 of the regulations under the Natural Gas Act.

(C) The certificate granted in paragraph (A) above shall remain in effect for small producer sales until the Commission on its own motion or on application terminates said certificate because Applicant no longer qualifies as a small producer or fails to comply with the requirements of the Natural Gas Act, the regulations thereunder, or the terms of the certificate. Upon such termination Applicant will be required to file separate certificate applications and individual rate schedules for future sales. To the extent compliance with the terms and conditions of this order is observed, the small producer certificate will still be effective as to those sales already included thereunder.

(D) The grant of the certificate issued in paragraph (A) above shall not be con-

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[1] Consolidated in the proceeding on the order to show cause issued Aug. 5, 1965, in Docket Nos. AR61–1, et al.

[2] Consolidated in the initial proceeding in Docket No. AR61–1, et al.

strued as a waiver of the requirements of section 7 of the Natural Gas Act or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against Applicant. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificate aforesaid for service to the particular customers involved imply approval of all the terms of the contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall any grant of the certificate aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales subject to said certificate.

(E) The certificate granted in paragraph (A) above shall be effective on the date of this order.

(F) The orders issuing certificates in Docket Nos. G–7378, G–7379, G–7382, G–7383, G–7388, and G–7389 are amended by deleting therefrom authorization for Applicant to sell natural gas as therein set forth and said certificates are redesignated in the name of McDermott, and in all other respects said orders shall remain in full force and effect. The related rate schedules are redesignated as those of McDermott as set forth in the Appendix hereto.

(G) McDermott shall submit, within 30 days of the date of this order, rate schedule quality statements in the form prescribed in Opinion No. 468–A for each of the rate schedules adopted by McDermott.

(H) Applicant is deleted as co-respondent in the proceedings pending in Docket No. RI61–402, and the proceeding is redesignated accordingly.[3]

(I) McDermott is substituted in lieu of Applicant as co-respondent in the proceeding pending in Docket No. RI61–359 and the proceeding is redesignated accordingly.[4] McDermott shall be bound by the refunding and reporting requirements prescribed in Opinion Nos. 468 and 468–A.

(J) The proceedings in Docket Nos. G–13985, G–14017, and G–14018 are severed from the proceedings pending in Docket No. AR61–1, et al., and terminated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[3] Sohio Petroleum Co., et al.
[4] J. Ray McDermott & Co., Inc., and Sohio Petroleum Co., et al.

APPENDIX

Certificate[1] Docket No.	Paul F. Barnhart FPC gas rate schedule No.	J. Ray McDermott and Co., Inc., FPC gas rate schedule No.	Supplement No.
G–7378	1	18	[2] 1–6
G–7379	2	19	[2] 1–6
G–7382	5	20	[2] 1–6
G–7383	6	21	[2] 1–6
G–7388	11	22	[2] 1–6
G–7389	12	23	[2] 1–6

[1] All sales made pursuant to these contracts are to El Paso Natural Gas Co. from the Spraberry Field, Upton, Glasscock, Reagan, and Midland Counties, Tex.
[2] See the following table:

Supplement No.	Description
1	Rate increase to 10.246 cents per Mcf.
2	Rate decrease to 10.171 cents per Mcf.
3	Rate decrease to 10.096 cents per Mcf.
4	Rate increase to 11.106 cents per Mcf.
5	Rate increase to 17.2295 cents per Mcf, filed by J. Ray McDermott & Co., Inc. (Rate in effect subject to refund in Docket No. RI61–359).
6	Rate increase to 17.2295 cents per Mcf, filed by Paul F. Barnhart (Rate suspended in Docket No. RI61–402).

[F.R. Doc. 66–11843; Filed, Oct. 31, 1966; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812–2025]

GENERAL MOTORS OVERSEAS CAPITAL CORP.

Notice of Filing of Application for Order Exempting Company

OCTOBER, 27, 1966.

Notice is hereby given that General Motors Overseas Capital Corp. ("applicant"), 1775 Broadway, New York, N.Y. 10019, a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting it from all provisions of the Act and the rules and regulations 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.

The applicant was organized by General Motors Corp. ("General Motors") under the laws of the State of Delaware on October 14, 1966. All of the outstanding capital stock of applicant consisting of 1,000 shares of common stock, $100 par value, has been purchased by General Motors for $100,000. General Motors will make capital contributions to applicant consisting of cash, securities or other property so that the applicant's equity capital will aggregate not less than $6,250,000. Any additional equity securities which applicant may issue will be issued only to General Motors or to a wholly owned subsidiary of General Motors. General Motors or its wholly owned subsidiaries will not dispose of any such securities except to applicant or to another wholly owned subsidiary of General Motors.

General Motors' operations outside the United States and Canada are carried on through wholly owned subsidiaries in 19 countries. To maintain and continue the expansion of General Motors' overseas operations, substantial additional investment will be required. Applicant has been organized to assist in accomplishing this investment in a manner consistent with the President's program of voluntary cooperation in improving the balance of payments position of the United States.

Applicant intends to issue and sell its 6¾ percent Deutche Mark ("DM") bearer debt securities due 1976 (termed in German "Schuldverschreibungen" and hereinafter called the "debentures"); applicant intends to issue and sell DM 125,000,000 (approximately $31,250,000) principal amount of such debentures. General Motors will guarantee the payment of principal and interest payments on the debentures. Any additional debt securities of the applicant which may be issued to or held by the public will be guaranteed by General Motors in a manner substantially similar to the guarantee of the debentures.

Applicant intends that upon completion of the long-term investment of its assets, not less than 70 percent of its assets will be invested in or loaned to foreign companies (including U.S. companies, all or substantially all of whose business is carried on abroad) which are, or will be immediately after such investment, substantially wholly owned subsidiaries of applicant or General Motors and which will be engaged in a business other than the business of investing, reinvesting, holding, or trading in securities. Applicant will proceed as expeditiously as possible with the long-term investment of its assets. Pending the conclusion of such investment, and from time to time thereafter in connection with changes in applicant's investments, it may make temporary short-term outside investments or deposits in the United States and abroad. Applicant will not acquire the subsidiary loans or interests for the purpose of resale, except that applicant may transfer them to General Motors or other subsidiary companies of General Motors.

The debentures are to be sold to a group of underwriters for offering outside the United States. The debentures are to be offered and sold under conditions which are intended to assure that the debentures will not be offered or sold in the United States, or to persons believed to residents or nationals thereof.

Applicant's tax advisers and General Motors have informed applicant that U.S. persons (as defined in the Interest Equalization Tax Act) will be subject to the interest equalization tax with respect to acquisition of the debentures, except where a specific statutory exemption is available. Thus, U.S. persons would be discouraged from ultimately purchasing the debentures.

The applicant intends to apply for listing of the debentures on the Borse Frankfurt am Main in Germany.

Applicant submits that it is 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 for the Commission to enter an order exempting applicant from each and every provision of the Act for the following reasons: (1) A primary purpose of the applicant is to serve as a vehicle for obtaining funds in foreign countries for General Motors' foreign operations, thus assisting in accomplishing the purposes of the voluntary balance of payments program; (2) the applicant will not deal or trade in securities; (3) payment of the principal and interest on the debentures will be paid by General Motors; (4) none of the equity securities of the applicant will be held by any person other than General Motors or a wholly owned subsidiary of General Motors; and (5) the burden of the Interest Equalization Tax will tend to discourage purchase of the debentures by any U.S. person.

Notice is hereby given that any interested person may, not later than November 7, 1966, at 12:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the 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.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66–11849; Filed, Oct. 31, 1966; 8:47 a.m.]

[File No. 70–4421]

GENERAL PUBLIC UTILITIES CORP.

Notice of Proposed Issue and Sale of Additional Shares of Common Stock Pursuant to Rights Offering

OCTOBER 26, 1966.

Notice is hereby given that General Public Utilities Corp. ("GPU") 80 Pine Street, New York, N.Y. 10005, a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, and 12(c) of the Act and Rules 42 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

GPU proposes to offer up to 990,000 authorized but unissued shares of its common stock ("additional common stock" for subscription by the holders of its outstanding shares of common stock on the basis of one share of the additional common stock for each twenty-five (25) shares of common stock held on the record date. The record date will be November 16, 1966, or such later date as GPU's registration statement under the Securities Act of 1933 may become effective. The subscription price, to be determined by GPU's Board of Directors, will be not more than the closing price of GPU common stock on the New York Stock Exchange on the day prior to the record date and not less than 85 percent thereof. The subscription period will expire December 9, 1966, unless the record date should be later than November 16, 1966, in which event the expiration date will be specified by amendment.

Rights to subscribe to the additional common stock will be evidenced by transferable subscription warrants which will be issued to all record holders of GPU common stock outstanding on the record date. No fractional shares will be issued, and any holder with more than 25 shares, but not in multiples thereof, may purchase, at the subscription price, one extra share of additional common stock. A stockholder with less than 25 shares of common stock will be entitled to purchase, at the subcription price, one full share of additional common stock. GPU will also, upon request of initial record holders of warrants, purchase such number of the rights represented thereby as such holders do not desire to exercise, at a price per right equal to one-twenty-fifth of the excess of the market price of GPU stock over the subscription price. GPU will utilize a commercial bank as subscription agent in connection with the rights offering.

No warrants will be mailed to stockholders with registered addresses outside the United States, Bermuda, Cuba, Canada, and Mexico. Such stockholders will be informed in advance by GPU of their rights to subscribe, and will be asked to forward instructions for the exercise or other disposition of their rights. Any rights, as to which no such instructions have been received before the close of business on the second business day preceding the expiration date of the rights, will be purchased on that date by GPU for cash and the pro rata portions of such purchase price will be delivered to, or held for 2 years for the account of, such stockholders, respectively, after which such proceeds will become the property of GPU.

The rights offering will not be underwritten, but GPU will utilize the services of securities dealers to solicit the exercise of rights by the initial holders thereof, and will pay these dealers a commission of not less than 30 cents nor more than 40 cents per share for each successful solicitation, subject to a maximum payment of $250 for each subscription by an initial warrant holder. In addition, during the rights period and for not more than 30 business days thereafter, GPU may sell to dealers any shares of GPU stock not subscribed or otherwise disposed of by GPU under the terms of the rights offering. Such sales to dealers will be made at prices, to be fixed by GPU, at not less than the higher of (1) the subscription price or (2) 90 percent of the last sale price of GPU shares on the New York Stock Exchange immediately preceding such sales by GPU, and not more than 25 cents plus the higher of (1) the last sale price or (2) the current quoted asked price of GPU shares on the New York Stock Exchange. A sales commission of not less than 70 cents nor more than 90 cents per share will be paid.

In connection with the rights offering, GPU may effect stabilization transactions in its common stock or rights, but at no time will GPU acquire a net long position exceeding 95,342 shares of its common stock.

GPU proposes to use the net proceeds from the sale of the additional common stock to pay its outstanding bank loans, estimated at $20 million, and to make additional investments in its subsidiaries to carry out their construction programs.

The fees and expenses (other than dealers' fees) to be incurred by GPU are estimated at $240,000, including $20,000 legal fees, $9,750 accountant's fees, and $80,000 compensation for the subscription agent, Manufacturers Hanover Trust Company of New York.

GPU requests that the Commission grant an exemption from the competitive bidding requirements of Rule 50, promulgated under the Act, to the exent such rule may be applicable to the proposed sale of unsubscribed shares.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than November 15, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more

than 500 miles from the point of mailing) upon applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-11850; Filed, Oct. 31, 1966; 8:47 a.m.]

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PART 2

FEDERAL REGISTER

VOLUME 31 • NUMBER 212

Tuesday, November 1, 1966 • Washington, D.C.

PART II

Department of Justice

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Office of the
Attorney General

Acquisition and Preservation by the United States of Items of Evidence Pertaining to the Assassination of President John F. Kennedy